

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR APRIL 10, 2024

The Barre Town Development Review Board held a public meeting & hearing on **April 10, 2024** beginning 7:00 p.m. at the Municipal Building, 149 Websterville Road, Websterville, VT.

MEMBERS

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

Remote: Gerry Otis (7:05 p.m.)

ABSENT:

Jim Fecteau and Gina Galfetti (alternates)

STAFF PRESENT

In person: Brandon Garbacik

Remote: Cindy Spaulding

PUBLIC PRESENT

In person: Craig Chase of Chase & Chase and Matt Henderson

Remote: Sarah Lipton, Ghazi Jendoubi and Charles Harding

A. 7:00 P.M. – CALL TO ORDER

Mr. Reaves called the meeting to order at 7:01 p.m. He conducted roll call.

B. CHANGES TO THE AGENDA

There were no changes to the agenda

C. APPROVE MINUTES – February 14, 2024

On motion by Mr. Sanborn, seconded by Ms. Valentinetti, the Development Review Board approved the minutes of February 14, 2024 as corrected. Vote 6-0-0.

D. NON-AGENDA ITEMS (max 10 minutes)

There were no non-agenda items.

E. SUBDIVISION PRELIMINARY REVIEW:

1. APPLICANT: POULIN- 2 LOT (preliminary)

Request by Ellen Poulin for preliminary review of a two-lot (2) subdivision of land located on Farwell St and Pine Hill Rd; Parcel ID: 009/019.00; Zoned Low Density Residential; P-24000004

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 owned by them. The parcel subject to this request is located off Farwell St and 75 Pine Hill Rd and is within in a low density residential zone with a minimum lot size of 2 acres and 200' of road frontage.

The subject parcel currently consists of around 41.8 acres of land with ample road frontage, developed with a barn with horse stables and a riding arena. The applicant is requesting to create one new lot, identified as Lot 3 on the plan submitted by Chase & Chase. (In December 2022, the DRB approved a two-lot subdivision of the parent parcel that created Lot 2.) Lot 1 is shown to retain 39.8(±) acres, approximately

1,500' of road frontage along Farwell St and Pine Hill Rd, and all of the existing structures. Lot 3 will be created with 2.04(±) acres and about 270' of road frontage on Farwell St.

No development is planned at this time for Lot 3. Site-specific information (including a septic design) will be deferred to a later date and will require future DRB approval. 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. I recommend preliminary approval and moving this to a final public hearing which is warned on this same agenda.

COMMENTS:

Mr. Reaves mentioned he had Ex-parte discussion with the potential buyer and will be recusing himself. Mr. Valsangiacomo disclosed his wife is the director of the Montessori School, which abuts the applicant's property. Consensus of the members, Mr. Valsangiacomo did not need to recuse himself. Mr. Reaves went in to the audience. Mr. Valsangiacomo, Co-Chair, started the public hearing.

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 approved preliminary review and move to final review a request by Ellen Poulin for preliminary review of a two-lot (2) subdivision of land located on Farwell St and Pine Hill Rd; Parcel ID: 009/019.00; Zoned Low Density Residential; P-24000004. Vote 7-0-0.

Mr. Reaves returned to the meeting as a board member and Chair. Mr. Valsangiacomo turned the meeting back over to Mr. Reaves.

E. WARNED FINAL PUBLIC HEARING(S)

1). **APPLICANT: SOUTHGATE/Conditional Use Permit**

*Continuation from October 11, 2023 and November 8, 2023 meetings

Request by John Southgate for a **conditional use permit** (possible approval) to set up a camper for temporary residency while building a new single-family dwelling on property located off of Church Hill Rd and Websterville Rd (property owned by Rock of Ages); Parcel ID: 023/018.00; Zoned Medium Density Residential; **CUP-23000006**.

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

**CONTINUATION FROM OCTOBER 11, 2023 & NOVEMBER 8, 2023 MEETINGS.
SEE "SUMMARY, RECOMMENDATIONS" FOR NEW INFORMATION:**

NOVEMBER 8, 2023 STAFF REPORT: The applicant has stated to me that the process of purchasing the subject parcel from Rock of Ages has been lengthier than he originally anticipated. He will not be able to set this camper up on this land prior to spring, so he is requesting to have the camper stay on the property where his homestead is located (at 255 Websterville Road) for the winter months.

However, he does not want to withdraw this request yet in case he makes progress on the purchase of this parcel and decides to move the camper to this location during the spring/summer months. Therefore, I recommend continuing this hearing date-certain to the April 10, 2024 meeting.

