

**Meeting Minutes**  
**Shelburne Natural Resources and Conservation Committee**  
**Shelburne Town offices- Meeting Room 2**  
**7:00 PM**  
**Wednesday, August 14, 2019**

Attending: Don Rendall (acting as chair), Jon Cocina, Fred Morgan, Susan Moegenburg, Sean MacFaden (arrived at 7:10) Peg Rosenau, Dean Pierce (Planning staff), Mike Schramm (arrived 7:17)

Guests: Dick and Peg Meunier, Dave Marshall, David Shenk

Call to order: 7:03

Minute Taker: Peg Rosenau

**Preliminary Matters:**

Agenda: moved to approved- Jon, second- Fred. Unanimous approval to accept August 2019 agenda

Approval of July 2019 minutes Moved to approve - Fred, second- Peg. Discussion- amendment to attendance to include Mike Schramm as attending. Minutes of July 2019 approved with amendment

Minutes of July 17 site walk at Rich property. Moved- Jon, Second- Fred. Unanimous approval

**Public Comment:** Susan reported seeing three otters in Monroe Brook near the Webster Rd bridge

**Development Review:**

**Shenk project.** David Shenk appeared to present the project. The property is currently known as Yankee Doodle Motel (located on Shelburne Road) and has been inactive for many years. Proposal is to demolish and erect three buildings with 63 units. Some would be age restricted 55 + but not assisted or with any elder services. Underground parking would be part of project. This would be reviewed under form based code. According to the applicant that criteria has been met. One current curb cut on Rt 7 will be eliminated. State will issue stormwater permit.

Susan asked about the size of lot and height. Lot is 3.27 acres. Buildings would be two stories tall. Don asked about stormwater. Infiltration not possible because of soil type (clay). There will be retention system and overflow system. Form based code requires that the project accommodate a 2.1 inch rain event as opposed to 1.9 event. Therefore the project will have

more stormwater capacity than previous project. Form Based Code also requires low impact retention systems whenever possible. New development needs to improve on previous development and the project will meet this requirement. Retention areas will have native plantings. Peg made a motion to approve project as presented, Jon seconded. All in favor with the exception of Sean abstaining as he was not present for the entire discussion.

**Meunier PUD:** (moved ahead of Three Jewels on agenda) Dave Marshall of Civil Engineering Assoc presented. Peg and Dick Meunier were also present. 10.3 acre parcel on Spear and Southview. Meuniers would like to divide the lot and build a house with access on the Spear St. side of the property. Property would be subdivided into two lots and 60 % of property would be open /conserved space as part of PUD. Sean asked about the area for the wastewater system- could this be considered open space as it is proposed? Dave contends it meets the requirement. Dean read current definition of open space as it would be applied by the Planning Commission. Mike pointed out that Southview Drive is also part of the proposed open space area, though it does not seem like appropriately open space. Motion made by Susan to accept plan with a condition to reallocate the 60 % open space. The updated proposal should NOT include the area of the septic system or the area encompassing Southview Drive as part of the open space. Fred seconded. Unanimous approval.

**Betsy Rich (AKA Whalley):** Dave Marshall presenting. Reviewed site walk from July 17th. Some revisions have been made since the last iteration. Lot 9- reduced area of clearing . Lot 4,5,6 moved away from Irish Hill Road. 60 % of original lot will be conserved/open space as required by PUD. Original lot (lot 1) will carry the easement for the open space. Landowner would like to permit some mechanized vehicles (snow mobiles) and some changes have been made to easement management documents. Peg asked about lot 9- would there be language to guarantee that the net amount of cutting would be maintained regardless of house envelope placement? Dave concurred that this is the case. Lot nine has had a view assessment performed. Dean asked about the angle measurement of the view cone- it is not indicated. He pointed out that this should be clarified if it will affect the amount of cutting expanding from the vertex. Dave concurred that this might need more clarification regarding degrees of the angle and the graphic. Sean asked about open space on western border. Is there a way to widen the open space buffer in this area. Mike asked about driveway to lot 9. Could there be a way to shorten driveway? Dave explained that this would not work with the topography- many other options were explored. Mike asked about spur on driveway to lot 9- this is a fire dept. access. Mike asked about ponds- would they be used for stormwater? They would only be used for peak flow conditions. Landowner/easement holder retains right to manage the ponds. The fire dept also may have some interest in maintaining the ponds. Motion made by Don to accept the proposal with some conditions: amend the proposal to show the view cone vertex for lot 9 start at the center of the house, clarify the specific angle degree measurement of the view cone, and indicate the centering view objects within the angle.

Request that the applicant specify the total maximum amount of area that could be cut on lot 9 currently depicted on the proposed plan presented to the SNRCC on 8/14/19. Additionally, recommend that the western buffer (near lots 2 and 3) be widened beyond 50 feet and create a more contiguous forest management area. Seconded by Jon. The group further debated making more specific cutting requirements for lot 9. Is the point to shield the house or to allow for flexibility with cutting and permitting views outward for homeowner? Sean contended that we should focus more on the amount of cutting vs. the shielding of the house. Don suggested moving the conservation buffer closer to the building envelope. Dave said that would be about 150 feet to move the buffer to the lot 9 cutting boundary line as presented. Mike asked if we should be more specific about lots 2 and 3 buffer. Dave said they would need some flexibility to see how that could be re-tooled on an updated plan. Suggested that the language say to move the buffer in an easterly direction to the western cutting zone boundary. Motion unanimously rejected. New motion made by Don to approve the proposal. The motion *includes the conditions of the first motion* PLUS the additional conditions that the open space area (indicated on the 8/14/19 map in yellow) on lot 9 be widened from its current location to meet the boundary of proposed cutting zone (green) AND that the open space buffer corridor near lots 2 and 3 be moved in an easterly direction to meet the western boundary of the cutting zone for those lots. Second by Jon. Unanimous approval.

**Three Jewels:** Dave Marshall presenting (again!). Property adjacent to Zen Center (former Haag property). Dave described the property. Homes (three units) would be clustered on a corner of the property. No cutting would be done- building sites are on an open field. Close to Laplatte River but well beyond the setbacks and significant slopes. Conservation areas are not yet delineated and the plan was lacking in details. Dave suggested identifying the desirable areas for protection. Discussion about priority areas to include in open space requirement ensued.

-Don made a motion to request that the applicant return to the next SNRCC meeting to present a detailed and thoughtful open space plan noting the high priority ecological and agricultural areas: riparian habitat, floodplain, steep slopes, prime agricultural soils, and statewide "B" soils. Susan seconded. Unanimously approved.

Shelburne Day: SNRCC will not be present this year.

Jon made a motion to table the remaining items to the September agenda. Fred seconded. Unanimous.

Mike made a motion to adjourn. Susan seconded. Unanimous.

Meeting adjourned at 9:42.

