

Town of Barre Planning Commission February 21, 2024

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

MEMBERS

In person: Cedric Sanborn, George Clain, Terry Reil, Alice Farrell, and Rodney Morin
Absent: Byron Atwood

STAFF:

In person: Brandon Garbacik
Remote: Cindy Spaulding

PUBLIC ATTENDEES:

In-person: Lucas John

A. CALL TO ORDER –

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

B. CHANGES TO THE PUBLISHED AGENDA

Mr. Sanborn asked if there were any changes to the agenda. Mr. Garbacik asked to add minutes of January 31 special meeting and item one under old business Zoning bylaw request for 6 Tanglewood Drive be moved to the April 17, 2024 meeting.

C. APPROVAL OF MINUTES

1) January 17, 2024

On a motion by Mr. Reil, seconded by Ms. Farrell, the Planning Commission approved the minutes of January 17, 2024 meeting as amended. Vote 5-0-1 (Chase abstained)

2) January 31, 2024

On motion by Mr. Clain, seconded by Mr. Chase, the Planning Commission approved the minutes of January 31, 2024 special meeting as written. Vote 6-0-0.

D. NON-AGENDA ITEMS (PUBLIC COMMENT): None

E. WARNED PUBLIC HEARING(S):

- 1) **Proposed zoning bylaw amendment:** This proposed bylaw amendment changes the zone of property located at 217 & 223 Church Hill Rd in Barre Town (Parcel ID: 002/007.00). The parcel is currently zoned Industrial. The proposed bylaw amendment would change the zone of this parcel to Very High Density Residential.

This is a warned public hearing in accordance with 24 V.S.A. § 4441 and Section 1.5 of the Barre Town Zoning Bylaw, whereas the Barre Town Planning Commission heard a proposed request from a member of the public to amend the Barre Town Zoning Bylaw, voted to adopt the proposed request, prepared and approved a written report on the proposed request, and duly warned a public hearing on the proposed request. A copy of the proposed zoning bylaw amendment and the written report was delivered electronically (with proof of receipt) to DHCD, CVRPC, and the chairs of the planning

commissions of each municipality that abuts Barre Town. The purpose of this public hearing is for the Barre Town Planning Commission to hear public comments on the proposed zoning bylaw amendment, make any necessary revisions to the bylaw amendment or the associated written report, and subsequently submit the proposed request to the Barre Town Selectboard (and simultaneously file these documents with the Barre Town Clerk's Office for public review).

DISCUSSION/COMMENTS

On motion by Mr. Clain, seconded by Mr. Chase, the Planning Commission opened the public hearing. Vote 6-0-0.

Mr. Garbacik provided overview of the proposed zoning bylaw as stated above. Mr. Clain asked if there are any conditions. Mr. Garbacik stated there are no conditions. Mr. John thanked the commission for their support.

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

MOTION

On motion by Mr. Clain seconded by Ms. Farrell, the Planning Commission approved sending a report to the Selectboard for zoning bylaw amendment changing the zone of property located at 217 & 223 Church Hill Road in Barre Town (Parcel ID: 002/007.00) to very high density residential. Vote 6-0-0.

2) OLD BUSINESS:

- 1) Preliminary discussion with Jeff Olesky from Catamount Consulting Engineers (on behalf of Jay Carr) to discuss amending the town Zoning Bylaw for changing the zone of property located at 6 Tanglewood Drive. Property owned by the Jay Benton Carr Revocable Living Trust; Zoned Low Density Residential; Parcel ID: 006/095.01 – TABLED to April 17, 2024.

- 2) Discussion about Section 3.2 of the Barre Town Bylaw

Mr. Garbacik provided an overview of Zoning Bylaw Section 3.2: Access Requirements/Required Frontage on a Public Roadway.

Section 3.2: 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. Such access shall be considered during subdivision review (a driveway permit issued by the Town Engineer is still required) of new lots, or for pre-existing, nonconforming uses provided all aspects of the Town Code are met and the access can demonstrate acceptable site distances and spacing. When access to back lands is provided by a 25-foot right-of-way, each lot shall have a separate right-of-way. Shared driveways are discouraged and will only be considered for up to two lots. If a shared driveway is proposed, it must be constructed entirely on one right-of-way or the other so as to not compromise the ability for another driveway to be constructed.