OCTOBER 11, 2023 STAFF REPORT: 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).

Article 4, Section 4.4 defines campers and RVs as temporary dwellings. Anyone planning to reside in a temporary dwelling for longer than 14 days requires approval through a conditional use permit issued by the DRB.

The applicant is looking to purchase a piece of property from Rock of Ages Corporation to construct a single-family dwelling on it for a family friend to live in. The conditional use request is for this family friend to live in a camper on the property while the house is being built. The subject parcel/building is located in a medium density residential zone off of Church Hill Road, Websterville Road, and Gregoire Street on approximately 3 acres of land with well over 1000' of road frontage.

The applicant plans to hook this camper up to the municipal water and sewer lines, both of which are serviced by the Town of Barre at this location. Once the house is built, the connections would be transferred to the house.

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.

As part of the conditional use application, the applicant provided responses to the Development Review Board's conditional use criteria:

- 1. The impact on the capacity of existing or planned community facilities, to include but not limited to:**
 - a. Emergency services:**
If the person need emergency services it will be no different than a house
 - b. Educational facilities:**
N.A.
 - c. Water, sewer, or other municipal utility systems:**
Will be connected as any dwelling to water/sewer, connection fees paid prior to connecting
 - d. Recreational facilities:**
N.A.
 - e. Conservation or other designated natural areas:**
N.A.
 - f. Solid waste disposal facilities:**
N.A.
- 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;**
A camper will look a bit weird for the 6-8 months it is there, but then it will be gone
- 3. Traffic on roads and highways in the vicinity;**
No different from a dwelling
- 4. Zoning Bylaws and bylaws then in effect;**
N.A.
- 5. Utilization of renewable energy resources:**
N.A.

6. **Minimum lot size:**
This lot is 3 ac, min size is 2
7. **Distance from adjacent or nearby uses;**
All setbacks will be exceeded
8. **Site Plan Review:**
N.A.
9. **Any other standards and factors (as needed) that the bylaw may require.**
N.A.
10. **Off-street parking requirements in accordance with standards outlined in Article 3, Sec. 3.9 of this bylaw;**
N.A.
11. **Loading/unloading facilities.**
N.A.

SUMMARY, RECOMMENDATIONS:

UPDATE: The applicant has contacted the Planning & Zoning Office to withdraw his application, citing that the process to purchase the subject property from Polycor has taken longer than expected. At the November DRB meeting, the applicant received approval for the same proposed use to be located at his homestead at 255 Websterville Rd. That request is good through December 10, 2024. Due to this update in events, I recommend denying the request (without prejudice).

ADDITIONAL COMMENTS

MOTION:

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

DELIBERATION:

On motion by Mr. Sanborn, seconded by Mr. Valsangiacomo, the Development Review Board approved a request by John Southgate for a conditional use permit to set up a camper for temporary residency while building a new single-family dwelling on property located off of Church Hill Rd and Websterville Rd (property owned by Rock of Ages); Parcel ID: 023/018.00; Zoned Medium Density Residential; CUP-23000006. Vote 0-7-0.

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

Request by Ellen Poulin for final review (possible approval) of a **two-lot (2) subdivision** of land located on Farwell St and Pine Hill Rd; Parcel ID: 009/019.00; Zoned Low Density Residential; **P-24000004**.

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

Summary of Recommendations:

This is a simple request for a two-lot subdivision where development of the newly created vacant lot will be deferred. As proposed, both lots conform with the Zoning Bylaw and the Subdivision Ordinance. I recommend final approval of this application with the following conditions.

PROPOSED 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 3 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 (including septic design).
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.

ADDITIONAL COMMENTS:

Mr. Reaves recused himself as a member and went into the audience. Mr. Valsangiacomo took over the proceedings and asked members if any had a conflict or Ex-parte communications with the applicant. Mr. Valsangiacomo swore Craig Chase, Sara Lipton, Gazi Jendoubi and Mr. Garbacik in. Mr. Garbacik provided an overview of his staff report as stated above.

Mr. Garbacik provided an overview of his recommendations as stated above. Mr. Chase stated he was available if there were any questions.

Mr. Neddo asked if there was going to be a right-of-way easement to the back lot. Mr. Chase explained Ms. Poulin will retain the 25' easement to access the back southerly property line.

