

BARRE TOWN DEVELOPMENT REVIEW BOARD MINUTES FOR SEPTEMBER 13, 2023

The Barre Town Development Review Board held a public meeting & hearing on **September 13, 2023** beginning 7:00 p.m. at the Municipal Building, 149 Websterville Road, Websterville, VT.

MEMBERS

In person: Mark Reaves, Jon Valsangiacomo, Cedric Sanborn, Chris Neddo, Angela Labrador, and Gina Galfetti (Alt)

Remote: Gerry Otis

ABSENT:

Angela Valentinetti and Jim Fecteau (Alt)

STAFF PRESENT

In person: Brandon Garbacik and Cindy Spaulding

PUBLIC PRESENT

Terry Somaini, Robert Somaini, Justin Bolduc (Selectboard), Norma Malone (Selectboard), John Raper, Samantha Hiscock, Benjamin Hiscock, Michelle Hebert, Linda Baker, Terry Culver, Nathan Lafont, Hannah Phelps, Dean Lafont, Michael Lajeunesse

Remote: Unknown Lajeunesse Construction

A. 7:00 P.M. – CALL TO ORDER

Mr. Reaves called the meeting to order at 7:01p.m. He conducted a roll call. Mr. Reaves appointed Gina Galfetti (alternate) to stand in for Angela Valentinetti.

B. CHANGES TO THE AGENDA

Mr. Reaves asked if there were any changes to the agenda. There were no changes to the agenda.

C. APPROVE MINUTES – August 9, 2023

On motion by Mr. Neddo, seconded by Mr. Sanborn, the Development Review Board approved the minutes of June 14, 2023, as written. Vote 7-0-0.

D. NON-AGENDA ITEMS (max 10 minutes)

No non-agenda items.

E. WARNED PRELIMINARY PUBLIC HEARINGS

No preliminary hearings scheduled.

F. WARNED FINAL PUBLIC HEARING(S)

1) APPLICANT: Rock Pile Properties LLC / Variance

***Continuation from June 14th, July 12th, and August 9th, 2023 meetings:** Request by Rock Pile Properties LLC for a 6' **variance** of side setback (possible approval) to install an attached ramp to use both for deliveries and as an ADA-accessible entrance/exit on property located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; **V-23000003**.

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

On Tuesday, September 12, 2023, Mrs. Hiscock from Rock Pile Properties LLC visited the Barre Town Planning & Zoning Office. She brought in copies of a completed survey, though she does not want to file the survey for recording with the Barre Town Land Records yet. She stated that she plans on coming to the Development Review Board meeting tomorrow night with seven paper copies of her survey and her updated parking plan for the property. She is eager to continue discussions on Rock Pile Properties' hearings.

Rock Pile Properties is working with the Aldrich Library's Board of Trustees with the attempt of being granted an easement deed allowing access to the existing alleyway between the Aldrich Library's York Branch and 130 Mill Street. Mrs. Hiscock stated that she wishes to finalize an agreement between Rock Pile Properties and the library before recording the survey with the Town's Land Records. Therefore, a notation can be made in the survey regarding the easement. Since she knows that she wants to amend the survey as it currently stands, she is waiting to record the survey until it's final to avoid having to pay two recording fees.

The request for a 6' variance of side setback to install an attached ramp was based on rough measurements using a 1996 survey of what is now the Aldrich Library's York Branch. Using new measurements found in the survey, Mr. Townsend discovered that a side variance of only 4' would be required instead of a variance of 6'.

Article 7, Section 7.10 of the Barre Town Zoning Bylaws talks about waivers granted by the DRB to allow the reduction of dimensional requirements. In this section, it states,

“Waivers may be considered in the following cases.

- 1. Structures providing for disability accessibility, fire safety, and other requirements of law;**
- 2. To provide reasonable expansions of existing uses because of limitations on the property due to lot configuration, topography, or structure placement and was in conformance to the Zoning Bylaw in effect at the time.**

In all cases the waiver:

- i. Shall be in compliance with the Town plan and State planning goals**
- ii. Must not change the overall character of the area in which the project is located**
- iii. Shall not exceed 50% of the dimensional standard being waived”**

Originally, it was not believed that a waiver could be granted for this request because of the requirement that the waiver shall not exceed 50% of the dimensional standard being waived. However, with the measurements now verifying that a waiver may be possible, Mrs. Hiscock stated that she is interested in pursuing a waiver request rather than a variance request in order to construct an attached ramp on property at 130 Mill Street.

