

# BARRE TOWN DEVELOPMENT REVIEW BOARD

## MINUTES FOR MARCH 13, 2019

The Barre Town Development Review Board held a public meeting & hearings on **Wednesday, March 13, 2019** beginning at 7:00 p.m. at the **Municipal Offices**, 149 Websterville Road, Websterville, Vermont.

### MEMBERS PRESENT:

Chris Neddo, Cedric Sanborn (Acting Chair), Angela Valentinetti, Jon Valsangiacomo, William Wolfe

### MEMBERS ABSENT:

Mark Nicholson, Mark Reaves, Charles Thygesen, Sr.

### STAFF PRESENT:

Chris Violette

### OTHERS PRESENT:

David S. Marshall

### CHANGES TO THE AGENDA:

Mr. Sanborn asked if there were any changes to the agenda. Mr. Violette indicated there were no changes to the Agenda.

### APPROVAL OF MINUTES:

*Mr. Valsangiacomo made a MOTION to approve the February 13, 2019 minutes. Ms. Valentinetti seconded the motion. All voted in the affirmative.*

### WARNED PUBLIC HEARING:

Agenda Item – Site Plan 1: **Vermont Creamery, LLC**

**Request by Vermont Creamery, LLC for major site plan approval (second hearing) for additions totaling 8,113 S.F. on property located at 20 and 40 Pitman Road in the Wilson Industrial Park; Parcel ID: 006/033.00; Zoned Industrial; SP-19000000.**

Consultant: Civil Engineering Associates, Inc.

Date: March 8, 2019

### STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is the second of two required public hearings for Vermont Creamery's major site plan review phase 1 expansion project. Below in bold are new comments; comments below that are from the original report.

**During the DRB's first hearing on February 13, 2019, two main issues surfaced that require Selectboard approval. Those issues included a proposed fire hydrant to be placed on land owned by the Creamery, a retaining wall and a parking lot extension into a Town sewer easement.**

Mr. Marshall of Civil Engineering was present at the Selectboard meeting as was I. At the meeting Mr. Marshall presented a new plan that shows the fire hydrant now moved closer to Pitman Road and within the Town right-of-way. To accommodate a flat area around the hydrant, the drainage swale behind the hydrant has been altered slightly. The Selectboard was agreeable to this new plan and approved accepting the hydrant. I am okay with it as well and asked for and was granted a condition be added that would hopefully keep a reasonable path from the hydrant to the building.

The second issue as it relates to the retaining wall was discussed at length. The Selectboard is listening but clearly has reservations. Their concern was heightened when it was realized the encroachment isn't 7' as first thought but rather more like 14', this in a 30' easement. However, a positive is that the sewer line is not in the center of the easement which means even at 14' there is still some distance between the wall and the pipe. Another area of concern is that within the easement is a drivable path for the Town's sewer vector to travel down the length of this cross-country sewer line.

In the end while there is some support, there are reservations among board members. The board wanted to have Town Engineer, Harry Hinrichsen weigh in again now that it is apparent the encroachment is 14' not 7'. Harry has spent time discussing the matter with Mr. Marshall and has written a memo to the Selectboard which I have included in your packets. The memo doesn't provide a recommendation but the Selectboard will be taking the matter up again at its next meeting the day before the DRB hearing.

Essentially the proposal before the Selectboard will be to place the depth of the retaining wall below the depth of the sewer pipe, replace over a 100' of old sewer pipe with new and reconstruct the vector road as necessary so that the vector can still get down it. In addition, Mr. Marshall is hoping to conduct an experiment prior to the Selectboard meeting to see whether the parking lot can be reduced in size by

actually using a truck instead of models to check turning radius. If there is any reduction possible, the encroachment could shrink as well.

By the time of your meeting Wednesday night we will hopefully have direction from the Selectboard regarding the encroachment. If they give the go ahead with conditions, I would suggest approving the site plan while incorporating the Selectboard conditions into your approval.

Vermont Creamery is proposing additions and site improvements to their existing facility located in the Wilson Industrial Park. Vermont Creamery has two buildings on one lot (recently merged) located at 20 and 40 Pitman Road. The improvements proposed with this application impact 40 Pitman Road.

For clarity, a similar application (SP-18000004) was filed and warned for November 2018. At that point, Vermont Creamery was not ready to move forward and withdrew the application. Because it was warned, the DRB had to dispense the application, at its November meeting they denied the request without prejudice so that the same request could be heard again if necessary.

