

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR SEPTEMBER 12, 2018

The Barre Town Development Review Board held a public meeting & hearings on Wednesday, September 12, 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	Mark Nicholson
Chris Neddo	Cedric Sanborn

Members Absent:

Jon Valsangiacomo

Staff Present:

Chris Violette – Planning & Zoning Director

Others Present:

Stephen Conti	Kaylee Conti
Nick Conti	Holly Owen
Rob Owen	Rebecca Dudley
Mark Dudley	Tom Otterman
Sarah Thomas Paulsen	Herrick Thomas Paulsen
Jim Fecteau	Craig Chase
Bill Bond	Michael Lajeunesse
Stephen Caldwell	Louis Boutin

- 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 - NONE
- E. APPROVE MINUTES

Motion by Cedric Sanborn, seconded by Chris Neddo, the August 8, 2018 meeting minutes were approved, 4 yes's, 2 abstentions (Reaves & Valentinetti didn't attend meeting)

- F. NON AGENDA ITEMS (max 10 minutes)
- G. SUBDIVISION REVIEW

1) PRELIMINARY REVIEW

Eastman – 2-lot subdivision

Request by Bradley Eastman et al for preliminary review of a 2-lot subdivision of land on property located off Richardson Road and Goldsbury Woods Road; Parcel ID 008/012.00; P-18000015

Consultant: Tom Otterman

Date: September 6, 2018

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a preliminary request for a 2-lot subdivision of land. The subject parcel is located off Richardson Road and Goldsbury Woods Road, both Town paved class 3 roads. The parcel is in a medium density residential zone with a minimum lot size of 1 acre (with municipal sewer, onsite water) and 200' of road frontage.

The applicant owns 20 acres of land that is undeveloped and entirely wooded. The applicant is proposing to create a single lot of 1.02 acres in size. The proposed lot would have 326' of road frontage on Richardson Road and 163' of frontage on Goldsbury Woods Road. The proposed lot is shown to be developed with a residential dwelling utilizing municipal sewer (which is available at Richardson Road). Water would be onsite with a drilled well. Access is proposed to be directly to Goldsbury Woods Road. Remaining land would decrease in size to 19 acres and would continue to have ample road frontage along Goldsbury Woods Road.

Both lots are conforming as proposed.

It should be noted that the adjacent Goldsbury Woods development was impacted by class 2 wetlands and part of this land may be as well. While the presence of a wetland does not preclude a parcel from being subdivided, it may impact development potential. I could not get the ANR wetland inventory mapping program to work even after talking to the ANR office, so I could not determine what impact the subject area has. Future developers of this proposed lot should be aware that wetlands or wetlands buffer may be present.

This subdivision request is also on this same agenda for final consideration.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

This is a simple two lot subdivision, I recommend preliminary approval and moving it to

final.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (which are in their entirety above). He pointed out that somebody had informed him that the subject property may be impacted by a wetland and just wanted to point that out again and that he doesn't know for sure, the state site was not operational. Violette also noted that the abutting property owner's Christine and Kevin Dewyea had written and email and sent in pictures noting a few concerns. Violette gave the board a copy of said email and pictures. The email noted drainage issues that exist in the ditch. The Dewyea's claim that this damage was done by paving equipment and state that because of the damage the ditch does not drain properly. The Dewyea's also pointed out that they may someday wish to build a driveway on the lower portion their land and are concerned that the driveway for the proposed house site would interfere with that future driveway. They also noted ledge on the property and have concerns about potential blasting and how that may impact their property.

Violette didn't think that the applicant would be or should be responsible for repairing the drainage ditch, he would point it out to Harry Hinrichsen, the Town Engineer. Regarding the driveway, the Dewyea would prefer that the driveway for this proposed lot go to Richardson Road. Violette pointed out that this is a short dead-end road and it is likely safer for the driveway to go to Goldsbury instead of adding another driveway to the busier Richardson Road. As far as the ledge, there is not guarantee, but experience shows that blasting shouldn't be a problem to abutting properties.

Mark Nicholson stated that the Engineer usually will take care of the question as to whether there are wetlands or not.

Tom Otterman, now representing Mr. Eastman, stated that as part of the permit process, there will have to be a waste water permit and that will generate a review of whether there are wetlands or not impacting the proposed lot.

Nicholson ask for other comments from the public, there were none.

MOTION:

On a motion by Cedric Sanborn, seconded by Mark Reaves, the Development Review Board voted una to approve the request by Bradley Eastman et all for preliminary approve of a two-lot subdivision of land and moving it to a final hearing;

PARTICIPANTS:

Tom Otterman

2) WARNED PUBLIC HEARINGS

Bond Family First Limit Partnership - BLA

Request by Bond Family First Limited Partnership for final plat review (continued from 8/8/2018) 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 & Chase

Date: September 6, 2018

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

This is a warned public hearing for final subdivision review and possible approval of a boundary line adjustment. This request was continued from the August 8th meeting due to a small parcel not yet being conveyed from William and Elizabeth Bond to the Bond Family Partnership. As of this writing I am unaware that that conveyance has happened yet. It is possible we may receive word before the hearing that it has been completed but at this point I don't think it has. If the transfer occurs before the meeting I would suggest approving the BLA. If not and assuming the same concern of the board, I would suggest continuing this hearing date certain, October 10, 2018.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (which are in their entirety above). He noted that this request is simply revising property lines between the same owner. The reason it had been continued is because of the triangle of land left from a road realignment was in a different title and needed to be conveyed. The subject land is already contiguous, and you can't tell it's not part of the Bond Warehouse parcel. Violette advised the board that the transfer from W&E Bond to Bond Family Partnership has now occurred and there is no reason to hold this approval up any further.

William Bond asked Violette whether there had been any movement on the Town throwing up the old rights-of-ways. Violette said that as far as he is aware there is nothing new on this. Mark Nicholson stated that there is no effect on this request because the abandonment hasn't happened yet. Violette agrees with Nicholson.

Nicholson asked whether there were any further comments, there were none.

MOTION:

On a motion by Mark Reaves, seconded by Angela Valentinetti, the DRB voted unanimously to approve the request by Bond Family First Limited Partnership for a boundary line adjustment on property located at 277 Morrison Road impacting parcel ID's: 005/113.00 & 005/113.01.