Similar to variance requests, waiver requests are publicly warned hearings that require a minimum of 15-days' notice prior to the meeting. An application will need to be filed for the waiver request.

SUMMARY, RECOMMENDATIONS:

Given the new information, it appears that the applicant would rather pursue a waiver request instead of a variance request. I recommend denying this application without prejudice. The waiver request will have to be heard at next month's meeting due to the State's Open Meeting Law.

ADDITIONAL COMMENTS:

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Garbacik provided his staff report as stated above. He reported that Mrs. Hiscock has provided a land survey and it was discovered that she would only need a four-foot variance instead of the original six-foot variance, therefore she could apply for a waiver as it does not exceed 50% of the dimensional standard being waived. Mr. Garbacik explained that the request for a waiver would be a new application and public hearing.

Mr. Reaves sworn Mr. & Mrs. Hiscock, Mr. Culver, Mr. N. Lafont, H. Phelps, Mr. D. Lafont, Mr. Bolduc and Mr. Garbacik.

Mrs. Hiscock provided the Board with copies of the land survey conducted by American Survey Company. She stated that the ramp would be coming from the existing porch to the side by six feet one inch.

Mr. Reaves asked if there was anyone who would like to speak to this.

Mr. N. Lafont asked which survey would be followed as there are several.
Discussion ensued regarding:

- Rock Pile Properties current property survey (not recorded) and others that are on record in the land records.
- Ownership of the alleyway referenced in the surveys between the Aldrich Library York Branch, LaFont's and Rock Pile Property.

Mr. Reaves asked Mrs. Hiscock the criteria questions (answer in bold):

1. Are there unique physical circumstances or conditions as to:
 - a. Irregularity, narrowness or shallowness of lot size or shape; **Yes**
 - b. Exceptional topography or physical conditions peculiar to a particular property; **Yes**
 - c. Unnecessary hardship due to the above? **Yes**
2. Are there physical circumstances or conditions that prevent conformity to zoning regulations; And, a variance is necessary to enable "reasonable use" of the property. **Yes**
3. Is it true that no unnecessary hardship was created by the applicant? **Yes**
4. Is it true that a variance will not:
 - a. Alter the essential character of the neighborhood? **Yes**
 - b. Substantially or permanently impair appropriate use or development of adjacent property? **Yes**
 - c. Reduce access to renewable energy sources? **Yes**
 - d. Be detrimental to the public welfare? **Yes**
5. Is it true the variance represents the minimum deviation from regulation and plan to provide relief? **Yes**

Mr. Valsangiacomo questioned the first two criteria questions as the lot itself is not narrow nor shallow in shape or size and physical circumstances or condition that prevent conformity to current zoning regulations.

Mrs. Hiscock responded that the zoning regulations for setback requirements were put in place after the building was built and ADA accessibility is required for any restaurant.

Mr. Valsangiacomo asked about the parking requirements with ADA accessibility. Mrs. Hiscock stated that the ADA requirements would not impede the two parking spaces for apartments to the left of the front of the building under the CUP-21000006.

Mr. Valsangiacomo stated the Board needs to review and consider all the criteria questions to make a decision on the request. Ms. Hiscock stated that there are other buildings in the area with ADA ramps that do not meet setback requirements.

Mr. Bolduc stated that the two parking spaces (previous CUP) are in direct line with the handicap ramp and loading dock.

Mr. Sanborn expressed concerns that Rock Pile Properties survey was given to the Board at the meeting without giving ample time to review the presented survey with others on record to decide. Also, there are two parking spaces in the alleyway of the building that are earmarked for the apartments under permit CUP-21000006. The parking spaces need to go away for the variance. This would have to be done by amending the conditional use permit in place.

