

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR October 11, 2017

The Barre Town Development Review Board held a public meeting & hearings on Wednesday, October 11, 2017 at 7:00 p.m. at the Municipal Offices, Websterville, Vermont

Members Present:

Mark Nicholson Angela Valentinetti
Cedric Sanborn Chris Neddo
Charles Thygesen, SR Jon Valsangiacomo

Members Absent:

Mark Reaves

Others Present:

Jim Fecteau
John Armstrong
Wayne Lawrence
Doug Farnham
Joan McMahon
Gary Mcavoy

Staff Present:

Chris Violette
Emily Marineau

A. 5:30 P.M. – SITE VISIT – NONE

B. 6:30 – 7:00 P.M. – PLANS AVAILABLE FOR REVIEW

C. 7:00 P.M. – CALL TO ORDER

D. CHANGES TO THE AGENDA - Violette would like to move warned public meeting # 4 and #5 to be heard after #1 because they are amending the subdivision and recreating a new subdivision.

E. APPROVE MINUTES

Motion by Sanborn, seconded by Neddo, the board voted unanimously to approve the September 13, 2017 minutes at 7:01pm.

F. NON AGENDA ITEMS (max 10 minutes)

G. SUBDIVISION REVIEW

PRELIMINARY REVIEW

John Armstrong- preliminary review 3 lot subdivision

Request by John Armstrong for preliminary review of a 3- lot subdivision of open land that would create 2 new lots located at 360 School Rd; Parcel ID 011/001.04; Zoned Medium density residential; P-17000012

Consultant: Wayne Lawrence

Date: October 6, 2017

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a preliminary request for a three-lot subdivision of land for creating two new lots, one for development and one deferred. The subject parcel is approximately 19.62 acres (accessing records indicate 20 acres) and is in a medium density residential zone with 2-acre minimum lot size and 200' of road frontage. If no road frontage, access must be by way of at least a 25' right-of-way. No municipal services are available. The exiting condition in this area is residential uses on larger lots.

The applicant was before the board last month conceptually seeking permission to have both preliminary and final review done this month. No clear direction was given from the board stating they'd like to see the plans. I have warned this request for final as well to give the board some flexibility if they choose to grant both during this meeting but if the preference is to not, then the final can be continued.

Mr. Armstrong came to me several weeks ago to discuss a subdivision creating a third lot. Upon review, I determined that even though the plan Mr. Armstrong was showing me had a second lot with a septic design, it was never actually created via the subdivision process. I reminded him that I think he and I discussed many years ago that he could wait and create the lot when he had a buyer instead of creating and paying taxes on a lot he wasn't ready to sell. Fast forward to today, Mr. Armstrong not only has a buyer for the third lot he wanted to create now, he has a buyer for the second lot that he thought he had but doesn't. So he is in a bit of a predicament.

The plan is to create lot 2, a 3.29-acre parcel with onsite septic and lot 3, 5.63 acres that will be deferred (meaning not septic designed). The remaining land, lot 1 will be 10.7 acres (another 3 acres in Berlin), sits way in the back, and is undeveloped. Lot 2 will have the road frontage on School Road, lots 1 & 3 will not have road frontage but will each be granted a 25' right-of-way. Lot 1 will also have to be granted a right-of-way across lot 3 as well. An existing access to lot 1 will be used in common between lots 1 & 3. A three-way shared curb-cut will be used to access all three lots.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I recommend preliminary approval of this three-lot subdivision and move it to final later on this agenda.

ADDITIONAL COMMENTS:

Nicholson states that the subdivision seems pretty clean, it has the 25' rights-of-way shown and proper road frontage. Violette states that is a conforming lot.

Gary Mcavoy is an abutting neighbor, questions the road frontage for lot 2 about how many people will be sharing the right-of-way. Violette states that it has about 190' and it is going to have one curb cut for the three lots. Violette states that since the road frontage is on a curve they can have only a 100' of road frontage. The lots are conforming.

