

# BARRE TOWN DEVELOPMENT REVIEW BOARD

## MINUTES FOR August 09, 2017

The Barre Town Development Review Board held a public meeting & hearings on Wednesday, August 09, 2017 at 7:00 p.m. at the Municipal Offices, Websterville, Vermont

### Members Present:

Mark Nicholson  
Cedric Sanborn  
Shaun Driscoll

Mark Reaves Charles Thygesen, SR  
Chris Neddo  
Greg Richards

### Members Absent:

Jon Valsangiacomo

### Others Present:

Pierre Couture  
Frankie Couture  
Mike Bilodeau  
Lee Gable  
Chris Day

### 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 - NONE
- E. APPROVE MINUTES

*Motion by Sanborn, seconded by Driscoll, the board voted unanimously to approve the July 12, 2017 minutes.*

F. NON AGENDA ITEMS (max 10 minutes)

G. SUBDIVISION REVIEW

PRELIMINARY REVIEW

## **Fecteau Residential Inc (Preliminary)**

**Request by Fecteau Residential Inc for preliminary review of a major subdivision of land and Planned Unit Development that, as proposed, would create 47 new lots with up to a total of 90 new living units located off Beckley Hill Road and Daniels Drive; Parcel ID 008/035.00; Zone: high density residential; P-17000003**

Consultant: Wilson Consulting Engineer's PLC

Date: July 25, 2017

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

Fecteau, through their consultant Wilson Engineering, have requested another one month extension. The request is based on the fact engineering work continues for the project.

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

Continue this preliminary request date certain, September 13, 2017.

#### **ADDITIONAL COMMENTS:**

Violette states that Fecteau Residential Inc has formally asked for a continuance to next month's meeting. He states they are heavy into design mode.

#### **MOTION & RECOMMENDATION:**

*A motion was made by Thygesen and seconded by Reaves the Development Review Board voted to continue the request by Fecteau Residential Inc for preliminary review date certain to September 13, 2017 of a major subdivision of land and planned unit development that, as proposed, would create 47 new lots with a total of 90 new living units located off Daniels Drive and Beckley Hill Rd; Parcel ID 008/035.00; Zone: high density residential; P-17000003*

- 1) WARNED PUBLIC HEARINGS

## **Toni Tofani 2-lot subdivision (Final)**

**Request by Toni Tofani for final review of a two- lot subdivision of open land by deferral (meaning no development is planned at this time), subject parcel is located off West Road; Parcel ID: 005/145.00; Zoned: Low density residential. P-17000006**

Consultant: American Consulting

Date: July 25, 2017

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

This is a warned public hearing (continued from July) after receiving preliminary approval last month. 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 (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).

Access to the new lot (lot 7) is shown to be from West Road. Last month's discussion centered mostly around this access. I'm still not sure we have a clear idea what is going to happen. I guess their plan is to use the existing access that is built somewhere in the 90' (50' & 40' over two different lots) right-of-way. Where exactly it sits we don't know. The two rights-of-way currently belong to lot 6, at a minimum 25' will have to be dedicated to lot 7. As was discussed last month, they can use the existing access in common but lot 7 will still need a dedicated right-of-way and it must be clear on the map.

Speaking of the map, I'm still not thrilled with it, seems like little effort has gone into it. One problem I think is that there are two consultants involved, one is the septic system designer, the other being the surveyor and neither work in Barre Town often. The survey map is just a continuation of the original subdivision as if this was all the same subdivision. For example, the previous lots that were created are still shown as lots, two of the lots have been sold and have houses on them. Technically, this is a new subdivision, the lots that have been sold from the original subdivision should show current owners information as abutters. Other abutter information does not reflect accurate information either.

The map is being shown as revisions to the original subdivision, that may be okay but is not what is normally done. Even the information on the map is not accurate in all cases. For instance, the lot sizes are shown for all lots of the original subdivision in two places, in one place it adds lot 7, in the other it does not. Where lot 7 isn't shown, lot 6 still has its last acreage shown, not the new acreage after adding lot 7.

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

Overall, I am still not confident that this request is ready for final approval. If the board decides to grant final approval we will have to add several conditions.