PARTICIPANTS:

William Bond

Eastman – 2-lot subdivision

Request by Bradley Eastman et al for final plat review and possible approval of a 2 lot subdivision of land on property located off Richardson Road and Goldsbury Woods Road; Parcel ID 008/012.00; P-18000015

Consultant: Tom Otterman

Date: September 6, 2018

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the request to create a 2-lot subdivision of land. Moving forward with this proceeding assumes preliminary approval earlier on this agenda. The subject parcel is located off Richardson Road and Goldsbury Woods Road, both Town paved class 3 roads. The parcel is in a medium density residential zone with a minimum lot size of 1 acre (with municipal sewer, onsite water) and 200' of road frontage.

The applicant owns 20 acres of land that is undeveloped and entirely wooded. The applicant is proposing to create a single lot of 1.02 acres in size. The proposed lot would have 326' of road frontage on Richardson Road and 163' of frontage on Goldsbury Woods Road. The proposed lot is shown to be developed with a residential dwelling utilizing municipal sewer (which is available at Richardson Road). Water would be onsite with a drilled well. Access is proposed to be directly to Goldsbury Woods Road. Remaining land would decrease in size to 19 acres and would continue to have ample road frontage along Goldsbury Woods Road.

Both lots are conforming as proposed.

It should be noted that the adjacent Goldsbury Woods development was impacted by class 2 wetlands and part of this land may be as well. While the presence of a wetland does not

preclude a parcel from being subdivided, it may impact development potential. I could not get the ANR wetland inventory mapping program to work even after talking to the ANR office, so I could not determine what impact the subject area has. Future developers of this proposed lot should be aware that wetlands or wetlands buffer may be present.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions suggested below, I recommend approval of this request for a 2-lot subdivision of land.

1. Future developers of this lot should be aware that a significant wetland or wetland buffer may be present. Agency of Natural Resources maps should be consulted showing all significant wetlands and buffer areas. Furthermore, it may be advisable to consult with a wetland specialist to determine whether wetlands are present.
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 a 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 noted that this is warned public hearing and noted that the preliminary approval earlier on this agenda and that an interested party had raised concern.

Mark Nicholson commented that there isn't much that can be done for the drainage concern by this applicant and that there are usually multiple driveways on both sides of the road. Regarding the blasting, it will have to be monitored but didn't anticipate a problem.

There were not further comments or public input.

MOTION:

On a motion by Charles Thygesen, Sr., seconded by Mark Reaves, the DRB voted unanimously to approve the 2-lot subdivision (w/conditions) request made by Bradley Eastman et al on land located off Richardson Road and Goldsbury Woods Road; Parcel ID 008/012.00.

PARTICIPANTS:

Christine and Kevin Dewyea (written comments)

JDJ Dev/Fecteau Res - Merger

Request by JDJ Development & Fecteau Residential for the purpose of final review amending previous subdivisions for the purpose of merging three lots into one on properties located at 32 & 38 Rudd Farm Drive and vacant land behind; Parcel ID's 039/003.08, 039/003.16; 039/003.17; Zoned very high density residential; P-18000018, P-18000019, P-18000020.

Consultant: Chase & Chase

Date: September 6, 2018

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

This request begins a series of request by JDJ Development that are all tied together. Without one, the others don't work.

This first request is a warned public hearing for the purpose of amending previously approved subdivisions and ultimately merging three lots into one. The three lot that are part of this request are as follows:

Parcel ID: 039/003.08; 32 Rudd Farm Drive; currently has a single-wide mobile home and detached garage. Owned by JDJ Development; .43 acres.

Parcel ID: 039/003.16; 38 Rudd Farm Drive; currently has a four-unit dwelling; Owned by JDJ Development; .43 acres.

Parcel ID: 039/003.17; Vacant lot behind 32 Rudd Farm Drive; Owned by Fecteau Residential; .43 acres.

This request amends the following three previous subdivisions:

- 14-1632: By Lague Inc. creating 32 Rudd Farm Drive (1990).
- 15-1861: By Lague Inc. creating 38 Rudd Farm Drive as well as lot 7 which is the vacant Fecteau Residential lot (1998).
- 2197: By Town of Barre and Fecteau Residential eliminating a cul-de-sac and merging it with 38 Rudd Farm Drive (2012).

The request is quite simple in that all that is occurring is two property lines are going away making one lot of 1.3 acres in size. The ultimate plan as unfolds later, on this agenda, is to add land to this proposed newly formed lot from land owned by Fecteau Residential (the old lot 9) and a conditional use permit to add four more of the four-unit dwellings JDJ Development has been building in this area.

JDJ has had a warranty deed drafted that conveys the Fecteau Residential lot to them and a draft merger need as well. These two deeds do all the conveying and merging so also included is the land JDJ will acquire from Fecteau Res as part of a BLA later on this agenda and the merging of all land into one parcel.

JDJ Development plans for this lot require ACT 250 approval and they have asked that execution of the conveyance and merger deeds be put off 12 months. That can be done, however they have also asked that the plat filing be delayed for 12 months as well but that can't be done. State law requires that plats be recorded within 180 days of approval.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consider to the conditions below, I recommend approval of this request for a three-lot merger of land creating one undivided lot of 1.3 acres of land understanding that one of the lots is not currently owned by JDJ Development and depends on conveyance from Fecteau Residential.

1. Lot 7 as shown on the map by Chase and Chase Land Surveyors dated August 16, 2018 must be conveyed to JDJ Development Company, INC. to complete this merger. Said conveyance and subsequent merger must be completed within 12 months of approval.
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 (which are in their entirety above). Violette noted that there are three request total on this agenda that are all related. This request is simply to merge the 3 parcels. In the end, one lot is being created of 1.3 acres before the boundary line adjustment later.

The chair asked whether there was anybody in the audience wishing to speak on this request. Violette made it clear to the audience that there are three request and to make sure the questions may or may not be related to one request or the other.

Herrick Thomas-Poulsen (12 Rudd Farm Drive) asked how his property would be impacted. Jim Fecteau noted that this project does not go down as far as his lot.

