

BARRE TOWN DEVELOPMENT REVIEW BOARD MINUTES FOR FEBRUARY 14, 2024

The Barre Town Development Review Board held a public meeting & hearing on **February 14, 2024** beginning 7:00 p.m. at the Municipal Building, 149 Websterville Road, Websterville, VT.

MEMBERS

In person: Mark Reaves, Cedric Sanborn, Chris Neddo, and Angela Valentinetti

Remote: Jim Fecteau (alternate) and Gerry Otis

ABSENT:

Jon Valsangiacomo, Angela Labrador, and Gina Galfetti (Alt).

STAFF PRESENT

In person: Brandon Garbacik

Remote: Cindy Spaulding

PUBLIC PRESENT

In person: Thom & Karen Lauzon, Vincent Calcagni, Kris Jurentkuff (Chase & Chase), Burnie Allen, Adam Costantini, Bob Grandfield, Robert Bolus and Eugene LaPerle

A. 7:00 P.M. – CALL TO ORDER

Mr. Reaves called the meeting to order at 7:00 p.m. He conducted role call, and he appointed Jim Fecteau as alternate to fill in for Mr. Valsangiacomo. There were no other alternates available.

B. CHANGES TO THE AGENDA - No changes to the agenda

C. APPROVE MINUTES – January 10, 2024

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board approved the minutes of January 10, 2024 as written. Vote 6-0-0.

D. NON-AGENDA ITEMS (max 10 minutes)

There were no non-agenda items.

E. SUBDIVISION PRELIMINARY REVIEW:

1. APPLICANT: BOLUS/3-LOT SUBDIVISION (preliminary)

**Continued from December 13, 2023 & January 10, 2024*

*Plans submitted by American Survey Company. Dated June 1, 2023, revised January 3, 2024, entitled "A Subdivision Survey in Barre Town, Vermont for **Robert Bolus**".*

STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK, ZONING ADMINISTRATOR/PLANNING OFFICER

Request by Robert & Margaret Bolus for a preliminary review of a **three-lot (3) subdivision** of land located at 340 School Road; Parcel ID: 011/001.05; Zoned Medium Density Residential; **P-23000007**.

Consultant: American Consulting Engineers & Surveyors, Inc

*Plans submitted by American Survey Company. Dated June 1, 2023, revised January 3, 2024, entitled "A Subdivision Survey in Barre Town, Vermont for **Robert Bolus**".*

UPDATE: Going into last month, there were two unresolved issues preventing this application from receiving preliminary approval from the Board. One of these two issues was the driveway situation for the two new lots. This issue was resolved last month when the applicant provided a plan showing two separate right-of-ways being used for access to the lots, which satisfies Section 3.2 of the Zoning Bylaw.

The other unresolved issue preventing this application from receiving preliminary approval was wastewater disposal. The applicant agreed to defer development of the new lots. However, the Board sought confirmation that septic systems would be viable at the proposed locations. To address this issue, the applicant took Rob Townsend on a site visit to his property to conduct soil tests. In a letter included in this packet, Rob Townsend confirmed that mound systems would be feasible on the proposed lots.

JANUARY 10, 2024 STAFF REPORT: After speaking with Mr. Bolus, I've learned that he is working with Rob Townsend to revise his plan to show two separate right-of-ways to serve the two lots. The two easements will be served by a shared curb-cut, minimum of 20' wide by 30' deep.

The applicant is hoping that the DRB will consider one of the right-of-ways to serve as an easement-in-common for both of the newly created lots to use, up until it is necessary to utilize the separate right-of-ways. In Section 3.2 of the Zoning Bylaw, it states that, "Shared driveways are discouraged and will only be considered for up to two lots." Though they are generally discouraged, the applicant believes that a common driveway for the two lots makes the most practical sense. These are long right-of-ways being proposed for these driveways. Having separate driveways for each lot would create a lot more impervious surface than if each lot shares one easement-in-common.

I've been told by Mr. Violette that the DRB has approved such a scenario numerous times in the past (though he couldn't recall any specific examples). Plan A is that both lots use the common right-of-way. If that creates issues and a need arises, there's a contingent Plan B there for two separate right-of-ways to be utilized.

There are potential concerns if the "easement-in-common" is approved. For instance, who will be responsible for paying the costs of the common driveway? And if there's an issue and the second driveway needs to be built, who will pay the cost for that driveway? Is someone getting out scot-free while someone else is bearing these costs? With all of that said, Mr. Violette has said that he cannot recall any scenario where an "easement-in-common" was approved by the DRB which resulted with issues that prompted the contingent easement to be necessary.

Something else that was largely overlooked last month were potential concerns about sewer connections for these two lots. It is planned that the two newly created lots will connect to municipal sewer, with water sourced by drilled wells. The existing house at 340 School Road is connected to municipal sewer via a forced main coming from Richardson Road with an easement running through two neighboring properties.