Sanborn states that it is a standard 3 lot subdivision with shared access.

Violette makes it clear that Mr. Armstrong will be responsible for creating the landing and access for the curb cut.

MOTION & RECOMMENDATION:

A motion was made by Sanborn and seconded by Neddo the Development Review Board unanimously voted to approve the request by John Armstrong for preliminary review of 3-lot subdivision located at 360 School Rd; Parcel ID 011/001.04; Zone: Medium density residential; P-17000012

Fecteau Residential Inc (Final)

Jon Valsangiacomo- recuses himself

Request by Fecteau Residential Inc, for final amended subdivision review for the purpose of reversing a 3-lot subdivision and BLA approved January 25, 2016 (P-15000016) of property located off Nichols Rd; Parcel ID 008/021.02; Zone Medium density residential; P-17000007

Consultant:

Date: October 4, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a warned public hearing to amend a previously approved subdivision as noted above. The original subdivision created a 3.18-acre parcel (lot 4), a .18-acre parcel (BLA), and a .22 acre parcel (road) out of a 29.88 acre parcel owned by the applicant. The applicant has had difficulty with the ACT 250 process and is requesting to reverse this subdivision reverting it back to its original form for now. There is a subdivision also on this agenda that will recreate part of this subdivision (P-17000013).

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approving this final request to amend and revert this previously approved subdivision to its original configuration before subdivision P-15000016 in 2016.

- 1) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
- 2) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff .
- 3) An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
- 4) No changes to the approved plan can 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 an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
- 5) Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS:

Violette printed the original subdivision maps and highlighted the different amended subdivision, new subdivision and BLA.

Sanborn states that this is easier than the first time they had to subdivide the lots.

MOTION & RECOMMENDATION: Jon Valsangiacomo- recused

A motion by Sanborn, seconded by Neddo, the Development Review Board moved to unanimously approve the request by Fecteau Residential Inc for final amended reversal of a 3-lot subdivision and BLA originally approved January 25,2016 (P15000016), with conditions listed above 1-5, of located at property off Nichols Rd; Parcel ID; 008/021.02; Zoned; medium density residential; P-17000007

Jon Valsangiacomo- rejoined the board

Vic and Pat Fecteau (Final)

Request by Vic and Pat Fecteau, for final amended subdivision review for the purpose of reversing a 4-lot subdivision approved January 25, 2016 (P-15000013) of property located off Beckley Hill Rd; Parcel ID 008/029.00; Zone Medium density residential; P-17000008

Consultant: Chase & Chase

Date: October 6, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a warned public hearing to amend a previously approved subdivision as noted above. The original subdivision created a 1.41-acre parcel (lot 6), a 1.92-acre parcel (road), and a 1.01-acre parcel (lot 7) out of a 33-acre parcel owned by the applicant. A .05 piece of land that was part of an BLA with abutter Danny Fecteau IS NOT being reversed. The applicant has had difficulty with the ACT 250 process and is requesting to reverse this subdivision reverting it back to its original form for now (except for the BLA). There is a subdivision also on this agenda that will recreate part of this subdivision (P-17000010).

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approving this final request to amend and revert this previously approved subdivision to its original configuration before subdivision P-15000013 in 2016 (except for the BLA).

- 1) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.

- 2) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff .
- 3) An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
- 4) No changes to the approved plan can 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 an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
- 5) Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS:

No additional comments.