**ADDITIONAL COMMENTS:**

Based on Violette's recommendation the board would still like to see a final plan and an access to the lots laid out better.

**MOTION & RECOMMENDATION:**

*A motion by Sanborn, seconded by Reaves, the Development Review Board moved to continue the request by Toni Tofani for final plat approval date certain to September 13, 2017 of a two-lot subdivision of his land located at West Road; Parcel ID; 005/145.00; Zoned; low density residential; P-17000006*

H. VARIANCES (WARNED PUBLIC HEARINGS)

**Lee Gable – Variance (Warned Public Hearing)**

**Request by Lee Gable for a 32' variance street setback for construction of an attached porched to single-family dwelling located at 46 Pine Hill Rd; Parcel ID 009/024.00; zone: medium density residential.**

Consultant:

Date: July 25, 2017

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

This is a warned public hearing for a variance request in accordance with Article 7, section 7.9 whereas the applicant would like to construct a project that it has been determined prior to application for a building permit that said project can't meet the minimum setback. The applicant is seeking a 32' variance of right-of-way (Pine Hill Road) setback for the construction of a porch attached to the front of her existing single-family dwelling that would be 18' from the right-of-way edge. The subject parcel is in a medium high density residential zone that requires a minimum street side setback of 50'.

In full disclosure, I am personal friends and a neighbor to this applicant. I won't be providing any sort of recommendation, just facts.

The applicant owns a house that sits 18' from the edge of the Pine Hill Road right-of-way.

The house was constructed in the early 1950's before zoning and in conjunction with topography issues the house itself falls well short of the minimum right-of-way setback.

The applicant is hoping to construct an addition to the existing small porch attached to the front of the house. The addition would extend the porch towards the road a little over 5'. The width will match the existing porch at 15'. The proposed extension of the porch will not go beyond the end of the existing house as shown on the drawing supplied by the applicant. Previously there had been a handicapped ramp in the same general area, the addition will not be any closer to the road than the ramp was.

Below is the variance criterion as stipulated by the State of Vermont 24 VSA § 4469 and the Barre Town Zoning Bylaw Article 7, section 7.9.

The applicant has submitted responses to the below criterion.

1. Are there unique physical circumstances or conditions as to:
  - a. Irregularity, narrowness or shallowness of lot size or shape;
  - b. Exceptional topography or physical conditions peculiar to a particular property;
  - c. Unnecessary hardship due to the above?

**The applicant notes that first, the house was built before zoning so that there were no setbacks at the time. She also notes that there is a topography issue behind the house that prevented the house from being setback any further than it is.**

2. Are there physical circumstances or conditions that prevent conformity to zoning regulations; And, a variance is necessary to enable "reasonable use" of the property.

**Basically, the same response as above, the applicant indicates that there are physical circumstances that prevented the house originally being setback further which now hinders the porch from meeting setback.**

3. Is it true that no unnecessary hardship was created by the applicant?

**The applicant indicates that they did not build the house, thus did not create the hardship.**

4. Is it true that a variance will not:
  - a. Alter the essential character of the neighborhood?
  - b. Substantially or permanently impair appropriate use or development of adjacent property?

- c. Reduce access to renewable energy sources?
- d. Be detrimental to the public welfare?

**The applicant's responses to this criterion seem to indicate that a variance will not alter the essential character of the neighborhood because the proposed new deck will not extend beyond the existing house and won't cause a detriment to the public welfare.**

- 5. Is it true the variance represents the minimum deviation from regulation and plan to provide relief?

**While the applicant doesn't mention it in her narrative, originally, she wanted the porch to extend even further towards the road but in order to not extend beyond the house she changed the plans. As a result, she feels this in the minimum deviation in order to provide relief to create a reasonable sized porch compared to the very small one that exist today.**

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

**ADDITIONAL COMMENTS:**

Nicholson clarifies if the handicap ramp (pictured) will be replaced by the porch. Violette states that the ramp is no longer there but it basically would be but just not come out to the driveway like the ramp is.

Nicholson asked Gable the five questions, which she answered affirmative to.

Sanborn feels that approving this will stay consistence with the previous with variance that have been granted.