Josh Martineau has stated that a shared pump station will not be permitted. But, if sewer easements can be obtained for underground forced main sewer lines to run from Richardson Road through those neighboring properties to access the two new lots, and they each have their own pump station, Mr. Martineau said that would be permitted.

However, that would be asking a lot out of the applicants. There are two other options that the applicants can consider if they decide not to connect to municipal sewer. One would be to come back next month (or whenever ready) with septic design plans. The other option would be to defer site-specific information for development for those two lots, meaning that at the time of development the property owner would come back before the DRB.

DECEMBER 13, 2023 STAFF REPORT: This is a **preliminary subdivision review**, whereas the applicants are requesting approval of a proposed 3-lot subdivision of land owned by them. The parcel subject to this request is located off School Road and is located in a medium density residential zone with a minimum lot size of 2 acres and 200' of road frontage.

The subject parcel as it exists today was created as part of a boundary line adjustment proposed by the Alfred R. Monty Revocable Trust which was approved in August 2000 (Plan 1913) and recorded in the Land Records (Slide #239). The parcel is approximately 15.5 acres in size and is developed with a single-family dwelling. The existing dwelling at 340 School Road is served by on-site water and municipal sewer. Currently, the parcel has approximately 400' of road frontage along School Road. The parcel is mostly wooded where the two new lots are proposed.

The applicant is proposing to create two new lots, identified as Lots 5B & 5C on the plan submitted by American Surveyors, and will contain 4.2(±) acres and 3.0(±) acres respectively. Lot 5A is shown to be the remaining land and will reduce to 8.3(±) acres in size. Access to Lots 5B & 5C would be served by a 50' wide easement which begins on the corner of the property (just before the driveway of 354 School Rd) where an existing partially stone path is located. Lot 5A would retain the single-family dwelling and other existing structures on the property, as well as all 400' of road frontage.

No septic plans were submitted with this application. The applicants are planning to have the proposed lots connected to the municipal sewer lines (as the existing house at 340 School Rd is), with water provided by drilled wells (proposed locations not included in plan). I have reached out to Town Engineer Josh Martineau to confirm that sewer connections are available at the proposed lots.

As proposed, each lot conforms to the Subdivision Ordinance and Zoning Bylaw. A final warned hearing is warned for this agenda and assumes preliminary approval being granted.

SUMMARY OF RECOMMENDATIONS:

As proposed, each lot is conforming. A revised plan has been submitted, and the applicant's consultant

has confirmed that septic systems would be viable at the proposed lots. I believe there is enough information to recommend preliminary approval and move this to a final public hearing which is warned on this same agenda

COMMENTS:

Mr. Garbacik provided an overview of his staff report as stated above. Mr. Reaves asked if there was anyone from the public to speak about the proposal, No one spoke up on the matter.

MOTION:

On motion by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board approved preliminary review and move to final review a request by Robert & Margaret Bolus for a three-lot (3) subdivision of land located at 340 School Road; PID: 011/001.05; zoned medium density residential; P-23000007. Vote 6-0-0.

2) APPLICANT: Calcagni / 2-lot Subdivision (Preliminary)

**Continued from December 13, 2023 & January 10, 2024

Request by Vincent Calcagni for a preliminary review of a **two-lot (2) subdivision** of land located at 375 Beckley Hill Road; Parcel ID: 008/020.00; Zoned Low Density Residential; **P-23000009**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated October 11, 2023, revised January 5, 2024, entitled "Subdivision Survey: Vincent Calcagni, Nichols Road & Beckley Hill Road, Town of Barre, Vermont".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

UPDATE: Chase & Chase have submitted an updated plan. It shows a 20' x 30' shared curb-cut off of Beckley Hill Rd. Off of that shared curb-cut, it shows a 25' x 160' easement to access the proposed lot. Last time, the shared curb-cut area was larger than what was required, and it did not display an easement to access the new lot. The new plan addresses both issues.

JANUARY 10, 2024 STAFF REPORT: Chase & Chase are working on updating the plan to show a common easement of about 50' wide x 150' deep to place a shared curb-cut (minimum 20' wide and 30' deep) at the beginning of the applicant's existing common driveway between him (397 Beckley Hill Rd) and his neighbors (401 Beckley Hill Rd). The plan is to place the driveway for the newly proposed lot directly off of the identified shared curb-cut. Section 3.2(C) of the Zoning Bylaw states that shared curb-cuts limited to no more than three driveways are allowed. This section states that the reason for this is to encourage a reduction in the number of curb-cuts in close proximity. Mr. Calcagni and Chase & Chase decided that it made the most sense to place the proposed driveway off the shared curb-cut since this location is flatter than if the new driveway came directly off of the frontage on Beckley Hill Rd.