MOTION & RECOMMENDATION:

A motion by Sanborn, seconded by Neddo, the Development Review Board moved to unanimously approve the request by Vic and Pat Fecteau for final amended reversal a 4-lot subdivision approved originally on January 25,2016 (P15000013), with conditions 1-5 as listed above, of property located off Beckley Hill Rd; Parcel ID; 008/029.00; Zoned; Medium density residential; P-17000008

VIC AND PAT FECTEAU (preliminary)

Request by Vic and Pat Fecteau, for preliminary review of a 3-lot subdivision of property located off Beckley Hill Rd; Parcel ID 008/029.00; Zone Medium density residential; P-17000010

Consultant: Chase & Chase

Date: October 4, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a preliminary subdivision request for the purpose of creating a 3-lot subdivision of land. This land was just subject to a subdivision amendment on this same agenda (P-170000008). The proposed subdivision creates lot 6, a 1.41-acre parcel that contains a single-family dwelling connected to municipal sewer, onsite water. Access will eventually be from a yet to be constructed Town Road. For now, there is not road frontage, access to

this lot will have to be across what will become the road lot owned by the applicants.

Also created with this plan is a 1.92-acre parcel that will be eventually turned over to the Town for the purpose of a Town road. this lot provides access to Beckley Hill Road to four house lots, all owned by the Fecteau's.

Remaining land is undeveloped and will end up being 28.6 acres. I do have a question about access to this lot from a Town Road. There doesn't appear to be a way to it now that lot 6 is created. Looking for clarification on that.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Simple subdivision and assuming we can figure out access to the remaining land I recommend approval of this request and moving it to final later on this agenda.

ADDITIONAL COMMENTS:

Violette references the map that's he has color coded. Nicholson questions if that was town road, Violette states that it is still a private road but it has been built to Town standards and the Fecteau's have met with the Select Board about taking over the road and they are all in agreement.

J. Fecteau states that they ended up with 11 lots in 2 years which triggered Act 250, he states they thought they were going to be at 9 lots. They need to get back down to 9 lots. They have tried to appeal Act 250 and they were denied, so they are going this route instead.

MOTION & RECOMMENDATION:

A motion was made by Sanborn and seconded by Neddo the Development Review Board voted unanimously to approve the request by Vic and Pat Fecteau for preliminary review of 3-lot subdivision located off Beckley Hill Rd; Parcel ID 008/029.00; Zone: Medium density residential; P-17000010

Fecteau Residential Inc (preliminary)

Jon Valsangiacomo- recuses himself

Request by Fecteau Residential Inc, for preliminary review of a 2-lot subdivision of property located off Nichols Rd; Parcel ID 008/021.02; Zone Medium density residential; P-17000011

Consultant: Chase & Chase

Date: October 6, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a preliminary subdivision request for the purpose of creating a 2-lot subdivision of land. This land was just subject to a subdivision amendment on this same agenda (P-17000007). The proposed subdivision creates a future road lot of .22 acres. This piece of land will be deeded to the Town of Barre as part of a future road that will provide access to this lot from Beckley Hill Road.

This request is also on the agenda this month for final approval.

Remaining land is undeveloped and will end up being 30.52 acres.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I recommend approval of this preliminary request for a two-lot subdivision and moving it to final on this same agenda.

ADDITIONAL COMMENTS: Jon Valsangiacomo- recuses himself

No additional comments.

MOTION & RECOMMENDATION: Jon Valsangiacomo recused

A motion was made by Neddo and seconded by Sanborn the Development Review Board voted unanimously to approve the request by Vic and Pat Fecteau for preliminary review of 2-lot subdivision located off Nichols Rd; Parcel ID 008/021.02; Zone: Medium density residential; P-17000011

1) WARNED PUBLIC HEARINGS

Fecteau Residential Inc (Final)

Jon Valsangiacomo- recuses himself

Request by Fecteau Residential Inc for final review of a major subdivision of land and Planned Unit Development that, as proposed, would create 47 new lots with up to a total of 90 new living units located off Beckley Hill Road and Daniels Drive; Parcel ID 008/035.00; Zone: high density residential; P-17000003

Consultant: Wilson Consulting Engineer's PLC

Date: October 6, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a warned final public hearing (warned in the newspaper a second time).

Fecteau, through their consultant Wilson Engineering, has requested a continuance while they continue to work on the final plans and go to the Seleboard.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Continue this final hearing date certain, November 8, 2017.

