

BARRE TOWN PLANNING COMMISSION

MINUTES FOR JUNE 16, 2010

The Barre Town Planning Commission held a public hearing on **Wednesday, June 16, 2010** at 7:00 p.m. at the Municipal Offices, Websterville, Vermont.

Members Present:

Cedric Sanborn, Chair	Chris Violette
Claire Duke	Eric Brigham
Charlie Thygesen	Margaret Hutchins – 7:05 p.m.

Members Absent:

Ken Yearman

Others Present:

Geral Carmel	Malcolm MacAskill
John Svagzdys	Brian Tyrol
Linda Marineau	Debra Watt
Ester Lotz	Wendy Alger

Staff Present:

Harry Hinrichsen – Town Engineer
Heidi Bennett – Board Clerk

A. APPROVAL OF MINUTES:

On a motion by Mr. Thygesen, seconded by Ms. Hutchins, the Planning Commission voted to approve the minutes from the May 19, 2010 meeting.

B. WARNED PUBLIC HEARING:

AGENDA ITEM: ONE (1)

The Town of Barre Planning commission will conduct a site on Wednesday, June 16, 2010 beginning at 6:30 p.m. starting at the municipal building in Lower Websterville proceeding to 165 Websterville Road to review a second driveway request.

Enclosures: None

Consultant: None

Date: June 11, 2010

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

This is a site visit as discussed last month for the purpose of looking at the property that is subject to the second driveway request later on this month's agenda. I suggest meeting at the town office and walking to the site together. I suspect we will have not only the applicant accompanying us, but likely the abutting property owner whose own driveway will end up being in close proximity to the proposed driveway. I also anticipate Town Engineer Harry Hinrichsen to attend both the site visit and the discussion later. The site visit is scheduled for 6:30 p.m.

Just a reminder to those attending the site visit, nothing said on site is on the record and anything that you want to be on the record, even if you said it at during the site visit, needs to be brought up again as part of the actual agenda item for the second driveway approval.

ADDITIONAL COMMENTS:

**Noted for the record that Ms. Hutchins did not participate in the site visit.*

AGENDA ITEM: TWO (2)

Request by Cad Cut Inc. of Montpelier, VT for allowed use determination for the purpose of using an existing vacant commercial building for light industry purposes. The subject property is owned by Capital City Real Estate Holdings, LLC and is located at 885 South Barre Road; Parcel ID 021/004.00; Zoned: Highway Commercial; AU-10000002

Enclosures: Letter from DeWolfe Engineering; map of property and building

Consultant: DeWolfe Engineering Associates

Date: June 11, 2010

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

This application is for Allowed Use Determination as allowed for in the Barre Town Zoning Bylaw under Article 2, Sec. 2.4 (C) whereas the proposed use (light industry) is not allowed in accordance with the table of uses within Article 2, Sec. 2.5, table 2.1. The applicant is proposing (and under extenuating circumstances has already begun) to use the former Granite City Cycle building on Rt. 14 next to Morrison and Clark's for the purpose of cutting and processing high tech fabrics. My review of their use determined that it would fall under light industry which isn't allowed for in a Highway Commercial Zone. I advised the applicant that I could not permit the Change of Use Permit until the Planning Commission had approved it.

CAD Cut is a contract cutting service of sheet and rolled goods. They provide service to companies in the aerospace, transportation, defense, marine, and industrial equipment industries. Their main office is in Middlesex, where they currently operate computerized cutting systems using both laser and knife cutting technologies. They also have environmentally controlled cutting rooms and freezer storage.

As I understand it, CAD Cut signed a contract with a company and the process for creating the product requires three phase power. CAD Cut's Middlesex facility does not have access to that kind of power so they sought an alternative site that did. The former Granite City Cycle building on Rt. 14, a brand new building vacant since the company either went out of business or consolidated last year, met their requirements to fulfill the contract. CAD Cut signed a two year (I believe) lease with the owners of that building.

The actual use of the buildings is pretty benign and is why I believe the use falls under light industry. The use would be pretty much the same as their main location in Middlesex is, using high tech equipment to cut material. There isn't expected to be any abnormal noise or fumes generated and vehicle traffic will be minimal. There is not expected to be a tremendous creation of waste or use of water in the manufacturing process. A separate area is required for freezers which for now will be done with four self contained cold storage units that will be placed behind the main building. I expect them to build something more permanent given that the storage units would only be allowed for six months unless they seek a Conditional Use permit from the DRB.

When considering Allowed Use Determination I suggest using the Conditional Use criteria which is listed as follows:

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

1. Emergency services: **No impact**
2. Educational facilities: **No impact**
3. Water, sewer, or other municipal utility systems: **No impact that I'm aware of, not sure if water is used in the process and if an increase in water consumption is required, an increase in sewer allocation may be necessary but is available. The building is already approved for municipal water and sewer.**
4. Recreational facilities: **No impact**
5. Conservation or other designated natural areas: **No impact. There is an adjacent floodplain area which is mapped for this facility. Any uses including the storage trailers will be located outside of the flood hazard area.**
6. Solid waste disposal facilities: **No impact**
7. 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: **This location is in a Highway Commercial Zone with a mixture of residential, commercial, and industrial uses. The nature of this use compared to existing uses around it should not affect the character of the neighborhood.**
8. Traffic on roads and highways in the vicinity: **Located on Rt. 14, a state highway, there is plenty of ability to handle any traffic this use will generate. The project traffic is not likely to be more than the previous use or other uses around it; in fact it will likely be less.**
9. Zoning bylaws and bylaws then in effect: **Light Industry is not permitted in the Highway Commercial Zone but after review by means of this process it could be.**

10. Utilization of renewable energy resources **No impact;**
11. Any required extension or capital expense to the present maintained highway system **(none);**
12. The impact on neighboring uses; **the nature of this use should not impact neighboring use anymore than the previous use did, likely less.**
13. Intrinsic capability of the land and its surrounding areas to support the use; **No impact**
14. Minimum lot size; **At over 4.0 acres this lot more than meets the minimum lot size;**
15. Distance from adjacent or nearby uses; **as detailed previously**
16. Off-street parking requirements in accordance with standards outlined in Article 3, Sec. 3.9 of this bylaw; **the building as permitted for the previous use complies with the off street parking requirements.**
17. Loading/unloading facilities; **the building as permitted for the previous use complies with loading and unloading facilities.**

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I think that this light industry use will fit in without impact to this area and provides an opportunity to utilize a vacant building. The impacts are minimal as detailed above and as such I recommend approving the use by CAD Cut (light industry) for this location.

ADDITIONAL COMMENTS:

CV gave a brief summary of this item.

Brian Tyrol – Owner of Cad Cut – stated that there are 12 employees at the South Barre location working two shifts (7:30 am – 3:15 p.m. & 3:15 p.m. – 11:30 p.m.). The South Barre location receives approximately one truck every couple weeks, 42' truck that uses the existing loading dock.

Mr. Tyrol stated that his sewer consumption will not increase from the previously approved use.

Harry Hinrichsen stated that there is good road visibility and said that the State has worked with the land owners on appropriate access in the past.

Linda Marineau – Abutter – asked if there is anything that can be done about the hum coming off of the refrigeration units.

Mr. Tyrol stated those are temporary until another structure is built at the Middlesex plant. Mr. Svagzdys added that the Middlesex plant is waiting for their stormwater permit so construction can begin.

Mr. Tyrol stated that he's signed a two year lease and part of the agreement is to return the show room back to its original form, however he is hoping to purchase the building.

On a motion by Ms. Hutchins, seconded by Mr. Violette, the Planning Commission voted to approve the request by Cad Cut Inc. of Montpelier, VT for allowed use determination for the purpose of using an existing vacant commercial building for light industry purposes for property owned by Capital City Real Estate Holding, LLC and is located at 885 South Barre Road; Parcel ID 021/004.00; Zoned: Highway Commercial; AU-1000002

ROLL CALL:

Cedric Sanborn **YES**

Charles Thygesen, Sr. **YES**

Claire Duke **YES**

Ken Yearman **ABSENT**

Eric Brigham **YES**

Chris Violette **YES**

Margaret Hutchins **YES**

AGENDA ITEM: THREE (3)

Second Driveway request by Diane Carmel of 165 Websterville Road; Parcel ID 028/025.00. Continued from the May 19, 2010 meeting.

