

BARRE TOWN DEVELOPMENT REVIEW BOARD

MINUTES FOR JANUARY 13, 2016

The Barre Town Development Review Board held a public meeting & hearing on Wednesday, January 13, 2016 at 7:00 p.m. at the Municipal Offices, Websterville, Vermont

Members Present:

Mark Nicholson, Chair
Mark Reaves
Jim Fecteau
Jon Valsangiacomo – 7:04 p.m.

Cedric Sanborn
Charlie Thygesen
Shaun Driscoll

Members Absent:

Greg Richards

Others Present:

Perry & Kathy Grange
Pam Hislop

Bruce Sanborn
Lisa Lamdin

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. CHANGES TO THE AGENDA - NONE**
- E. APPROVE MINUTES**

On a motion by Sanborn, seconded by Reaves, the Development Review Board voted to approve the minutes from the December 9, 2015 meeting.

- F. NON AGENDA ITEMS (max 10 minutes)**
- G. SUBDIVISION REVIEW**

1) PRELIMINARY REVIEW

APPLICANT: **THYGESEN**

Request by Charles & Beverly Thygesen for preliminary approval a 2-lot subdivision on property located off Meadow Wood Drive; Parcel ID 022/024.00; Zoned: High Density Residential; P-1500020

Consultant: Chase & Chase

Date: January 8, 2016

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a preliminary request for a two lot subdivision of land for the purpose of creating a new building lot. The subject parcel is located off Meadow Wood Drive in a high density residential zone. The minimum lot size when municipal and off-site water is used is 1/3 of an acre. The subject area is residential in nature on lots similarly sized to the lot being proposed. The proposed plan includes two boundary line adjustments that will be subject to review later on this same agenda.

The lot subject to this request is currently 66.8 acers (plan) 59.7 (assessors) with road frontage on Meadow Wood Drive, Holden Road, and Middle Road.

The proposed lot, shown as lot 2 on the plans, will be .9 acres in size with access by an easement across the parent lot (lot 1). The intent is for the new lot to not have road frontage, which means the access easement will need to be 25' in width. Sewer is proposed to be municipal using a pump station and a long forcemain sewer line across lot 1 to the other side of Meadow Wood Drive and along Meadow Drive in an easterly direction before connecting to the municipal main. Water service again is off lot, proposing to connect to a private water system for which the applicants assert they have capacity to serve. The water line will also need a long easement across lot 1.

The proposed new lot is proposed for the purpose of a single-family dwelling.

A few things crop up when reviewing this proposal.

According to the plans, the outline of the Town road right-of-way appears to touch the northeast corner of the proposed lot. While maybe not directly "road" frontage, that hasn't mattered in other requests, the right-of-way has been used to declare frontage when necessary to create a conforming lot. If this lot truly touches the road right-of-way it would not be conforming. The lot may have to be adjusted slightly.

With regard to the long forcemain sewer line, even though the sewer is on the same side of the road as the proposed new lot, the proposed line crosses below Meadow Wood and runs in an easterly direction for quite a long way. Even if the sewer line ran along the road on the same side it would still require a fairly long sewer line. The Town Engineer is satisfied with what is being proposed.

Water supply is from what is known as the Mountain View Acres water system. This system apparently dates back into the early 70's when the other lots in this area were first being developed. The Thygesen's were the creators of this water system. I'm not sure how many other houses are connected to this private system, but the applicant claims to have at least three connections available. Like any other request we

should have confirmation of an ability to serve the proposed new lot with water.

This request is on this agenda later for final approval as well. However, there are several questions that hopefully can be answered before final. Those questions include, is the lot actually touching the right-of-way of Meadow Wood Drive? Does the Mountain View water system have the ability to serve? Why is there a large discrepancy in the land size of the parent lot, 66.8 acres according to the plans and 59.7 according to the accessing records?

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

I have reviewed the subdivision request and have comments relating to sewer and road access issues.

The sewer force main is a long run at approximately 640' +/- to the point of main line connection. The jurisdiction for the edge of the service territory is somewhat in question but it is questionable as whether this proposed lot would fall within the service territory. The nearest lot up hill is already served by a force main sewer making the proposed lot over 300' away by the shortest distance available. Based on my previous experience, providing sewer service by force for this parcel could be question for the Sewer Board to resolve. I have no problem with serving by the force main proposed. **This situation may actually be beyond the reasonable limit for service at the very least it may be something to send to the Sewer Board for clarification. The developer will need to make it clear to whoever the lot is sold that the new owners will be responsible for the repairs and maintenance of the line after it is installed.**

The access off the Town's Right-of-Way beyond the cul-de-sac may need a drainage culvert. This should be clarified as to whether a culvert is needed. Since one will most likely be needed, the minimum size culvert would be 18" diameter. The developer is requesting a right-of-way beyond the driveway and as such the culvert should be an improvement that is paved at least in part by the developer.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Hopefully the question above and be resolved before the meeting allowing this proposed subdivision to move to final.