ADDITIONAL COMMENTS: Jon Valsangiacomo- recuses himself

No additional comments.

MOTION & RECOMMENDATION: Jon Valsangiacomo recused

A motion was made by Nicholson and seconded by Sanborn the Development Review Board voted to continue the request by Fecteau Residential Inc for final review date certain to November 8,2017 of a major subdivision of land and planned unit development that, as proposed, would create 48 new lots with a total of 90 new living units located off Daniels Drive and Beckley Hill Rd; Parcel ID 008/035.00; Zone: high density residential; P-17000003

Jon Valsangiacomo- rejoins the board

Toni Tofani 2-lot subdivision (Final)

Request by Toni Tofani for final review of a two- lot subdivision of open land by deferral (meaning no development is planned at this time), subject parcel is located off West Road; Parcel ID: 005/145.00; Zoned: Low density residential. P-17000006

Consultant: Glenn Towne & Paul Taylor

Date: October 6, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a warned public hearing (continued from September). This request was preliminarily approved in July but was continued in August and September due to the plans not being ready for final approval. This request is a two-lot subdivision for the purpose of creating a 4.49-acre lot. The subject parcel is in a low density residential zone which requires a minimum lot size of 2 acre when onsite water and sewer is being used (as is the case with

this request) and 200' of road frontage or if no road frontage access by way of a 25' right-of-way (at a minimum). The parcel is in a residential area off West Road with fairly large wooded and open lots.

The parent parcel is 69.53 acres (lot 6) in size and has over 2,000' of road frontage along Snowbridge Road. While the parcel has road frontage along Snowbridge Road, its main access is from West Road by way of two right-of-way's (50' and 40'). This lot is remaining land from a previous 6-lot subdivision which created numerous lots along West Road and one on Snowbridge Road (P-11000005 06/28/11).

The proposed subdivision will create a 4.49-acre (lot 7) parcel leaving the remaining land (lot 6) at 65.04 acres. The only development planned at this time for the new lot that I am aware of is a 30'x40' garage (permit just issued Z-17000068). The garage will have onsite water and sewer serving it (septic plans have been submitted).

We received an updated plan on September 18th and at first look I was happier with the plan. However, now that I've spent more time looking at the plan, it is not acceptable. Two things, first, there is still not a defined dedicated access to the new lot (lot 7), and second, a lot from the original subdivision (lot 5 Snowbridge Road) is gone from the plan and its acreage has been added back into the remaining land (lot 6). Whereas the first plan submitted for this subdivision showed the current acreage of the lot being subdivided (lot 6) as being 69.53 (which is accurate compared to the tax records) it is now shown to be 67.25 acres which is the 69.52 plus the 2.21 for lot 5 (now gone) less the 4.49 acres for the new lot, lot 7. This subdivision appears to eliminate a lot previous created and it can't do that.

Other issues with the original plan are better with regarding to previous references and abutters, but the issues above are serious and with the rather slow reaction to editing the map, I have little hope it will be accurate for the hearing.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Due to the above, I'm forced to recommend a continuance again, date certain November 8, 2017.

ADDITIONAL COMMENTS: Jon Valsangiacomo- is back for this hearing,

Nicholson states that the DRB needs to see final plans before this will be approved.

MOTION & RECOMMENDATION:

A motion by Sanborn, seconded by Neddo, the Development Review Board moved to continue the request by Toni Tofani for final plat approval date certain to November 8, 2017 of a two-lot subdivision of his land located at West Road; Parcel ID; 005/145.00; Zoned; low density residential; P-17000006

John Armstrong- Final review 3 lot subdivision

Request by John Armstrong for final review of a 3- lot subdivision of open land that would create 2 new lots located at 360 School Rd; Parcel ID 011/001.04; Zoned Medium density residential; P-17000012

Consultant: Wayne Lawrence

Date: October 4, 2017

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing to create a three-lot subdivision of land with two new lots resulting, one for development and one deferred. Final consideration assumes preliminary approval on this same agenda. The subject parcel is approximately 19.62 acres (assessing records indicate 20 acres) and is in a medium density residential zone with 2-acre minimum lot size and 200' of road frontage. If no road frontage, access must be by way of at least a 25' right-of-way. No municipal services are available. The exiting condition in this area is residential uses on larger lots.