Mr. Sanborn asked where the snow removal would be with the proposed configuration of parking. Mrs. Hiscock stated there are nine parking spaces at the rear of the building and one of those would be used for snow removal.

Ms. Labrador stated her general concern is over granting a variance, where there is testimony of the ownership of some of the property is in question.

On a motion by Mr. Sanborn, seconded by Mr. Otis, the Development Review Board continued a request by Rock Pile Properties LLC for a 6' variance of side setback (possible approval) to install an attached ramp to use both for deliveries and as an ADA-accessible entrance/exit on property located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; V-23000003 date certain to October 11, 2023. Vote 7-0-0.

Mr. Reaves asked that if anyone had surveys regarding the property line between the Library, LaFont's and Rock Pile Properties to send them into the Planning & Zoning office by 4:00 p.m. on Wednesday, October 4th for them to be considered at the October 11th meeting.

2) APPLICANT: Rock Pile Properties LLC / Conditional Use

***Continuation from June 14th, July 12th, and August 9th, 2023 meetings:** Request by Rock Pile Properties LLC for a **conditional use** (possible approval) to add the use of a restaurant to an existing three-story building with eight dwelling units and a laundromat located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; **CUP-23000004**.

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

On Tuesday, September 12, 2023, Mrs. Hiscock from Rock Pile Properties LLC visited the Barre Town Planning & Zoning Office. As noted before, there is now a completed survey of the property at 130 Mill Street that will be recorded in the Town's Land Records at some point in the near future. There is also an updated parking plan for the property.

The last time that substantive testimony was taken for this hearing was back in June. I will provide the major updates to the conditional use criteria since that meeting.

1a. Emergency services:

Upon being granted access to the alleyway via an easement, the applicant plans on paving that alleyway, as well as the back parking lot. This will allow easier access for emergency services in the event of an emergency.

10. Off-street parking:

The applicant will be providing an updated parking plan. This parking plan will include 9 parking spaces in the back of the building (8 for the tenants of the apartments, 1 space to remain empty for snow removal), 6 parking spaces in the front (parking for the commercial uses), and now 0 parking spaces in the alleyway. Besides the 6 parking spaces in the front of the building, there is both on-street and off-street public parking available well within walking distance. The creation of the additional parking spaces in the back can be attributed to the applicant's plans to remove the existing loading ramp in the back of the building.

11. Loading/unloading facilities:

The applicant has provided plans to establish a loading/unloading zone in the alleyway between 130 Mill Street and the Aldrich Library's York Branch. The plan is to negotiate with the Aldrich Library's Board of Trustees in order to be granted full access to use that alleyway through an easement deed. Then, the applicant's plan is to pave that alleyway (as well as the parking in the back lot) for easier access. There are no proposed parking spaces blocking access to the alleyway. The alleyway would not function as a throughway.

Below are the conditional use criteria used back in the June meeting. The applicant's responses are provided in *italics*, and my comments are in regular font:

1. The impact on the capacity of existing or planned community facilities, to include but not limited to:

a. Emergency services:

Negligible impact

Barre Town has a full-time, 24-hour a day Police Department as well as a full-time 24-hour a day paramedic level Emergency Medical Service. It is not anticipated that either agency could not serve the additional number of living units and the people associated with them.

Fire protection is provided by a call-paid Fire Department which is not a career or full-time department. There could potentially be issues with accessing certain sections of the property with fire trucks due to the parking layout of the property and how close together each building is from one another making for narrow passageways. However, it is not anticipated that the Fire Department cannot provide service to the proposed project.

b. Educational facilities:

No impact, non-residential use

There will be no impact to the local educational system as this project is adding a commercial use to an existing mixed-use building.

c. Water, sewer, or other municipal utility systems:

No additional sewer unit needed, negligible impact on municipal utilities

The existing building is served by municipal sewer and water (both from Barre Town) with existing connections. Currently, this building is charged for 12 sewer units (4 are for the use of the laundromat, 8 are for eight residential units on the top two floors of the building). The applicant would need to provide a sewer allocation request from an engineer before Town Engineer Josh Martineau can determine the appropriate number of sewer units for this building. The Town of Barre has the capacity to service this building with both sewer and potable water.

