

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR JULY 11, 2018

The Barre Town Development Review Board held a public meeting & hearings on Wednesday, July 11, 2018 beginning at 7:00 p.m. at the Municipal Offices, 149 Websterville Road, Websterville, Vermont

Members Present:

Mark Reaves
Charles Thygesen, SR
Angela Valentinetti

William Wolfe
Jon Valsangiacomo

Members Absent:

Mark Nicholson
Cedric Sanborn

Chris Neddo

Staff Present:

Chris Violette – Planning & Zoning Director

Others Present:

Craig Chase
Mike Bilodeau

Bill Bond

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

ELECT ACTING CHAIR – NON AGNEDA ITEM:

Both the chair (Mark Nicholson) and vice chair (Cedric Sanborn) were not in attendance. The board made the following motion to elect an acting chair:

Motion by J. Valsangiacomo, seconded by W. Wolfe, the DRB unanimously elected Mark Reaves to be the acting chair for the July 11, 2018 meeting due to the absence of both the chair and vice chair.

D. CHANGES TO THE AGENDA - NONE

E. APPROVE MINUTES

Approval of the June 27, 2018 was deferred to August due to insufficient meeting attendee's present.

F. NON AGENDA ITEMS (max 10 minutes)

G. SUBDIVISION REVIEW

1) PRELIMINARY REVIEW

Bond Family Limited Partnership two-lot subdivision

Request by Bond Family First Limited Partnership for preliminary review of a two-lot subdivision of land located 260 Morrison Rd; Parcel ID: 005/115.00; Zoned: low density residential; P-18000006.

Consultant: Chase & Chase

Date: July 6, 2018

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. The subject parcel is located in a low density residential zone with a minimum lot size of 2 acres and 200' of road frontage. Water and sewer are both onsite. The area is predominantly mixed use between residential, farming, and industrial. The subject parcel has around 2000' of road frontage on Morrison Road.

The subject lot is currently 39.7 acre according to assessing records (42.2 is shown on the survey map), Currently the parcel is developed with a single-family dwelling and what is referred to as the "Old Warehouse". The plan is to create a 2.0-acre lot, lot 4 with 502' of road frontage along Morrison Road. Lot 4 will contain the old warehouse. Lot 3, the remaining land, will reduce in size by 2-acres to either 37.7 acres (assessing) or 40.2 (survey). The remaining land will have the existing single-family dwelling located on it.

There are a couple of easement of note shown on the plan. Lot 4 will be granted an easement for the existing septic system which as shown is 25' around the leachfield. The second easement I'm not sure what it is for but is shown to be a 25' right-of-way across lot 4, I'm assuming in favor of lot 3.

Lot 4 as shown on the plans conforms to the minimum requirements of both the Subdivision Ordinance and the minimum standards required by the Zoning Bylaw. Lot 3 remains conforming.

This 2-lot subdivision is also on this agenda for final review as well.

The applicants other request for a boundary line adjustment is also shown of the same survey map.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

No new development is being proposed with this subdivision, both lots conform as proposed. I recommend approval and moving to final.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (which are in their entirety above) noting the discrepancy in the acreage and that he wasn't exactly sure what the purpose of one of the rights-of-way was for.

Craig Chase spoke on behalf of the applicant. Chase noted that the purpose of 25' ROW on the North side of the barn is simply for easy access to the Bond's pond on the backside of the barn which is located on the remaining land.

Chase also noted that new plans are using the acreage noted in Violette's staff comments which are based on the Town's assessing records.

Acting chair Reeves asked if anyone else had any comments, questions, or concerns. There were none. Reeves asked for a motion.

MOTION & RECOMMENDATION:

A motion by Thygesen, seconded by Valsangiacomo, the Development Review Board unanimously voted to approve the preliminary subdivision request by Bond Family Limited Partnership for a two-lot subdivision on property located 260 Morrison Road; Parcel ID: 005/115.00; Zoned: low density residential; P-18000006.