As mentioned during preliminary review, the applicant was before the board last month conceptually seeking permission to have both preliminary and final review done this month. Because this is warned as a public hearing the board has some flexibility if they choose to grant both during this meeting but if the preference is to not, then this final can be continued.

Mr. Armstrong came to me several weeks ago to discuss a subdivision creating a third lot. Upon review, I determined that even though the plan Mr. Armstrong was showing me had a second lot with a septic design, it was never actually created via the subdivision process. I reminded him that I think he and I discussed many years ago that he could wait and create the lot when he had a buyer instead of creating and paying taxes on a lot he wasn't ready to sell. Fast forward to today, Mr. Armstrong not only has a buyer for the third lot he wanted to create now, he has a buyer for the second lot that he thought he had but doesn't. So he is in a bit of a predicament.

The plan is to create lot 2, a 3.29-acre parcel with onsite septic and lot 3, 5.63 acres that will be deferred (meaning not septic designed). The remaining land, lot 1 will be 10.7 acres (another 3 acres in Berlin), sits way in the back, and is undeveloped. Lot 2 will have the road frontage on School Road, lots 1 & 3 will not have road frontage but will each be granted a 25' right-of-way. Lot 1 will also have to be granted a right-of-way across lot 3 as well. An existing access to lot 1 will be used in common between lots 1 & 3. A three-way shared curb-cut will be used to access all three lots.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

The board has given me permission to warn preliminary and final for two lot subdivisions. The board can use its discretion beyond that. There is nothing that says both meetings can't be done in the same night even for much larger subdivisions. However, the larger the subdivision the more things that need to be considered. In this case, Mr. Armstrong is in a bit of a pinch and didn't fully understand the circumstances. He has two buyers already and waiting another month could be detrimental so he is seeking final approval tonight. Given the circumstances and the relative simplicity of this request, I am recommending final approval of this request with consideration to the following conditions.

- 1) All easements and/or right-of-ways, as shown on the final (stamped approved) plans by Wayne Lawrence shown revised 8/16/2017 project # 12018A, shall be created when the need arises in order to fulfill the development as proposed and approved
- 2) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
- 3) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning 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 provided to the Planning and Zoning Office within 30-days of final approval.
- 5) No changes to the approved plan can 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 an 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.
- 7) Shared curb cut as shown on the plans shall be constructed by the developer prior to the first house being constructed
- 8) Shared use and maintenance of common curb cut shall be included in deeds.

ADDITIONAL COMMENTS: Jon Valsangiacomo- is back for this hearing.

The board had a brief discussion on adding 7 and 8 of the conditions above.

MOTION & RECOMMENDATION:

A motion by Sanborn, seconded by Neddo, the Development Review Board moved to unanimously approve the request by John Armstrong for final plat approval of a three-lot subdivision, with conditions 1-8 with conditions listed above, of his land located at 360 School Rd; Parcel ID; 011/001.04; Zoned; medium density residential; P-17000012

Vic and Pat Fecteau / Fecteau Residential (Final)

Jon Valsangiacomo- recuses himself

Request by Vic and Pat Fecteau and Fecteau Residential, for final review of a boundary line adjustment of property located off Beckley Hill Rd; Parcel ID 008/029.00; Zone Medium density residential; P-17000009 & P-17000013.

Consultant: Chase and Chase

Date: October 6, 2017

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing for the purpose of a boundary line adjustment (BLA) between abutting property owners. The BLA proposed to eliminate a 201' line that separates the land between the applicants and will transfer .83 acres from Vic and Pat Fecteau to Fecteau Residential. No new lots are being created with this request.

