

Town of Barre
Planning Commission
April 21, 2021

The Town of Barre Planning Commission held a meeting on Wednesday, April 21, 2021 beginning at 7:00 p.m. by electronic means, Zoom video conference and teleconference. There was no physical meeting place for this meeting under Covid-19 legislative authority.

MEMBERS PRESENT-ZOOM:

Chris Violette, Mike Gilbar, Cedric Sanborn, George Clain, Deb Pierce, and Bryon Atwood

MEMBERS ABSENT:

STAFF PRESENT- ZOOM:

Chris Violette and Cindy Spaulding

OTHERS PRESENT

Matt Systo (Zoom), Cheryl Husk and Safija Cajic (Teleconference)

1) CHANGES TO THE AGENDA

Mr. Sanborn called the meeting to order at 7:00 p.m.

2) APPROVAL OF MINUTES

March 17, 2021

On motion by Mr. Gilbar, second by Ms. Pierce, the Planning Commission approved the minutes of February 17, 2021 as amended. Vote 6-0-0.

3) ALLOWED USE DETERMINATION

a. Request by Matthew Systo (on land owned by Paul H. Systo Living Trust) for multiple curb-cut request in accordance with the Town of Barre Subdivision Ordinance to add a third driveway on property located at 85 Bridge Street. Parcel ID: 030/017.00; zoned: Low Density Residential; AU-2100003.

This is a warned public hearing for the purpose of a multiple curb-cut request. While the applicant is officially requesting a second curb-cut (driveway), in reality it is a third. This proposed access, along with the other two provide access to parcel located at 85 Bridge Street, the applicant's homestead and agricultural business. The subject parcel is 11.94 acres in size with approximately 400' of road frontage along Bridge Street.

All parcels, except in unique situations, are entitled to one access to a Town road approved by the Town Engineer. Access is generally referred to as a curb-cut. There are some instances where a property owner may desire two and sometimes three curb-cuts. While the Town Engineer would still have to permit second or third curb-cuts, approval is required from the Planning Commission under the authority of Article 4, section 402 E. (2) of the Barre Town Subdivision Ordinance.

When reviewing multiple curb-cut request the Planning Commission relies heavily on input from the Town Engineer regarding these types of request. The Town Engineer has been designated by the Selectboard to review and control access to Town roads. The Town Engineer shall consider such things as; the functional class of the road; site distances; safety; width of the curb-cut; drainage; topography; and any other pertinent factors that may apply.

While Mr. Systo did not provide a narrative justifying the need for the third curb-cut, I believe the desire to have it is so that the agricultural buildings can be accessed when customers are using the main entrance. I expect more details will be provided at the hearing.

Josh Martineau, the Town Engineer, has reviewed the request, spoke to Mr. Systo about his plan and determined that he does not have any concerns with this proposed curb-cut. He further notes that he does not believe it will impact safety or function of the road and that it will meet the required sight distances.

I have spoken to the most impacted abutter Cheryl Husk at 87 Bridge Street, and she has significant concerns regarding the proposed driveway being so close to their house. The Systo's installed a fence around the North and East (back) of the Husk property so they will not see the driveway behind their house, but they will to the South where it intersects with the road. I suppose a case could be made that the driveway behind their house could impact them with noise and maybe even dust.

From my standpoint I wonder why the proposed driveway is really even necessary. Maybe a case can be made why there is not enough room on the Systo's own property to bypass any congestion within their existing driveway. I guess I will wait to make a final decision when we hear more testimony.

DISCUSSION

Mr. Violette recused himself as a member of the Planning Commission. Mr. Violette as the Zoning Administrator provided an overview of his staff report as stated above.

Mr. Systo explained Old Soul Farm's farming operation which includes one driveway to service vehicle traffic of customers, wholesale deliveries with large box trucks, farm equipment and food scrap collection. Difficulties with the box trucks maneuvering the existing driveway by either turning around on Bridge Street and backing up the driveway, while other vehicle traffic entering or exiting the driveway and the parking area in the barn yard has limited space. The proposed driveway would alleviate the vehicle traffic as it would be used as one way (entrance or exit).

Ms. Husk expressed her concerns the proposed curb cut would have a negative impact on her family and her property with additional noise, dust and loss of privacy since it surrounds her property.