DECEMBER 13, 2023 STAFF REPORT: This is a **preliminary subdivision review**, whereas the applicant is requesting approval of a proposed 2-lot subdivision of land owned by them. The parcel subject to this request is located off Beckley Hill Road and is located in a low density residential zone with a minimum lot size of 2 acres and 200' of road frontage.

The subject parcel has existed in its current configuration for over 50 years. The parcel is approximately 12.78 acres in size and hosts an existing solar farm. (The applicant also owns one of the abutting parcels, where a single-family dwelling served by on-site water and septic is located.) Currently, the subject parcel has approximately 725' of road frontage along Beckley Hill Road and approximately 421' of road frontage along Nichols Road. The parcel features an open area to the west and a wooded area to the east.

The applicant is proposing to create one new lot, identified as Lot 2 on the plan submitted by Chase & Chase, and will contain 2.00(±) acres. Lot 1 is shown to be the remaining land (including the solar farm) and will reduce to 10.78(±) acres in size. Lot 2 will receive approximately 201' of road frontage, with the remaining road frontage being retained by Lot 1.

There are plans to place a new single-family dwelling on the undeveloped Lot 2 following subdivision approval. To support residential use, the proposed lot has a design for a septic system, and potable water will be provided by a drilled well.

The only hiccup for this subdivision request is Section 3.2 of the Zoning Bylaw. The newly proposed lot would be the third homesite accessed by an existing private right-of-way off of Beckley Hill Road. Section 3.2 of the Zoning Bylaw states that, "Shared driveways are discouraged and will only be considered for up to two lots." However, the DRB does have the authority to exempt this requirement during subdivision review.

It is recommended that the plans be amended so that the proposed access to the new lot comes directly off of Beckley Hill Road.

Assuming Section 3.2 of the Bylaw is addressed, and assuming the state wastewater permit is updated, there is nothing else that would keep this proposal out of conformity with the Subdivision Ordinance or Zoning Bylaw.

A final warned hearing is warned for this agenda and assumes preliminary approval being granted.

COMMENTS:

Mr. Garbacik provided an overview of his staff report as stated above.

Mr. Reaves asked if there was anyone to speak about the proposal. There was no one who spoke.

MOTION:

On motion by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board approved preliminary review and move to final hearing: a request by Vincent Calcagni for a two-lot (2) subdivision of land located at 375 Beckley Hill Road; PID: 008/020.00; zoned low density residential; P-23000009. Vote 6-0-0.

**3) APPLICANT: Trow Hill Holdings, LLC / 3-lot Subdivision
(Preliminary)**

Request by Trow Hill Holdings, LLC for preliminary review of a **three-lot (3) subdivision** of land located at 338 Hill Street; Parcel ID: 036/076.00; Zoned High Density Residential; **P-24000002**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated January 18, 2024, entitled "Subdivision Survey, 3-Lot Subdivision: Trow Hill Holdings, 338 Hill Street, Barre, Vermont".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a **preliminary subdivision review**, whereas the applicant is requesting approval of a proposed 3-lot subdivision of land owned by them. The parcel subject to this request is located where Hill St turns into Osborne Rd and is located in a high-density residential zone with a minimum lot size of 1/3 of an acre and 110' of road frontage.

The subject parcel contains approximately 1.03 acres in size and is developed with an existing duplex (connected to municipal water and sewer) and a detached garage at 338 Hill St. The parcel features about 405' of road frontage. The applicant is proposing to create two new lots, identified as Lots 2 & 3 on the plan submitted by Chase & Chase. As proposed, Lot 1 would retain the existing duplex and detached garage on Hill St, along with 0.35(±) acres of land and 185' of road frontage. Lots 2 & 3 would each be composed of 0.34(±) acres of land with 110' of road frontage on Osborne Rd, and both lots are proposed to be developed with their own duplex and two-car garage. It should be noted that the proposed use of duplexes are permitted here as of July 1, 2023 because of last year's Act 47, so a conditional use permit for this request is not necessary.

The applicant is planning to connect the two proposed duplexes to municipal water and sewer. As noted in the application's cover letter (included in this packet), the applicant's consultant has been in contact with both Josh Martineau and City Engineer Brian Baker regarding municipal connections. The cover letter (and plans submitted with this request) highlight that the existing water main at the base of Sierra Lavin Rd will need to be extended over 100' north to Osborne Rd in order for the two proposed duplexes to connect to the Barre City Water System. I've independently reached out to both Josh and Brian to confirm that the submitted plans conform to their liking, but as of the time of writing this, I have not yet heard from either of them. I will make an effort to hear back from both of them prior to this meeting. However, obtaining

permits for water and sewer connections will be required in order for me to issue building permits for the new duplexes. If the applicant is unable to obtain these permits for whatever reason, they can come back before the DRB to update their plans.