V&P Fecteau lands will decrease in size from 33 acres to 29.2 acres and Fecteau residential will increase from 28.88 to 29.71.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

This is a simple request and I recommend final approval of this boundary line adjustment with consideration to the conditions below.

- 1) To complete this boundary line adjustment, a deed conveying the .83 acres from Vic and Pat Fecteau to Fecteau Residential must be completed within 60 days. Said deed must also clearly state that this land is merged, combined as one lot.
- 2) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.

- 3) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning 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 provided to the Planning and Zoning Office within 30-days of final approval.
- 5) No changes to the approved plan can 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 an 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.

ADDITIONAL COMMENTS:

No additional comments.

MOTION & RECOMMENDATION: Jon Valsangiacomo recused

A motion by Sanborn, seconded by Neddo, the Development Review Board moved to unanimously approve the request by Vic and Pat Fecteau and Fecteau Residential Inc for final plat approval of a BLA, with conditions 1-6 listed above, of property located off Beckley Hill Rd; Parcel ID; 008/029.00; Zoned; medium density residential; P-17000009 & P-17000013

Jon Valsangiacomo rejoins the board

Vic and Pat Fecteau (Final)

Request by Vic and Pat Fecteau, for final review of a 3-lot subdivision of property located off Beckley Hill Rd; Parcel ID 008/029.00; Zone Medium density residential; P-17000010

Consultant: Chase and Chase

Date: October 6, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a warned final subdivision request for the purpose of creating a 3-lot subdivision of land. This land was just subject to a subdivision amendment on this same agenda (P-

17000008) and assumes preliminary approval earlier on this agenda. The proposed subdivision creates lot 6, a 1.41-acre parcel that contains a single-family dwelling connected to municipal sewer, onsite water. Access will eventually be from a yet to be constructed Town Road. For now, there is not road frontage, access to this lot will have to be across what will become the road lot owned by the applicants.

Also created with this plan is a 1.92-acre parcel that will be eventually turned over to the Town for the purpose of a Town road. this lot provides access to Beckley Hill Road to four house lots, all owned by the Fecteus.

Remaining land is undeveloped and will end up being 28.6 acres. I do have a question about access to this lot from a Town Road. There doesn't appear to be a way to it now that lot 6 is created. Looking for clarification on that.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Assuming the remaining land is conforming with access, I recommend approval with consideration to the conditions below of this final request for a three lot subdivision creating lot 6, 1.41 acres, and road lot 1.92 acres.

- 1) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
- 2) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff .
- 3) An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
- 4) No changes to the approved plan can 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 an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
- 5) Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS

Violette questioned the access to the land. J. Fecteau states that there was only 60' of road frontage and that is not acceptable road frontage for that zone, therefore they did a BLA with Dan Fecteau and that lot is now accessed by a right-of-way.

MOTION & RECOMMENDATION:

A motion by Sanborn, seconded by Neddo, the Development Review Board moved to unanimously approve the request by Vic and Pat Fecteau for final plat approval of a three-lot subdivision, with conditions 1-5, listed above, of land located off Beckley Hill Rd; Parcel ID; 008/029.00; Zoned; medium density residential; P-17000010

Fecteau Residential Inc (Final)

Jon Valsangiacomo- recuses himself

Request by Fecteau Residential Inc, for final review of a 2-lot subdivision of property located off Nichols Rd; Parcel ID 008/021.02; Zone Medium density residential; P-17000011

Consultant: Chase and Chase

Date: October 6, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER**

This is a warned final hearing for a subdivision request that creates a 2-lot subdivision of land. This land was just subject to a subdivision amendment on this same agenda (P-170000007) and assumes preliminary approval on this same agenda. The proposed subdivision creates a future road lot of .22 acres. This piece of land will be deeded to the Town of Barre as part of a future road that will provide access to this lot from Beckley Hill Road.