Angela Valetenti asked whether there were any buildings on this lot. Several answered that yes, two of the lot have dwellings on this already. The mobile home will be removed, the existing 4-unit dwelling will become part of the proposed development.

Nicholson asked whether there were any more comments, there were none.

MOTION:

On a motion by Mark Reaves, seconded by Chris Neddo, the DRB voted unanimously to approve the request by JDJ Development and Fecteau Residential to amend previously subdivisions as noted in the staff comments, merging three previously approved lots into one on land located at 32 & 38 Rudd Farm Drive and a vacant lot behind subject to the conditions above; Parcel ID's 039/003.08, 039/003.16, & 039/003.17.

PARTICIPANTS:

Jim Fecteau & Herrick Thomas-Poulsen

JDJ Dev/Fecteau Res - BLA

Request by JDJ Development & Fecteau Residential for final plat review of a boundary line adjustment between parcels owned by the applicants at 32 & 38 Rudd Farm Drive as well as vacant land behind; Parcel ID's 039/003.08 & 039/003.00 (pending merger of 039/003.16 & 039/003.17); Zoned very high density residential; P-18000021 & P-18000022

Consultant: Chase & Chase

Date: September 6, 2018

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is the second of the three related requests by JDJ Development on this month's agenda. This request assumes approval of the merger of three lots (P-18000019&20).

This is a warned public hearing for the purpose of considering a boundary line adjustment between parcels owned by the two applicants. The subject parcel of land is located at the end of Rudd Farm Drive and located in a very high-density residential zone. Minimum lot size for this zone is 8,500 s.f. and 85' of road frontage is required.

As mentioned, this request is tied to the JDJ Development and Fecteau Residential merger (P-18000019&20). This request proposes to transfer .21 acres of land owned by Fecteau Residential (part of and commonly referred to as lot 9) to JDJ Development creating a lot of 1.51 acres. The remaining land will reduce to 5.06 acres.

A proposed deed conveying and merging the .21 acres parcel has been supplied (attached to the merger request).

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below and assuming the merger was approved (P-18000019&20) I recommend approval of this request for a boundary line adjustment, transferring .21 acres of land from Fecteau Residential to JDJ Development Company, Inc.

1. To complete this boundary line adjustment, a deed conveying the .21 acres from Fecteau Residential to JDJ Development must be completed within 12 months. Said deed must also clearly state that this land is merged, combined as one lot of 1.51 acres.

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 (which are in their entirety above). He noted that there were two adjustments happening, one that will have JDJ convey a strip (50') of land (between JDJ and abutter Conte) to Fecteau (currently is the driveway to the back land of Fecteau off Rudd Farm Drive) and the open land from Fecteau Residential to JDJ. All lots remain conforming after the BLA.

Mark Nicholson asked the whether there was anybody in the audience to speak.

Louis Boutin, 46 Rudd Farm Drive stated that he had recently purchased a home from Fecteau. Mr. Boutin noted that the turns on Rudd Farm can be tight and is concerned about the extra traffic and whether the turn can be opened. The other concern he has is that the road doesn't get plowed when it should. Violette asked whether he had brought it up with the Town, Mr. Boutin stated he is doing it now. Violette noted that it should be pointed out to the Town, that he will, but that Mr. Boutin should as well.

Mr. Nicholson asked whether there were any other comments from the audience or the board. There were none.

MOTION:

On a motion by Mark Reaves, seconded by Cedric Sanborn, the DRB voted unanimously (subject to conditions noted above) to approve the request by JDJ Development and Fecteau Residential for a boundary line adjustment between the merged parcel from P-18000018, P-18000019, & P-18000020 and vacant land owned by Fecteau Residential

(commonly referred to as lot 9); Parcel ID: 039/003.08 & 039/003.00.

PARTICIPANTS:

Lewis Boutin

Ricker Holdings - BLA

Request Lajeunesse Construction on behalf of Ricker Holdings, LLC for a boundary line adjustment between two parcels of land owned by the applicant located at 304 and 310 East Montpelier Road; Parcel ID's 009/039.00 & 009/039.01; Zoned office building retail; P-18000016 & P-18000017

Consultant: Chase & Chase

Date: September 6, 2018

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

This is a warned public hearing for final subdivision review and possible approval of a boundary line adjustment between two parcels owned by the applicant. The subject parcels are located in an office building retail zone which requires a minimum lot size of ½ acre and 100' of road frontage. Both parcels are developed and are served by municipal sewer, water is onsite.

The two lots subject to the request as mentioned are owned by Ricker Holdings LLC. There are two BLA's occurring with this request. The two lots are best described as a residential lot (009/039.01) and a commercial (light industrial) (009/039.00) lot. The residential lot fronts along East Montpelier Road currently has over 200' of road frontage. The commercial lot currently has about 240' of road frontage. Part of the commercial lots road frontage, 40' or so, is lost as a result of this BLA. However, the commercial lot remains conforming because of its other frontage on East Montpelier Road.

The residential lot is proposing to move its rear line to the Southeast (closer to the road) losing about 44.5' and .31 acres. This area will be conveyed and merged with the commercial lot. The commercial lot is proposing to convey .15 acres which is its access road, to the residential lot. The commercial lot is retaining a 50' wide access and utility easement though this .15-acre area which is its current access anyway.

After the two adjustments, the residential lot decreases in size from 1.28 acres to 1.12 acres and the commercial lot from 7.8 acres, to 8. As mentioned the residential lot gains road frontage to about 287' while the commercial lot loses and goes to 200'. Both lots remain

conforming as proposed. No structures are impacted by the change except as noted below.

The boundary line adjustments facilitate future development of both lots. The commercial lot by gaining the land can locate a proposed building in a more favorable position, while the residential lot can rebuild on an existing foundation.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approval of this request for two boundary line adjustments between lots owned by Ricker holding LLC.

