

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR SEPTEMBER 9, 2009

The Barre Town Development Review Board held a public hearing on Wednesday, September 9, 2009 at 7:03 p.m. at the Municipal Offices, Websterville, Vermont

Members Present:

Cedric Sanborn – Vice Chair
Mark Reaves
Skip Bancroft

Paul Malone
Shaun Driscoll
Charlie Thygesen, Sr. – 7:18 p.m.

Others Present:

Wayne Lawrence
Carl Rogers

Gordon Booth
Casey Harrington

Staff Present:

Chris Violette – Planning & Zoning Administrator
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

On a motion by Mr. Malone, seconded by Mr. Reaves, the Development Review Board voted to approve the minutes from the August 12, 2009 meeting.

E. NON AGENDA ITEMS (max 10 minutes)

F. SUBDIVISION REVIEW

1) PRELIMINARY REVIEW

Preliminary

APPLICANT:

Town of Barre/SBE

Request by the Town of Barre for a 2-lot subdivision for property located on Parker Road in the Wilson Industrial Park: Parcel ID 006/047.04; Zoned Industrial. P-09000010

Consultant: American Consulting

Date: September 3, 2009

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a preliminary request by the Town of Barre for a two lot subdivision of land within the Wilson Industrial Park on Parker Road. The subject parcel is 37.4 acres in size and is zoned Industrial. This is lot 3 of a 1995 subdivision creating the expansion of the park. Currently the land is open field with various industrial uses nearby. The subject parcel is subject to ACT 250 jurisdiction.

Being proposed with this request is the creation of a 10.0 acre parcel on the East side of Parker Road. The proposed parcel will have approximately 1,100 feet of road frontage when the road is completed at a later date. For now, the proposed lot will have a minimum of 200 feet of road frontage. Municipal services such as water and sewer are provided. Access will be from road frontage on Parker Road. The lot is being created for sale to SB Electronics of Barre. As proposed, the lot conforms to the requirements of the Zoning Bylaw.

Parker Road is not completed to this lot at this time. The town will be extending Parker Road far enough (approximately 600 feet) to a point that will allow access to both of the proposed entrances. Parker Road is plotted to eventually be continued all the way to Bolster Road. While the sewer line has already been installed, there will be a water line extension also of about the same length of the road. The Town's Public Works department will perform most of this work.

Many people, engineers and others are involved in this project because of not only the creation of this lot but all the other permits that are needed as a result. An ACT 250 amendment is in the works which will review, waste water, water supply, stormwater, etc. The Industrial Park has an ACT 250 permit for the park but it needs amending each time a new lot is created that involves a new use. The buyer of the lot, at the town's urging will be treating stormwater runoff on site with some sort of a retention basin.

Given its nature along with everything else involved, there really isn't that much to review with the proposed request. There is a bit of a quirky job in the property line at the Easterly extend of the proposed lot. Basically as I understand it the reason it is that way is the land that would be gained by extending the line straight isn't needed. The land above the jog is needed because that is where there will be parking lots. While it is a bit of an abnormality, the piece of land not being included by having the job could be important to a future buyer.

If approved, this request would be moved to the October meeting for final consideration.

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

None

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

ADDITIONAL COMMENTS:

Mr. Malone asked about the retention basin; CV stated that storm water will be looked at on the site plan.

Mr. Malone asked about the quirky element to the property line; CV stated that it is there to handle the parking lot, which benefits future lots.

MOTION & RECOMMENDATION:

On a motion by Mr. Malone, seconded by Mr. Reaves the Development Review Board voted to grant preliminary approval for the request by the Town of Barre for a 2-lot subdivision for property located on Parker Road in the Wilson Industrial Park; Parcel ID 006/047.04; Zoned: Industrial. P-09000010

DISCUSSION:

CONDITIONS Yes___ No___
MOTION BY: MALONE
SECOND BY: REAVES

ROLL CALL:

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

**Alternate Development Review Board Members*

APPLICANT: **Lawrence**

Request by Wayne Lawrence for a 2-lot subdivision for property located at 176 Jalbert Road; Parcel ID 007/015.00; Zoned: MDR. P-09000008

Consultant: Wayne Lawrence

Date: September 3, 2009

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a preliminary request for a two lot subdivision of land on a lot of 14.2 acres on Jalbert Road. The subject parcel is located in a Low Density Residential zone. Minimum lot requirements are 2.0

acres and 200 feet of road frontage. The area is mostly open or wooded land with residential dwellings scattered around.