**MOTION & RECOMMENDATION:**

*On a motion by Reaves, seconded by Driscoll, the Development Review Board voted unanimously to approved request by Lee Gable for a 32' variance street setback for construction of an attached porched to single-family dwelling located at 46 Pine Hill Rd; Parcel ID 009/024.00, Zone: medium density residential*

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

**Pierre Couture (CUP Comm center/rec facility)**

**Request by Pierre Couture for conditional use review for the conversion of an existing barn into a community center/recreation facility located at 29 Little John Rd, Parcel**

**ID 006/051.00; Zone: Medium Density Residential; CUP- 17000003**

Date: July 25, 2017

**STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,**  
**PLANNING OFFICER**  
**New narratives is Bold**

**This is a warned public hearing continued date certain from July 12, 2017.**

**Just prior to the July meeting, Mr. Couture submitted an email providing additional information based on questions that came out of the first review back in May. The email is included in your packet and it attempts to provide additional information regarding hours of operation, lighting, traffic and parking. He notes in the email that he'd be providing a parking plan but one hasn't been submitted yet.**

**Essentially Mr. Couture is stating that the hours of operation will vary, sometimes during the day, sometimes at night but that any amplification will end at 10:00pm and all events will end at midnight. No lighting is being proposed except for what is mounted on the building's exterior. Traffic will not change significantly according to Mr. Couture because the traffic is already being generated for weddings that are currently being held at the Lodge but will move to the new venue. While no parking plan has been submitted, Mr. Couture indicates that there will be 50 gravel (I believe) parking spaces and another potential 25 that can use grassed areas.**

Below are my comments from last month's meeting.

The applicant is proposing to refurbish an existing barn he owns and convert it to a wedding and event venue. The applicant currently operates a similar operation just up the road at Millstone Hill Lodge and has hosted numerous large events including weddings. The applicant hopes to preserve the existing barn by repurposing it and expanding his existing business.

When asked about doing this, I determined that seeking a conditional use permit for a community center/recreation facility fairly closely matched the intended use. The definition is as follows: A building, together with accessory buildings and uses, used for recreational and cultural activities operated for profit for the benefit of the community. Community center/recreational facility is allowed by conditional use permit and is listed under the heading places of assembly.

The plan calls for later this summer, the barn getting a significant renovation preparing it for an event hall. In all the hall will consist of three floors, ground floor is the entrance, the second floor will house the main events hall that will include a kitchen, the third-floor mezzanine will have additional seating. Bathrooms will be located on both the first and second floor.

Parking will be located to the rear of the property access by a second driveway.

### CONDITIONAL USE CRITERIA

Below are the conditional use review standards in accordance with Article 5, section 5.5 of the Barre Town Zoning Bylaw.

#### GENERAL REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL

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

**1. The impact on the capacity of existing or planned community facilities:**

**a. Emergency services**

As a public facility, there could be impact on Police, Fire, and EMS. However, the nature of and the periodic use of the facility especially the fact that it won't be used in the winter seems to lend itself to having little impact on emergency services.

**b. Educational facilities**

Nature and use of this facility will not impact educational facilities.

**c. Water, sewer, or other municipal utility systems**

The facility will connect to municipal sewer but will use onsite. The Town has the ability to serve this building and the proposed use. The total number of sewer units will be determined by the Town Engineer. However, it is unlikely given the periodic use of the building that more than one sewer unit will be needed for the events hall. A sewer permit will have to be obtained (\$1,500 per sewer unit)

**d. Recreational facilities**

No impact on existing recreational facilities.

**2. Conservation or other designated natural areas**

While there is no known conservation or designated natural areas, the proposed renovations to the barn that was built in the 1800's likely does in and of itself pose conservation of a historic building whether designated

or not. This could potentially be a good adaptive reuse of an existing barn.

### **3. Solid waste disposal facilities**

Normal trash disposal will be utilized and will be taken to the nearest landfill facility.

### **4. 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 general area that the barn is in is mostly residential, both single and multi-family and relatively dense. There is a large undeveloped area behind and to the East of the barn. As previously mentioned the applicant does operate a similar business about 1,000' up the road. There are some commercial and industrial uses not far away as well as the Town's forest.

The purpose statement in the Zoning Bylaw states the following: This principally residential district is designed to provide areas where moderate density residential development may occur in a rural suburban setting. It is also important to note that the zoning across the street is very high density residential with the following purpose statement: This district is designed 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.

This criterion is likely the hardest to work around. While the applicant operates a similar type of business close by, this facility will be in close proximity to residential uses and will likely impact them. I think more discussion needs to occur about the impact on the neighbors regarding potential traffic, noise, etc. How might some of the impacts be mitigated. Will there be outside P.A. and outdoor activities?

The applicant testified last month that any amplification will cease at 10:00pm.

Two neighbors attended the May hearing and testified that the applicant has been very courteous to them in the past. Acknowledge that being close to the event may cause more noise and had some concern about that.

### **5. Traffic on roads and highways in the vicinity;**

Little John Road is a Town class 3 paved road served by Church Hill Road. It is likely that there will be an impact with regard to traffic but to what

degree and how much more than there already is because of the applicants existing operation. The Town road network should be able to handle the traffic, its more a matter of how it may affect the neighborhood. More discussion about traffic is warranted.

**This was discussed last month and the applicant is supposed to come back this month with a little more information on traffic.**

**6. Zoning bylaws and bylaws then in effect;**

The Barre Town Zoning Bylaw is silent on the use of a wedding hall. The closet thing allowed in zoning and I think fits is the community center/recreational facility as noted in the opening. Community center/recreational facility is where places of large assembly is contemplated. Community center/recreational facility is allowed by conditional use permit.

**7. Utilization of renewable energy resources.**

No renewable energy resources are being considered to my knowledge.

**8. Any required extension or capital expense to the present maintained highway system;**

No extension to the highway system is necessary and no new capital expense.

**9. The impact on neighboring uses;**

See character of the area #4 above

**10. Intrinsic capability of the land and its surrounding areas to support the use;**

The land and the surrounding area can likely handle the periodic proposed use.

**(B) SPECIFIC REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL**

**1. Minimum lot size;**

1.0 acre with municipal sewer, onsite water. Parcel size is 12.8 acres.

**2. Distance from adjacent or nearby uses;**

Nearby residential uses are in very close proximity (across the street)

**3. Criteria as adopted relating to site plan review pursuant to Article 5, Sec. 5.6 (6) of this bylaw;**

N/a

**4. Any other standards and factors that the bylaw may require;**

N/a

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

The applicant proposes to create a new parking lot behind the existing barn accessed by a new driveway. It is unclear how many vehicles that the new parking lot will hold so more information would be helpful. Having said that, there is plenty of field that could likely also hold parked cars.

Parking was discussed last month and the applicant is planning to come back with more detail regarding the parking area.

In addition, it is important for the DRB to know that the applicant is also seeking additional curb-cut authorization from the Planning Commission. The property already has two curb-cuts, one to the house and one to the front of the barn. The third curb-cut would provide access to the event parking behind the barn. The Planning Commission heard the request at its May meeting but continued it to the July meeting so that the applicant could consider other options.

**6. Loading/unloading facilities.**

N/a

**While we have a little more information for this meeting based on the email received July 12, 2017, I'm not sure it's all that the board was seeking. Maybe Mr. Couture can offer more at the meeting. Of course, the biggest concern (I believe) is what effect this proposed use will have on neighbors.**

**ADDITIONAL COMMENTS:**

Couture states that he would only have two curb-cuts open at one time. Couture provided a map that showed his plans for the curb-cuts. On event day, he would close curb-cut A which leads to the house and B&B, curb-cut B would be access to the front of the barn and curb-cut

C would be to the parking. On nonevent days, he would have a curb-cut C close. Reaves asked why Couture wouldn't eliminate curb-cut A. Couture states that driveway A is the main driveway to the house and having A and B open it helps move cars through. Couture states they need all 3 curb cuts so the parking can be in the back of the building.

Reaves asked if the meeting was warned and the public notified of the meeting. Violette states that all the abutting neighbors have been notified and we have had a few people call into the office but no one present to voice their concerns. Couture has been hosting events for the last 10 years at the barn and has done a good job with them. Possibly the neighbors are not worried about the event moving down further. Violette also states that Mr. Couture has gone to each neighbor talking to them and letting them know what his plans are. Violette states that it may be why people haven't shown up.