Discussion ensued amongst PC members and Mr. Systo about several options to avoid a third curb-cut and still make things work better:

There is a sewer line and electrical pole in this area that may make it difficult. It was suggested to contact Green Mountain Power to potentially move the power pole and the town regarding the sewer line.

- Create a turnaround on the property where the (proposed) driveway would enter the parking area to use as a turn-around.
- Contact Green Mountain Power regarding the possibility of moving the telephone pole that inhibits trucks from turning left down Bridge Street.
- Widen the existing driveway to allow two-way traffic. Concern about existing sewer line making the problematic.
- Move the proposed curb cut that goes around the back side of the Husk's property further away. This is difficult as there are established garden beds, green houses and a ravine in the area.
- Move the farm stand to the opposite side (across the road), this could not take place until Systo's purchase that property in the fall or early winter.
- Schedule truck deliveries and pick-ups at certain times of day to avoid traffic congestion.
- Change the existing farmyard, by increasing the parking area, creating a turnaround area and have the employees park at another location.
- Concerns the abutting neighbors would have fencing around their property and lose their scenic views.
- Mr. Violette suggested a continuance so that Mr. Systo could investigate other options as discussed during the meeting and so that a site visit could be scheduled prior to the next meeting.

On motion by Mr. Atwood, seconded by Mr. Gilbar, the Planning Commission continued the Public Hearing until May 19, 2021 for the request by Matthew Systo (on land owned by Paul H. Systo Living Trust) for multiple curb-cut request in accordance with the Town of Barre Subdivision Ordinance to add a third driveway on property located at 85 Bridge Street. Parcel ID: 030/017.00; zoned: Low Density Residential; AU-21000003; and schedule a site visit. Vote 5-0-0

Mr. Violette returned to the meeting as a Planning Commission member.

4) **DISCUSS RETAIL SALE OF CANNABIS AND HOW IT RELATES TO ZONING**

Mr. Violette informed the Planning Commission that they should begin to look into options regarding how to regulate Cannabis sales. The commission should be proactive in amending the Zoning Bylaw accordingly as we get closer to the legal sale of Cannabis. He also provided an overview of the legislative ACT 164 amendment, known as S.25 which if became law would require a municipality to hold a vote whether to opt-in or out of allowing retail sale of Cannabis. The Planning Commission could ask Central Vermont Regional Planning Commission (CVRPC) for guidance on what can be included in any regulatory language.

Mr. Violette will provide members a link to a forum hosted by the CVRPC that discussed ACT 164, the legalization of Cannabis sales, new legislation proposed (including having to vote to opt in or out), education outreach. Members are encouraged to view the recorded video.

5) **ZONING BYLAW DISCUSSION AND AMENDMENT (as needed)**

This item was skipped.

6) **TOWN PLAN DISCUSSION AND AMENDMENTS (as needed)**

This item was skipped.

7) **OLD BUSINESS**

Correspondence

- a. Letter to CVRPC regarding Efficiency VT's data discrepancy.

Mr. Violette provided a copy of the letter to CVRPC and Efficiency Vermont stating that the data in the Efficiency Vermont Energy report for the Town of Barre may also include other towns. He stated he had heard from CVRPC and it agreed the Efficiency Vermont data may be incorrect and include other towns. Not sure where it will go from here.

- b. Letter to Public Utility Commission regarding Granview Solar relocation.

Mr. Violette provided a copy of the joint letter from the PC & Selectboard to the Public Utility Commission regarding Norwich Solar Technologies Grandview Solar Project not the same as presented for preferred site status during the 45-day predetermination. He (Violette) has not received any response from Norwich Solar Technologies or the Public Utility Commission.

Discussion ensued concerning future requests for preferred site status would include language, "The project is preferred site status based on plans presented at the time, any deviation of 50' would require a re-review of the project at the local level."

8) **OTHER**

None

9) **FOLLOW UP**

None

10) **ROUND TABLE**

None

11) **DELIBERATIVE SESSION AS NEEDED**

None

12) **ADJOURN!**

On motion by Mr. Gilbar, seconded by Mr. Atwood, the Planning Commission voted to adjourn at 8:56 p.m. Vote 6-0-0.

Respectfully submitted,

Cindy Spaulding, Clerk

Cedric Sanborn, Chair

Mike Gilbar

George Clain

Bryon Atwood

Chris Violette

Deb Pierce

Note: Due to technical difficulties, the recording for this meeting is not available.

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