2) WARNED PUBLIC HEARINGS

**Bond Family Limited Partnership two-lot subdivision
Final**

Request by the Bond Family First Limited Partnership for final plat review of a two-lot subdivision of land located at Upper Prospect Street and Morrison Rd; Parcel ID: 005/115.00; Zoned: low density residential; P-18000006.

Consultant: Chase & Chase

Date: July 6, 2018

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE.

PLANNING OFFICER

This is a warned public hearing for final plat review and possible approval for the purpose of creating a 2-lot subdivision of land. This proceeding assumes preliminary approval was granted earlier.

The subject parcel is located in a low density residential zone with a minimum lot size of 2 acres and 200' of road frontage. Water and sewer are both onsite. The area is predominantly mixed use between residential, farming, and industrial. The subject parcel has around 2000' of road frontage on Morrison Road.

The subject lot is currently 39.7 acre according to assessing records (42.2 is shown on the survey map), Currently the parcel is developed with a single-family dwelling and what is referred to as the "Old Warehouse". The plan is to create a 2.0-acre lot, lot 4 with 502' of road frontage along Morrison Road. Lot 4 will contain the old warehouse. Lot 3, the remaining land, will reduce in size by 2-acres to either 37.7 acres (assessing) or 40.2 (survey). The remaining land will have the existing single-family dwelling located on it.

There are a couple of easement of note shown on the plan. Lot 4 will be granted an easement for the existing septic system which as shown is 25' around the leachfield. The second easement I'm not sure what it is for but is shown to be a 25' right-of-way across lot 4, I'm assuming in favor of lot 3.

Lot 4 as shown on the plans conforms to the minimum requirements of both the Subdivision Ordinance and the minimum standards required by the Zoning Bylaw. Lot 3 remains conforming.

Clarification as to the substantial difference is lot size, assessing compared to survey would be helpful.

The applicants other request for a 2-lot subdivision is also shown of the same survey map.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend final approval be granted for the proposed 2-lot subdivision of land creating a new 2-acre parcel of land.

1. All easements and/or right-of-ways, as shown on the final (stamped approved) plans by Chase and Chase Surveyors and Septic designers, Inc., dated June 19, 2018 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.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (full comments above) noting that questioned raised during preliminary review had been answered and that this was a warned public hearing for consideration of final approval.

Jon Valsangiacomo asked about the septic easement on the remaining land protruding into the pond. Craig Chase answered by stating that to meet state rules, an easement around a leachfield must be 25'. In this case, yes, the easement does cover a small portion of the pond but that is because of the requirement.

Acting chair Reaves asked whether there were any more comments, questions, or concerns.

MOTION & RECOMMENDATION:

A motion by Valsangiacomo, seconded by Wolfe, the Development Review Board unanimously voted, incorporating conditions as stated in Violette's staff comments, to grant final approval to the request by Bond Family Limited Partnership for a two-lot subdivision on property located 260 Morrison Road; Parcel ID: 005/115.00; Zoned: low density residential; P-18000006.

**Bond Family Limited Partnership boundary line adjustment
Final**

Request by Bond Family First Limited Partnership for final plat review of a boundary line adjustment between parcels owned by the partnership at 277 Morrison Road; Parcel ID's 005/113.00 & 005/113.01; Zoned low density residential; P-18000007 & P-18000008.

Consultant: Chase and Chase

Date: July 6, 2018

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 two parcels owned by the applicant. The subject parcels are located in a low density residential zone with a minimum lot size of 2 acres and 200' of road frontage. Lot 2 is developed with a commercial warehouse. Lot 1 is only developed with recreation fields and associated buildings. Lot 2 has municipal water (Barre City) and onsite sewer. Both lots have road ample road frontage on both Morrison Road and Upper Prospect Street.