As proposed, each lot conforms to the Subdivision Ordinance and Zoning Bylaw. A final warned hearing is warned for this agenda and assumes preliminary approval being granted.

SUMMARY OF RECOMMENDATIONS:

The applicant is proposing a 3-lot subdivision of land on property located at 338 Hill St. As proposed, each lot is conforming. I recommend preliminary approval and moving this to a final public hearing which is warned on this same agenda.

COMMENTS:

Mr. Garbacik provided an overview of his staff report as stated above. Mr. Reaves asked if there was anyone to speak about the proposal. Mr. LaPerle asked who changed Act 47, it was explained that legislature created it. Mr. LaPerle asked what the size of the duplex was. Mr. Jurentkuff of Chase and Chase explained the owners have not determined the size of the structures.

MOTION:

On motion by Mr. Neddo, seconded by Mr. Sanborn, the Development Review Board approved preliminary review and move to final hearing: a request by Trow Hill Holdings, LLC for preliminary review of a three-lot (3) subdivision of land located at 338 Hill Street; Parcel ID: 036/076.00; Zoned High Density Residential; P-24000002. Vote 6-0-0.

4) **APPLICANT:** **Allen / 2-lot Subdivision** **(Preliminary)**

Request by Burnie Allen for preliminary review of a **two-lot (2) subdivision** of land located at 14 Meadow Lane (owned by Judie E Mugford (LE)); Parcel ID: 037/032.00; Zoned Very High Density Residential; **P-24000003**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated December 1, 2023, entitled "Subdivision Survey, Land of Judie Mugford, L.E. for Burnie Allen, 14 Meadow Lane, Barre Town, Vermont".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a **preliminary subdivision review**, whereas the applicants are requesting approval of a proposed 2-lot subdivision of land. The parcel subject to this request is located at 14 Meadow Lane, located in a very high density residential zone with a minimum lot size of 8,500 sq ft and 85' of road frontage.

The subject parcel was part of the Aljen Acres subdivision off of Cassie St (Plans 1000 & 1001 in the Planning & Zoning Office) from the late 1950's and 1960's. In July of 1980, the Barre Town Planning Commission approved a plan (Plan 1392) that revised the northern section of the subdivision where the subject parcel is located that shows the Mugfords' property gaining extra land. Originally, Meadow Lane was proposed to continue beyond the intersection with Burnside Ave so that it would end at the intersection with Maplewood Ave. Instead, the revised plan discontinued that stretch of proposed road and conveyed the land to Don & Judie Mugford. In May of 2012, the Mugfords went before the DRB for a proposed 4-lot merger (P-12000005, approved Plan 2200, recorded in Slide #72A in the Barre Town Land Records). This merged four abutting lots into one undivided lot of approximately 1.97 acres with road frontage on Maplewood Ave, East St Ext, and the corner of Burnside Ave and Meadow Ln.

The applicant (with the property owner's permission) is proposing to subdivide the approximately 1.97-acre lot at 14 Meadow Ln into two. Lot 1 is shown to retain the existing single-family dwelling, barn, and pool area, along with 0.98(±) acres of land. Lot 2 is shown to have 0.99(±) acres of undeveloped land. Both of the proposed lots have more than enough road frontage to satisfy the minimum requirement of 85' in this zone. No plans for development of Lot 2 have been submitted with this application, so the parcel will be subject to a development deferral that will need to be lifted by the DRB at a future meeting when development is proposed.

It should be noted that Lot 2 is intended to be conveyed to the applicant, Burnie Allen, who owns land on the other side of East St Ext. This proposal does not meet the requirements for a Boundary Line Adjustment (BLA) due to the fact that the roadway separates the parcels.

SUMMARY OF RECOMMENDATIONS:

The applicant is proposing a 2-lot subdivision of land on property located at 14 Meadow Ln. As proposed, each lot is conforming. I recommend preliminary approval and moving this to a final public hearing which is warned on this same agenda.

COMMENTS:

Mr. Garbacik provided an overview of his staff report as stated above. Mr. Reaves asked if there was anyone to speak about the proposal.

MOTION:

On motion by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board approved preliminary review and move to final hearing; a request by Burnie Allen for a two-lot (2) subdivision of land located at 14 Meadow Lane (owned by Judie E Mugford (LE); Parcel ID: 037/032.00; Zoned Very High Density Residential; P-2400003. Vote 6-0-0.

E. WARNED FINAL PUBLIC HEARING(S)

1). **APPLICANT: BOLUS/3-LOT SUBDIVISION**

Request by Robert & Margaret Bolus for a final review (possible approval) of a **three-lot (3) subdivision** of land located at 340 School Road; Parcel ID: 011/001.05; Zoned Medium Density Residential; **P-2300007**.

