

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR NOVEMBER 13, 2019

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

Members Present: Cedric Sanborn, Angela Valentinetti, Chris Neddo, Jon Valsangiacomo, and Jim Fecteau

Members Absent: Mark Reaves and Charles Thygesen, Sr.

Staff Present: Chris Violette – Planning & Zoning Director and Cindy Spaulding – Administrative Assistant

Others Present:

Craig Chase (Consultant to Morse, Walter (Home Trust)), Joseph and Pamela Greene

1.. 6:30 – 7:00 P.M. – PLANS AVAILABLE FOR REVIEW

2. CALL TO ORDER

Mr. Sanborn called the meeting to order at 7:00 p.m. and sworn those testifying in.

3. CHANGES TO THE AGENDA

Mr. Sanborn asked whether there were any changes to the agenda. Hearing none he moved on with the printed agenda.

4. APPROVE MINUTES

October 9, 2019

A motion made by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board approved the October 9, 2019 meeting minutes as written. Vote 5-0-0.

5.. NON AGENDA ITEMS (max 10 minutes)

Mr. Sanborn asked if there were any non-agenda items to discuss. Hearing none he continued with the printed agenda.

6. REORGANIZATION

Elect New Chair and Vice Chairperson

A nomination made by Mr. Valsangiacomo seconded by Ms. Valentinetti, the Development Review Board appointed Mark Reaves as Chair. Vote 5-0-0.

A nomination made by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board appointed Jon Valsangiacomo as Vice Chair. Vote 5-0-0

7. WARNED PUBLIC HEARINGS

a. APPLICANT: **Benoit/Morse – BLA**

Mr. Valsangiacomo disclosed he was an abutter to the Morse property and could be impartial acting as Vice Chair.

Request by John/Pam Benoit and Morse, Walter (Home Trust) for a boundary line adjustment between the two abutting properties, transferring land from Morse to Benoit. Said properties are located off Airport Road and Jensen Road; parcel ID's: 005/109.04 (Benoit) & 008/001.00 (Morse); zoned low density residential; P-19000005 & P-19000006.

Consultant: Chase and Chase Land Surveyors and Septic Design

STAFF REPORT/REVIEW COMMENTS, HRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing, continued from October 9, 2019, for the purpose of a boundary line adjustment (BLA) between abutting property owners. The subject parcels are located off Airport Road and Jensen Road and are both zoned low density residential (LDR). LDR zoning requires minimum lots sizes of 2.0 acres and 200' of road frontage.

The applicants are John and Pam Benoit and Walter Morse Home Trust. Mr. & Mrs. Benoit's parcel is currently 82.97 acres in size with road frontage along Airport Road. Mr. Morse's property has road frontage on Jensen Road and is over 100 acres in size. The proposed boundary line adjustment moves 7.78 acres of land from Morse to Benoit as shown on the plans by Chase and Chase.

During discussion after review of last month, there was a concern raised by Cedric about the configuration. His concerns were based on the proposed lines not being right angles and irregular. Neither the applicant nor the applicant's consultant were in the audience to explain. As a result, the hearing was continued.

The applicant has not proposed any changes and it is my understanding that somebody will attend the meeting to explain the rationale for the proposed lot line.

Upon review of the Barre Town Subdivision Ordinance, the reference to right angles is used under section 406 (lot requirements) C (side lot lines). Said section reads in part "insofar as practical, the side lot lines of all lots shall be at right angles to the street on which the lot faces or radial to curved street lines and when such arrangement is not possible, the angle between the side lot line and the street line shall be shown, when possible".

My interpretation of that basically means side lines as they come off the road for which the parcel fronts on. While straight lines are always nice, they are not always practical. There are many instances of irregular lines including sideline from streets.

In this case, one could argue the proposed new "side" lines are right angles, it's the back line that isn't straight. The reason for that is there is a woods road that goes to a sugar house that the Morse's are planning to retain.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I didn't have a real problem with the proposal to begin with and still don't. This is a simple BLA with no

structures or road frontage being impacted. Both lots will be conforming after the BLA and I see no reason not to approve.