1. To complete this boundary line adjustment, a deed conveying the .31 acre from Ricker Holdings (009/039.01) to Ricker Holdings (009/039.00) and .15 acres from Ricker Holdings (009/039.00) to Ricker Holdings (009/039.01) must be completed within 60 days. Said deed must also clearly state that these pieces of land are merged, combined with the respective lots.
2. All easements and/or rights-of-way, as shown on the final (stamped approved) plans by Chase and Chase Land Surveyors, 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 (which are in their entirety above). Violette noted that there was an approval last month for a site plan, but this request is for a boundary line adjustment.

Mark Nicholson asked the audience and the board if there were any comments or questions, there were none.

MOTION:

On a motion by Mark Reaves, seconded by Cedric Sanborn, the DRB voted unanimously (subject to the conditions above) to approve the request by Lajeunesse Construction on behalf of Ricker Holdings, LLC for a boundary line adjustment between properties located at 304 and 310 East Montpelier Road; Parcel ID's 009/039.00 & 009/039.01.

PARTICIPANTS:

None

Eastman/Lacroix - BLA

Request by Bradley Eastman et al and David & Nancy Lacroix for a Boundary Line Adjustment on land located at 38 Goldsbury Woods Road; Parcel ID's 008/012.00 & 008/012.01; Zoned medium density residential; P-18000013 & P-18000014

Consultant: Tom Otterman

Date: September 6, 2018

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

This is a warned public hearing for final subdivision review for the purpose of a boundary line adjustment between two neighboring landowners. The subject parcels are located at the end of Goldsbury Woods Road in a medium density residential zone. The zoning minimums for this zone are 1.0 lots (with municipal sewer) and 200' of road frontage.

The Lacroix have some existing encroachments on the land of Eastman. The proposed BLA will correct that, placing the Lacroix paved parking lot on their own land instead of Eastmans.

Both lots remaining conforming after the BLA.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approval of this boundary line adjustment, Eastman conveying .1 acres to Lacroix.

1. To complete this boundary line adjustment, a deed conveying the .1 acres from Eastman to Lacroix must be completed within 90 days. Said deed must also clearly state that this land is merged, combined as one lot of 8.47 acres.
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. For the record, let it be known, that the recording plat for this subdivision is already recorded in the land records of the Town of Barre under slide XXX and now therefore after receiving approval by the Planning Commission this day this XXX subdivision of land duly meets the requirements of the State of Vermont and the Town of Barre with regard to plat filing.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (which are in their entirety above).

Mark Nicholson asked whether the audience or the board had any comments or questions, there were none.

MOTION:

On a motion by Angela Valentinetti, seconded by Chris Neddo, the DRB voted unanimously (subject to the conditions above) to approve the request by Bradley Eastman et al and David and Nancy Lacroix for a boundary line adjustment between two parcels located at 38 Goldsbury Woods Road; Parcel ID's: 008/012.00 & 009/039.01.

PARTICIPANTS:

None

3) CONCEPTUAL REVIEW

H. SITE PLAN REVIEW

- 1) PRELIMINARY REVIEW
- 2) WARNED PUBLIC HEARINGS

Ricker Holdings – Site Plan

Request Lajeunesse Construction on behalf of Ricker Holdings, LLC (L&D Safety Markings) for amended site plan review (originally approved 8/8/2018) for the construction of two buildings, 180'x60' and 75'x60' and other site improvements on property located at 304 East Montpelier Road; Parcel ID 009/039.00; Zoned office building retail; SP-18000003

Consultant: Lajeunesse Construction & Wilson Consulting

Date: September 6, 2018

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

This is a warned public hearing for the purpose of final site plan review and possible approval. This request is essentially an amendment to what was approved for this applicant last month. The subject parcel is located in an office building retail zone. The area is mixed use with residential, commercial, and light industry.

The proposed site plan presented this month alters and adds a few things from what was approved in August. The building approved last month was proposed to be 220'x60', the new plan show the building being 180'x60'. The other significant change with regard to this building is that the location changes slightly. Assuming the boundary line adjustment between the applicants two parcels was approved, the proposed building on this plan shifts slightly to the South and pushes it to the East siting it on a portion of the newly acquired land. Beyond that most everything appears to stay the same. The building will still have a sewer connection and the water will come from a drilled well (still to be drilled on the applicant's other parcel).

The second significant change is that a second building is being proposed. The plans now show a 75'x60 building. This building was not proposed on the August plan. This building is just shown to have electrical service.

The plans seem to show the drainage in a little more detail but essentially the plan is to run stormwater underground to the rear of the property and discharge towards Gunners Brook.

The plans also show the regraded driveway to the site, along with stoned lined drainage swales being proposed.

There were no major issues brought up last month during the original approval. VTRANS did inquire whether this project was seeking local approval. I advised them yes, asked whether they had any concerns, none were voiced.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I see no concerns related to this most recent request compared to last month and with consideration to the conditions below (same conditions as the August approval), I recommend approval of this site plan for Lajeunesse Construction on behalf of Ricker Holdings LLC.

1. All state permits shall be obtained including but not necessarily limited to; Division of Fire Safety, waste water, water supply, stormwater run-off.
2. Standard erosion and sediment control must be followed as noted on the plans which shall be incorporated as part of the approval.
3. The tree line that remains along the common boundary of 304 and 310 East Montpelier Road, after cutting since the August site plan approval, must be kept, no further tree removal unless a tree dies.

ADDITIONAL COMMENTS:

Chris Violette summarized his staff comments (which are in their entirety above) noting that this request is basically an amendment from the site plan approved last month. He noted that there are now two new buildings proposed instead of one and that they are doing other site improvements including reshaping and grading the driveway.

Violette noted that VTRANS did inquire whether there was a review being done by the Town for this project, he advised them yes and asked whether they had any concerns, he didn't get a response.

Mark Nicholson asked whether there was anybody in the audience that wanted to comment, there were none.

Nicholson asked Mike Lajeunesse whether they had to obtain a permit from VTRANS, Lajeunesse advised yes, the new driveway construction to lessen the grade and improve visibility is required to get a State access permit. He said that at the right-of-way they are

basically just paving.

Nicholson stated that they preserved some of the trees between the two Ricker Holding properties and that the trees that remain should be persevered. He questioned whether a condition should be added? Cedric Sanborn echoed Nicholson's desire to preserve the remaining trees.

Nicholson asked Lajeunesse if he had anything else to add, Lajeunesse stated that they added a parking plan to the new plans.