Sanborn states since this is a conditional use permit and we don't know the impact that it will have on neighbors that maybe they put a condition on the permit that he needs to return in two years to review how things are going. Sanborn would like to know if the board needs to limit the number of events. Sanborn also states that the definition for the community center is different than what Mr. Couture is doing. Sanborn feels that a community center is for the community to use whenever they want and as a wedding venue people are not free to use it whenever they like.

Mr. Couture states that he has been running MillStone for 10 years and he has worked hard to make that a community event center as well. He states that he has done a ton of work with the MillStone Trail and Boy Scouts with having fundraiser and camping event there, the high school does their trail running up there. Couture states that he has donated the use of the MillStone lodge for community events several times. He also states that he has done his best to keep the barn around and things the way they have always been. He would like to see the barn restored because it is the oldest barn still standing in Barre. He states that he has three options, one tear the barn down, restore it for agricultural use, or restore the barn into something that will uplift the neighborhood. Mr. Couture states that he cannot spend the amount of money it will take to restore the barn to have to come back in two years. He feels that if that condition is placed then he would be better off tearing down the barn. Mr. Couture feels that the neighbors didn't come to the meeting because he has talked to all of them and shown them what he is going to do.

Sanborn states that Mr. Couture has done a great job at MillStone but this is moving close to the neighbors and he doesn't see how the definition of community center fits. Mr. Couture states that he will have to make money to pay for the renovations but there will be community events there like at the MillStone.

Violette agrees that there is a leap in the definition but it was the closest he could come up with. Violette states that he would like to see the barn restored and repurposed. Violette states that he feels that it is a plus for the community and could become part of the community. If Mr. Couture didn't come to this board then he would be going before the Planning Commission with the same application, effecting the same people who are not here

tonight. The definition also states, "for profit" and that's why it is under the community center definition.

Nicholson questioned the number of events. Mr. Couture states that he wouldn't be able to put that kind of money into the barn and then limit the number of events. He would be fine with restricting the noise and time events end. He has those in place now on his current venue and would have them at this location as well. He has the amplification end at 10pm, a wind down period, then the event ends. Mr. Couture states that they have a mix of weddings, family reunion, conferences now and feels he would have the same types of events down the road.

Nicholson questions what the heating situation is. Mr. Couture states that the kitchen, apartment will be heated. Nicholson asked Mr. Couture what the time frame he is planning on running. Mr. Couture states May 15<sup>th</sup> to October 15<sup>th</sup>.

Reaves questions if the DRB has ever put a 2-year condition on a project. Violette states the DRB doesn't but the PC has. Reaves feels that they could set hours of operation and season. Reaves doesn't agree with setting a 2-year review on someone spending that much money on a business because no one would ever start a business in Barre Town.

Reaves feels that if amplification ends at 10pm then the people should be packing up and leaving, agrees that May 15<sup>th</sup> to October 15<sup>th</sup> is a reasonable season. Mr. Couture states that on occasion people will have a bonfire after the amplification ends until 11pm and then they make their way back into the lodge.

Neddo clarifies where the bonfires will be taking place. Couture states that they are in the field behind the barn, that is the current location now and they will continue to be there. Mr. Couture states that he has a mowed path and lights the way from the lodge to the bonfire now and will continue to do that. He obtains the necessary permits for the bonfires.

Richards states that if he was a builder and someone put a 2-year limit on a project, he wouldn't build. He would go to another town because who knows if he would even be in business in 2-years.

Neddo questions if there are going to be any opening in the building that will make it louder for the neighbors. Mr. Couture states that there will be doors in the back of the barn that will be able to be opened. He has designed the building to amplify the music in the back of the building, like the tent is currently doing now.

Driscoll states that he feels with the right conditions this could be a great wedding venue.

**MOTION & RECOMMENDATION:**

***A motion was made by Reaves, seconded by Neddo the Development Review Board voted to approve the request by Pierre Couture of a conditional use permit for community event center/***

*recreation center with the following conditions amplification ends at 10pm with event ending at 11pm, when amplified music is playing all windows and doors must be closed in the front of the barn, months of operation May 15<sup>th</sup> to October 15<sup>th</sup>, any outdoor lighting must be LED and down cast, only two curb cuts open at one time (pending PC approval) located at 29 Little John Rd; Parcel ID 006/051.00; Zone: medium density residential; CUP-17000003.*

## **Mike Bilodeau – CUP Mobile Home Park**

**Request by Mike Bilodeau for conditional use review in accordance with Barre Town Zoning Bylaw Article 4, sec 4.15 for the creation of a 4-unit mobile home park on open land adjacent to 770 East Barre Road (Rt. 302); Parcel ID 006/068.01; Zone: highway commercial; CUP-17000006**

Consultant: Brad Ruderman & Associates, inc.

Date: August 4, 2017

### **STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,**

#### **PLANNING OFFICER**

#### **New information is in bold**

This is a warned public hearing (**continued from the July meeting**) for the purpose of conditional use review in accordance with Article 4, section 4.15 of the Barre Town Zoning Bylaw whereas the applicant is proposing to create a four-unit mobile home park. The subject parcel is in a highway commercial zone along East Barre Road (Rt. 302) behind and to the left of the Dollar General. The parcel subject to the request is 1.21 acres with municipal water and sewer available.

The applicant has been looking at developing this lot for some time with a residential use but the zoning prevented any sort of single-family housing and multi-family housing would have had to be at least 8 units. Creating the mobile home park as allowed for in zoning seemed to be his best option and he'd like to proceed that way.

**There were numerous questions that came out of the meeting in July and unfortunately the applicant came into the meeting shortly after that discussion. I wrote the applicant a letter on July 26, 2017 outlining both mine and the boards concerns or desire for more information. As of this writing I haven't received any updated plans or other information.**

**Below is a summary of the items more detail is needed:**

- Ability to serve letter for water from the City of Barre**
- Clarification whether an amended State access permit is necessary**
- More detail regarding the access and parking**
- Landscaping**

**Lighting**  
**Stormwater management**

CONDITIONAL USE CRITERIA

Below are the conditional use review standards in accordance with Article 5, section 5.5 of the Barre Town Zoning Bylaw.

GENERAL REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL

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

**1. The impact on the capacity of existing or planned community facilities:**

**a. Emergency services**

The addition of four single-family one-bedroom mobile homes should have little impact on the emergency services.

**b. Educational facilities**

Again, as the applicant suggest, four single-family one-bedroom mobile homes will not have a great impact on educational services, they don't appear to be conducive to families.

**c. Water, sewer, or other municipal utility systems**

Municipal water and sewer is available to service these mobile homes. Barre Town's municipal sewer system has the capacity to serve, each mobile home will have to obtain its own sewer allocation permit (\$1,500 each). The applicant will need to secure an ability to serve letter from the City of Barre with regard to domestic water service.

How these services are going to provided should be reviewed during site plan review.

**d. Recreational facilities**

Like the educational services, these four mobile homes shouldn't have any impact on existing recreational services and no new ones will be required.

## **2. Conservation or other designated natural areas**

There is no know areas of conservation or other designated natural areas.

## **3. Solid waste disposal facilities**

Solid waste will be the responsibility of the landowner as I understand it. Solid waste much be collect in an approved manner and disposed of properly. This is most commonly done by using a trash hauler or taking solid waste to places that offer drop off service. In any case, the additional of four single-family dwellings should not but a burden on solid waste disposal facilities.

## **4. 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 character of the area affected is best described as mixed use. Even though the zoning is highway commercial in this area, there is a mixture of commercial and residential, some of the residential is multi-family.. Below is the purpose statement for highway commercial zoning:

*This district allows for large, higher intensity commercial developments such as automotive oriented businesses that either by their volume or by the nature of their business require larger lots than those in the other commercial districts. Uses include those generally associated with the traveling public such as overnight accommodations, gas stations, grocery stores and restaurants, which inherently see more traffic from customers and deliveries than office buildings.*

So, while it is hard to describe a mobile home park as really fitting into the purpose statement for the zone, it is allowed by zoning in this zone. With regard to the lot it sits on, it is a back lot and relatively small so it may not be overly conducive to commercial development anyway.