ADDITIONAL COMMENTS:

Thygesen recused

CV gave a summary with changes relevant to the comments since they were written.

Lot size changed to 1-acre after concerns were raised by Violette.

Property line will be moved 10' down, making the right-of-way 60', and making sure the new lot doesn't have road frontage.

The site will have a drilled well and will not access the shared-well for the development.

There will be an easement across Thygesen's for sewer access.

CV stated as proposed now the lot is conforming.

Thygesen stated he can use the man-hole in front of the Hislop/Sanborn dwelling if need be.

Sanborn clarified that the sewer will be across the road and on Thygesen’s property.

Pam Hislop – stated the manhole is falling apart and smells.

Sanborn suggested that the 18” culvert should be added to the conditions for final.

MOTION & RECOMMENDATION:

On a motion by Sanborn, seconded by Reaves, the Development Review Board voted to grant preliminary approval to Charles & Beverly Thygesen for preliminary approval a 2-lot subdivision on property located off Meadow Wood Drive; Parcel ID 022/024.00; Zoned: High Density Residential; P-15000020

DISCUSSION:

CONDITIONS Yes ___ No ___
MOTION BY: SANBORN
SECOND BY: REAVES

ROLL CALL:

Mark Nicholson YES
Charles Thygesen, Sr. RECUSED
Cedric Sanborn YES
Mark Reaves YES
*Jim Fecteau YES
Jon Valsangiacomo YES
Shaun Driscoll YES
Greg Richards ABSENT
*John Hameline ___

**Alternate Development Review Board Members*

2) WARNED PUBLIC HEARINGS

APPLICANT: **FECTEAU**

Request by Viateau & Patricia Fecteau for final approval for a 4-lot subdivision on property located off Beckley Hill Road; Parcel ID 008/029.00; Zoned: Medium Density Residential; P-15000013

Consultant: Chase and Chase

Date: January 8, 2016

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the purpose of considering approval of a four lot subdivision. This plan was given preliminary approval last month and moved to final this month. The current lot is shown

to be 33 acres in size and is located in a medium density residential zone which has a 1 acre minimum lot size when municipal sewer is used with onsite water. Minimum road frontage is 200 feet. The subject parcel is located in a residential area with medium sized lots.

The plan creates lot 6 at 1.41 acre in size with the applicants existing homestead located on it. The lot is shown to have 218 feet of road frontage along another proposed road but not the same one that the access is currently or proposed to be. Municipal sewer will service this lot. Water is onsite.

The plan creates lot 7 at 1.01 acres. Lot 7 is proposed with a single-family dwelling with 307 feet of road frontage and access off the proposed new road. Municipal sewer will service this lot, water is onsite.

The plan creates a 1.92 acres parcel that is intended to be conveyed to the Town of Barre for the purpose of new Town roads. Last month's plans showed a .55 acre parcel to be conveyed but this month's plans correctly includes it as part of the overall land to be conveyed to the Town. That land includes the existing shared driveway that provides access to the homes that already exist along with a strip of land that contains the sewer line. Two roads will be developed over this land encompassing the existing shared driveway and a new road that will head towards the northeast. This segment of proposed road will connect with another that is part of the three lot Fecteau Residential subdivision on this same agenda.

Remaining land is shown to be 28.6 acres and does not have road frontage but does have access to what will be a Town road by way of a 60 foot right-of-way. This right-of-way will need to be created immediately in order to make this lot conforming.

Plan submitted now show details with regard to the road construction of two new roads and a sewer line extension. This first road consists of the existing driveway and will be 679 feet long. The second road, which along with the three lot subdivision of Fecteau Residential on this same agenda will be approximately 610 feet long. The sewer line extension of 300 feet is incorporated into the second road.

The applicant was directed to get Selectboard approval of the second road (first road is already approved) and sewer line extension between last month's preliminary approval and this month's final. The applicant did get on the Selectboard's January 12th agenda but that meeting was subsequently canceled. The applicant will now be on the January 19th Selectboard agenda.

Normally final approval wouldn't come without Selectboard conceptual approval but in this case I suggest conditioning final approval that Selectboard approval of the road and sewer extension is required. It was not the applicant's fault they didn't get the Selectboard's blessing before this meeting.

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

I have reviewed the subdivision request and have comments relating to road, sewer and stormwater run-off issues.