Consultant: American Consulting Engineers & Surveyors, Inc

Plans submitted by American Survey Company. Dated June 1, 2023, entitled "A Subdivision Survey in Barre Town, Vermont for Robert Bolus".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a **warned public hearing** for final review of a proposed 3-lot subdivision.

See preliminary hearing staff report.

SUMMARY OF RECOMMENDATIONS:

As I was finalizing the staff report for this request, I noticed that there is one aspect of the submitted plan that does not conform with the Barre Town Subdivision Ordinance. Section 406(D) states that, "All lots shall be numbered beginning with the numeral one (1) and shall continue consecutively throughout the entire subdivision with no omissions or duplications. No fractions and no prefix such as "1A", "B2", or "C" shall be used." As you may have noticed, the submitted plan uses lot numbers 5A, 5B, and 5C. This is because the Bolus property was originally Lot #5 in a series of subdivisions along Richardson Rd and School Rd done by Al Monty.

I recommend final approval of this application with conditions (see motion).

ADDITIONAL COMMENTS

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant. Mr. Reaves swore Mr. Garbacik in. Mr. Reaves sworn Mr. Garbacik provided an overview of his staff report as stated above.

MOTION:

On motion by Mr. Sanborn, seconded by Ms. Valentinetti, the Development Review Board closed public hearing. Vote 6-0-0.

DELIBERATION:

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board approved a request by Robert & Margaret Bolus for a final review (possible approval) of a three-lot (3) subdivision of land located at 340 School Road; PID: 011/001.05; Zoned Medium Density Residential; P-2300007; contingent upon the following conditions. Vote 6-0-0.

- 1. The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
- 2. Issuance of this permit does not imply approval of any other municipal permits.*

3. *Development of the newly created lots are deferred to a later time. To complete the requirements of the Subdivision Ordinance and lift the development deferral, the owner(s) of the parcel (at the time of the request) shall return before the Development Review Board for approval of site-specific information (including septic design).*
4. *An easement agreement outlining responsibilities for costs and maintenance of the common curb-cut (approved with this plan) shall be composed, signed by each affected property owner, and recorded in the Barre Town Land Records. This easement agreement shall run with each affected parcel.*
5. *The lot numbers for each lot identified on the approved plan shall be edited prior to submission of the final plan to conform with Section 406(D) of the Barre Town Subdivision Ordinance.*
6. *One (1) 18" x 24" recording plat shall be submitted to the Planning & Zoning Office for filing in the Barre Town Land Records in accordance with the Barre Town Subdivision Ordinance and state statute within 180 days of approval.*
7. *Three (3) sets of 24" x 36" paper copies of the final approved plan shall be submitted to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.*
8. *An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval.*
9. *Plans submitted used for review of this permit shall become part of the approval. No changes to the approved plan shall 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.*
10. *Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 6-0-0.*

2) **APPLICANT: CALCANI/2-LOT SUBDIVISION**

Request by Vincent Calcagni for a final review (possible approval) of a **two-lot (2) subdivision** of land located at 375 Beckley Hill Road; Parcel ID: 008/020.00; Zoned Low Density Residential; **P-23000009**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

*Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated October 11, 2023, entitled "Subdivision Survey: **Vincent Calcagni**, Nichols Road & Beckley Hill Road, Town of Barre, Vermont".*

STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK, ZONING ADMINISTRATOR/PLANNING OFFICER

SUMMARY OF RECOMMENDATIONS:

It should be noted that Vermont Enhanced 911 Addressing Standards will require the access off of Beckley Hill Road to be reclassified as a private road. Section 4(a) of the State's Addressing Standards says, "A shared driveway of any length having three or more developable lots on it shall be defined as a private road. All structures on the new private road shall be readdressed according to Section 5 & 6. Private roads shall be named as per Section 2." The State's Addressing Standards *do not* differentiate between shared curb-cuts and shared driveways.

With the inclusion of the specified shared curb-cut and a new easement branching off from it, I recommend granting final approval of this 2-lot subdivision with conditions (see motion):

ADDITIONAL COMMENTS:

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant. Mr. Reaves swore Kris Jurentkuff and Mr. Garbacik in. Mr. Garbacik provided an overview of his staff report as stated above.