Angela Valentinetti asked about lighting, Lajeunesse and Nicholson stated that lighting was shown to be LED and down casted as was the case last month.

MOTION:

On a motion by Cedric Sanborn, seconded by Chris Neddo, the DRB voted unanimously (subject to the condition 1-3 above) to approve the request by Lajeunesse Construction on behalf of Ricker Holdings (dba L&D Safety Markings) for amended site plan approval (SP-1800002 approved August 8, 2018) on property located at 304 East Montpelier Road; Parcel ID: 009/039.00.

PARTICIPANTS:

Mike Lajeunesse

3) CONCEPTUAL REVIEW

I. CONDITIONAL USE REVIEW (WARNED PUBLIC HEARINGS)

Bilodeau CUP

Request by Mike Bilodeau for a conditional use permit review (continued from 8/8/2018) to allow for an 8-unit (two buildings) multi-family dwellings on open land adjacent to 770 East Barre Road (Rt. 302); Parcel ID 006/068.01; Zone: highway commercial; CUP-18000003

Consultant: None

Date: September 6, 2018

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

This is a warned public hearing, continued from last month to this month, 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).

This request was continued last month because the applicant had not submitted written comments related to the conditional use criteria. As of this writing, those responses still haven't been received. A new plan was also to be submitted with changes discussed at last month's meeting including inclusion of a manhole for both structures to feed into, parking showing enough parking for two cars per unit, and better representation of lighting.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I recommend continuing this request again, date certain, October 10, 2018.

ADDITIONAL COMMENTS:

Mark Nicholson asked whether we have heard from Mr. Bilodeau with anymore information. Chris Violette noted no.

MOTION:

On a motion by Mark Reaves, seconded by Charlie Thygesen, the DRB voted unanimously to continue the request by Mike Bilodeau, dated certain to October 10, 2018, for conditional use approval of an 8-unit multi-family dwelling on land adjacent to 770 East Barre Road; Parcel ID: 006/068.01.

PARTICIPANTS:

None

JDJ Development - CUP

Request by JDJ Development for conditional use permit review for a 20-unit multi-family (four buildings) housing development on property owned by JDJ Development and Fecteau Residential (pending merger and boundary line adjustment) at 32 & 38 Rudd Farm Drive; Parcel ID 039/003.08 (039/003.16 & 039/003.17 pending merger); zoned very high density residential; CUP-18000005.

Consultant: None

Date: September 6, 2018

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

This is a warned public hearing for conditional use review for the purpose of considering

allowing four multi-unit dwellings on the applicants recently merged lots (assuming approval of the three-lot merger P-180000018&19 and the BLA P-18000021&22 on this same agenda). Conditional use review is authorized in the Barre Town Zoning Bylaw under Article 5, section 5.5. The subject parcel is located in a very high-density residential zone with minimum lots sizes of 8,500sf, the subject lot (as reconfigured) is 1.51 acres. The use in this area is heavily residential.

Article 2, section 2.5, table 2.1 of the Barre Town Zoning Bylaw shows that very high-density residential zones allow both two family dwellings and multi-family dwellings. Further, Article 3, section 3.3 (E) allows up to eight units in multi-family dwellings in this zone.

A total of 16 new living units are being proposed in four separate buildings. The lot merger mentioned previously also includes an existing four-unit dwelling that will sit on the same parcel with the four proposed buildings. A condo association will be executed governing this development.

The site plan for this project shows an onsite stormwater management. An ACT 250 permit is required which will open this project up to multiple reviews by state entities including stormwater management.

GENERAL REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL

The following standards are enabled through 24 VSA § 4414 (3) (A)

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

Emergency services:

The proposed use is residential. The addition of residential development can of course involve the need for emergency services. That of course occurs within the realm of any development. However, the addition of 16 living units (16 new units in the four buildings) should not significantly impact the emergency service.

Educational facilities:

Similar to the emergency services, adding 16 new dwellings units does likely mean additional children into the U61 supervisory union school system either at Barre Town Middle and Elementary School or Spaulding High School. However, the impact will not likely be significant.

Unlike years past, having more kids in a school system is not

necessarily a bad thing. Obviously, it is difficult to know how many children this proposed development will add to the school system but it is unlikely it will be enough to put a strain on the educational facilities.

Water, sewer, or other municipal utility systems:

All of the units subject to this request will be served by Barre Town sewer and Barre City water. Each dwelling unit will be required to obtain an individual sewer allocation which provides that dwelling with up to 300 gallons a day of flow at the Barre City sewer treatment plant. Barre Town has the capacity available to provide the sewer allocation necessary to each of the units.

Barre City will need to provide a letter of ability to serve all the living units with water.

Recreational facilities:

There are no recreational facilities such as playgrounds in the immediate area of this proposed development. Residents of the proposed dwellings will likely at some point use recreational facilities in the area. It is not anticipated that the addition of this development will put a burden on the recreational facilities that can't be managed.

Conservation or other designated natural areas:

This is a highly developed residential area already. There are no known conserved or sensitive natural areas.

Solid waste disposal facilities:

Solid waste will be handled similar to all the other residential dwellings in this area and really the entire Central Vermont Community

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:

The area proposed for this development is located in a very high-density residential zone. The Barre Town Zoning Bylaw describes this zone in the purpose statement as follows:

This district is designated for land centrally located where town water and sewer facilities are available and where, due to reasons of utilities, location and existing intensive development, higher density is appropriate. The purpose of this district is to permit a continuation of residential and related uses where consistent with the objectives of the Barre Town Municipal Plan.

It appears as though the proposed development is very consistent with the purpose of the zone it is located in. When the Zoning Bylaw was rewritten in 2008, the Richardson Road area was targeted for more growth. Much of the reason growth is encouraged in this area is because of the proximity to municipal services and the existing development pattern.

The Barre Town Plan also supports growth in these types of areas which can help reduce the development of open land and can also help keep housing more affordable.

Having said that, the addition of 16 new housing units will have an impact on the Rudd Farm Drive and Richardson Road. There will be more traffic on the roads. It is possible that some the people on those streets may not support the additional dwellings because of the traffic it will bring. However, that is usually the case whenever development occurs as I'm sure is the case when their lots were developed.