Lot 2 was originally created out of lot 1 in 2000 (P-00-04-19, plan 1909) as a 10.1-acre parcel. While I'm not sure of the reason, the applicant would like to reconfigure lot 2 and reduce its size to 6.2 acres. The only significant thing to note on the plan is that the existing waste water system serving the warehouse on lot 2 will now be on lot 1. An easement is shown being reserved in favor of lot 2. The other thing to note is that the rear property line, with the new configuration, is right on the minimum 25' setback line (distance from the rear of the warehouse to the rear property line). However, both lots remain conforming to both the Subdivision Ordinance is the Zoning Bylaw.

Like the 2-lot subdivision earlier on this agenda, there seems to be a discrepancy in the acreage, assessing to survey. Lot 1 is currently shown to be 58.4 acres on the assessing records and adding 3.9 acers to it should mean lot 1 will now be 62.3 acres. The survey map show it being 60.8 acres. I'd like a better understating for the assessor as to what the discrepancy is if the entire lot wasn't surveyed.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the recommended conditions below, I recommend approval of the BLA.

1. To complete this boundary line adjustment, a deed conveying the 3.9 acres from lot 2 to lot 1 must be completed within 90 days. Said deed must also clearly state that this land is merged, combined as one lot.
2. All easements and/or right-of-ways, as shown on the final (stamped approved) plans by Chase and Chase Surveyors and Septic Designers, Inc. dated June 19, 2018

shall be created when the need arises in order to fulfill the development as proposed and approved

3. 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.
4. 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.
5. An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
6. 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.
7. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (full comments above). Violette noted that the only thing really occurring is the straightening out of a previously created subdivision line. Violette did note however that there is some question as to exactly what the Bonds own and whether there is a Town of Barre right-of-way on the property and noted that Craig Chase could explain in more detail. Violette could not recommend approval at this time and said there would probably have to be a continuance because of the questions.

Craig Chase explained that at issue, when you use to come up Morrison Road there was wye in the road as it intersected with Upper Prospect Street and Jensen Road. Bill Bond went on to explain further that the intersection was reconfigured. Chase stated that as part of their due diligence they discovered that the Town may still have a ROW and while the boundaries are correct, the acreage might be different. There was a triangle between the roads that was owned by Gordon Booth. Booth sold the triangle to Bond. After the road was abandoned the land appeared to be part of the larger Bond lot. Chase stated they can't find a discontinuance of the road and will be exploring that with the Selectboard.

Acting chair Reaves suggested a continuance to August might be in order.

Bond asked what the thought is, what are they looking at? Violette explained that before giving final approval, the DRB needs to know that everything has been worked out and the final maps are accurate.

MOTION & RECOMMENDATION:

A motion by Wolfe, seconded by Valentinetti, the Development Review Board unanimously voted to continue this request for a boundary line adjustment date certain to August 8, 2018; P-18000006

3) CONCEPTUAL REVIEW

H. SITE PLAN REVIEW

- 1) PRELIMINARY REVIEW
- 2) WARNED PUBLIC HEARINGS
- 3) CONCEPTUAL REVIEW

I. CONDITIONAL USE REVIEW (WARNED PUBLIC HEARINGS)

Bilodeau (CUP - Final)

Request by Mike Bilodeau for a conditional use permit to allow for a multi-family dwelling open land adjacent to 770 East Barre Road (Rt. 302); Parcel ID 006/068.01; Zone: highway commercial; CUP-18000003

Consultant: None

Date: July 6, 2018

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the purpose of conditional use review and possible approval for the applicants plan to create a residential development using two 24' x 60' buildings to create 8 units of residential housing (apartments).

The parcel subject to this request was approved in September of 2017 for a 4-unit mobile home park. The applicant has changed his plans and would like to move forward with a new CUP to create the 8 units of housing.

The parcel in question is zoned highway commercial which doesn't allow a residential use unless, at a minimum, 8 units are being created. In addition, normally two dwellings on one lot wouldn't be allowed except zoning allows for multiple dwellings if they are single entity owned rental housing (Article 4, sec 4.22 Barre Town Zoning Bylaw).