## **5. Traffic on roads and highways in the vicinity;**

Access to the proposed park will be by way of an easement using the existing Dollar General entrance from East Barre Road. East Barre Road, also known as US Rt. 302 is a Federal/State class 1 paved road. The addition of the four mobile homes won't cause a noticeable increase in traffic that can't be handled.

I do question whether a new State access permit is required because of the change of use of the access. The access is already shared by Dollar General and the applicant's business that is located adjacent to it. Adding a residential use may require an amended State permit and the applicant should check into this and see if a new letter of intent from the Agency of Transportation is required.

Access to this site and the home should be shown in more detail during site plan review.

**6. Zoning bylaws and bylaws then in effect;**

Article 4, section 4.15 allows for mobile home parks in highway commercial zones. Site plan approval is also required. The applicant must meet several conditions including needing a minimum of 10,000sf per mobile home for the overall lot size, at least one-off street parking space for each home, home can't be any closer than 20' to one another, and out buildings must be at least 15' away from another home.

Notable here is that it is likely that the 10,000sf requirement limited the applicant from placing more than 4 mobile home at this site.

**7. Utilization of renewable energy resources.**

It is not expected or required that any renewable energy resources will be used with this project.

**8. Any required extension or capital expense to the present maintained highway system;**

There will be no extensions to the highway system.

**9. The impact on neighboring uses;**

Because the location of the proposed mobile home park is in a mixed-use area with single and multi-family uses nearby and a retail commercial business right next door, it's hard to see how there would be a negative impact on neighboring uses. I guess that if there is any impact it might be on the project but that is the applicants concern.

**10. Intrinsic capability of the land and its surrounding areas to support the use;**

I am unaware of any issues that wouldn't allow the land to support the use. The Jail Branch River is not far away and the applicant knows that

a 50' buffer has to be maintained.

**(B) SPECIFIC REVIEW STANDARDS FOR CONDITIONAL USE APPROVAL**

**1. Minimum lot size;**

Minimum lot size in a highway commercial zone is 2 acres. The lot size of the subject lot is 1.2 acres but it was created prior to highway commercial zones being established and therefore is grandfathered.

**2. Distance from adjacent or nearby uses;**

Nearby uses are in close proximity to this proposed development.

**3. Criteria as adopted relating to site plan review pursuant to Article 5, Sec. 5.6 (6) of this bylaw;**

The proposed use is also seeking a concurrent site plan approval (SP-17000003)

**4. Any other standards and factors that the bylaw may require;**

N/a

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

The Zoning Bylaw allows for only 1 parking spot per unit. However, our normal parking requirement calls for two parking spaces for each unit. I'd prefer to make sure there is enough room for two vehicles at each unit.

**6. Loading/unloading facilities.**

N/a

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

As far as the conditional use permit goes, it appears as the applicant meets the requirements.

**Without any additional information, we are really at the same place we were at the July meeting. Unless the requested information is provided or clarification is given that the board is comfortable with, I suggest continuing this request again date certain to September 13, 2017.**

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

**ADDITIONAL COMMENTS:**

Mr. Bilodeau provided a map from his consultant at the meeting. Mr. Bilodeau states that they have addressed all the above concerns except the ability to serve letter from Barre City and the State access. Mr. Bilodeau states that he already has a few changes to plan that he would like to make regarding lighting because it is kind of dark behind there. He has 2 car parking per unit, cedar headages to separate the mobile home park and Dollar General, drainage is going to be aimed to the back of the lot. Mr. Bilodeau states the plans meet setbacks, he is going to have each unit 23 feet apart. He would like to target elderly people, he has one-bedroom units that he is going to be installing, they are 2017 mobile homes with heat efficient heaters. Mr. Bilodeau explains the parking and lay out of the mobile homes.

Sanborn questions if there will be overflow parking. Bilodeau states there will over flow parking for company, since he is hoping to rent to older people he has made sure there will be enough room for emergency service vehicles to get back and turn around.

Reaves questions if there was a drainage issue/easement between Dollar General and the apartment house. Bilodeau states that Dollar General spent quite a bit of money installing a proper underground drainage system.

Thygesen would like to see more lighting added to plans. Bilodeau agrees with adding more lighting and plans to do that.

Nicholson asked if Harry needed to review the drainage system. Violette states it wouldn't be a bad idea to have him look it over.

