

# BARRE TOWN DEVELOPMENT REVIEW BOARD

## MINUTES FOR JULY 8, 2020

The Barre Town Development Review Board held a public meeting & hearings on **Wednesday, July 8, 2020** beginning at 7:00 p.m. via Zoom video conferencing and teleconferencing. There was no physical meeting place per Covid-19 legislative action.

### **MEMBERS TELECONFERENCE (ZOOM)**

Mark Reaves, Jim Fecteau, Angela Valentinetti, Jon Valsangiacomo, Chris Neddo and Cedric Sanborn (Zoom & phone)

### **MEMBERS ABSENT:**

Charles Thygesen, Sr.

### **STAFF PRESENT (ZOOM):**

Chris Violette

### **OTHERS PRESENT:**

ZOOM: Jason & Alyssa Akers, Rob Townsend, and Ryan Brown

Teleconference: Mike Lajeunesse, Brian & Catherine Deyo

### **CHANGES TO THE AGENDA:**

No changes to agenda

### **APPROVAL OF MINUTES:**

*Mr. Neddo made a MOTION to approve the June 10, 2020 minutes with correction to include Ms. Valentinetti had recused herself from Akers Site Plan/2<sup>nd</sup> hearing; Mr. Valsangiacomo seconded the motion. Five voted in the affirmative. Unable to hear if Mr. Sanborn voted.*

### **WARNED PUBLIC HEARINGS**

## **APPLICANT: Akers Site Plan / 2nd public hearing**

Request by Jason & Alyssa Akers for major site plan review (second hearing) that includes site improvements and the construction of a 4,200 s.f. light industrial building (vehicle storage) on property located at 930 South Barre Road; Parcel ID 021/053.00; Zoned Industrial; SP-20000001.

Consultant: American Consulting

Date: July 2, 2020

Angela Valentinetti recused herself and left the Zoom meeting at 7:05 p.m. during this discussion.

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

This is the second of two required public hearings for major site plan review, the first hearing was held in April and was approved setting the stage for the 2<sup>nd</sup> hearing on May 13<sup>th</sup> which was continued to June 10<sup>th</sup> and continued again to this month. The proposal is for the construction of a 4,200 s.f. commercial building along with site improvements. The subject parcel is .81 acres and is currently developed with a single-family residential dwelling.

During the first public hearing in April the main concerns related to a boundary survey and whether the little stream on the parcel in question qualified for protection. The survey has been done which answers the questions regarding whether the proposed building complies with setback or not and while still uncertain whether the stream qualifies for protection (it is really just a stormwater runoff brook) a simple buffer management plan was put together. The building was also altered somewhat as well to redirect runoff from the building to create less impact on the stream.

To move things along, the first public hearing ended with an approval to move to the second public hearing which as noted has been successively continued three times now. The main hold-up at this point is receiving a letter of intent (LOI) from the Vermont Agency of Transportation (VTrans) regarding the curb-cut to VT Rt. 14 (South Barre Road). Because the subject parcel is accessed via Rt. 14, the State must review and issue the LOI before a site plan can be approved. Keep in mind that there is already a residential access to this parcel, the application before the State is to move that access ever so slightly to the South and make it a dual light industrial/residential access.

The application to VTrans was submitted just prior to the June meeting and comments from VTrans were returned to Mr. Townsend on June 18<sup>th</sup>. Mr. Townsend did not find any significant roadblocks and has been working with VTrans to iron out any concerns that they did have. As of this writing, the LOI still has not been issued but there is hope that it will be before the hearing on the 8<sup>th</sup>.

In addressing VTrans comments, there is a new site plan with minor changes, I just have not received it yet.

This project is also subject to several state permits including ACT 250 review which cannot happen until local approval is granted.

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

I have been supportive of the project; I think it is a good location and compliments the applicants' existing business across the Street. I believe the plan meets the minimum standards for site plan approval, we just do not have the LOI from the State, maybe soon though. I will hold any recommendation until the hearing.

Supplemental comments July 8, 2020

There will not be a letter of intent issued by VTrans for tonight's meeting, the permit coordinator is on vacation.

VTrans has had the official application for over 1 month. The month before that there were informal discussions. All that is being asked for is to move an existing driveway less than 100'. Granted the use will change from residential to residential/light industrial but there should not be any reason why Rt. 14 cannot handle the use especially where sight distances and everything else are good. The relocation actually improves alignment with the driveway across the street which is also Akers and closing two others.

This proposed use needs several other State permits including ACT 250 which cannot be applied for until local approval is granted. VTrans will have input again during ACT 250 and surely if they decide not to issue the LOI, this project will not get an ACT 250 permit, thus it will not move forward.

My suggestion is to approve this site plan application and condition it that construction cannot begin unless the LOI is issued by the State of Vermont

Recommended conditions:

1. The final site plan by American Consulting Engineers and Surveyors 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 (if necessary), Division of Fire Safety, and a letter of intent for access to VT Rt. 14 issued by the Vermont Agency of Transportation. 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 working as intended and providing 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, and sewer shall be obtained (if applicable) before construction begins.