MOTION:

On motion by Ms. Valentinetti, seconded by Mr. Neddo, 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 Ellen Poulin for final review of a two-lot (2) subdivision of land located on Farwell St and Pine Hill Rd; Parcel ID: 009/019.00; Zoned Low Density Residential; P-24000004, 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 3 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 (including septic design).*
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.*

Mr. Reaves returned to meeting as member and Chair. Mr. Valsangiacomo handed proceeding back to Mr. Reaves.

3) **APPLICANT: HARDING / BOUNDRY LINE ADJUSTMENT**

Request by Charles & Alice Harding for final review (possible approval) of a **boundary line adjustment** between abutting properties at 490 & 518 Cutler Corner Rd; Parcel IDs: 010/013.00 & 010/017.04; Zoned Low Density Residential; **P-24000005 & P-24000006.**

STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,

ZONING ADMINISTRATOR/PLANNING OFFICER

This is a **warned public hearing** for final review of a proposed boundary line adjustment (BLA), whereas the applicants are requesting to adjust the boundary line between two abutting properties located at 490 & 518 Cutler Corner Rd that are both owned and controlled by the applicants. Mr. & Mrs. Harding live at 518 Cutler Corner Rd, a property consisting of approximately 34.8 acres and about 400' of road frontage which hosts a single-family dwelling, a detached garage, and a few accessory buildings. Back in January,

the Hardings also purchased their former neighbors' abutting property at 490 Cutler Corner Rd, which consists of approximately 8.12 acres and just over 1,100' of road frontage that hosts a single-family dwelling, a detached garage, and a small pond behind the house. The subject parcels are located in a low density residential zone that requires a minimum lot size of 2.0 acres and minimum road frontage of 200'.

The request for a BLA proposes (as shown on the plan from Richard W. Bell Land Surveying) to transfer 6.05(±) acres and about 750' of road frontage on Cutler Corner Rd from the parcel at 490 to their homestead at 518. The parcel at 490 would retain 2.07(±) acres and about 347' of road frontage, while the parcel at 518 would grow to 40.9(±) acres with about 1,150' of road frontage. Each lot will maintain conformity following the BLA, and no buildings or other property features will be impacted.

SUMMARY OF RECOMMENDATIONS:

The request is for a BLA between two abutting parcels owned and controlled by the applicants. As proposed, each lot conforms with the regulations outlined in the Barre Town Zoning Bylaw. I recommend final approval of this application with the following conditions:

PROPOSED CONDITIONS:

1. To complete this boundary line adjustment, a deed conveying 6.05(±) acres from Charles & Alice Harding (490 Cutler Corner Rd; Parcel ID: 010/013.00) to Charles P & Alice L Harding (518 Cutler Corner Rd; Parcel ID: 010/017.04) shall be completed and filed for recording in the Barre Town Land Records within 180 days of approval, unless a request to extend is made and approved by staff. Said deed must also clearly state that said conveyed land consisting of 6.05(±) acres is merged with the existing land of Charles P & Alice L Harding to create one lot of 40.9(±) acres, and that the remaining land of Charles & Alice Harding retains 2.07(±) acres.
2. 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.
3. 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.
4. An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.
5. 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.
6. Failure to comply with any conditions as stated herein could lead to nullification of this subdivision.

COMMENT:

Mr. Reaves asked if any members had conflicts of interest or Ex-parte communications with the applicant and there were none. Mr. Reaves swore Mr. Harding and Mr. Garbacik in. Mr. Garbacik provided an overview of his staff report as stated above.

Mr. Neddo asked why the large parcel of land had only 171' of road frontage instead of 200' to make the lot confirming if it ever were to be subdivided.

Mr. Harding explained the 171' of road frontage has a water corridor running through it. That would be an environmental issue if it were to be subdivided. The right-of way is for the power company to access the property.

MOTION:

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

DELIBERATION

On motion by Ms. Labrador, seconded by Ms. Valentinetti, the Development Review Board approved a request by Charles & Alice Harding for final review of a boundary line adjustment between abutting properties at 490 & 518 Cutler Corner Rd; Parcel IDs: 010/013.00 & 010/017.04; Zoned Low Density Residential; P-24000005 & P-24000006; contingent upon the following conditions:

- 1. To complete this boundary line adjustment, a deed conveying 6.05(±) acres from Charles & Alice Harding (490 Cutler Corner Rd; Parcel ID: 010/013.00) to Charles P & Alice L Harding (518 Cutler Corner Rd; Parcel ID: 010/017.04) shall be completed and filed for recording in the Barre Town Land Records within 180 days of approval, unless a request to extend is made and approved by staff. Said deed must also clearly state that said conveyed land consisting of 6.05(±) acres is merged with the existing land of Charles P & Alice L Harding to create one lot of 40.9(±) acres, and that the remaining land of Charles & Alice Harding retains 2.07(±) acres.*
- 2. 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.*
- 3. 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.*
- 4. An electronic copy of the final approved plan shall be provided to the Planning & Zoning Office within 30 days of approval, unless a request to extend is made and approved by staff.*
- 5. 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.*
- 6. Failure to comply with any conditions as stated herein could lead to nullification of this subdivision. Vote 7-0-0.*

G. OTHER

- 1) Conceptual discussion with Matthew Henderson regarding a potential subdivision of land located at 32 Hillside Avenue. (Parcel ID: 007/043.00; Zoned High Density Residential)

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

This is a **conceptual discussion** with Matthew Henderson regarding a potential subdivision off of Hillside Avenue. This will be the third such discussion in the past six months, with the first discussion taking place back in October with Kris Jurentkuff and a second discussion taking place in January with Craig Chase and Mr. Henderson. Following the previous two discussions with the DRB, along with subsequent conversations with the Josh Martineau, Mr. Henderson wants to move forward with constructing a private road (to town highway standards) and subdividing a few lots off from his existing 19.75-acre parcel.

An informal plan submitted by Chase & Chase displaying a potential 5-lot subdivision has been included in your packets. The purpose of this conceptual discussion was to gauge what the DRB would find acceptable for a private road (*i.e.* length, number of lots served, etc.). I've consulted with Chris Violette and Josh Martineau about private road standards, and they both told me that there are no official town standards/policies explicitly regarding private road length or how many lots can be served. However, the main issue I've come across for this specific proposal while researching for this staff report can once again be traced back to Section 3.2 of the Barre Town Zoning Bylaw regarding road frontage and access requirements. The first sentence of that section states, "No land development may be permitted on lots which do not have the minimum road frontage on a public (class 1, 2, 3) highway for the zone in which the subject parcel lies, or, with approval of the Development Review Board (DRB) access to such road is provided by a permanent easement or right-of-way at least 25 feet in width." The frontage on a private road *does not* count toward road frontage requirements, nor does it sufficiently satisfy access requirements. With that said, this informal plan shows that each proposed lot would have adequate road frontage on US-302, a federal highway, though the plan also shows that none of the proposed lots would directly access US-302 but rather the proposed private road extended from the existing 200'-long shared curb-cut off of Hillside Ave.

Another thing to mention is that though there are no official standards on *private roads* (other than that private roads are to be built to town highway standards), the Town Highway Code does have a policy regarding *dead-end streets*. It states, "Deadend streets are discouraged. Cul-de-sacs will be permitted but not on roads of greater length than 1,200 feet or the frontage of eight lots per side, whichever is less, and must have a turnaround with a minimum radius of fifty feet built to subgrade, subbase and upperbase specifications. Provisions shall be made at the perimeter for snow removal. Streets shall be arranged to provide for extension to or connection of eventual street systems necessary to develop abutting land in future subdivisions. The planning commission [now DRB] may in their discretion provide exceptions to deadend street length limitations if the Town is deeded a fifty-foot right-of-way from the cul-de-sac to abutting property or from the deadend road to the existing Class 3 or better highway." (Section 6-89 of the Barre Town Code of Ordinances) Furthermore, Section 404 of the Barre Town Subdivision Ordinance clarifies that any proposed dead-end streets shall not include any portion of a lot preventing future extension of the dead-end street except for when topographic, physical, or natural conditions make it improbable to either extend the street or connect it with another road (proposed or existing).

The prospective solutions that could satisfy the requirements outlined in the Zoning Bylaw, Subdivision Ordinance, and Highway Code while simultaneously affording the applicant the opportunity to subdivide/develop his property as he envisions seem quite limited. With that said, here are the few potential ideas that I could come up with:

(NOTE: These are simply ideas that I came up with in the hopes that an agreeable compromise is available. It's quite possible that I've overlooked some things when concocting these ideas.)