Remaining land is undeveloped and will end up being 30.52 acres.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approval of this two lot subdivision that creates a .22 acre parcel that will be deeded to the Town of Barre for future road expansion.

- 1) One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
- 2) Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff.

- 3) An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
- 4) No changes to the approved plan can 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 an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
- 5) Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS

No additional comments.

MOTION & RECOMMENDATION: Jon Valsangiacomo recused

A motion by Neddo, seconded by Sanborn. the Development Review Board moved to unanimously approve the request by Vic and Pat Fecteau for final plat approval of a two-lot subdivision, with conditions 1-5, listed above, of land located off Nichols; Parcel ID; 008/021.02; Zoned; medium density residential; P-17000011

Jon Valsangiacomo- rejoins the board

H. VARIANCES (WARNED PUBLIC HEARINGS)

Dawn Farnham Variance (Public Hearing)

Request by Dawn Farnham for a 5' variance rear setback for an addition to an existing shed located next to existing single-family dwelling at 332 Websterville Rd; Parcel ID 024/031.00; zone: Medium density residential. V-17000004

Consultant:

Date: October 4, 2017

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing for a variance of Article 2, table 2.2 of the Barre Town Zoning Bylaw as it relates to accessory structure setback. In accordance with Article 7, section 7.9 "variance", the applicant is seeking a variance in advance of applying for a building permit because she knows the structure will not meet the required setback. The subject parcel is in a medium density residential zone which requires an 8' setback for accessory structures.

The applicant is proposing to construct a 13' x 14' addition to an existing 13'x16'8" detached storage building. The existing storage shed is only setback 3' from the rear property line and the addition, as proposed, would also only be setback 3' thus a 5' variance is being requested.

The applicant understands the threshold for a variance being issued and was planning to submit a narrative addressing the criteria. As of the writing of this report, those comments haven't been received. Without the comments it is harder for me to provide a narrative as to how this project may or may not conform to them. The biggest problem the applicant is faced with is that the shed is already there and apparently it can't be moved and the applicant feels that making the addition is necessary and is a reasonable use of the property. The nonconformance of the original shed was not caused by the applicant. Beyond that, I'm not sure how the applicant will meet the requirements on a lot that isn't narrow or small.

Below is the variance criterion as stipulated by the State of Vermont 24 VSA § 4469 and the Barre Town Zoning Bylaw Article 7, section 7.9.

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

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Without knowing how the applicant feels she meets the 5 criteria, it is hard to give a recommendation, but reviewing the lot, it is hard to see how all will be met. However, the shed is already there.

ADDITIONAL COMMENTS: Jon Valsangiacomo- is back in for this hearing.

The applicant did submit a narrative of the 5 questions above but question number 1 was not answered in the affirmative.

Sanborn asked Mr.Farnham to explain the lot, where the shed is located and if there is extra land around the shed. Mr. Farnham states that there is more land to move the shed but it would not line up with the current shed and with adding onto the shed he will only have 3 sides to build, which will save construction cost. He also states that he does not want to add another free-standing building on the lot.

Neddo questions if he can build onto the front of the building. Farnham states that he doesn't want to build onto the front of the building because it would obstruct the view and he would have to reconstruct the slope of the roof. He states that they have sliding barn doors on the front of the shed and he would like to have the same style doors on the new proposed addition.

MOTION & RECOMMENDATION:

A motion by Sanborn, seconded by Neddo, the Development Review Board voted to unanimously approve the request by Dawn Farnham for a 5' variance rear setback for an addition to an existing shed on the property at 332 Westerville Rd; Parcel ID; 024/031.00; Zoned; medium density residential; V-17000004

**NICHOLSON:NO REAVES: ABSENT
SANBORN:NO NEDDO:NO
THYGESEN:NO VALSANGIACOMO:NO
VALENTINEETTI:NO**

MOTION DENIED – Based on the answer to questions number 1. The Board would like to see question 1 investigated by the applicant and prove that a shed can't be located elsewhere on the property. The Board feels that this variance doesn't represent any unique physical circumstances or conditions as to: a.Irregularity, narrowness or shallowness of lot size or shape; b. Exceptional topography or physical conditions peculiar to a particular property; c. Unnecessary hardship due to the above?