The real question is will there be a significant change in the character of the area because of this development? There are other multi-family dwellings in the area, but other than what JDJ and Fecteau Residential have already done, the area is predominantly single-family. Some might argue that that is a change in character by adding so many multi-family dwellings. However, going back to the purpose statement for this zone, clustering residential in this area was planned for and anticipated.

There is no doubt there will be more traffic. The applicant has had a traffic study completed and it shows sufficient road capacity to handle the expected additional traffic without improvements.

Traffic on roads and highways in the vicinity:

Rudd Farm Road is paved Town class III road. Richardson Road

which is the feeder road is also a paved Town class III road. Rudd Farm and possibly Daniels Drive will see more traffic as a result of the proposed development. I suspect the roads around them can handle the traffic as a whole but will be noticeable to the residents in the area.

At some point, and I doubt it is a result of this project, the intersection of Richardson Road and North Main Street in Barre City will possibly become a concern if development continues to occur in the Richardson Road area.

Zoning bylaws and bylaws then in effect:

The Barre Town Zoning Bylaw allows multi-family dwellings of up to eight units per dwelling. The applicant is proposing four dwellings each with four units for a total of 16. I guess technically because there are four buildings the project complies because no one unit will have more than four. Barre Town does not prohibit multiple structures on one lot.

Utilization of renewable energy resources:

I am not aware of any renewable energy resources being proposed with this project.

The following standards are required by this bylaw

Any required extension or capital expense to the present maintained highway system:

None known

The impact on neighboring uses:

Similar to character of the area, neighboring uses, which are residential in nature, will be impacted primarily by increased traffic.

Intrinsic capability of the land and its surrounding areas to support the use:

Land and the surrounding area can support the proposed use.

SPECIFIC REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL

Minimum lot size:

The minimum lot size for very high-density residential zones is 8,500sf. The lot subject to this request is 1.51 acres in size which is well over the minimum lot size.

Distance from adjacent or nearby uses:

Adjacent uses are in close proximity

Any other standards and factors that the bylaw may require:

None that I am aware of beyond what has been detailed herein.

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

Barre Town's Zoning Bylaw, Article 3, section 3.9 requires that every dwelling have a minimum of two parking spaces. The plans show each of the four dwellings having enough parking.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to condition I may suggest at the hearing, I recommend approval of this conditional use request for adding four building and 16 new housing units. The Fecteau's have done a good job creating much need housing in this area and they have done so in an esthetically acceptable way. I see no reason why this project would produce anything else.

ADDITIONAL COMMENTS:

Chris Violette read his staff comments (which are in their entirety above). He noted that this request is now possible because of the merger and BLA that occurred earlier in this meeting. The lot configuration is now capable of having four new buildings to go along with the one that is already there.

Violette noted that he had received an email from an abutter. Stephen Conti, 28 Rudd Farm Drive had concerns regarding runoff onto his property now and wondered how this project would affect his property in the future. He also has a concern about traffic. Finally, he has a concern about the water system and whether it can handle the new project.

Violette noted that Fecteau could answer these concerns directly but that he thought the project may improve the drainage in the area, helping Conti's problem. Violette also stated that there is no doubt traffic will increase but that the traffic study performed didn't show an inability for the roads to adequately handle it. With regards to the water, Barre City will

have to sign off on the project and won't if the system can't handle the proposed demand.

Jim Fecteau addressed the drainage first stating that most of the drainage heads toward the Conti property now. The proposed project will direct most of the water away from the Coni property and should help considerably. Regarding traffic, the study shows 8 trips a.m. peak and 12 p.m. peak. Most of the people that rent from him only have one car.

Holly Owen, 9 Rudd Farm Drive, concerned about the children on the road and the speed of the traffic, wondered whether Mr. Fecteau could ask his tenants to slow down? Others echoed the concern about traffic, speed, and kids playing in or near the road. Mr. Nicholson suggested the Traffic Safety Committee look at posting speed limits signs etc. He suggested the neighbors get involved with the committee.

Peggy Caldwell, 14 Rudd Farm Drive, discussed bottle necks related to the school bus and that the cars will push the bus sometimes because they are going so fast. She asked about a bus stop sign. Violette stated that he can relay that information to Harry Hinrichsen who is the Traffic Safety Committees staff person. He also suggested talking to the Police Department.

Louis Boutin, 46 Rudd Farm Drive, noted that some of the cars and speeders aren't even residents. He states that cars will come down the road and just park, do whatever they are doing, and leave. He also spoke about the area of land above the development that is owned by the Town but doesn't really have access but is intended for a playground. Elain Wang, Assistant Town Manager and Playground guru said that there wasn't any plan for developing a playground in this area. Mr. Boutin was wondering if the Fecteau's could provide access to that piece of land. Fecteau said no, Washington County Mental Health owns land in between and it is very "boney". There was further discussion that if the area residents wanted to peruse a playground, they should ask the Town and solicit support.

Stephen Conti spoke about his concern that he had put in writing. He stated that he'd like to see some sort of a ditch along the road across the road from his property in front of JDJ's other buildings. Fecteau noted that there is a swale and culvert that is supposed to take the water across the street, if it isn't working and it is running over the road, it would need to be looked at and rectified.

Herrick Thomas-Poulson, 12 Rudd Farm Drive, stated construction people will go out the back side from JDJ's property, by their house and back to Rudd Farm. Fecteau noted that they own that land that goes back to Rudd Farm but that there shouldn't be any reason to be using it. If they are and they can tell them who it is, Fecteau will talk to them and tell them not to. Thomas-Poulson also said that Jim's father, Vic, had promised to block access off. Jim replied that if his father made that promise, they would do it.

There was another concern raised about how much more traffic will be generated once the Beckley Hill Fecteau Development is complete and there is a through road to Beckley Hill Road. Some in the audience was not aware of this other project that would connect Rudd

Farm to Beckley Hill Road. Fecteau noted they had just filed the ACT 250 permit and residents would be getting notified but that he is also will to show anybody who wants to the plans.