1. Instead of proposing a private road that is built to town highway standards, perhaps the applicant could instead propose a road that would be taken over as a public town highway. This would be the easiest way to plan out development of the property, and it would essentially be accomplishing the same thing that is currently being proposed. Since the proposed private road would be built to the same standards as a public road, there wouldn't be additional construction costs. Also, if a public road were to be approved, the road frontage from that road would count towards the requirements outlined in Section 3.2 of the Zoning Bylaw. A potential downside to the applicant for this idea is that it is currently unknown whether the Barre Town Selectboard would consider approving such a proposal. Any road proposed to be taken over by the town must be considered by the Selectboard after preliminary subdivision approval by the DRB but before final subdivision approval.
2. Something that can be considered in order to enhance a potential future subdivision of the property is a planned unit development (PUD). There are a few reasons why the applicant may not want to consider a PUD. The number one reason for that being that municipal water/sewer service is a prerequisite for a PUD to be considered, and that would require a significant extension of the existing municipal water/sewer lines. Also, the number of lots currently being proposed on the informal plan is far fewer than the minimum number of lots that would be required to execute a PUD on the subject parcel. However, if the applicant does wish to consider a PUD, it could further expand his available opportunities of what to do with the property. Regardless, questions about road access would still need to be addressed.
3. Another idea came to me that will need to be fleshed out more to assess how practical of a plan it is (if the applicant is even interested). First, the applicant would perform a two-lot subdivision on his parcel, one lot containing his homestead and the other lot consisting of the remaining land. In this scenario, all road frontage would be retained by the vacant lot, and access to the homestead lot would be provided by a 25' right-of-way off of the existing 200'-long shared curb-cut. Section 4.22 of the Zoning Bylaw addresses the limits of residential structures per lot. It states, "Only one residential structure shall be permitted on a lot regardless of the lot size, zone, or road frontage. Except as follows: Planned Unit Development, Mobile Home Parks, Accessory Dwellings, and Single entity owned residential rental housing." So, if the vacant lot were to be conveyed to a single entity (such as an LLC or a corporation) and used solely for residential rental housing, then multiple residential structures could be placed throughout the one lot. (The two examples I know of where this type of scenario currently exists are both near the end of Rudd Farm Dr on land owned by JDJ Development Company Inc.) Access to the lot hosting the single entity owned residential rental housing would also come from the existing shared curb-cut area. In this scenario, (I'm pretty sure that) a private road *would* be sufficient to provide access to the rental housing.
4. I have one final idea that I'll admit I'm *very* uncertain about. This would involve moving forward with the proposal shown on the informal plan but adding one more feature to it. Currently, the plan shows a private road serving the four proposed lots. It is uncertain to me whether this proposed private road uses all of Mr. Henderson's existing driveway, uses a portion of the driveway then branches off, or if this road will just run alongside the existing driveway. Regardless, any such private road does not satisfy the requirements outlined in Section 3.2 of the Zoning Bylaw regarding road frontage and access requirements. In order to be in compliance, the four proposed lots would each need their own 25' wide right-of-way off of the existing shared curb-cut (not off of the private road). That doesn't work because 1) there's not enough room for all of that off of the 60'-wide shared curb-cut area and 2) that'd also exceed the number of easements allowed to branch off a shared curb-cut according to subsection C of Section 3.2. As explained in idea #1 on the list, this

could be resolved by amending the proposal by changing access from a private road to a public road.

OR, I got to thinking about whether it'd be possible for the plan to show two access easements per proposed lot. Each lot would have two options for access: one option would be using the proposed private road (which, on its own, does not comply with Section 3.2), or the other option would be to construct a driveway on a private right-of-way accessing Route 302 where there is sufficient road frontage.

Obviously, this would not be a straightforward solution. Otherwise, the idea to install the private road would be a moot point and there wouldn't be a need to hold multiple conceptual discussions. Accessing the property directly off of Route 302 is more difficult for multiple reasons. For one, approval of such an access would have to be obtained from VTrans. Also, this is a stretch of Route 302 where the speed limit changes from 40 mph to 50 mph (when coming from the Charles Fantoni Roundabout). Finally, the terrain in this area would make installing a driveway to access the lot difficult.

Overall, this is a complicated request. However, I recommend continuing to dig into the specifics to try to identify solutions that may be amenable to all parties.

DISCUSSION

Mr. Garbacik provided an overview of his staff report as stated above and provided various options. Discussion ensued regarding the options presented, it was the consensus of the board for the applicant to propose to the Selectboard to build a roadway to town road standards and have the town take it over once it is complete.

H. FOLLOW-UPS

I. ROUNDTABLE

J. ADJOURN!

On motion by Ms. Valentinetti, seconded by Mr. Valsangiacomo, the Development Review Board adjourned at 7:45 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)	