

Minutes of the Town of Shaftsbury Development Review Board
October 6, 2010
COLE HALL
SHAFTSBURY, VERMONT

Board Present: Phylis Porio (Chairperson), Gary Burgess (Vice-Chair), Bill “Jake” Jakubowski, David Mance, Rick Mattison, Fritz Ludwig, Christopher Ponessi.

Board Absent:

Others Present: Christopher Blanchard, Frank King, James King, Walt Kilburn, Paul Williams, Jeri Schoof, Ron Schoof, Lorraine Mattison, John Tiffany, Owen Beauchesne, Katherine Beauchesne, Robert Sritak Jr., Albert Sykes, Suzanne Bushee (Zoning Administrator, recording secretary).

1. Call Meeting to Order:

Phylis Porio called the meeting to order at 7:00pm.

2. Conflict of Interest Statement

Dave Mance will recuse himself for item 4B.

Christopher Ponessi will recuse himself for item 3.

3. Old Business

- A. File #18 01 09 Hale Mtn Fish & Game Club. Appeal of Decision of the Administrative Officer: Appeal of 12 Permits issued to Hale Mountain Fish and Game Club

Phylis Porio opens the floor to anyone who would like to speak with regards to the Hale Mountain issue. She also offered anyone to come forward with testimony or more documents. No one commented or provided documents. Phylis then addressed Mr. Beauchesne to provide anymore documents that he may have. He came forward with more documents and signed the testimony page. He handed in the Vermont Statute as exhibit 23 and an email regarding shooting range budgets. Attorney Blanchard mentioned that the decision by the Judge Durkin was ruled as permitted use in residential to be a club, not a conditional use club. Dave Mance questioned the wording by the Judge regarding permitted and conditional use on page 8 and 9 of the Title 3 Order. Mr. Beauchesne made reference to page 11 regarding 7115 non conforming regulations. He requests it to be a conforming use and would like to see a site visit. He feels Hale Mountain is nonconforming land use.

Gary Burgess motioned to close the hearing in this matter. Dave Mance seconded it. Motion passed 7-0-0. Gary Burgess motioned to take this issue into deliberative session after the rest of the Agenda business. Dave Mance seconded it. Motion passed 7-0-0. The Board has 45 days to make a decision.

Christopher Ponessi returned to the table.

4. New Business

A. Hillbrook Motel, developing a small condominium association

Dave Mance spoke regarding adaptive reuse and taking the existing septic and water supply to use in a commercial zone for changing a motel to condos. Jake doesn't believe that the motel owners are only ones that should be involved. Fritz agreed. Dave explained the lack of income from motels. Dave also suggested this matter be sent to BCRC Mr. Jim Sullivan for an opinion. Phylis will send Moyer's letter to BCRC for review. Chris points out the density table meaning Hillbrook Motel would need more acreage or a variance. Hillbrook is zoned RR80. 6.2 and 6/1 is mute on dwelling unit per Jake. He argues "uses" not dimensional. DRB has to review anything that is not a single family home. Maximum building coverage would be 10% not 15%.

Dave recused himself as board member for the following item.

B. Subdivision of Lands of Richmond - mylar

Dave Mance testified since they could not meet the conditions of the original permit, which required them to put in a common entrance, this matter was closed. Dave will take the rest of the maps as it was never approved.

5. Curb cut:

A. Tichnor:

This had two items come up which haven't been filed yet.

Phylis gives curb cut an actual denial signature on the application

6. Other Business

A. Subdivision regulation updates

Board members will be in contact with the Planning Commission with their suggestions.

Phylis requests that Chris update draft.

7. Minutes

Dave Mance motioned to approve the minutes of September 14, 2010. Gary Burgess seconded. Motion approved 7-0-0.

9. Adjournment

Gary Burgess motioned to adjourn the meeting at 8:10pm. Jake Jakubowski seconded. Motion approved 7-0-0.

Deliberative session takes place regarding Hale Mountain Fish and Game Club

Respectfully submitted,

Suzanne Bushee