MOTION:

On motion by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board closed public hearing. Vote 6-0-0

DELIBERATION:

On motion by Ms. Valentinetti, seconded by Mr. Neddo, the Development Review Board approved a request

by Vincent Calcagni for a two-lot (2) subdivision of land located at 375 Beckley Hill Road; PID: 008/020.00; Zoned Low Density Residential; P-23000009: contingent upon the following conditions:

- 1) *The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
- 2) *Issuance of this permit does not imply approval of any other municipal permits.*
- 3) *An easement agreement outlining responsibilities for costs and maintenance of the common curb-cut (approved with this plan) shall be composed, signed by each affected property owner, and recorded in the Barre Town Land Records. This easement agreement shall run with each affected parcel.*
- 4) *In accordance with Section 406(E) of the Barre Town Subdivision Ordinance, language shall be added prior to submission of the final plan to specify that Lot #2 is intended to be conveyed.*
- 5) *One (1) 18" x 24" recording plat shall be submitted to the Planning & Zoning Office for filing in the Barre Town Land Records in accordance with the Barre Town Subdivision Ordinance and state statute within 180 days of approval.*
- 6) *Three (3) sets of 24" x 36" paper copies of the final approved plan shall be submitted to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.*
- 7) *An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval.*
- 8) *Plans submitted used for review of this permit shall become part of the approval. No changes to the approved plan shall 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.*
- 9) *Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 6-0-0.*

3) **APPLICANT: Grandfield / Revised Subdivision** (Final)

Request by Robert Grandfield to **amend a previously approved subdivision amendment** (2-lot merger, P-20000007, Plan 2295), **reverting one lot back to the original two lots** approved for Cary & Janice Smith/Scott Brook Meadow in 2005 (7-lot subdivision, P-05000053, Plan 2075) on land off of Lower Usle Road (owned by Ryan W Brown and Ronald & Deborah Brown); Parcel ID: 005/095.02; Zoned Low Density Residential; **P-23000010**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated January 22, 2024, entitled "Subdivision Resurvey: Ronald, Deborah, & Ryan Brown for Robert Grandfield, Lower Usle Road, Town of Barre, Vermont".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

UPDATE: This hearing was continued by the Board in order to confirm that the approved plan from 2005 (that this property was proposed to revert back to) still meets the state's plat map requirements. Before I could look into this issue further, the attorney working on behalf of the applicant reached out to the Barre Town Planning & Zoning Office. The day after last month's hearing, she notified me that the applicant has sought the assistance of Chase & Chase in developing a new subdivision plan for this proposal in order to prevent any hesitancy from the Board in approving the plan this month. The new plan has been included in this packet.

JANUARY 10, 2024 STAFF REPORT: This is a **warned public hearing** for revised subdivision approval in accordance with Section 105 of the Barre Town Subdivision Ordinance. In 2005, Cary & Janice Smith subdivided land off of Lower Usle Rd, resulting in 7 new undeveloped lots (AKA the Scott Brook Meadow subdivision). The Browns own 2 of these 7 lots, and in July 2020 Ryan Brown came before the DRB for revised subdivision approval to merge the 2 into 1 undivided lot. Presently, the Browns' lot is still undeveloped, and they have a potential buyer in Mr. Grandfield, the applicant of this request. Mr. Grandfield is looking to revert the Browns' undivided lot back into two contiguous lots (as shown in the approved plan from 2005) before the closing of the sale.

Presently, the Browns' lot is 4.74 acres with 400' of road frontage. This lot is located in a low density residential zone with a minimum lot size of 2 acres and a minimum road frontage of 200'. This request is to revert the one lot back into the two lots shown on the 2005 survey as **Lots 3 & 4**. Lot 3 will have 2.45 acres with 200' of road frontage, and Lot 4 will have the remaining 2.29 acres with 200' of road frontage. The 2005 Scott Brook Meadow plan is already on file in the Planning & Zoning Office, and a plat has been recorded in Slide #390 of the Barre Town Land Records.

Municipal water and sewer are not available at this location. The parcels are accessed via Lower Usle Road, a Town Class 3 unpaved road. As shown in the approved plan, Lot 3 is accessed by a shared curb-cut with Lot 2, and Lot 4 is accessed by a shared curb-cut with Lot 5. Septic designs are included in the approved plan from 2005. The State wastewater permit for Lot 3 was recently updated to move the location of the proposed leach field.

SUMMARY OF RECOMMENDATIONS:

This is a simple subdivision amendment reverting the subject 4.74 acres from one lot back to its original two lots. A new subdivision plan compliant with the Barre Town Subdivision Ordinance and the previously approved subdivision (P-05000053) has been submitted. I recommend approval with conditions (see motion)

COMMENT:

Mr. Reaves opened the public hearing and swore Kris Jurentkuff and Mr. Garbacik. Mr. Garbacik provided an overview of his staff report as stated above. Mr. Reaves asked if there was anyone to speak on this.

MOTION:

On motion by Ms. Valentinetti, seconded by Mr. Sanborn, the Development Review Board closed the public. Vote 6-0-0.

