

**Town of Barre**  
**Planning Commission**  
**June 21, 2023**

The Town of Barre Planning Commission held a meeting on Wednesday, June 21, 2023, beginning at 7:00 p.m. in the Municipal Building at 149 Websterville Road, Websterville, VT.

**MEMBERS PRESENT:**

In person: Cedric Sanborn, Byron Atwood, Craig Chase, George Clain, Alice Farrell, Rodney Morin, & Terry Reil

**MEMBERS ABSENT:**

None

**STAFF PRESENT:**

In person: Brandon Garbacik

**OTHERS PRESENT**

In person: Charles & Lauren Andrews

Remote: William & Linda John and Pierre & Jan Trepanier

**A. CALL TO ORDER – 7:00 P.M.**

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

**B. CHANGES TO THE PUBLISHED AGENDA?**

There were no changes to the agenda.

**C. ANNUAL REORGANIZATION**

1) Chair –

*On a motion by Mr. Reil, seconded by Mr. Chase, Cedric Sanborn was nominated for Chair of the Planning Commission. No other nominations were made. On a vote of 7-0-0, Mr. Sanborn was approved as Chair of the Planning Commission.*

2) Vice Chair –

*On a motion by Mr. Clain, seconded by Mrs. Farrell, Byron Atwood was nominated for Vice Chair of the Planning Commission. No other nominations were made. On a vote of 6-0-1 (Atwood abstained), Mr. Atwood was approved as Vice Chair of the Planning Commission.*

3) Clerk –

*On a motion by Mr. Reil, seconded by Mr. Atwood, Cindy Spaulding was nominated for Clerk of the Planning Commission. No other nominations were made. On a vote of 7-0-0, Mrs. Spaulding was approved as chair of the Planning Commission.*

**D. APPROVAL OF MINUTES**

1) May 17, 2023

*On motion by Mr. Clain, seconded by Mr. Reil, the Planning Commission approved the minutes of May 17, 2023 as amended. Vote 7-0-0.*

**E. NON-AGENDA ITEMS (PUBLIC COMMENT)**

There were no non-agenda items.

**F. PUBLIC HEARING**

**Request by Charles Andrews for a multiple curb-cut in accordance with Article 4, Section 402 (E) of the Town of Barre Subdivision Ordinance to add a second driveway on property located at 151 Nichols Road for the purpose of servicing a logging road which would access a future 2-lot subdivision. Property is owned by Charles M & Lauren Andrews. Parcel ID: 009/011.00; AU-23000005.**

This is a warned public hearing for the purpose of a multiple curb-cut request. The applicant is requesting the second curb-cut so that it can be used as an entrance/exit to access a logging road at 151 Nichols Road.

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 more curb-cuts. While the Town Engineer would still have to permit additional curb-cuts, approval is required from the Planning Commission under the authority of Article 4, Section 402 (E) of the Barre Town Subdivision Ordinance.

When reviewing multiple curb-cut requests the Planning Commission relies heavily on input from the Town Engineer. 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; sight distances; safety; width of the curb-cut; drainage; topography; and any other pertinent factors that may apply.

Josh Martineau, the Town Engineer, has reviewed the request. In an email to me dated June 9, 2023, Josh Martineau stated that the proposed curb-cut will not create any safety concerns if sight distances are met.

Below are the criteria used to help the Planning Commission with its review and decision. The applicant has supplied responses to the criteria. The applicant's responses are in regular font and mine are italic:

1. What is the posted speed limit?

35 MPH

*The posted speed limit on Nichols Road is 35 mph.*

2. How close are the abutters' driveways from where you would like to put the requested one?

150'+/- (151 Nichols Road); 600'+/- on 2 others

*The proposed curb-cut appears to be about 30 feet away from the abutting driveway on the other side of the road at 172 Nichols Road. Also, the proposed curb-cut will be about 200 feet away from the existing driveway at 151 Nichols Road. Besides these, the nearest abutting driveways are 600+ feet away.*

3. How far is the newly proposed driveway from your property lines?

400'

*The proposed curb-cut appears to be about 400+/- feet from each end of the property line.*

4. Is there adequate sight distance for the proposed driveway?

Yes

*Town Engineer Josh Martineau stated in an email to me that, "The sight distances are at minimum required for this road. The owner will have to raise the driveway area approach onto Nichols Road to be able to meet the minimum sight distance for the road. If the sight distance can be meet [sic] there would not be any safety concerns for this location. The minimum sight distance for our standard is 390ft in both directions."*

5. What is the street name that the driveway will be located on?

Nichols Road

*Nichols Road*

## **SUMMARY AND RECOMMENDATION**

After reviewing the above, it is recommended to approve with conditions:

1. The applicant should consult with a Vermont Permit specialist to determine if any other State permits are necessary.
2. A driveway permit will be required.
3. Per the Town Engineer, the owner will raise the driveway area approach onto Nichols Road in order to meet the minimum sight distance requirements of 390 feet in each direction.
4. Any other conditions the Commission would like to add.