J. SITE PLAN REVIEW

- 1) PRELIMINARY REVIEW

2) WARNED PUBLIC HEARINGS

Mike Bilodeau – Site Plan Mobile Home Park

Request by Mike Bilodeau for minor site plan review in accordance with Barre Town Zoning Bylaw Article 4, sec 4.15 for the creation of a 4-unit mobile home park on open land adjacent to 770 East Barre Road (Rt. 302); Parcel ID 006/068.01; Zone: highway commercial; CUP-17000006

Consultant: Brad Ruderman & Associates, inc.

Date: October 6, 2017

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing (**continued from the September meeting**) for the purpose of site plan review in accordance with Article 4, section 4.15 of the Barre Town Zoning Bylaw. The applicant is proposing to create a four-unit mobile home park and site plan review and approval is required.

Latest comments bold:

A conditional use permit was granted for this use at the August meeting. At the last meeting, the applicant submitted a new plan showing a more detailed layout of the mobile homes, access, landscaping, and lighting.

We have now received a jurisdictional opinion from VTrans stating that the existing access to Dollar General and the applicant's other property is sufficient and no further permitting is necessary. **We have also received a letter from the City of Barre showing their ability to serve this project with water as well as a letter from the Town showing our ability to provided sewer service (both presented at the September meeting).**

The applicant has provided an engineering sketch of the proposed project. The sketch shows access from East Barre Road (US Rt. 302) by way of an existing access that is currently shared with another lot owned by the applicant and the Dollar General Store. What is currently a 25' easement to the lot in question is shown to be increased by the applicant to a 50' wide easement.

The four mobile homes are depicted on the subject lot as being 25' apart from one another and meeting the required zoning setback and setback from the Jail Branch River. A 20 separation is required.

The mobile homes are proposed to be small homes at 8' wide and 53' long.

Stormwater is proposed to sheet flow to the rear of the parcel and into the Jail Branch River.

A row of screening trees is shown on the plans as well.

A new plan was presented at the September meeting showing parking for the 4th unit but did not show the lighting plan or revised landscaping. Discussion last month focused mostly on the landscaping plan and how the plan should accurately reflect it. The board wants to see a new plan showing the street lights and the number and types of trees that are going to be used for screening. It was also asked that plans be submitted to the Planning Office prior to the meeting.

As of this writing on Friday, October 06, 2017, no new plans have been submitted showing the requested information.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

ADDITIONAL COMMENTS: Jon Valsangiacomo- is back for this hearing.

The applicant did not provide updated plans in time for the meeting. The board would like to see final plans before this project can be approved.

MOTION & RECOMMENDATION:

A new motion was made by Sanborn, seconded by Valsangiacomo the Development Review Board voted to continue this request by Mike Bilodeau date certain to November 8, 2017, for final review of site plan for a 4-unit mobile home park on open land adjacent to 770 East Barre Rd; Parcel ID 006/068.01; Zone: highway commercial; SP-17000003.

K. CONCEPTUALS NONE

L. FOLLOW-UPS: NONE

M. CORRESPONDENCE- NONE

STATE
TOWN
MISCELLANEOUS

N. ROUNDTABLE:

O. ADJOURN!

On a motion by Sanborn, seconded by Valsangiacomo, the Development Review Board voted unanimously to adjourn @ 8:10pm.

Respectfully Submitted,

Emily Marineau

Mark Nicholson, Chair

Cedric Sanborn

Mark Reaves

Jon Valsangiacomo

Jim Fecteau

Charlie Thygesen Sr.

Angela Valentinetti

Chris Neddo

DRAFT