Angela Valentinetti asked about the water service and updates needed? Fecteau stated that the Beckley Hill project is requiring improvements to the City's system that they will be paying much of the bill. However, he does not believe that is a concern for this project currently.

Valentinetti asked about the traffic assessment study and whether the study looks at the cumulative effect. Fecteau said yes, and he referred to the study and said that the engineers look at predevelopment and 5 years forward. Valentinetti said she is concerned about the Richardson Road, North Main Street intersection.

Valentinetti asked if conditions would be appropriate, especially to ensure the drainage is improved. Violette said that a specific condition is not likely necessary, however, the plans should be incorporated into the decision.

As part of Nicholson motion below, a condition shall be added that final plans submitted are incorporated into the decision. Valentinetti suggested some sort a condition, but didn't know how to word it, to make sure abutter Conti's issue is improved. Violette stated he didn't know how to make that a condition and felt that the stormwater management of the project will take care of their problem. Violette asked Fecteau whether they were going to have to get a stormwater permit from the State. Fecteau replied that at this point they don't think so but that the plans for the project will collect stormwater and run in the opposite direction from the Conti property.

MOTION:

On a motion by Mark Nicholson, seconded by Mark Reaves, the DRB voted unanimously (subject to the conditions below) to approve the request by JDJ Development for conditional use approval to create 16 new living units in four new buildings on land located at 32 & 38 Rudd Farm Drive (merged into one parcel P-18000018, P-18000019, & P-18000020 along with BLA P-18000021 & P-18000022); Parcel ID: 039/003.08.

CONDITION:

1. Final plans shall be submitted and will be incorporated into this decision and enforceable as such.

PARTICIPANTS:

Jim Fecteau
Stephen Conti

Holly Owen
Peggy Caldwell
Herrick Thomas-Poulson

Louis Boutin

Cota - CUP

Request by Michael Cota for conditional use permit review for the purpose of operating a boarding/lodging house at 1079 South Barre Road; Parcel ID 015/005.00; Zoned highway commercial; CUP-18000004

Consultant: None

Date: September 6, 2018

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

This is a warned public hearing for conditional use permit (CUP) review for the purpose of considering allowing a boarding/lodging house in accordance with Article 2, table 2.1. Conditional use review is authorized in the Barre Town Zoning Bylaw under Article 5, section 5.5. The subject parcel is located in a highway commercial zone. The surrounding area is mostly residential but commercial and industrial activities are nearby.

The applicant is seeking the CUP to formally designate his former level III care home into a home that rents rooms. Under the Barre Town Zoning Bylaw, Article 2, table 2.1 a boarding/lodging house is allowed by issuance of a CUP. A boarding/lodging house is defined as:

“A building in which rooms are rented with or without meals to three or more, but not exceeding twenty persons. Furthermore, each boarding house shall have no more than one kitchen facility whether shared or not”.

The applicant has submitted a narrative and responses to the applicable CUP criteria stating that they believe they comply or fit into the definition of a boarding/lodging house and would like to be issued the CUP.

The applicant’s property has been used for some type of housing/lodging for many years. Most recently it was used as a level III care home. A level III care home serves residents as a state licensed facility providing room and board, assistance with personal care, general supervision, and medication management.

No longer licensed as a level III care home, the applicant is seeking to still use the facility and its rooms to provide housing. According to the applicant there are 20 rooms and only 1 kitchen. There is little, if any, onsite assistance, the request is to simply rent rooms to individuals. The applicant notes in his narrative that there are currently 13 residents at the home and they won’t ever exceed 20.

The applicant, working with the Good Samaritan Haven as well as others, states the

purpose of having this facility is to provide affordable housing to individuals in need helping to reduce the homeless population.

GENERAL REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL

The following standards are enabled through 24 VSA § 4414 (3) (A)

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

Emergency services:

Each conditional use applications should be evaluated for the impacts on the emergency services. The applicant has provided a detailed narrative on what they expect the impact to be.

Impact on the fire department is likely to be minimal and not greater than the previous use of the property. The building as noted by the applicant is sprinklered and has a monitored alarms system.

EMS has always had calls for service from this facility for one reason or another. The EMS director did not express any concern with the project. It is likely that there will be some demand for EMS services but not extraordinary and beyond their callability to handle it.

The Police Department has had much more contact and calls for service for people residing at this facility. The calls have substantially subsided since a high demand resident left. The Police Chief did express concern and is very supportive of a thorough screening process when considering new residents. The applicant has indicated just that, that they are now using prior landlord references, work related references, and the Good Samaritan Haven conducts their own screening and used a questionnaire to all potential tenants.

The applicant goes on in hopes of further alleviating the Chiefs concerns by having a manager from the Good Samaritan Haven onsite, this person works 20 hours with residents. The applicant also indicates that he is now living onsite as well and states that he provides guidance, assistance and support.

Educational facilities:

This facility rents to single room to individuals. It is not likely that children using the Barre Town school system will be staying here. As a result, no impact is expected.

Water, sewer, or other municipal utility systems:

This facility has been in existence for many decades and is served by both municipal water (Barre City) and municipal sewer (Barre Town). No change in either service is expected so there isn't an anticipated impact.

Recreational facilities:

By its nature it is unlikely that the residents of this facility will put a high demand on existing recreational facilities.

Conservation or other designated natural areas:

There are no known conservation or other designated natural areas around this facility that has existed for many many years.

Solid waste disposal facilities:

The applicant uses a common sold waste disposal company to dispose of solid waste. It is likely that the waste generation will be less than when the facility was a level III care center. The applicant has downsized their dumpsters.

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:

The area is best characterized as mostly residential with some commercial and industrial uses nearby. It is located in a highway commercial zone which allows a vast variety of uses, including what is being proposed. The building and surrounding land have been used for some sort of care or lodging facility for decades. There is substantial screening limiting the view for VT. RT 14 (South Barre Road).

Based on previous uses, the zoning of the parcel, and it location, the building and facility are not outside the character of the area. To some degree its defined the character or many years.

Traffic on roads and highways in the vicinity:

The applicant's facility is located on a State Class 2 highway know as Vt Rt 14. This road has an abundance of traffic on it every day. Access to this facility is directly from road frontage it shares with the highway; sight distances are good. The applicant indicates that only a few residents have vehicles.