## **ADDITIONAL COMMENTS**

Prior to opening the public hearing, Mr. Chase recused himself for having spoken to Mr. Andrews about his future 2-lot subdivision.

***Chairman Sanborn opened the public hearing.***

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

### Questions/Answers

Mr. Andrews gave a brief overview of the location of the proposed curb-cut. He said that it is located where an existing old farm road that accesses the portion of his land that he wants to perform logging on is.

Mr. Atwood asked about what the reasoning may have been behind the Town Engineer requesting that Mr. Andrews raise his driveway area approach. Mr. Andrews speculated that it was to increase the sight distance on both sides.

Mr. Clain stated that he reviewed the property prior to the meeting and that it appears to him that the grade coming on to the road is very high. From his observations, Mr. Clain believes that achieving the sight distance requirements may be difficult. Mr. Andrews responded by saying that the proposed curb-cut location is the most suitable location for his proposed project, and that there is an increase in development taking place in the surrounding area. He stated that he is unaware of how much fill will be required to raise the approach to a high enough level where sight distances can be properly maintained, but he is under the impression that it will be possible based on conversations with Town Engineer Josh Martineau.

Mr. Clain then asked if Mr. Andrews would come back before the Planning Commission to ask for flexibility if the sight distance requirements set by Mr. Martineau could not be met. Mr. Andrews stated that he is unsure at this time what he will do in that scenario.

William John, an abutting property owner, stated that he believes that there is only 120-150 feet of sight distance at the proposed curb-cut and that 390 feet cannot be met, and he asked if this can be confirmed. Mr. Garbacik informed him that the Town Engineer determines sight distances.

Mr. John then asked how the proposed curb-cut will affect the nearby stream that runs through many of the nearby properties. Mr. Andrews replied by reiterating that the proposed curb-cut accesses a pre-existing road. He stated that he is aware of where the wetlands run on his property, and that he was mindful of the wetlands when choosing the location for the proposed curb-cut.

Jan Trepanier, a nearby property owner, also expressed concerns about how development on the land will affect the nearby environment.

***On a motion by Mr. Clain, seconded by Mr. Atwood, the Planning Commission closed the public hearing. Vote 6-0-0.***

***On a motion by Mr. Atwood, seconded by Mr. Clain, the Planning Commission approved a request by Charles Andrews for a multiple curb-cut in accordance with Article 4, Section 402 (E) of the Town of Barre Subdivision Ordinance to add a second driveway on property located at 151 Nichols Road. Parcel ID: 009/011.00; AU-23000005. Contingent on the following conditions 1-3. Voted 6-0-0.***

## **G. NEW BUSINESS - NONE**

## **H. LEGISLATIVE UPDATE AND BILL REVIEW**

Mr. Sanborn addressed that S. 100 has been signed into law. He summarized some of the features of the new law that may require the Barre Town Zoning Bylaw to be amended by next year, including parking space requirements and allowing duplexes as a permitted use in all residential zones. In the meantime, Mr. Sanborn suggested that the Planning Commission should wait until further guidance has been received from organizations such as VLCT and CVRPC.

Mr. Sanborn also announced that H. 270 has become law, which will require the wording to be changed in the Zoning Bylaw regarding cannabis cultivation.

## **I. OLD BUSINESS**

- 1) Review Rules of Procedure

Mr. Sanborn asked the members of the commission to read the Rules of Procedure for the next meeting, as some members of the commission have not had the opportunity to do so yet.

## **J. FOLLOW-UP**

- 1) Central Vermont Regional Planning Commission report

Mr. Clain had no news to report.

**K. ROUND TABLE**

- 1) The Planning Commission discussed the creation of an Energy Committee for Barre Town. Last month, it was concluded that this should be investigated further after reorganization. Now that reorganization has taken place, the Planning Commission agreed that the next step is to present this idea to the Selectboard at the earliest convenience.

**L. ADJOURN**

*On motion by Mr. Reil, seconded by Mrs. Farrell, the Planning Commission adjourned at 8:41 p.m. Vote 7-0-0.*

Respectfully submitted,

Brandon Garbacik, Planning Director

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Cedric Sanborn, Chair

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Byron Atwood

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Craig Chase

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George Clain

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Alice Farrell

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Rodney Morin

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Terry Reil