Civil Engineering Associates of South Burlington has put together detailed plans for the project and provided a good narrative (enclosed in your packets). The additions total 8,113 sf that will improve production efficiency. In addition, several site-specific projects will be done as well, most notably construction of a new stormwater management system and retaining wall.

The project consists of enlarging 40 Pitman Road from its current size of 70,217 sf to 78,330 sf. This will be accomplished by adding a 6,140-sf addition to the front of the building that will house a new electrical room and milk processing equipment. This addition will be highly noticeable from Pitman Road.

The second large addition, 1,788-sf, will be to the rear of the existing building and used as a whey load out room. A 185-sf covered pad will also be built in this location. These additions will not be noticeable.

Other improvements include a change to the drive area just after entering from Pitman Road, significant alteration to the existing stormwater management system, new underground water and sewer lines including a new fire hydrant. A retaining wall will be constructed to facilitate the driveway alteration/expansion. It appears several new silos will be added as well along the Pitman Road frontage.

Below are the review standards, and my comments, for site plan approval in accordance with Article 5, section 5.6 (F)

1. The proposed land development as it complies with or compliments the policies, regulations, standards, and goals of the Town's Zoning Bylaw and its most recently adopted Town Plan; **The Wilson Industrial Park (park) is zoned industrial. The project complies with Barre Town's Zoning Bylaw because it is a permitted use and a use that has existed for many years within the park. The creamery, as a butter and cheese production facility is considered a light industrial use which is allowed within the park.**

**The Barre Town Municipal Plan (the plan) supports economic development in many sections especially with the park. The creamery provides jobs and tax revenue in several forms and has been a good community member and park business.**

2. The convenience and safety of vehicular movement within the site, and in relation to adjacent areas of vehicular movement. This includes consideration of access management in regard to entrances and exits for the subject site; **The proposed improvements essentially do not appear to alter existing vehicle access or movement within the site except for the following. The plan does modify turning movements for milk delivery trucks. This modification requires a slight alteration (widening) to the driveway just after entering the site form Pitman Road. This alteration is shown on the plans and should have no negative impacts overall with regard to the convenience and safety of vehicle movements.**

3. The convenience and safety of pedestrian movement within the site, and in relation to adjacent areas of pedestrian movement. Also included for consideration is the relationship to any pedestrian access deemed necessary for adjacent properties and along public roads; **No change is being considered with main parking areas or areas of pedestrian movement. The existing conditions seem to work well for the site. Future improvements may improve connectivity between the two buildings but that is not being proposed at this time.**

4. Storm water and drainage to insure adequate consideration of storm water runoff and drainage issues in order to minimize the impacts of any development project on the adjacent property, the environment, and the Town. The applicant shall bear the responsibility for obtaining and meeting any and all permitting requirements of the appropriate state agency. The Town Engineer shall review the storm water runoff and drainage plan and shall approve the site plan and sign off on the design before the project may be approved; **The site has an existing stormwater management system including a pond and drainage swales. The plan shows improvements to that plan that will incorporate new (2017) standards. Civil Engineering states in their narrative that the new system will consist of a gravel wetland. While they will obtain a State of Vermont stormwater permit**

**which we have little oversight over, it might be nice to get a more detailed explanation of the stormwater management plan, especially how it fits into the parks plan overall.**

5. The protection of historic or natural environmental features on the property under review, as well as on the adjacent areas; **There are no known historic or natural environmental features that anybody is aware of. Being part of the Wilson Industrial park, many construction projects have taken place here and in other locations without any concerns being noted. The subject building, excluding previous additions, was the first building built in the Wilson Industrial Park in the mid 1970's.**
6. The impact of new development on public utilities such as water and sewer infrastructure and on other users/consumers; **Civil Engineering states in their narrative that no increase water or sewer use is expected at this time. As such there should be no additional impact on town services. The creamery did recently add several additional sewer allocations to be in line with current usage.**
7. Signage that meets or exceeds the criteria established in this Bylaw, Article 7, Sec. 7.5.; **No sign changes are being proposed.**
8. The utilization of renewable energy resources; **No renewable energy resources are being proposed with this project.**
9. Landscaping and/or screening to assist in mitigating undue impact of the proposed land development upon neighboring landowners; **It does not appear as though any significant change to the existing landscaping is being proposed. Some trees will be relocated due to one of the additions.**
10. The adequacy of parking as well as loading and unloading facilities including their impact on surrounding traffic patterns, in accordance with the provisions established in Article 3, Sec. 3.6 of this bylaw. **Civil Engineering provides a detailed report regarding parking as part of their narrative. The parcel size is now 7.7 acre after the merger of two parcel owned by the creamery. I do not believe the site of this review (40 Pitman Road) has ever fully met the parking requirement. The narrative seems to show when adding all the available parking for the parcel as a whole, they are 23 spaces short after the addition. As they mention, this phase does not plan to add employees and as such they claim that the existing parking of 98 (which include a few parking spaces that could be provided) is enough. It may be necessary with further expansion to increase onsite or even acquire offsite parking but at this point I am not aware of parking concerns.**