**COMMENTS/MOTION**

Mr. Violette reiterated his recommendation as stated above. Mr. Townsend provided an overview of questions VTrans was asking for the LOI with regards to stone size, apron shape turn, and driveway turnaround at the residential. Mr. Lajeunesse commented support to move the process forward.

Mr. Sanborn through email to Mr. Violette, had raised a concern with having outstanding issues and granting final approval. Mr. Violette supports Mr. Sanborn's concerns, but expressed there are no major issues with the recommendation as it stands, that a LOI is likely soon and there is still the ACT250 process.

***On motion by Mr. Fecteau, seconded by Mr. Neddo, the Development Review Board approved the request by Jason & Alyssa Akers for major site plan review (second hearing) that includes site improvements and the construction of a 4,200 s.f. light industrial building (vehicle storage) on property located at 930 South Barre Road; Parcel ID 021/053.00; Zoned Industrial; SP-20000001. Subject to conditions 1-4. Vote 4-0-0. (Ms. Valentinetti had recused herself from this action)***

Due to technical difficulties, Mr. Sanborn was not available to vote. Ms. Valentinetti returned to meeting at 7:15 p.m.

**SUBDIVISION**

**APPLICANT:                      **Brown / Subdivision****

Request by Ryan Brown (Ryan, Ronald and Deborah Brown owners) for amended subdivision approval for the purpose of merging two lots created by subdivision (P-05000053, 2/21/2006, plan 2075 Smith) into one lot located on Lower Usle Road; Parcel IDs 005/095.02 and 005/095.03; Zoned low density residential; P-20000009

Consultant:        Chase & Chase

Date:                July 2, 2020

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

This is a warned public hearing for the purpose of amending or revising a previously approved subdivision. The applicants would like to take two previously created parcels and combine (merge) them into one undivided parcel of land. The subject parcel is located in a low-density residential zone that requires a minimum lot size of 2.0 acres (on-site sewer) and 200' of road frontage.

The two lots subject to this request were created as part of a 7-lot subdivision in 2006. Cary and Janice Smith created 7 developable lots known as Scott Brook Meadow. The applicants purchased two lots from the Smith's in 2016, they have yet to develop either lot. This request will take lots 3 & 4 from the Scott Brook Meadow subdivision and merge them into one parcel.

Both parcels were approved with conventional on-site septic system, only one will now be used, which one I am not sure, and it does not really become important for this request.

The two lots were each approved with a common curb-cut at the boundary line, each sharing with the lot on either side (not owned by the applicant). One of the common curb-cuts has been used, with a driveway for the adjacent lot (005/095.04) constructed. The second one serving 005/095.01 has not been. Access to the newly merged lot will have to use one of these, which one is not noted and again, not important for this purpose.

The two-parcels combined make up a total of 4.74 acres and will have 400' of road frontage along Lower Usle Road.

Both parcels were purchased via one deed, but a new deed will have to be executed merging the two parcels into one.

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

Simple merger of two previously approved subdivided lots. I recommend approval of the amended subdivision plan, merging lots 3 & 4 from the Scott Brook Meadow subdivision, approved February 21, 2006 by Cary and Janice Smith. Subject to the following recommended conditions:

- 1) To complete this subdivision amendment, a deed merging the two parcels into one must be executed within 90 days. Said deed must clearly state that the purpose is to merge the two parcels into one undivided parcel of 4.74 acres
- 2) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
- 3) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff.
- 4) An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
- 5) No changes to the approved plan can be made unless first reviewed by either the Town Planning Officer, or the Town Engineer for a determination of significance. If it is determined that a proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
- 6) Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

**COMMENTS/MOTION**

*On motion by Mr. Reaves, seconded by Mr. Valsangiacomo, the Development Review Board approved the request by Ryan Brown (Ryan, Ronald and Deborah Brown owners) for amended subdivision approval for the purpose of merging two lots created by subdivision (P-05000053, 2/21/2006, plan 2075 Smith) into one lot located on Lower Usle Road; Parcel IDs 005/095.02 and 005/095.03; Zoned low density residential; P-20000009; . subject to conditions 1-6 as recommended. Vote 5-0-0.*

Due to technical difficulties, Mr. Sanborn was not able to vote.

**OTHER:**

Mr. Violette requested if the DRB members wanted to continue with the Zoom meetings or move to in person meetings. Discussion ensued regarding the pros and cons of the types of meeting, the consensus of the committee is to stay with remote meetings for now.

**ADJOURN:**

*A MOTION was made by Ms. Valentinetti, to adjourn the meeting. Mr. Valsangiacomo seconded the motion and the Board voted unanimously to adjourn the meeting at 7:32 p.m.*

Respectfully submitted,

Cindy Spaulding, Clerk for DRB  
(Chris Violette note taker as clerk did not attend meeting)

\_\_\_\_\_  
Mark Reaves, Chair

\_\_\_\_\_  
Charlie Thygesen Sr.

\_\_\_\_\_  
Jon Valsangiacomo, Vice Chair

\_\_\_\_\_  
Angela Valentinetti

\_\_\_\_\_  
Cedric Sanborn

\_\_\_\_\_  
Chris Neddo

\_\_\_\_\_  
Jim Fecteau

Due to COVID-19 pandemic, these minutes were approved on August \_\_\_\_\_ via teleconference.

Participants: