

## BARRE TOWN DEVELOPMENT REVIEW BOARD

# MINUTES FOR MARCH 10, 2010

The Barre Town Development Review Board held a public hearing on March 10, 2010 at 7:05 p.m. at the Municipal Offices, Websterville, Vermont

### **Members Present:**

Cedric Sanborn – Vice Chair                      Skip Bancroft  
Shaun Driscoll    Paul Malone

### **Members Absent:**

Mark Nicholson    Charlie Thygesen  
Mark Reaves

### **Others Present:**

Donald Murray    Robert Haggett  
John Thetford    Mike Bilodeau

### **Staff Present:**

Chris Violette – Planning & Zoning Director  
Heidi Bennett – Board Clerk

- 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. APPROVE MINUTES - NONE**
- E. NON AGENDA ITEMS (max 10 minutes)**
- F. SUBDIVISION REVIEW**
  - 1) PRELIMINARY REVIEW

**APPLICANT:                      PARROTT**

**Request by Gerald & Kathy Parrott for preliminary approval of a 3-lot subdivision on property located off Taplin Road; Parcel ID 007/004.00; Zoned: Low Density Residential; P-09000023 (Continued from February 10, 2010)**

Consultant: Rick Bell

Date: March 5, 2010

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

This request continues to be on the agenda as a preliminary request after being continued from the February 10<sup>th</sup> meeting for the second month in a row. The applicants seek to subdivide 5.4 acres of land off from their 118 acre parcel into two new lots of 2.0 & 3.4 acres respectively. Both lots propose to have on-site water and sewer, access is shown to be from road frontage along Taplin Road. Both new lots and the remaining land would be conforming to zoning and subdivision regulations as proposed other than the concern below.

While the lots essentially conform to town regulations, the main topic of discussion and concern continues to be the location and the associated site distances for the driveways. After the first meeting in January, the applicants went before the traffic safety advisory committee which recommended several changes to the stretch of road in question including a reduction in the speed limit. However, even with the traffic safety committee moving forward with a speed limit reduction, the board and I continue to have concerns about the site distances associated with the driveways. Upon continuing the preliminary request last month, the board decided against an organized site visit in favor of individual site visits before this month's meeting. Mr. Parrott was to flag the center of the driveways so that the actual locations could be better understood.

I conducted a site visit along with Cedric and Town Engineer Harry Hinrichsen on February 18<sup>th</sup>. We found that the driveway locations were clearly marked with flagging as had been asked for. We found that while most of the discussion about site distance has been centered around lot 3's access looking up the hill, lot 2 may also be of some concern looking in the same direction (north).

While the plans show a site distance to the north of 400 feet for the access to lot 2, there is a knoll only a few feet from the proposed entrance that may actually block the view of oncoming traffic from somebody turning into that driveway if they were coming from East Barre. Additionally, I think it was our consensus that looking back up the hill from lot 3's access defiantly does not provide a great view of traffic.

I think that both driveways could be relocated to better meet site distance requirements. The access on the top of the hill to lot 2 could be moved about 30 feet or so to the north. This relocation would allow turning traffic a better view of oncoming traffic. The problem

with this scenario is that it will significantly reduce the site distance looking south (down the hill). This reduction in view to the south could be mitigated by removing some of the bank at the crest of the hill within the town's right-of-way.

Lot 3 could benefit from having its driveway location moved down the hill. The current proposed location is almost as far to the north (up the hill) as it can be and still be on lot. There is plenty of room to move it down the hill picking up sight distance looking up the hill. The bank along the road does get steeper the further down the hill you go which may be some of the reason that hasn't been proposed. Additionally, I'm not sure about building location or soils and whether they also play a role in the proposed location.

Another possibility would be a shared curb-cut that could be installed at the best location possible along the frontage of both lots. There is a woods road on lot 2 that is very near the location that I suggest lot 2's access could be moved to. This scenario would likely make for a long driveway to lot 3 and would likely take away from lot 2 which already has constraints because of a power line right-of-way. However it could be an option.

In closing, again the lots certainly conform with regard to dimensional standards. Accesses is the problem but if it can be worked out to everybody comfort I would see no reason why not to move this request forward for the public hearing.

### **SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

### **ADDITIONAL COMMENTS:**

CV stated that this is a continuance from January and February.

CV stated that he has concerns with site distance; board members were going to conduct their own site visits to look at the site distance issue prior to tonight's meeting.

CV stated that Mr. Parrott came in and talked about changing this from a 3-lot to a 2-lot subdivision.

CV stated the issue for site distance comes from vehicles traveling from East Barre. The driveway could be moved 30' but the bank eliminates any visual site distance. Bank contains ledge.

Mr. Parrott wants to eliminate the third lot because he doesn't feel that moving the driveway will accommodate the Town's requirements.

Sanborn stated that everyone seems to be in agreement that the driveway needs to move up the hill some distance.

Mr. Parrott stated that the site distances that are listed on the map are accurate and measured to the Town's specifications. Mr. Parrott would like to work with Harry (Town

Engineer) to stake out the best possible location for driveway.

**MOTION & RECOMMENDATION:**

***On a motion by Mr. Malone, seconded by Mr. Bancroft, the Development Review Board voted to continue the request by Gerald & Kathy Parrott for preliminary approval of a 3-lot subdivision on property located off Taplin Road until April 14, 2010; Parcel ID 007/004.00; Zoned: Low Density Residential; P-09000023.***

**DISCUSSION:**

CONDITIONS Yes\_\_\_ No\_\_\_  
MOTION BY: MALONE  
SECOND BY: BANCROFT

**ROLL CALL:**

Mark Nicholson <b><u>ABSENT</u></b>	Paul Malone <b><u>YES</u></b>
Charles Thygesen, Sr. <b><u>ABSENT</u></b>	Shaun Driscoll <b><u>YES</u></b>
Cedric Sanborn <b><u>YES</u></b>	Mark Reaves <b><u>ABSENT</u></b>
Ernest (Skip) Bancroft <b><u>YES</u></b>	*Jon Valsangiacomo ___
*Jim Fecteau ___	

*\*Alternate Development Review Board Members*

**APPLICANT:            **LYFORD****

**Request by Nelson & Bonnie Lyford for preliminary approval of a 3-lot subdivision on property located at 142 Washington Road; Parcel ID 003/009.00; Zoned: Low Density Residential; P-10000004**

Consultant: Brad Rudderman

Date: March 5, 2010

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

This is a preliminary 3 lot subdivision request that if approved will create two new developable lots. The applicants, who are the landowners, are proposing to take their existing 17.22 acre parcel of land with over 850 feet of road frontage along Washington Road (Rt. 110) and removing 4.18 acres from it creating two new lots of 2.10 acres (lot 5) and 2.08 acres (lot 6) respectively. The remaining land would end up being 13.04 acres in size. The zoning of this parcel is Low Density Residential with a minimum lot size of 2.0 acres and 200 feet of road frontage.

The lot in question has been subject to previous subdivisions. Originally subdivided in

2004 into 4 lots, it has also seen a couple of revisions, the most recent taking place in 2008. As a result of the previous subdivision the numbering for these two new proposed lots is following the numbering sequence already established.

Both of the proposed lots have sufficient road frontage as proposed. Lot 5 is shown to have 275 feet while lot 6 has 320 feet. The remaining land ends up with 275 feet split between two places.

Both of the new lots along with the homestead of the applicants on the remaining land will be utilizing on-site water and sewer. The proposed sewer configuration for the two new lots has a shared pump station, shared forced main piping, and a shared mound leachfield. The shared mound is located on the remaining land of Lyford while the shared pump station and most of the shared force main is located on lot 5. Obviously easements as shown on the plans would need to be created to secure the rights to use this infrastructure. Both lots are shown to have their own on-site water supply.

I know that many won't be excited about the proposed sewer disposal system as is the case with me. It may generate discussion. However, I have to caution that in accordance with our Zoning Bylaw, there is nothing wrong with what is being proposed. As we've discussed before, the Zoning Bylaw was changed to allow these types of systems after being told by the state that we couldn't prevent them.

Access to both proposed new lots is shown to be utilizing a common curb-cut from Washington road that is currently already being used to access a previously approved lot. This access has an existing curb-cut permit from the State. A 20' x 30' landing is shown on the plans. Two 25 foot right-of-ways are shown within an 80 foot right-of-way retained by the applicant before this previously created lot was sold. A common driveway is proposed within the right-of-way to lot 6. The right-of-way to lot 5 would be left undeveloped until and if it was need to provide access to lot 5.

I have two question about the common use of the septic and driveway. These questions have been raised before and I know we don't support anything being shared. However, we already know we can't prevent the septic system from being shared and the driveways being used in common with the ability to install separate ones is something that has been allow plenty in the past. My concern is who builds these....meaning who pays for them and what rights does the installer have for reimbursement from the subsequent builder? The answer is likely, not our concern for the most part but to some degree I think the developer should pay for the installation of shared infrastructure.

Regarding shared infrastructure, we need to back up to the shared curb-cut. I'm not sure that in its current state as a driveway access that it is compliant with regard to size and surface. For final approval I will be suggesting a condition that the applicant is required, as has been common practice over the past few years, to create the common landing and pave it.

Beyond the concern about the common landing, I'm not sure there is any reason why not to

move this forward for a final public hearing.

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

**ADDITIONAL COMMENTS:**

CV gave a brief summary of this agenda item.

CV stated that there will be 3 driveways off one landing; each lot has their own well with a shared septic system.

CV stated that the developer to build landing before any lot construction takes place.

Clayton Wheeler – Wants to know where the leachfield will end up? Mr. Thetford informed (and also showed on map) Mr. Wheeler that the leachfield is about 900' from his property.

**MOTION & RECOMMENDATION:**

*On a motion by Mr. Malone, seconded by Mr. Bancroft, the Development Review Board voted to approve the request by Nelson & Bonnie Lyford for preliminary approval of a 3-lot subdivision on property located at 142 Washington Road; Parcel ID 003/009.00; Zoned: Low Density Residential; Approval is subject to Mr. Lyford constructing the mound system as well as including deed language regarding the shared curb-cut and entering into a shared curb-cut agreement with the DRB; P-10000004*

**DISCUSSION:**

Mr. Bancroft asked if Nelson Lyford was going to build the mound system; Mr. Thetford said he can't confirm but believes he will.

The need for shared curb-cut agreement with the DRB was also mentioned.

CONDITIONS Yes\_\_\_ No\_\_\_

MOTION BY: MALONE

SECOND BY: BANCROFT

**ROLL CALL:**

Mark Nicholson **ABSENT**

Charles Thygesen, Sr. **ABSENT**

Cedric Sanborn **YES**

Ernest (Skip) Bancroft **YES**

\*Jim Fecteau \_\_\_

Paul Malone **YES**

Shaun Driscoll **YES**

Mark Reaves **ABSENT**

\*Jon Valsangiacomo \_\_\_

*\*Alternate Development Review Board Members*

2) WARNED PUBLIC HEARINGS

**G. SITE PLAN REVIEW**

1) WARNED PUBLIC HEARINGS

2) PRELIMINARY REVIEW

**H. CONDITIONAL USE REVIEW (WARNED PUBLIC HEARINGS)**

**I. VARIANANCES (WARNED PUBLIC HEARINGS)**

**J. FLOOD HAZARD REVIEW**

**K. APPEALS OF ZONING ADMINISTRATORS DECISIONS**

**L. OTHER**

**Conceptual discussion with Rock of Ages about possible subdivision.**

Don Murray – Rock of Ages; would like to subdivide land away from building however the lot wouldn't be conforming. There is a possible purchaser; building is vacant.

Mr. Murray is just looking for a read from the board if this would work.

The DRB stated they aren't in favor of creating non-conforming lots.

Mr. Murray stated that he understands the hesitation from the board, just trying to sell the building with the existing site conditions.

Board is concerned by setting precedent

**M. FOLLOW-UPS**

**N. CORRESPONDENCE**

STATE

TOWN

MISCELLANEOUS

**O. ROUNDTABLE**

P. ADJOURN!

***On a motion by Mr. Bancroft, seconded by Mr. Malone, the Development Review Board voted to adjourn the meeting of March 10, 2010 at 7:55 p.m.***

Respectfully Submitted,

Heidi Bennett

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Mark Nicholson, Chair

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Cedric Sanborn

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Ernest "Skip" Bancroft

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Mark Reaves

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Jim Fecteau

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Charlie Thygesen Sr.

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Paul Malone

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