- 1) To complete this boundary line adjustment, a deed conveying the 7.8 acres from Morse to Benoit must be completed within 90 days. Said deed or subsequent deed must also clearly state that this land is merged, combined as one lot of 93.75 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.

Additional Comments/Other Participant:

Mr. Chase indicated Mr. Violette Summed it up. He further elaborated that the back lot follows an old tractor road to the sugarbush, which the Morse's intent to use for their sugaring operation.

On a motion by Mr. Sanborn, seconded by Mr. Fecteau, the Development Review Board approved the request the boundary line adjustment between the two abutting properties, transferring land from Morse to Benoit. Said properties are located off Airport Road and Jensen Road; parcel ID's: 005/109.04 (Benoit) & 008/001.00 (Morse) subject to conditions 1-6 as recommended. Vote 5-0-0.

b. APPLICANT: Greene – Deferral lifting

Mr. Fecteau disclosed he was working with the Greene's recused himself. (He removed himself from to DRB head table to sit in the audience.)

Request by Joseph & Pamela Greene for revised subdivision approval (deferral removal) showing site specific information on a lot created by subdivision of Norman Payne (P-06000018 approved August 23, 2006, filed as plan 2089). Said lot is located off Taplin Road; parcel ID: 029/020.04; zoned high density residential; P-19000007.

Consultant: Grenier Engineering

Date: November 8, 2019

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

This is a warned public hearing for the purpose of removing (lifting) a deferral of development from a 3-lot subdivision of land that occurred in 2006 and as noted in the description above. A deferral of permit is an approved method to create a new lot but not show site specific information related to how the lot will be developed. The Barre Town Subdivision Ordinance authorizes subdivision's by deferral of permit in Article 3, section 304.

In this case, Norman Payne created the subject lot, known as lot 1 from the aforementioned subdivision. As created, lot 1 is 1.19 acres in size with 201' of road frontage along Taplin Road. The lot has remained undeveloped until now and the current owners are considering developing it with a single-family dwelling.

Plans submitted show and approximate house location, a proposed driveway, an onsite drilled well, and connection to the Barre Town Municipal Sewer System. The proposed sewer connection will be made at an existing sewer stub left for this lot at the Northwesterly corner. To do this, an easement will be used on land belonging to an abutter Dunbar. Barre Town sewer system has the capacity to serve this lot.

SUMMARY, RECOMMENDATIONS & CONDITIONS:

The applicant has submitted all the required information necessary for the purpose of lifting the deferral. I recommend approval of this request with consideration to the following proposed conditions.

- 1) 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.
- 2) Failure to comply with any conditions as stated herein, could lead to nullification of this action.
- 3) This approval does not imply approval of any other Town or State permit required to be obtained before construction. Such permit included but may not be limited to, building permit, driveway permit, sewer permit, and a State of Vermont wastewater permit. Further, a State of Vermont Permit Specialist should be consulted to determine what if any State permits are required.

On a motion by Ms. Valentinetti, seconded by Mr. Neddo, the Development Review Board voted to approve the request for revised subdivision approval (deferral removal) showing site specific information on a lot created by subdivision of Norman Payne (P-06000018 approved August 23, 2006, filed as plan 2089). Said lot is located off Taplin Road; parcel ID: 029/020.04 subject to conditions 1-3 as recommended. Vote 4-0-0.

(Mr. Fecteau returned to participate in remainder of meeting.)

8. FOLLOW-UPS

No follow ups

9. ROUNDTABLE

Mr. Violette introduced Mrs. Spaulding as the new Clerk for the DRB and his Administrative Assistant.

Mr. Violette mentioned that there were vacancies both for full member and alternate. He also mentioned that Mr. Fecteau is interested in becoming a full member. The vacancies have been advertised in the local paper.

10. ADJOURN!

A motion by Mr. Sanborn, seconded by Mr. Fecteau, and the Board voted unanimously to adjourn the meeting at 7:30 p.m. Vote 5-0-0.

Respectfully submitted,

Cindy Spaulding for Chris Violette

Mark Reaves, Chair

Charlie Thygesen Sr.

Jon Valsangiacomo, Vice Chair

Angela Valentinetti

Cedric Sanborn

Chris Neddo

Jim Fecteau

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