The proposed new lot (shown as lot 2) will be taken out of the North Easterly corner of the subject parcel and is shown to be 2.02 acres in size. The new lot will have 350 feet of road frontage along Jalbert Road. Access will be in the middle of the new lot from Jalbert Road. Both water and sewer are on-site. Final plan submission will require the septic details to be included. Power is shown to be underground from the existing power at the street.

The remaining land (shown as lot 1) will be 12.16 acres in size if this request is approved. This parcel will maintain the existing single-family dwelling with on-site water and sewer.

This is a pretty straightforward request and the plan appears to be adequate for preliminary approval. In fact, this the applicant requested from the board chair to complete both preliminary and final in the same night. The chair agreed so this same map will be used for final consideration later in the agenda.

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

None

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

ADDITIONAL COMMENTS:

Mr. Malone asked if the plans are suitable for final approval; CV stated they were.

MOTION & RECOMMENDATION:

On a motion by Mr. Malone, seconded by Mr. Bancroft, the Development Review Board voted to grant preliminary approval for the request by Wayne Lawrence for a 2-lot subdivision for property located at 176 Jalbert Road; Parcel ID 007/015.00; Zoned: MRD. P-09000008

DISCUSSION:

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 **YES**

*Jon Valsangiacomo ___

**Alternate Development Review Board Members*

2) WARNED PUBLIC HEARINGS

Final Warned Public Hearings

APPLICANT: Booth/Wolfe Revision

Request by Gordon Booth for revised final approval (P-09000003; appr: 8/4/09; plan 2144) for the purpose of altering a boundary line for property located off Booth Road and Morrison Road; Parcel ID 005/131.03; Zoned: LDR. P-09000007

Consultant: Wayne Lawrence

Date: September 3, 2009

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for revised final approval of a previously approved subdivision. You all will likely remember the original subdivision was just approved at the July DRB meeting, that approval created a 2.27 acre parcel out of 19.63 acre undeveloped parcel that is owned by the applicant. The newly created parcel has road frontage on Morrison Road and Booth Road. The lot was created for the purpose of developing with a single-family residential dwelling served by municipal sewer and on-site water.

After receiving approval for the 2.27 acre parcel, Mr. Booth realized that because he has several parcels in the Land Use Program he would be penalized monetarily because this remaining land (the parcel that this one came out of) would no longer be contiguous with other land he owns. The reduction of the 2.27 acres isn't the problem it is the fact that it took the road frontage away from the parent parcel which is what made it contiguous with his other land across Morrison Road.

What is being proposed with this request is to reduce the road frontage of the new lot along Morrison road by making a 10 foot wide, 135 foot long adjustment to the property. This would allow the remaining land to have a point where it is directly across the street from other land owned by Mr. Booth. The new lot would retain 115 feet of frontage on Morrison Road and its entire frontage on Booth Road. The lot remains conforming.

What this alteration does is create a bit of an odd shape to the lot. Even though the purchaser will be given the right to use the land that once belonged, it will not be part of it. It is unfortunate that this is the only way to solve the problem. However, in talking to everybody involved that does appear to be the case. If not allowed, Mr. Booth will be penalized. Beyond that there isn't much more to say.

The only thing I will add is regarding the plans. I overlooked in the first approval that the lots are not numbered. I would ask that final plans show these lots number as lot 1 & 2. In addition, the subdivision created in July should be referenced on the final plans.

**REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER**

None

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

1. Final plans show number for the lots.
2. Final plans must also reference the original approval of the 2.27 acre parcel.
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.
5. One (1) (24" x 36") mylar copy of the final approved plan must be submitted to the Planning office within 30-days of 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 come before the Planning Commission for approval of the proposed change.
7. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.
8. Show existing sewer easement on maps.

ADDITIONAL COMMENTS:

Mr. Malone recused himself from this hearing.

Mr. Booth stated that his land has to join in order to stay in land use.

Mr. Malone stated that in the original request there was an easement granted by the Selectboard for the sewer line which is no longer being used; Mr. Booth as granted an easement along the property for the sewer line.

MOTION & RECOMMENDATION:

On a motion by Mr. Driscoll, seconded by Mr. Reaves, the Development Review Board voted to approve the request by Gordon Booth for revised final approval (P-09000003; appr: 8/4/09; plan 2144) for the purpose of altering a boundary line for property located off Booth Road and Morrison Road; Parcel ID 005/131.03; Zoned: LDR. Approval is subject to conditions 1 - 8. P-09000007

DISCUSSION:

CONDITIONS Yes X No ___
MOTION BY: DRISCOLL
SECOND BY: REAVES

ROLL CALL:

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

**Alternate Development Review Board Members*

APPLICANT: Lawrence

Request by Wayne Lawrence for final approval of a 2-lot subdivision for property located at 176 Jalbert Road; Parcel ID 007/015.00; Zoned: MDR. P-09000008

Consultant: Wayne Lawrence

Date: September 3, 2009

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This request is a warned public hearing for final approval of a two lot subdivision on land off Jalbert Road. This proceeding assumes preliminary approval earlier in the agenda for this meeting. Obviously nothing has changed from what was reviewed during preliminary review so I don't have much to add. I'll paste the summary from the preliminary.

This two lot subdivision request involves a lot of 14.2 acres. The subject parcel is located in a Low Density Residential zone. Minimum lot requirements are 2.0 acres and 200 feet of road frontage. The area is mostly open or wooded land with residential dwellings scattered around.

The proposed new lot (shown as lot 2) will be taken out of the North Easterly corner of the subject parcel and is shown to be 2.02 acres in size. The new lot will have 350 feet of road frontage along Jalbert Road. Access will be in the middle of the new lot from Jalbert Road. Both water and sewer are on-site. Final plan submission will require the septic details to be included. Power is shown to be underground from the existing power at the street.

The remaining land (shown as lot 1) will be 12.16 acres in size if this request is approved. This parcel will maintain the existing single-family dwelling with on-site water and sewer.

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

None

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

1. Final plan submission will require the septic details to be included
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.
4. One (1) (24" x 36") mylar copy of the final approved plan must be submitted to the Planning office within 30-days of 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 come before the Planning Commission 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:

MOTION & RECOMMENDATION:

On a motion by Mr. Bancroft, seconded by Mr. Reaves, the Development Review Board voted to approve the request by Wayne Lawrence for final approval of a 2-lot subdivision for property located at 176 Jalbert Road; Parcel ID 007/015.00; Zoned: MDR. Approval is subject to conditions 1 - 6. P-09000008

DISCUSSION:

CONDITIONS Yes X No ___
MOTION BY: BANCROFT
SECOND BY: REAVES

ROLL CALL:

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

**Alternate Development Review Board Members*

APPLICANT: Town of Barre/Revision

Request by the Town of Barre for revised final approval of a previously approved subdivision (6/14/1995; 14-1786A) for the purpose of revising the road layout as it effects lot 2 of said subdivision. Property is located off Pitman road in the Wilson Industrial Park; Parcel ID 006/046.01; Zoned Industrial. P-09000009

Consultant: American Consulting

Date: September 3, 2009

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

This is a request to revise a previously approved subdivision that occurred in June of 1995 as part of six lots that were created during the Wilson Industrial Park expansion. The lot in question was shown as lot 2 on the plan filed in the Planning and Zoning Offices as 14-1786A and is 5.5 acres in size. The zoning is Industrial and the lot has remained undeveloped.

When Pitman Road was extended through the Industrial Park, it ended in a temporary cul-de-sac as part of lot 2. The main part of this revision will be to actually create lot 2a, a 50 foot wide by 453 foot long strip of land that will remain as town land for Pitman Road. The cul-de-sac will be removed and a new hammerhead turnaround will be constructed at the far Easterly extent of this lot at the point where it meets lot 1 of the same subdivision. Currently lot 1, while owned by the town, is being used by the Central Vermont Solid Waste District.

Additionally, the new plan will show easements that have been created since the original plan was approved or that are going to be created. These easements include a sewer easement to abutter Conti and a new easement to encompass a town created driveway that connects the Town's two Public Works buildings. This lot has a purchase and sale agreement on it, the town will retain the use of the connecting road. The DRB will see the purchaser of this lot in the near future for site plan review. Additionally, what has become standard in the park, there will be a 10' utility easement that runs parallel to the town road.

**REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER**

None

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

1. All easements and/or right-of-ways, as shown on the final plans by American Consulting 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.
4. One (1) (24" x 36") mylar copy of the final approved plan must be submitted to the Planning office within 30-days of 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 come before the Planning Commission for approval of the proposed change.
6. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.
7. Revise plan with new road lay-out, eliminating road frontage and adding right of way to lot 2.

ADDITIONAL COMMENTS:

CV stated that with the hammerhead construction, it makes the adjoining lot non-conforming with only 50' of road frontage.

Mr. Bancroft stated 200' could be picked up by counting all sides of the hammerhead.

The DRB suggested that the road shorten up so that it is not touching the adjoin parcel; granting the lot a 50' right of way.

MOTION & RECOMMENDATION:

On a motion by Mr. Bancroft, seconded by Mr. Malone, the Development Review Board voted to approve the request by the Town of Barre for revised final approval of a previously approved subdivision (6/14/1995; 14-1786A) with the changes to the submitted plans as follows: Pitman Road extends to within one foot (1') of lot 1; Construct hammerhead in accordance to specs submitted on plans and a fifty foot (50') right of way is granted to lot 2.

DISCUSSION:

CONDITIONS Yes X No ___
MOTION BY: BANCROFT
SECOND BY: MALONE

ROLL CALL:

Mark Nicholson **ABSENT**
Charles Thygesen, Sr. **YES**
Cedric Sanborn **YES**
Ernest (Skip) Bancroft **YES**
*Jim Fecteau ____

Paul Malone **YES**
Shaun Driscoll **YES**
Mark Reaves **YES**
*Jon Valsangiacomo ____

**Alternate Development Review Board Members*

3) CONCEPTUAL REVIEW

Casey Harrington is looking to purchase a lot off Windy Wood Road; this lot was created by a Routhier subdivision. There is an access issue due to the location of the leachfield. Mr. Harrington would like to do a lot-line adjustment with abutter Kennell. Mr. Kennell's land is currently non-conforming with shared access off of Sunset and two 50' rights-of-way off of Windy Wood. Mr. Harrington has to go to ACT250 for an amendment if he is to proceed. If the lot-line adjustment is to go through, Mr. Kennell would still maintain one of the 50' rights-of-way. Mr. Harrington stated that Mr. Kennell wouldn't want to maintain ownership of the right-of-way.

The DRB would like to know the original plan for the rights-of-way. The DRB suggested that Mr. Harrington proceed to preliminary.

G. SITE PLAN REVIEW

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

H. CONDITIONAL USE REVIEW (WARNED PUBLIC HEARINGS)

I. VARIANANCES (WARNED PUBLIC HEARINGS)

J. FLOOD HAZARD REVIEW

K. APPEALS OF ZONING ADMINISTRATORS DECISIONS

APPELLANT

COUTURE APPEAL

Appeal by Pierre Couture on the Zoning Administrator's issuance of a Violation of the Town of Barre Zoning Ordinance Article 7, Sec. 7.4 for property located at 34 Church Hill Road; Parcel ID 023/015.00. Continued from August 12, 2009.

Consultant: None

Date: September 3, 2009

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE.

PLANNING OFFICER

The Planning Commission heard from Mr. Couture at their regular meeting in August. The Commission was please to see some movement in some of the matrix they provided Mr. Couture. However, there are still things to be done so the Planning Commission again continued his request for allowed use determination to the September meeting.

I suggest another continuance pending Planning Commission action.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

ADDITIONAL COMMENTS:

MOTION & RECOMMENDATION:

On a motion by Mr. Malone, seconded by Mr. Bancroft, the Development Review Board voted to continue the appeal by Pierre Couture until October 14, 2009 on the Zoning Administrator's issuance of a Violation of the Town of Barre Zoning Ordinance Article 7, Sec. 7.4 for property located at 34 Church Hill Road; Parcel ID 023/015.00.

DISCUSSION:

CONDITIONS Yes___ No___
MOTION BY: MALONE
SECOND BY: BANCROFT

ROLL CALL:

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

**Alternate Development Review Board Members*

L. OTHER

M. FOLLOW-UPS

N. CORRESPONDENCE

STATE
TOWN
MISCELLANEOUS

O. ROUNDTABLE

P. ADJOURN!

On a motion by Mr. Reaves, seconded by Mr. Malone, the Development Review Board voted to adjourn the meeting of September 9, 2009 at 8:03 p.m.

Respectfully Submitted,

Heidi Bennett

Mark Nicholson, Chair

Cedric Sanborn

Ernest "Skip" Bancroft

Mark Reaves

Jim Fecteau

Charlie Thygesen Sr.

Paul Malone

Shaun Driscoll

Jon Valsangiacomo