d. Recreational facilities:

Negligible impact

It is not anticipated that the proposed project will have a negative impact on existing recreational facilities.

e. Conservation or other designated natural areas:

N/A

There is no known conservation or designated natural areas impacted by this parcel or the proposed project. The parcel is not located in a FEMA declared special flood hazard area or zone.

f. Solid waste disposal facilities:

Negligible impact

The applicant will be required to supply receptacles/dumpsters for solid waste disposal. Recycling and composting disposal must take place in accordance with Act 148. The applicant may contact Central Vermont Solid Waste Management District for further assistance on compliance with state regulations.

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;

Commercial district with a variety of retail and residential uses, will not change character of zone

In Article 2, Section 2.2 of the Barre Town Zoning Bylaw, the East Barre Commercial district is described as being "...intended to reflect East Barre's inherit uniqueness given its long-standing mixture of uses including residential and commercial." This proposal would create an additional commercial use to a historically mixed-use building that already features an existing commercial use and residential uses.

Regarding the character of the area, this neighborhood features a healthy mixture of residential and commercial uses. A project like this helps solidify the unique character of the area and can supplement its growth by adding a convenient location to pick up food.

3. Traffic on roads and highways in the vicinity;

Negligible impact

The project site is located on 130 Mill Street, a Town paved class 2 road with a speed limit of 25 mph. Traffic on this road is moderate, as it connects to the Route 302 roundabout. It is possible that the addition of this restaurant may add more cars on the roads and highways in the vicinity. Also, the East Barre Fire Station is located on the other side of the street. However, this area is already accustomed to being a mixture of residential and commercial uses, and as long as the roadways remain unobstructed, the impact on traffic should not become an issue.

4. Zoning Bylaws and bylaws then in effect;

Restaurant is a conditional use

The Barre Town Zoning Bylaw allows fast food restaurants in the East Barre Commercial district by conditional use permit, (Article 2, Sec 2.5, Table 2.1). As such, the proposed use conforms with the Bylaw.

5. Utilization of renewable energy resources:

N/A

The applicant does not intend to utilize renewable energy resources at this time. Nothing prevents that from occurring at a later time if desired in accordance with local and state regulations.

6. Minimum lot size:

The minimum lot size for the East Barre Commercial district is $\frac{1}{3}$ of an acre. The subject parcel is 0.23 acres, which is smaller than $\frac{1}{3}$ of an acre. However, the building has existed since the early-1900's (well before zoning was enacted) and as such is grandfathered in (see Article 3, Section 3.7 (I) of the Barre Town Zoning Bylaw).

7. Distance from adjacent or nearby uses;

Nearby uses are residential and commercial. As previously mentioned, the property is also across the street from the East Barre Fire Station.

8. Site Plan Review:

The proposed project will not require a site plan review, as there is no land being developed on to accommodate the use.

9. Any other standards and factors (as needed) that the bylaw may require.

Unless determined necessary by the Development Review Board, it is not anticipated that any other standards are applicable in this instance.

10. Off-street parking requirements in accordance with standards outlined in Article 3, Sec. 3.9 of this bylaw;

Eight parking spaces in the front of the building, anticipates no parking burden due to business model of proposed restaurant

I have reached out to Mrs. Hiscock via email to supply a sketch of the parking plans. She did not respond, though I did reach out on short notice and some of my emails I've sent lately have been going to the Junk folder.

According to Article 3, Section 3.9 (G) of the Barre Town Zoning Bylaw, the minimum parking for a restaurant is, "One parking space for every 100 sq. ft. of overall building size." This section also mentions, "The required number of contiguous off-street parking spaces may be reduced by the Development Review Board (DRB) during either conditional use or site plan review providing the applicant can demonstrate the reduction is due to:

1. The unique use of property and it can be demonstrated that traffic volume will be substantially less than normally anticipated.
2. The requirement being excessive or insufficient for the use at that time.
3. The nature of the project for which vehicle usage is minimal such as elderly or disable housing use.

It is unclear how much this standard for restaurant parking should be enforced for this particular restaurant due to the restaurant not being a conventional, sit-down restaurant. Also, the restaurant does not comprise the entire area of the building. I am unsure what the exact dimensions of the restaurant space are, but it absolutely appears to be a big enough space where the above parking standard cannot be met for this property without an approval for a reduction of spaces by the DRB.

There are some concerns I see with regards to parking. For starters, I do not see eight parking spaces in the front of the building. There is probably a maximum of seven parking spaces total out front if one of the spaces is reserved for ADA parking. Between staff and customers, it is likely not possible that the front of the building will present enough parking. The back of the building has parking spaces already reserved for the residential units in the building. The left side of the property features an alleyway that:

- is not wide enough to accommodate two-way traffic (*i.e.* does not allow room for vehicles to travel through if other vehicles are parked here),
- has previously been designated as two parking spots for tenants of the residential units,

- is planned to be used to access the loading ramp on the back-left side of the building, and
- is not entirely owned by the applicant.

There are, however, additional public parking spaces nearby that may be utilized by customers of the restaurant (though one abutting business owner has expressed concern that this restaurant may take away parking for the other commercial businesses in the neighborhood). It is also true that the business model of the proposed restaurant would allow cars to be in and out within a much shorter timeframe than a conventional restaurant. Plus, the hours that operations are likeliest to be busy are primarily in the evening. Taking everything into account, I believe that there should be enough parking to operate the business without hindering the operations of other businesses.

11. Loading/unloading facilities.

Installation of one service ramp that is ADA accessible on side of building, will require variance

In addition to parking plans, I had requested from Mrs. Hiscock a sketch of the loading/unloading plans. She did not respond to that request either, but as mentioned before the request was on short notice and requested only via email.

Mrs. Hiscock mentioned to me at one point that it is estimated that 10,000 pounds of product would be delivered weekly. The natural location for a loading facility would be the alleyway on the side of the building, as that is where the designated service ramp would be placed. However, if that alleyway is already designated as a parking area for the residential units, it cannot also be used for delivering supplies. Another location possible for delivering supplies is at the back of the building via an access on Summer Street. However, Article 3, Section 3.9 (H) states that, "...no required parking spaces shall be encumbered by any vehicle unloading or loading." A truck being parked in the back would make it impossible for a tenant to drive away from the property until after unloading. It is impossible for any loading/unloading to take place in front of the building as there are reserved parking spaces out front, and delivery trucks are prohibited from parking in the street to load/unload. Until I see a more concrete plan that does not interfere with parking, I cannot support (nor outright reject) the notion that the loading/unloading facilities requirement have been sufficiently met.

SUMMARY, RECOMMENDATIONS:

The applicant has provided a more detailed plan about the proposed project. The biggest concerns regarding loading/unloading facilities and parking/snow removal have been largely addressed.

However, there are some loose ends to this proposal that still need to be tied up. The biggest of these loose ends is to finalize an easement deed between Rock Pile Properties and the library. Also, the conditional use permit issued to Rock Pile Properties in 2021 (CUP-21000006) will need to be amended prior to approval of this permit. One of the conditions in CUP-21000006 states that the parking plan provided by the applicant will need to be adhered to. That parking plan includes two parking spaces in the alleyway for her tenants.

Therefore, I am still recommending that this hearing be continued date-certain to October 11, 2023.

ADDITIONAL COMMENTS:

Mr. Reeves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Garbacik provided his staff report as stated above. (Note: All who were sworn in at previous public hearing were still under oath for this public hearing.)

Mr. Culver expressed with the proposed parking plan, there is not enough room for parking, a dumpster or snow removal outback of the building. Mrs. Hiscock stated that there would be ample parking as the rear exterior ramp would be removed. Discussion ensued with regards to the number of parking spaces at the rear of the building at 130 Mill Street.

Ms. Phelps expressed her concerns about the hours of operation, increased traffic, noise, and smells of a restaurant just feet away from her residence at 3 Garden Street. Mrs. Hiscock stated the restaurant's business model is take-out and delivery only, there would be no sit-down service.

(Participants: Mr. Lafont, Ms. Phelps, Mr. Culver, Mrs. Hiscock, Mr. Raper, Mr. Bolduc and Board members : Reeves, Valsangiacomo, Labrador, Sanborn, and Neddo) Discussion ensued concern with regards to Dominos fast-food restaurant business operations and the DRB can impose conditions to include hours of operations, smells, traffic, lighting, screening, delivery trucks and/or solid waste truck, change of use from fast food to sit down.

Mr. Bolduc asked if the conditional use permit was for the perpetual or for the establishment. Mr. Reeves stated the conditional use permit is only for the restaurant, if there were change in use or change of ownership, it would have to come back before the Board.

Mr. Sanborn mentioned there is a need for more information such as Dominos hours of operations, parking spaces for two businesses (restaurant and proposed laundromat), anticipation of peak hours for two businesses.

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board approved continuing the discussion to October 11th

Discussion with the Board receive information about Dominos hours of operation, firm parking plan for restaurant & proposed laundromat, peak hours for Dominos, number of employees, when the laundromat will be open.

Mr. Neddo withdrew his second as he was basing it on the need for a ramp for the restaurant, which was continued to October 11.

Mrs. Hiscock rebutted the Board's request for additional information, asking if she could come back with the answers once the Board has come up with the conditions. It was explained to her that the public hearing could be continued so she could provide the answers at the October 11th meeting or the Board could close the hearing and deliberate with the conditions, which she would not be able to provide additional testimony as the Public Hearing would be closed..

On motion by Mr. Valsangiacomo, seconded by Ms. Galfetti, closed the public testimony. Vote 7-0-0.

On motion by Mr. Neddo, seconded by Mr. Valsangiacomo, the Development Review Board go into closed deliberative session at the end of the meeting to discuss a request by Rock Pile Properties LLC for a conditional use) to add the use of a restaurant to an existing three-story

building with eight dwelling units and a laundromat located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; CUP-23000004. Vote 7-0-0.

3) **APPLICANT: Bilodeau/Sub-Division (merger)**

Request by Michael Bilodeau for a **revised subdivision approval** (possible approval) for merging two (2) lots on land located off East Barre Road; Parcel IDs: 006/064.00 & 006/068.01 (owned by Michael & Flormelin Bilodeau); Zoned Highway Commercial; **P-23000002**.

These are two different applications requesting for two separate pairs of abutting lots to be merged together. All four parcels are located off of East Barre Road and are owned by Michael & Flormelin Bilodeau. Two of the parcels, 006/064.00 & 006/068.01 are located behind the East Barre Dollar General. The other two parcels, 025/103.02 & 025/103.06 are located next to Lajeunesse Construction.

These applications are incomplete, as they are each missing a preliminary lot merger plan (survey) from a certified engineer. Despite the fact that the applications were incomplete, I gave the applicant a deadline of Thursday, September 7, 2023 at 4:00 PM to submit these surveys ahead of the meeting since the conceptual discussion involving these properties were already going to be heard. As of Friday the 8th, I have not yet received either merger plan.

SUMMARY, RECOMMENDATIONS:

I do not want the Board to get into another situation where every month it's a game of "Is The Survey Ready Yet?" However, I do want to grant the applicant an opportunity to get the survey and any supplemental information submitted in a timely manner so that any proposals may be deliberated on fully and a decision can be made as quickly as possible.

It is also the case that these two lot merger plans are related to the conceptual discussion scheduled later in the meeting. There is clearly a great deal of information that needs to be hashed out as part of the conceptual discussion if those plans are to move forward. Because of this, I don't believe that this hearing needs to be continued to next month. Therefore, I recommend continuing these hearings date-certain to November 8, 2023, though I would understand if the Board would rather consider continuing the hearing date-certain to December 13, 2023.

ADDITIONAL COMMENTS:

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Garbacik provided his staff report as stated above. The applicant was not in attendance at the meeting.

On motion by Mr. Valsangiacomo, seconded by Mr. Neddo, the DRB closed the public hearing. Vote 7-0-0

On motion by Mr. Neddo, seconded by Mr. Sanborn, the DRB voted to approve Request by Michael Bilodeau for a revised subdivision approval for merging two (2) lots on land located off

East Barre Road; Parcel IDs: 006/064.00 & 006/068.01 (owned by Michael & Flormelin Bilodeau); Zoned Highway Commercial; P-23000002. Vote 1-6-0. (Motion denied without prejudice.)

4) **APPLICANT: Bilodeau / Lot Merger**

Request by Michael Bilodeau for a **revised subdivision approval** (possible approval) for merging two (2) lots on land located off East Barre Road; Parcel IDs: 025/103.02 & 025/103.06 (owned by Michael & Flormelin Bilodeau); Zoned Highway Commercial and High Density Residential; **P-23000003**.

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

These are two different applications requesting for two separate pairs of abutting lots to be merged together. All four parcels are located off of East Barre Road and are owned by Michael & Flormelin Bilodeau. Two of the parcels, 006/064.00 & 006/068.01 are located behind the East Barre Dollar General. The other two parcels, 025/103.02 & 025/103.06 are located next to Lajeunesse Construction.

These applications are incomplete, as they are each missing a preliminary lot merger plan (survey) from a certified engineer. Despite the fact that the applications were incomplete, I gave the applicant a deadline of Thursday, September 7, 2023 at 4:00 PM to submit these surveys ahead of the meeting since the conceptual discussion involving these properties were already going to be heard. As of Friday the 8th, I have not yet received either merger plan.

SUMMARY, RECOMMENDATIONS:

I do not want the Board to get into another situation where every month it's a game of "Is The Survey Ready Yet?" However, I do want to grant the applicant an opportunity to get the survey and any supplemental information submitted in a timely manner so that any proposals may be deliberated on fully and a decision can be made as quickly as possible.

It is also the case that these two lot merger plans are related to the conceptual discussion scheduled later in the meeting. There is clearly a great deal of information that needs to be hashed out as part of the conceptual discussion if those plans are to move forward. Because of this, I don't believe that this hearing needs to be continued to next month. Therefore, I recommend continuing these hearings date-certain to November 8, 2023, though I would understand if the Board would rather consider continuing the hearing date-certain to December 13, 2023.

ADDITIONAL COMMENTS:

Mr. Reaves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Garbacik provided his staff report as stated above. The applicant was not in attendance at the meeting. Mr. Raper and Mr. Lajeunesse stated they were concerned with Mr. Bilodeau's idea of FEMA trailers as temporary housing off of the East Barre Road.

*On motion by Mr. Valsangiacomo, seconded by Mr. Neddo, the DRB closed the public hearing.
Vote 7-0-0*

On motion by Mr. Neddo, seconded by Mr. Sanborn, the DRB voted to approve Request by Michael Bilodeau for a revised subdivision approval for merging two (2) lots on land located off East Barre Road; Parcel IDs: 025/103.02 & 025/103.06 (owned by Michael & Flormelin Bilodeau); Zoned Highway Commercial and High Density Residential; P-23000003. . Vote 2-5-0. (Motion denied without prejudice.)

G. OTHER

- 1) Conceptual discussion with Michael Bilodeau regarding potential temporary housing of FEMA trailers on land located off East Barre Road.

Mr. Bilodeau was not in attendance to provide presentation to the concept of potential temporary housing on land located off the East Barre Road.

H. FOLLOW-UPS Deliberative Session

At 8:52 p.m., on motion by Mr. Valsangiacomo, seconded by Mr. Neddo, the Development Review Board entered into closed deliberative session to discuss a request by Rock Pile Properties LLC for a conditional use) to add the use of a restaurant to an existing three-story building with eight dwelling units and a laundromat located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; CUP-23000004. Vote 7-0-0.

Note: Board invited Zoning Administrator and Board Clerk to attend.

At 9:51 p.m., on motion by Mr. Sandborn, seconded by Mr. Neddo, the Development Review Board returned open session. Vote 7-0-0

Note: No action taken at this time.

I. ROUNDTABLE

There were none.

J. ADJOURN!

On motion by Mr. Otis seconded by Mr. Valsangiacomo, the Development Review Board recessed at 9:55 p.m. Vote: 7-0-0.

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)

DRAFT