Municipal sewer (Barre Town) and municipal water (Barre City) will serve these buildings. Access will be via a 50' easement across land of Dollar General and other lands of Bilodeau

from East Barre Road (US Rt. 302)

Zoning requires 2 parking spaces for every dwelling unit. The plans are only showing 12 parking spaces. I believe the applicant plans to seek a reduction of the parking requirement. Recused parking is allowed for under Article 3, sec. 3.9G as long as the applicant can show one of the following:

1. The unique use of the 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 the time.
3. The nature of the project for which vehicle usage is minimal such as elderly or disabled housing uses.

During the review of the 4-unit mobile home park I raised a question as to whether a new State of Vermont access permit would be necessary. The State said no for the mobile home park, I would suggest the applicant should make sure the increase to 8 units doesn't change that.

The applicant has yet to submit answers to the CUP criteria and as a result I am not prepared to offer my comments on them. In addition, the Town Engineer has not looked at these plans yet and because of many factors, like the mobile home park project, I suggest he does.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Not having a narrative about the project, including responses to the CUP criteria, and the fact that the Town Engineer hasn't looked at the plans, I am not prepared to recommend approval at this time and I suggest a continuance, date certain to August 8, 2018.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (full comments above). Violette emphasized that like the last approved project for this site, Mr. Bilodeau should check with VTRANS to see whether an amended state access permit will be required. Also, he'll need ability to serve letters from the both the City (Water) and the Town (sewer). The plan as presented doesn't meet the zoning requirement (2 parking spaces for each unit, only 1 being shown), but a waiver of the parking may be asked for which can be done. Finally, Mr. Bilodeau hasn't submitted responses to the CUP criteria.

Mr. Bilodeau spoke about the project stating that he envisions mostly elderly people which is why he thinks parking can be reduced. He also stated he has received an ability to serve letter from the Town. In talking with the Town Engineer, Bilodeau stated it was suggested that a manhole be installed between the two buildings so that each buildings sewer line can connect to the manhole, he didn't see a problem with that and would honor that request.

Angela Valentinetti asked how big each unit will be? Bilodeau responded that each unit will be 270sf which is Barre Town's minimum unit size.

Jon Valsangiacomo raised a concern about the lack of parking. Even though each unit may only have one occupant, there will be visitors. Acting chair Reaves agreed and said that is one issue he is concerned with. Bilodeau stated he anticipated that there would be a concern and that he could revise the plan to show parking that would comply with zoning. Snow storage was also mentioned but determined that there is adequate room for snow.

Reaves summarized that new plans should be submitted showing enough parking for two spaces per unit and that new plans should show the lighting plan a little more prominently. Finally, the sewer layout as requested by the Town Engineer must be on the new plan.

MOTION & RECOMMENDATION:

On a motion by Valentinetti, seconded by Valsangiacomo, the Development Review Board unanimously voted to continue this request for a conditional use permit date certain to August 8, 2018; CUP-18000003

- J. VARIANCES (WARNED PUBLIC HEARINGS)
- K. FLOOD HAZARD REVIEW
- L. APPEALS OF ZONING ADMINISTRATORS DECISIONS
- M. OTHER
- N. FOLLOW-UPS
- O. CORRESPONDENCE
 - STATE
 - TOWN
 - MISCELLANEOUS
- P. ROUNDTABLE
- Q. ADJOURN!

On a motion by Wolfe, seconded by Valsangiacomo, the Development Review Board voted unanimously to adjourn @ 7:38 pm.

Respectfully Submitted,

Chris Violette

Mark Nicholson, Chair

Cedric Sanborn

Mark Reaves

Jon Valsangiacomo

Jim Fecteau

Charlie Thygesen Sr.

Chris Neddo

Angela Valentinetti

William Wolfe

DRAFT