

BARRE TOWN DEVELOPMENT REVIEW BOARD MINUTES FOR NOVEMBER 9, 2022

The Barre Town Development Review Board held a public meeting & hearings on **November 9, 2022**, beginning 7:00 p.m. at the Municipal Building, 149 Websterville Road, Websterville, VT.

MEMBERS

In person: Mark Reaves, Chris Neddo, Angela Labrador, Cedric Sanborn, and Angela Valentinetti
Remote: Jon Valsangiacomo and Gerry Otis (alt)

ABSENT:

Jim Fecteau and Gina Galfetti (Alt)

STAFF PRESENT

In person: Chris Violette
Remote (video): Cindy Spaulding

OTHERS PRESENT:

In-person: Barbara Daniels
Remote (video): Ann Lorenzini (applicant), Jeff Olesky (Catamount), Daniel McGibney and Tristan Macaulay

A. 7:00 P.M. – CALL TO ORDER

Mr. Reaves called the meeting to order at 7:00 p.m. He conducted a roll call and appointed alternate Gerry Otis to sit in for Mr. Fecteau.

B. CHANGES TO THE AGENDA

Mr. Reaves asked if there were any changes to the agenda.

C. APPROVE MINUTES –

October 12, 2022

On motion by Mr. Sanborn, seconded by Mr. Valentinetti, the Development Review Board approved the minutes of October 12, 2022 as written. Vote 6-0-0

D. NON-AGENDA ITEMS (max 10 minutes)

There were no none-agenda items

E. WARNED FINAL PUBLIC HEARINGS

1) APPLICANT: Lorenzini Trust / Conditional Use

Request by Ann Lorenzini on behalf of Mario D. Lorenzini Trust for conditional use review (possible approval) in accordance with Article 2, table 2.1 and Article 3, sec 3.3 (E) (multi-family dwelling) for the addition of up to seven (7) living units (in addition to three (3) existing one) for a total of ten (10) in an existing mixed use building located at 379 South Barre Road; parcel ID: 030/011.00; zoned: highway commercial; CUP-22000005.

Consultant: Jeff Olesky, Catamount Engineers

Date: November 4, 2022

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing for the purpose of hearing a request for a conditional use permit in accordance with the Barre Town Zoning Bylaw, article 5, section 5.5 whereas the applicant would like to conduct a use that is only allowed by a Development Review Board (DRB) issued Conditional Use Permit (CUP). The subject parcel/building is located in a highway commercial zone in South Barre.

Article 2, section 2.5, table 2.1 allows multi-family dwellings by conditional use review. This section refers to article 3, section 3.3 (E) which dictates the number of units allowed in a multi-family dwelling. In a highway commercial, the number of units in an existing structure, is unlimited.

To proceed with a conditional use permit application, the bylaw refers to article 5, section 5.5 which is the section that states, “no permit shall be issued by the zoning administrator for any use, structure, or development which requires a conditional use permit in this bylaw until the DRB grants that approval”.

In reviewing a conditional use application, the DRB shall use the criteria below to guide them through the process and to create findings as well as help determine what if any conditions may be appropriate to mitigate any concerns. Ultimately a determination must be made that the proposed use, structure, or development conforms to the criteria and shall not result in an undue adverse effect on any of them.

The applicants currently own a building that is approximately 17,000 s.f. in size (includes some second-floor area) on a parcel of land that is 1.69-acres. The current use of the building is a mix between commercial and residential, three commercial businesses and three apartments. The building has unused space, and the applicant would like to create up to seven additional apartments for a total of 10 living units. The expansion of the number of living units is what necessitates the conditional use request.

The applicant submitted a detailed narrative of the project and responses to the criteria. They also submitted a site map of the existing conditions.

Below are the conditional use criteria and my responses to them:

1) The impact on the capacity of existing or planned community facilities, to include but not limited to:

a. Emergency services:

Barre Town has a full-time, 24-hr a day Police Department as well as a full-time 24-hr a day paramedic level Emergency Medical Service. It is not anticipated that either agency could not serve the additional number of living units and the people associated with them.

Fire protection is provided by a call-paid Fire Department which is not a career or full-time department. It is not anticipated that the Fire Department cannot provide adequate service to the proposed project.

The ability to serve this location for the proposed residential use is solidified in the fact that the building when used fully as a commercial use has seen far greater activity and numbers of people using the building than what is being proposed herein.

b. Educational facilities:

Barre Town is part of the Barre Unified Union School District and children residing in Barre Town can attend Barre Town Middle and Elementary School (grades P-8) in Websterville. Likewise, the district also operates a grade 9-12 high school in Barre City. Both are public schools. There are also numerous private middle, elementary, and high school options in the area.

While it is possible that school aged children will live in some or all of these new living units, it is not anticipated that the potential number will create a burden to the educational facilities in the area.

c. Water, sewer, or other municipal utility systems:

The existing building is served by both municipal (Barre Town) sewer, and water (Barre City) with existing connections. Those connections will be continued to be utilized for this project.

The Town of Barre owns and maintains a public sanitary sewer collection system that deposits into the Barre City Sewer treatment plant. Barre Town has a designated amount of capacity at the plant for their customers. While a review of the number of sewer units the building currently has and will need is in order, there is sufficient capacity to serve up to seven additional living units.

The City of Barre owns and operates a public potable water system and serves part of the town, including South Barre. While official confirmation of the ability to serve seven additional living units will be required, it is not anticipated that capacity doesn't exist.

d. Recreational facilities:

There are numerous recreational facilities and opportunities in the greater Barre area. Barre Town owns and operates a recreational facility adjacent to the Barre Town Middle and Elementary School in Websterville along with several neighborhood playgrounds. In addition, the town also owns and operates a 300 plus acre forest with numerous walking, biking, disc golf, and other recreational opportunities.