Enclosures: Letter from Harry (same as last month)

Consultant: None

Date: June 11, 2010

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

This is a request by GERAL Carmel, on behalf of Diane Carmel, for a second driveway allowance which would be in addition to the existing driveway currently accessing their house at 165 Websterville Road. This request was first heard last month and ultimately continued after deciding a site visit was in order and because the abutter had not been notified.

I expect Town Engineer Harry Hinrichsen to be in attendance to help answer any questions there may be.

ADDITIONAL COMMENTS:

The Planning Commission met at the Town Municipal building at approximately 6:30 p.m. and walked to 165 Websterville Road. The PC started their site visit at the legally approved curb-cut. The property was shown to the PC by the applicant.

CV stated that in his opinion there is a possible sight distance concern. CV stated that the PC has a letter from the Town Engineer, Harry Hinrichsen, but nothing has changed in that regard. If approved the applicant would still need a paved apron, a consideration for exit only usage but would have adequate site distances.

Mr. Brigham asked if a curb-cut in the new location would be safe – HH stated it would be.

Geral Carmel stated that it is difficult to see up the road due to trees being so large. He stated that he works as a salvager and picks up scrap iron. He also has a lock smith business. He feels his current curb-cut is unsafe. He will be driving a long trailer (42') and needs to be able to use the other proposed location for his trailer.

Ms. Duke stated to Mr. Carmel that there are things that can be done on his property. First thing is to clean up the driveway and trees. All of this should not involve the neighbor. Ms. Duke also stated that the 2nd curb-cut

should be for used as an exit only - turn right so that the vehicle is kept on Mr. Carmel's property but that Mr. Carmel needs to get his land usable first.

Mr. Brigham stated that the driveway is restrictive with the guardrails but a new curb-cut should not impede on a neighbor's property; feels if a 2nd curb-cut is issued the turning direction shouldn't be limited.

Mr. Violette stated that trees can be cut to increase sight distance; something can be configured with Harry's help to make sure driveway access stays on the property.

Mr. MacAskill stated that he has had trailers before and was able to solve his own access issues without involving the neighbors. Mr. MacAskill stated that Mr. Carmel won't be able to avoid his driveway when he's exiting the "new" driveway. Mr. MacAskill also stated that since he and another neighbor take turns blowing out the mailbox area, they will be snow blowing Mr. Carmel's driveway for him.

Mr. Violette asked if Mr. Carmel could live with a seasonal driveway; Mr. Carmel stated at this time he couldn't say.

Ms. Duke recommended a continuance to next month to investigate the current use(s) of the property and whether it met zoning standards.

On a motion by Ms. Duke, seconded by Mr. Brigham the Planning Commission voted to continue the request by Diane Carmel for a second driveway until July 21, 2010 for property located at 165 Websterville Road; Parcel ID 028/025.00.

ROLL CALL:

Cedric Sanborn **YES**

Charles Thygesen, Sr. **YES**

Claire Duke **YES**

Ken Yearman **ABSENT**

Eric Brigham **YES**

Chris Violette **YES**

Margaret Hutchins **YES**

C. OTHER:

Wendy Alger from Sterling Hill Road attended the Planning Commission meeting to seek information on Marty Miller's property which she abuts. Ms. Alger is concerned that a subdivision would increase the runoff coming off the hill. Ms. Alger was informed that if a subdivision was proposed, if she is a direct abutter, she would be notified by certified mail by the Development Review Board.

D. ROUND TABLE:

E. ADJOURN!

On a motion by Ms. Hutchins, seconded by Mr. Brigham, the Planning Commission voted to adjourn the meeting of June 16, 2010 at 8:15 p.m.

Respectfully Submitted,

Heidi Bennett

Cedric Sanborn, Chair

Eric Brigham

Charlie Thygesen Sr.

Ken Yearman

Chris Violette

Claire Duke

Margaret Hutchins

UNAPPROVED