DELIBERATION

On motion by Mr. Neddo, seconded by Ms. Valentinetti, the Development Review Board approved a request by Robert Grandfield to amend a previously approved subdivision amendment (2-lot merger, P-20000007, Plan 2295), reverting one lot back to the original two lots approved for Cary & Janice Smith/Scott Brook Meadow in 2005 (7-lot subdivision, P-05000053, Plan 2075) on land off of Lower Usle Road (owned by Ryan W Brown and Ronald & Deborah Brown); Parcel ID: 005/095.02; Zoned Low Density Residential; P-23000010; contingent upon the following conditions:

- 1. The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
- 2. Issuance of this permit does not imply approval of any other municipal permits.*
- 3. Access to Lots 3 & 4 shall comply with the document entitled, "AGREEMENT, Cary and Janice Smith, LOWER USLE ROAD, BARRE TOWN, VERMONT," recorded in Book 216, Pages 63-64 of the Barre Town Land Records.*
- 4. One (1) 18" x 24" recording plat shall be submitted to the Planning & Zoning Office for filing in the Barre Town Land Records in accordance with the Barre Town Subdivision Ordinance and state statute within 180 days of approval.*
- 5. Three (3) sets of 24" x 36" paper copies of the final approved plan shall be submitted to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.*
- 6. An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval.*
- 7. Plans submitted used for review of this permit shall become part of the approval. No changes to the approved plan shall 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.*
- 8. Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 6-0-0.*

4) **APPLICANT: Swann / Deferral Removal (Final)**

Request by Paul Swann for final review (possible approval) for **revised subdivision approval (deferral removal)** showing site-specific information on a lot created by a previously approved subdivision (3-lot subdivision, P-17000012, Plan 2254) located at 147 Richards Farm Lane (Pvt); Parcel ID: 011/001.04; Zoned Medium Density Residential; **P-24000001**.

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a **warned public hearing** for final review of a revised subdivision to lift a development deferral from a previously approved subdivision. The application is in accordance with Section 304 of the Barre Town Subdivision Ordinance. The property is located at 147 Richards Farm Ln (Pvt), a newly classified private road off of School Rd.

Last May, less than two weeks after I began to spend 8 hours a day in the Planning & Zoning Office, and less than one week after officially receiving the title of Zoning Administrator, Mr. Paul Swann visited the Barre Town Planning & Zoning Office to drop off a building permit application for a proposed single-family dwelling on his lot. Since I was still brand new to the position, and since Cindy was transitioning from her role as Acting ZA to her normal duties, we happened to collectively overlook the fact that when this lot was created, it was subject to a development deferral.

Nearly 8 months after issuing a building permit for the single-family dwelling, I happened to stumble upon the approved plan from the 2017 subdivision that showed Mr. Swann's lot as having a development deferral that had never been lifted. I confirmed through our past records that was indeed the case. As a result of this incident, Cindy and I are working on developing a comprehensive list of all parcels in town that have development deferrals in order to prevent this type of scenario from reoccurring.

Included in your packets is the information that was included with the building permit application (Z-23000047) approved last year. This features a septic design plan that was approved with the state wastewater permit. Furthermore, the parcel's previous owners were granted a 25' variance of private vehicular right-of-way requirements (V-22000002). This allows the current property owners of 147 Richards Farm Lane to use the existing 50' wide right-of-way (that serves the property at 312 Richards Farm Ln) as a shared driveway for both parcels' use.

SUMMARY OF RECOMMENDATIONS:

The application is to lift a deferral from a previously approved subdivision. As explained above, a building permit application for a new single-family dwelling was mistakenly issued last year prior to the development deferral being lifted. Since a building permit has already been issued, this application is essentially serving as a formality to correct a prior mistake. The applicant's permit fees for the request to lift the development deferral have been waived by the town to make up for the mistake.

Since the proposal is conforming to both the Barre Town Zoning Bylaw and the Subdivision Ordinance, I recommend approval with conditions (see motion).

COMMENTS:

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant. Mr. Reaves swore Mr. Garbacik in. Mr. Garbacik provided an overview of his staff report as stated above.

MOTION:

On motion by Mr. Neddo, seconded by Mr. Sanborn, the Development Review Board closed the public hearing. Vote 6-0-0.

DELIBERATION:

On motion by Mr. Fecteau, seconded by Mr. Otis, the Development Review Board approved a request by Paul Swann to revise subdivision approval (deferral removal) showing site-specific information on a lot created by a previously approved subdivision (3-lot subdivision, P-17000012, Plan 2254) located at 147 Richards Farm Lane (Pvt); Parcel ID: 011/001.04; Zoned Medium Density Residential; P-24000001; contingent upon the following conditions:

- 1. The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
- 2. Issuance of this permit does not imply approval of any other municipal permits.*
- 3. Plans submitted used for review of this permit shall become part of the approval. No changes to the approved plan shall 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.