It is not anticipated that the proposed project will have a negative impact on existing recreational facilities.

e. Conservation or other designated natural areas:

There is no known conservation or designated natural areas impacted by this parcel or the proposed project. The parcel is not located in a FEMA declared special flood hazard area or zone.

f. Solid waste disposal facilities:

Solid waste is managed via local haulers and is disposed of at approved landfills. The applicant will have to provide receptacles or dumpsters to each unit for trash and recycling.

It is not anticipated that this proposed development will overburden the existing solid waste system.

2) The character of the area affected as defined by the purpose(s) of the zone within which the project is located, and specifically stated policies and standards of the municipal plan;

The Barre Town Zoning Bylaw states that highway commercial zones are “designated higher intensity commercial developed that generally require larger lots”. While the purpose statement doesn’t specifically discuss residential uses in a highway commercial zone, the fact that article 3, section 3.3 (E) does is sufficient to meet this criterion. In addition, the municipal plan supports the creation of housing, especially affordable housing and mixed-use development.

Regarding the character of the area, the use is compliant and in character given the overall development pattern of South Barre being a mix between commercial and residential now. In addition, there are other multi-family dwellings near this site.

3) Traffic on roads and highways in the vicinity;

The project site is located on South Barre Road which is also Vermont Rt. 14, a State of Vermont public paved highway. In addition, the site has frontage along Bridge Street which is a town paved road. The main access to the subject parcel is along its South Barre Road frontage however, there is access from Bridge Street as well. Both roads, especially South Barre Road are high volume roads and constructed to sustain such use. It is not anticipated that the proposed project will have a negative impact on the roads and highways in the vicinity.

4) Zoning Bylaws and bylaws then in effect;

The Barre Town Zoning Bylaw allows multi-family dwellings in a highway commercial zone by conditional use permit, especially in an existing building (article 2, sec 2.5, table 2.1; article 3, sec 3.3 (E)). As such, the proposed addition of seven living units for a total of ten conforms.

5) Utilization of renewable energy resources:

The applications does not contemplate utilizing renewable energy resources at this time. Nothing prevents that from occurring at later time if desired in accordance with local and state regulations.

6) Minimum lot size:

The minimum lot size for a highway commercial zone is 1.0-acres. The subject parcel is 1.69-acres and as such is conforming.

7) Distance from adjacent or nearby uses:

Nearby uses include single-family and multi-family dwellings along with commercial development, all within 200’ of the project site.

8) Site Plan Review:

The proposed project is in an existing mixed-use building that has seen varied uses over the years. The mixed-use nature is not changing and no exterior alterations that require town permits are being proposed.

9) **Any other standards and factors (as needed) that the bylaw may require.**

Unless determined necessary by the Development Review Board, it is not anticipated that any other standards are applicable in this instance.

10. **Off-street parking requirements in accordance with standards outlined in Article 3, Sec. 3.9 of this bylaw;**

The applicant notes that there are currently 79 parking spaces for this site.

Determining off-street parking in conformance with the Zoning Bylaw in a mixed-use building is often difficult to determine. What we do know is that ten living units will require a total of 20 parking spaces (2-per unit). The three commercial spaces vary in size but with 59 spaces available, that would allow for 12,000 s.f. of floor space (1 space for every 200 sf). It is unlikely that the three spaces consume that much area, so it is my belief that there is sufficient parking based on the bylaw requirement.

ADDITIONAL COMMENTS:

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Reaves swore Ms. Lorenzini, Mr. Olesky and Mr. Violette in for testimony.

Mr. Violette provided an overview of his staff report as stated above. Mr. Olesky of Catamount Consulting stated that the renovations are internal, the three commercial spaces and potentially a fourth office space with up to fifteen employees with parking in the back. The character neighborhood and traffic flow will not be impacted. Mr. Reaves asked if there were any questions from Board members or public attendees. There were none.

MOTION:

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board closed the public hearing. Vote 7-0-0.

DELIBERATION:

On motion by Mr. Neddo, seconded by Mr. Sanborn, the Development Review Board approved the request by Ann Lorenzini on behalf of Mario D. Lorenzini Trust for conditional use review (possible approval) in accordance with Article 2, table 2.1 and Article 3, sec 3.3 (E) (multi-family dwelling) for the addition of up to seven (7) living units (in addition to three (3) existing one) for a total of ten (10) in an existing mixed use building located at 379 South Barre Road; parcel ID: 030/011.00; zoned: highway commercial; CUP-22000005; contingent upon the following conditions:

- 1) *The applicant is hereby notified that State of Vermont Permits may be necessary. The applicant shall visit the Department of Environmental Conservation permit navigator to determine what if any State of Vermont permits are necessary for this development. If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
- 2) *If not done so before final approval, confirmation by the City of Barre on its ability to serve this project with potable water shall be secured before construction begins.*
- 3) *Each new living unit must obtain its own sewer allocation via a sewer permit. A review of existing allocation (by unit) shall be completed and a determination of how many additional sewer units must be obtained.*
- 4) *Approval of the conditional use permit does not imply approval of any other town permits that may be required. Vote 7-0-0*

F. FOLLOW-UPS - NONE

G. ROUNDTABLE - NONE

H. ADJOURN!

On motion by Ms. Valentinetti, seconded by Ms. Labrador, the Development Review Board adjourned at 7:26 p.m. Vote: 7-0-0.

Respectfully submitted,
Cindy Spaulding, Clerk for DRB

_____ Mark Reaves, Chair	_____ Jon Valsangiacomo
_____ Angela Valentinetti	_____ Chris Neddo
_____ Cedric Sanborn	_____ Angela Labrador
_____ Jim Fecteau	_____ Gerald Otis (alternate)
_____ Gina Galfetti (alternate)	