

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR DECEMBER 13, 2017

The Barre Town Development Review Board held a public meeting & hearings on Wednesday, December 13, 2017 at 7:00 p.m. at the Municipal Offices, Websterville, Vermont

Members Present:

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

Members Absent:

Others Present:

George Abrams
Clint Relation
Tom Mancini
Mike Lajeunesse

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 - George Abrams is here to speak to the Board about a project, he will be heard under conceptual review.

E. APPROVE MINUTES

Motion by Sanborn, seconded by Reaves the board voted unanimously to approve the November 08, 2017 minutes at 7:03pm.

F. NON AGENDA ITEMS (max 10 minutes)

H. VARIANCES/WAIVERS (WARNED PUBLIC HEARINGS)

G. SUBDIVISION REVIEW

PRELIMINARY REVIEW

- 1) WARNED PUBLIC HEARINGS

Toni Tofani 2-lot subdivision (Final)

Request by Toni Tofani for final review of a 2- lot subdivision of open land located off West Road; Parcel ID: 005/145.00; Zoned: Low density residential. P-17000006

Consultant: Glenn Towne & Paul Taylor

Date: December 8, 2017

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE, PLANNING OFFICER

This is a warned public hearing (continued from November). This request was preliminarily approved in July but was continued in August, September, October, and November 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 but it was 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:

I had spoken with Paul Taylor prior to the November hearing and Paul explained that the surveyor was going to be away for several weeks and new plans wouldn't be available until just before the December hearing. As of this writing new plans haven't been submitted but I'm still hoping to receive them before the meeting on the 13th. I also spoke in person to the applicant and he, along with Paul are equally frustrated by the slow progress on getting the plans corrected

I'd like to think we'll have updated and corrected plans prior to the meeting so that approval of this request can be considered.

- 1) All easements and/or right-of-ways, as shown on the final (stamped approved) plans by Glenn Towne, 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:

Violette states that after many months of trying to get final plans, he was able to get final plans on Monday, December 11, 2017. He feels these plans meet all the requirements that the Board had been asking for and would recommend moving forward with final approval.

Sanborn questioned if there was a dedicated 25ft right-of-way to the lot. Violette states that there is a note that clearly references a 25ft right-of-way. It does not show the access on the map, but he has 90ft to put the right-of-way and the note clearly states that it has to have the right-of-way.

MOTION & RECOMMENDATION:

A motion by Reaves, seconded by Sanborn, the Development Review Board voted to unanimously approve the request by Toni Tofani for final approval of a two-lot subdivision with conditions 1-6 listed above of his land located at West Road; Parcel ID; 005/145.00; Zoned; low density residential; P-17000006

J. SITE PLAN REVIEW

- 1) PRELIMINARY REVIEW
- 2) WARNED PUBLIC HEARINGS

RICKER HOLDINGS, LLC (Final)

Request Ricker Holdings, LLC for minor site plan review in accordance with Barre Town Zoning Bylaw Article 3, sec 3.13 for site improvements that will require approximately 12,000 cubic yards of fill to property located at 304 East Montpelier Rd; Parcel ID 009/039.00; Zone: Office Building Retail; SP-17000004

Consultant: Wilson consulting Engineers

Date: December 8, 2017

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

This is a warned public hearing for site plan review for the filling of land to change the grade of the property. The Zoning Bylaw requires that the filling of land in excess of 800 cubic yards requires site plan approval. The applicant is proposing to bring 12,000 cubic yards of fill to the property as noted above.

The applicant owns just under 8 acres of land off East Montpelier Road (VT Rt. 14). L&D Safety Marking company operates from this location. Much of the 8 acres is developed with either building or paved and gravel drives or parking areas. The proposed area to be filled is undeveloped and approximately 1 acre in size. The applicant has submitted plans showing existing conditions and a proposed grading plan (for the subject area)

The amount of fill being proposed equates to approximately 750 10-wheel dump trucks. The plan shows access for these trucks to be the existing paved driveway that serves the property with direct access to East Montpelier Road.

The applicant and/or the applicant's consultant will be required to follow standard erosion mitigation measures and will obtain permits from the State of Vermont as well.

Town Engineer Harry Hinrichsen has provided comments regarding this application and has several comments regarding drainage etc.

Little detail is given as to the exact plan to bring the fill in with regard to truck traffic, what time of year this is going to occur along with hours and days of operation. The applicant should be prepared at the meeting to offer more detail.

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

I have reviewed the proposed request for placing fill on the property and have comments relating to drainage and property line issues.

The abutting parcels Map 009 Lots 039.01 & 039.02 are shown with interior property lines which don't exist.

The existing drainage in the gravel parking area shows a (CPEP) pipe of 15" which is actually 12".

There are two existing drain pipes from the State Highway along the Route 14 frontage. These culverts drain onto this parcel but are not shown. The pipe entering from the southeasterly corner is a 15" CMP (metal) culvert. The pipe entering from the southeasterly corner is a 13" PE (solid-wall plastic) culvert.

If fill is to be placed on the northerly end of the field (downstream of the drainage from the two State culverts off Route 14), sufficient piping or other drainage allowance (a swale or diversion ditch) should be shown and provided during the fill operation.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

- 1) Revise the boundary lines on the adjacent parcels (39.01 & 39.02).
- 2) Revise the note as to the culvert size on the gravel driveway/parking area.
- 3) Show the approximate locations of two culverts along the Route 14 frontage.
- 4) Show any drainage allowance (piping or swale ditch) for the northerly end of the field.

- 5) Standard erosion controls measure must be taken and the applicant or the applicants contractor must follow the most recent edition of the State of Vermont erosion control handbook.
- 6) The applicant or the applicant's contractor must follow any requirements put on it by the State of Vermont and the General Construction Permit from the State of Vermont.
- 7) The two-page plan submitted and as revised if necessary, for Ricker Holdings, LLC dated November 16, 2017, project 7056 shall be incorporated into this decision and followed unless otherwise approved.

ADDITIONAL COMMENTS:

Clint Relations believes Joey Wilson has submitted all the State permitting that is need for the fill request. He states that his plan is to fill in the area North of the office building to level out the ground.

Sanborn questioned if there was a plan in place to manage the truck traffic. Mike Lajeunesse states the material is going to be coming from Swenson Granite in Barre and coming up Rte 14 to the Ricker Holding LLC. Lajeunesse states that they the permitting from the City to be on the road. Right now they are only going to be taking about 8,000 cubic yards. As far as the truck traffic is concerned they are coming up Rte 14 and turning into Ricker Holdings, LLC, driveway, not really affecting anyone. In the future they are looking at redoing the driveway because it is steep and tough on the trucks. Sanborn asked if he saw any issues on traffic with trucks entering and exiting the driveway. Lajeunesse doesn't believe so. He states they are going to have a flagger at the top of the driveway directing the trucks, they are not planning on stopping the traffic. He states they are planning on running the winter months with a starting time of 7:30am and an end time of 5pm depending on weather. He states the weather is going to be a big factor in this job.

Valsangiacomo questioned how many trips a day they are expecting. Lajeunesse states that they are going to make about 50 trips a day.

Nicholson wants to make sure that they aren't tracking mud onto main road and if they do to make sure it is cleaned up.

MOTION & RECOMMENDATION:

A motion was made by Valsangiacomo, seconded by Reaves, the Development Review Board voted to unanimously approve the Request by Ricker Holding, LLC for minor site plan review for the request of approximately 12,000 cubic yards of fill with conditions 1-7 listed above to property located at 304 East Montpelier Rd; Parcel ID 009/039.00; Zone: Office Building Retail; SP-17000004

K. CONCEPTUALS:

Violette states that George Abrams owns property on McHugh Rd, which has 2 dwellings on one lot. He has wanted to subdivide to put them on two lots but his duplex on McHugh Rd has very poor parking in the front. He has come to the DRB a few times to try to figure out a good solution to the getting the houses on two separate lots. George is now looking to turn the duplex into a single-family dwelling which brings the parking down to 2 spaces instead of 4 spaces. Abrams states that the Board previously suggested getting an easement from the neighboring house, which he has been unable to contact the homeowner. He has made several attempts to get in contact with him, but he hasn't had any luck. He states that he had an idea to turn the duplex into a single-family home, since he is in the eviction process right now with the downstairs tenant. Mr. Abrams is wondering if he turns the house into a single-family dwelling would the Board grant the subdivision.

After a slight discussion on parking the board felt that it would be a good compromise to get the two houses onto their own parcel.

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 @ 7:44pm.

Respectfully Submitted,

Emily Marineau

Mark Nicholson, Chair

Cedric Sanborn

Charlie Thygesen Sr.

Mark Reaves

Jon Valsangiacomo

Angela Valentinetti

Jim Fecteau

Chris Neddo

DRAFT