**MOTION & RECOMMENDATION:**

*A motion was made by Sanborn, seconded by Reaves the Development Review Board voted to approve the request by Mike Bilodeau of a conditional use permit for a 4-unit mobile home park on open land adjacent to 770 East Barre Rd with the following conditions, a letter for Barre City ability to serve water to mobile and clarification on access from the State; Parcel ID 006/068.01; Zone: highway commercial; CUP-17000006.*

**J. SITE PLAN REVIEW**

- 1) PRELIMINARY REVIEW
- 2) WARNED PUBLIC HEARINGS

**Mike Bilodeau – Site Plan Mobile Home Park**

**Request by Mike Bilodeau for minor site plan review in accordance with Barre Town Zoning Bylaw Article 4, sec 4.15 for the creation of a 4-unit mobile home park on open**

**land adjacent to 770 East Barre Road (Rt. 302); Parcel ID 006/068.01; Zone: highway commercial; SP-17000003**

Consultant: Brad Ruderman & Associates, inc.

Date: July 25, 2017

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

**PLANNING OFFICER**

**New information is in bold**

This is a warned public hearing (**continued from the July meeting**) for the purpose of site plan review in accordance with Article 4, section 4.15 of the Barre Town Zoning Bylaw. The applicant is proposing to create a four-unit mobile home park and site plan review and approval is required.

**Similar to the conditional use request for this same project, none of the points discussed last month have been addressed.**

The applicant has provided an engineering sketch of the proposed project. The sketch shows access from East Barre Road (US Rt. 302) by way of an existing access that is currently shared with another lot owned by the applicant and the Dollar General Store. What is currently a 25' easement to the lot in question is shown to be increased by the applicant to a 50' wide easement. No actual driveway is shown.

As noted as part of the conditional use review I am wondering whether an amended access permit is required from the State of Vermont.

The four mobile homes are depicted on the subject lot as being 25' apart from one another and meeting the required zoning setback and setback from the Jail Branch River. A 20 separation is required.

The mobile homes are proposed to be small homes at 8' wide and 53' long. No access to the homes is shown and no parking areas are either. Zoning requires a minimum of one parking space for each home, two would be better.

The mobile home will be served by municipal sewer and water. As noted in the conditional use permit request, the Town can serve these lots with sewer, most likely the city does as well, but an ability to serve letter must be obtained.

Nothing on the plans or a narrative discuss how stormwater is going to be handled. More detail on that will also be required.

Finally, no landscaping is be shown but should and what kind of lighting is being proposed.

**SUMMARY OF RECOMMENDATIONS & CONDITIONS:**

**Due to a lack of information as requested in the letter mailed to the applicant on July 26<sup>th</sup> as noted in the conditional use comments I suggest a continuance date certain September 13, 2017.**

**ADDITIONAL COMMENTS:**

See above comments with the addition of improving and adding LED, down cast street lighting, showing the 4<sup>th</sup> unit's parking on the map with overflow parking, improving landscaping. The DRB would like an update plan for final review.

**MOTION & RECOMMENDATION:**

***A motion was made by Reaves, seconded by Driscoll the Development Review Board voted to continue this request by Mike Bilodeau with date certain to September 13, 2017, for final review of site plan for a 4-unit mobile home park on open land adjacent to 770 East Barre Rd; Parcel ID 006/068.01; Zone: highway commercial; SP-17000003.***

**K. CONCEPTUALS**

**L. FOLLOW-UPS: NONE**

**M. CORRESPONDENCE- NONE**

STATE  
TOWN  
MISCELLANEOUS

**N. ROUNDTABLE:** The DRB thanked Shaun Driscoll and Greg Richards for their time on the DRB and wished them good luck on their next adventures.

**O. ADJOURN!**

***On a motion by Driscoll, seconded by Richards, the Development Review Board voted unanimously to adjourn @ 8:43pm.***

Respectfully Submitted,

Emily Marineau

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Mark Nicholson, Chair

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Cedric Sanborn

Charlie Thygesen Sr.

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Mark Reaves

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Shaun Driscoll

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Jon Valsangiacomo

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Greg Richards

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Jim Fecteau

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Chris Neddo

DRAFT