Discussion ensued amongst members with highlights on:

- Shared Curb cuts
- Road access vs shared driveways
- Town Road Standards
- Private Roads
- Subdivisions with storm water permits

3) **LEGISLATIVE UPDATE AND BILL REVIEW:**

Mr. Garbacik conducted a power point presentation on potential legislation regarding Act 250 reform:

Overview

- One of the top priorities in the legislature this session is to reform Act 250, the state’s 50+ year-old land use policy.
- Right before the legislature convened this winter, there were talks about a bill addressing the impediment Act 250 has on residential development. This bill, now known as H.719, was boasted as being backed by a tri-partisan group of legislators and Governor Scott.
- Since then, numerous other bills regarding Act 250 reform have been introduced, including H.687 and S.311.

H.687 vs S.311

• **Differences:**

- In H.687, Tier 1B requirements state that both municipal water and sewer service are available. In S.311, municipal water is still required for Tier 1B, but adequate septic systems can be used in place of municipal sewer service.
- With a few exceptions, S.311 defers to the newly created Environmental Review Board to determine the requirements for each tier, rather than the legislature coming up with the requirements.
- Both bills contain a road rule. However, S.311’s version of the Road Rule would not include single roads/driveways of 800 ft automatically triggering Act 250. Also, S.311’s version *does include* the 10-year provision that H.687 removed in their bill.
- The automatic Act 250 trigger in H.687 for Tier 2 areas within 500 feet of the center line of a highway is not included in S.311.

S.213

- This bill would increase regulations related to wetlands, river corridor development, and dam safety.
- Could require the state to review all development in flood hazard areas, unless the state delegates a municipality to review such development on their behalf.
- Would establish wetlands regulations for the purpose of producing a net gain of wetlands acreage.
- Would establish a statewide system to oversee river systems.
- Gov. Scott on S.213: Would “put Vermonters in jeopardy of violating laws they don’t even know exist.”

H.719:

- Establishes process for municipal delegation of Act 250 review.
- Development within ½ mile of Downtowns or within ¼ mile of Village Centers exempt from Act 250 review.
- Includes an ‘appeal bond’ for decisions by a DRB on residential projects that are appealed
- 4-plexes would be a permitted use on one-fifth of an acre, for an allowed density requirement of up to 20 units per acre (and increased even further for affordable housing projects).

S.308:

- I haven’t fully explored this bill, but appears to be very similar to H.687.

4) **NEW BUSINESS: - NONE**

5) FOLLOW-UP

- 1) Central Vermont Regional Planning Commission monthly report

Ms. Farrell reported CVRPC commissioners meeting has been postponed until March for a training session on Act 250.

- 2) Energy Committee monthly report

Mr. Garbacik reported that the Energy Committee met on the first Wednesday of the month. Highlights: reviewed open meeting laws; General charge of the committee; Potential guests such as Capstone Weatherization or Efficiency Vermont.

- 3) Update on Village Center Destination applications

Mr. Garbacik reported the Village Center Designation applications for E Barre, lower Graniteville, S Barre and upper Websterville will be reviewed at the Vermont Downtown Board on February 26, 2024 between 1:00 p.m. and 3:00 p.m. Committee members Sanborn, Clain and Farrell will be attending the meeting virtually with Mr. Garbacik and Mr. Violette.

6) ROUND TABLE

Mr. Clain asked if the Neighborhood Development Areas: boundary extension be pursued. It was suggested wait for a later date as the commission needed to work on Zoning and incorporating Act 47 legislation.

7) ADJOURN

On motion by Mr. Clain, seconded by Ms. Farrell, the Planning Commission moved to adjourn at 9:01 p.m. Vote 6-0-0.

Respectfully submitted,

Cindy Spaulding, Clerk

Cedric Sanborn, Chair

Alice Farrell

George Clain

Byron Atwood

Terry Reil

Craig Chase

Rodney Morin