Based on the location on a state highway and the relatively limited use of vehicles from this facility, it is unlikely traffic on the road in the vicinity will be negatively impacted.

Zoning bylaws and bylaws then in effect:

The proposed use as a boarding/lodging house is allowed by Article 2, table 2.1 as a conditional use permit. The applicant is now seeking a CUP to run the facility.

Utilization of renewable energy resources:

No renewable energy resources are proposed or impacted by this application.

The following standards are required by this bylaw

Any required extension or capital expense to the present maintained highway system:

None

The impact on neighboring uses:

Impacted on neighboring uses is relatively limited. The use either the same or similar has existed for decades. The type of people served has changed over the years but generally speaking there hasn't been significant impacts. I haven't had anybody inquire about the application.

Intrinsic capability of the land and its surrounding areas to support the use:

Existing use, no significant changes that would affect the land or surrounding area.

SPECIFIC REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL

Minimum lot size:

1-acre minimum lot size according to Zoning in this zone. The subject parcel is 1.7 acres in size.

Distance from adjacent or nearby uses:

Nearby uses are residential in nature and are in close proximity, 200' or less.

Any other standards and factors that the bylaw may require:

N/a

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

The property has ample parking and a limited clientele that drive.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

There have been issues that have drawn on our Police Department over the years that is a concern. It is true that calls for service have decreased. I am hopeful that the steps taken by the applicant and the Good Samaritan Haven will continue to help the situation. The Police Chief only asked for better screening and trying to limit any high demand residents. It sounds like a plan is in place but if somehow that could be turned into a condition, I think it would be helpful. Beyond that, I believe the renting of rooms in an affordable manner that may otherwise leave people homeless is a good thing. Overall, I see the facility as a benefit to the Town and recommend approval with whatever conditions may be appropriate after discussion.

ADDITIONAL COMMENTS:

Chris Violette read his staff comments (which are in their entirety above).

Mark Nicholson stated to the applicant that the ALCU won't let them screen people so how will they screen troublemakers?

Mike Cota stated that they start by having the Good Samaritan Haven (GSH) screen people and he has a new lease agreement in place to have tenants sign. Hoping that these two actions will handle things better. Mr. Nicholson stated that the landlord tenant laws are very tilted towards a renter, so he can't follow how he'll limit troubled people.

Mr. Nicholson asked Mr. Cota whether he thought this was going to help reduce the homeless population. Cota said yes, Nicholson asked, won't this just bring more homeless in? No, his place is taking homeless from Barre and giving them a place to stay. MN says if the population is going to be reduced, great but he doesn't see it.

Patrick Donegan, Operation Manager for Good Smartian Haven (acting Executive Director) spoke about their mission of getting people off the street, but it's a problem that isn't going to go away. Regarding Mike Cota issue he was running month to month with random people taking people that said they could afford it. Some of the people didn't work well there because of addiction or other issues. What he thinks does work well there are people

collecting Social Security and/or food stamps. So, they have an income but very limited. Mike's place provides them a place that they can afford with many amenities. Taking away what Mr. Cota is providing would put them directly back into the homeless population.

Dongegan noted that in Cota's case, in the past there was one really bad apple and it was difficult. That person is gone.

Nicholson ask whether Cota had an attorney, Cota replied he does have an attorney that he is working with for evictions and other items.

Angela Valentinetti inquired whether the attorney helps with advertising etc. Cota said they don't advertise vacancies. She asked that the residents are only being filtered the GSH, the answer was yes. She also asked whether state permitting was necessary, the answer was no. Mark Reaves stated its like 20 studio apartments without a kitchen.

Mark Reaves commented that this request is for a boarding house, it doesn't really matter who he is partnering with, GSH or otherwise. Cota could just say, I'm asking permission for a boarding house and leave it at that. Valentinetti said the concern might be with renters and while Reaves state that might be a legal issue for Cota, it isn't really for us. Valentinetti said we'd have to be careful with a condition that might try to limit occupants.

Violette asked Cota if he would entertain a condition that if this request is approved, would require the partnership with GSH to be maintained? Cota replied yes, he would be.

Cedric Sanborn asked about parking. Cota stated that there is ample parking. Sanborn also asked what do his tenements do during the day. Donegan replied most of them stay at the house.

MOTION:

On a motion by Mark Nicholson, seconded by Angela Valentinetti, the DRB voted 5-1 (Nicholson voting no) to approve (subject to the conditions below) the conditional use request by Mike Cota to operate a boarding/lodging house at 1079 South Barre Road: Parcel ID: 015/005.00.

- 1. This permit is issued based on a requirement that the applicant continue his relationship with the Good Samaritan Haven. If that relationship stops, the permit is voided, and the applicant must come back to the DRB.***
- 2. This permit is also issued based on the understanding that there shall always be a resident manager or property care taker. Meaning that there is somebody there to oversee the operation 24 hours a day.***

PARTICIPANTS:

Mike Cota Patrick Dongegan

J. VARIANCES (WARNED PUBLIC HEARINGS) None

K. FLOOD HAZARD REVIEW None

L. APPEALS OF ZONING ADMINISTRATORS DECISIONS None

M. OTHER

Conceptual CUP review for placement of a camper for seasonal residential use by Bill Chase on property located at 7 Tanglewood Drive.

The applicant will submit a formal request for the October meeting after the consensus of the board was to support the request. The consensus is not binding and not all members of the board were present.

N. FOLLOW-UPS

O. CORRESPONDENCE

STATE
TOWN
MISCELLANEOUS

P. ROUNDTABLE

Q. ADJOURN!

On a motion by Mark Reaves, seconded by Cedric Sanborn, the DRB unanimously voted to adjourn the September 12, 2018 DRB meeting at 9:20 p.m.

Respectfully Submitted,

Chris Violette

Mark Nicholson, Chair

Cedric Sanborn

Mark Reaves

Jon Valsangiacomo

Jim Fecteau

Charlie Thygesen Sr.

Angela Valentinetti

Chris Neddo

William Wolf

Chris Violette summarized his staff comments (which are in their entirety above).

DRAFT