#### **SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

If the Selectboard gives the green light to the sewer easement encroachment, I recommend approval of phase 1 expansion adding 8,113 sf to the existing building located at 40 Pitman Road. With consideration to the conditions below, I recommend approval of this site plan application by Vermont Creamery, LLC

1. The final site plan by Civil Engineering Associates, INC, as presented and approved, shall be incorporated into this decision and shall be followed unless any changes are first discussed with Town staff for a determination of significance. If the overall purpose of the approval is not altered staff may administratively approve the changes, if staff determines that changes are significant enough, further review by the DRB may be required.
2. All required state permitting shall be obtained including, but not necessarily limited to: Act 250, wastewater/water supply, stormwater, construction general permit, Division of Fire Safety. If any state permit or other requirement cannot be obtained or met, this approval will be declared null and void.
3. Best management practices shall be followed with regard to sediment and erosion control with such measures being monitored regularly to ensure that they are providing as indented and adequate control. Said sediment and erosion control measure shall be removed once vegetation has been established and the need for them has abated.
4. All other Town permits such as, water, building, access, and sewer shall be obtained (if applicable) before construction begins.
5. A reasonable path from the new fire hydrant that is there to provided sprinkler enhancement and fire protection to Vermont Creamery, shall always be kept unobstructed especially during winter months allowing access to fire department personnel from the hydrant to the fire department connection on the side of the building.
6. Any conditions added by the Selectboard.

**ADDITIONAL COMMENTS:**

Mr. Violette indicated he was not reviewing his staff comments as most of it had since changed. He stated this is the second hearing for VT Creamery. On March 11 testing was conducted using an actual truck; as a result, the modeling was not as accurate as they had hoped. Consequently, none of the original plan is now within the easement, therefore they did not report to the Selectboard on this matter. Mr. Violette indicated the only action the Selectboard took previously was with regards to the fire hydrant now being placed in the town right-of-way. Hence, the town will maintain it like any other. Mr. Violette indicated plans were passed out that show the approximate location of the retaining wall and other areas that Mr. Marshall will expand upon as referenced in his email. They are hoping for approval as they are prepared to present Phase II in April.

Mr. Marshall referenced his display which focused on 40 Pitman Road. He noted per recommendation at the last Selectboard meeting they conducted an actual truck turning test. The test yielded about a 6'-8' improvement over what had originally been modeled. However, it did not reach 14' which results in encroachment with the sewer easement area. In order to absorb some of the easement issue they looked inside the building as this is where the trucks are cleaned, etc. They decided to widen the door to allow the trucks to commence turning inside the building to avoid the sewer easement area. Mr. Marshall pointed to his plan the sewer easement running through the railroad rights-of-way and existing sewer main. He indicated they have been able to relocate the retaining wall outside of this easement and all the original features (i.e, catch basin). The water will run out to the stormwater pond as originally intended. Mr. Marshall indicated the revised Plans will reflect all the latest changes. He is asking for approval of the Plan per his presentation with conditions in hopes to move forward with the project.

*Ms. Valentinetti made a MOTION to approve the request by Vermont Creamery, LLC for the major site plan approval at this second hearing with the five aforementioned conditions as listed by the Zoning Administrator. Also, with a condition that requires the applicant to submit a finalized plan consistent with his presentation to the DRB at the March 13<sup>th</sup> hearing. Mr. Sanborn confirmed that there is now a total of six conditions. Mr. Neddo seconded the motion, and it was unanimously approved.*

Mr. Marshall exited the meeting.

**OTHER:**

Mr. Neddo noted Hannaford's new sign was erected today. Mr. Violette indicated they went with a smaller sign after their bigger sign request was rejected. He indicated the permit for the smaller sign met the requirements, so he approved it.

*A MOTION was made by Ms. Valentinetti to adjourn the meeting. Mr. Neddo seconded the motion and the Board voted unanimously to adjourn the meeting at 7:22 p.m.*

Respectfully submitted,

Julie Kimball

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Cedric Sanborn, Acting Chair

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Chris Neddo

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Angela Valentinetti

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Jon Valsangiacomo

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William Wolfe