4. *Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 6-0-0.*

5) **APPLICANT: Trow Hill Holdings, LLC / 3-lot Subdivision (Final)**

Request by Trow Hill Holdings, LLC for final review (possible approval) of a **three-lot (3) subdivision** of land located at 338 Hill Street; Parcel ID: 036/076.00; Zoned High Density Residential; **P-24000002**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated January 18, 2024, entitled "Subdivision Survey, 3-Lot Subdivision: Trow Hill Holdings, 338 Hill Street, Barre, Vermont".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a **warned public hearing** for final review of a proposed 3-lot subdivision.

SUMMARY OF RECOMMENDATIONS:

The applicant is proposing a 3-lot subdivision of land on property located at 338 Hill St. As proposed, each lot is conforming. The cover letter for this application submitted by the applicant's consultant details the applicant's proposed plans.

I recommend granting final approval with the following conditions (see motion).

COMMENT:

Mr. Reaves opened the public hearing and swore in Mr. Jurentkuff and Mr. Garbacik. Mr. Garbacik provided an overview of his staff report as stated above. Mr. Reaves asked if there was anyone to speak on this.

MOTION:

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board closed the public hearing. Vote 6-0-0.

DELIBERATION

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board approved a request by Trow Hill Holdings, LLC for a three-lot (3) subdivision of land located at 338 Hill Street; Parcel ID: 036/076.00; Zoned High Density Residential; P-24000002: contingent upon the following conditions:

1. *The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
2. *Issuance of this permit does not imply approval of any other municipal permits.*
3. *One (1) 18" x 24" recording plat shall be submitted to the Planning & Zoning Office for filing in the Barre Town Land Records in accordance with the Barre Town Subdivision Ordinance and state statute within 180 days of approval.*
4. *Three (3) sets of 24" x 36" paper copies of the final approved plan shall be submitted to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.*
5. *An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval.*
6. *Plans submitted used for review of this permit shall become part of the approval. No changes to the approved plan shall 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.*
7. *Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 6-0-0.*

6) **APPLICANT:** Allen / 2-lot Subdivision (Final)

Request by Burnie Allen for final review (possible approval) of a **two-lot (2) subdivision** of land located at 14 Meadow Lane (owned by Judie E Mugford (LE)); Parcel ID: 037/032.00; Zoned Very High Density Residential; **P-24000003**.

Consultant: Chase & Chase Surveyors & Septic Designers, Inc

Plans submitted by Chase & Chase Surveyors & Septic Designers, Inc. Dated December 1, 2023, entitled "Subdivision Survey, Land of Judie Mugford, L.E. for Burnie Allen, 14 Meadow Lane, Barre Town, Vermont".

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a **warned public hearing** for final review of a proposed 3-lot subdivision.

SUMMARY OF RECOMMENDATIONS:

The applicant is proposing a 2-lot subdivision of land on property located at 14 Meadow Ln. As proposed, each lot is conforming. I recommend granting final approval with conditions (see motion).

COMMENT:

Mr. Reaves opened the public hearing and swore in Mr. Garbacik. Mr. Garbacik provided an overview of his staff report as stated above. Mr. Reaves asked if there was anyone to speak on this.

MOTION:

On motion by Ms. Valentinetti, seconded by Mr. Neddo, the Development Review Board closed the public hearing.

DELIBERATION:

On motion by Mr. Neddo, seconded by Mr. Sanborn the Development Review Board approved a request by Burnie Allen for a two-lot (2) subdivision of land located at 14 Meadow Lane (owned by Judie E Mugford (LE)); Parcel ID: 037/032.00; Zoned Very High Density Residential; P-24000003: contingent upon the following conditions:

1. *The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.*
2. *Issuance of this permit does not imply approval of any other municipal permits.*
3. *Development of Lot 2 is deferred to a later time. To complete the requirements of the Subdivision Ordinance and lift the development deferral, the owner(s) of the parcel (at the time of the request) shall return before the Development Review Board for approval of site-specific information.*
4. *In accordance with Section 406(E) of the Barre Town Subdivision Ordinance, language shall be added prior to submission of the final plan to specify that Lot 2 is intended to be conveyed to the applicant.*
5. *One (1) 18" x 24" recording plat shall be submitted to the Planning & Zoning Office for filing in the Barre Town Land Records in accordance with the Barre Town Subdivision Ordinance and state statute within 180 days of approval.*
6. *Three (3) sets of 24" x 36" paper copies of the final approved plan shall be submitted to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.*
7. *An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval.*
8. *Plans submitted used for review of this permit shall become part of the approval. No changes to the approved plan shall 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.*
9. *Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 6-0-0.*

- F. OTHER - None
- G. FOLLOW-UPS - None
- H. ROUNDTABLE - None
- I. ADJOURN!

On motion by Mr. Sanborn, seconded by Ms. Valentinetti, the Development Review Board adjourned at 7:43 p.m.

Respectfully submitted,
Cindy Spaulding, Board Clerk

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