The road segment proposed in in the development consists of an extension of 610' +/- off the new rod accessing this property from Beckley Hill Road. The new road will be a total of 350' +/- from Beckley Hill for a total of 960' +/- **The road will have issues should the developers wish to extend it further in the future.**

There will be a sewer line extension of 288' of 8" sewer to serve the proposed development. This sewer will need to be reviewed for take-over by the Town. It does not need to have the density requirements to

meet the Town's policy for sewer extension and take-over since it is within the Sewer Service Territory as outlined for the Beckley Hill Area.

The drainage and run-off in several areas needs to be addressed with this project proposal.

Along the westerly side of new V & P Lot #7, the swale will need to have erosion control measures (either stone lined ditch or check dams and erosion matting) provided as there is some serious erosion along the lot line already.

I don't think the headwall treatment at the intersection of the new road segment is sufficient. **Drainage at the intersection of the new road segment and the existing shared roadway needs a better headwall arrangement prior to going into the entrance of the 30" HDPE drain pipe under the new road segment.**

The erosion issues downstream (west) of the drainage outlet of the 30" HDPE also need to be mitigated as there are already some serious erosion issues to abutting neighbors Lamdin, Carboneau and Raspe. There may need to be detention measures provided to assist in the impact for this downstream area.

CV's SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approval of this four lot subdivision.

1. The Selectboard must agree to the proposed road extension within 30 days of this approval or the subdivision will be null and void.
2. The 60 foot easement from land of Danny Fecteau to the remaining land must be executed within 30 days.
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 unless a request to extend is made and approved by staff.
5. An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final 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 go back before the Development Review Board for approval of the proposed change.
7. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

8. Along the westerly side of new V & P Lot #7, the swale will need to have erosion control measures (either stone lined ditch or check dams and erosion matting) provided as there is some serious erosion along the lot line already.
9. Drainage at the intersection of the new road segment and the existing shared roadway needs a better headwall arrangement prior to going into the entrance of the 30" HDPE drain pipe under the new road segment.
10. The erosion issues downstream (west) of the drainage outlet of the 30" HDPE also need to be mitigated as there are already some serious erosion issues to abutting neighbors Lamdin, Charbonneau and Raspe. There may need to be detention measures provided to assist in the impact for this downstream area.

ADDITIONAL COMMENTS:

Fecteau recused.

CV gave a summary of this agenda item.

CV stated that the Fecteau's were supposed to go to the Selectboard, but the meeting was canceled and they were unable to attend, however they are on the January 19th agenda. CV recommends approval.

Erosion measures are being taken care with approval from the Town Engineer and will recommend to the Selectboard road approval.

MOTION & RECOMMENDATION:

On a motion by Sanborn, seconded by Reaves, the Development Review Board voted to approve the request by Viateau & Patricia Fecteau for final approval for a 4-lot subdivision on property located off Beckley Hill Road; Parcel ID 008/029.00; Zoned: Medium Density Residential; P-15000013; Approval is subject to conditions 1 – 10.

DISCUSSION:

CONDITIONS Yes X No _____
MOTION BY: SANBORN
SECOND BY: REAVES

ROLL CALL:

Mark Nicholson <u>YES</u>	Jon Valsangiacomo <u>YES</u>
Charles Thygesen, Sr. <u>YES</u>	Shaun Driscoll <u>YES</u>
Cedric Sanborn <u>YES</u>	Greg Richards <u>ABSENT</u>
Mark Reaves <u>YES</u>	*John Hameline <u>___</u>
*Jim Fecteau <u>RECUSED</u>	

**Alternate Development Review Board Members*

APPLICANT: **FECTEAU**

Request by Fecteau Residential for final approval for a 3-lot subdivision on property located off Nichols Rd; Parcel ID 008/021.02; Zoned: Medium Density Residential; P-15000016

Consultant: Chase and Chase

Date: January 8, 2016

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for consideration of a three lot subdivision of land. The subject parcel is currently 29.9 acres and is located in a medium density residential zone which has a minimum lot size of one acre when municipal sewer is used with onsite water. Minimum road frontage is 200 feet. The subject parcel is located in a residential area with medium sized lots.

The plan creates lot 4 at 3.18 acre in size. The lot is proposed with a single-family dwelling with access of a proposed new Town Road. The lot is shown to have 200 feet of road frontage along the proposed road. Municipal sewer will service this lot. Water is onsite.

There is proposed an unnumbered lot of .22 acres to be conveyed to the Town of Barre for the purpose of a new Town road. This is the extension of the road created as part of the Vic and Pat Fecteau four lot subdivision created earlier on this agenda.

Also shown on the plans is a .03 acre temporary easement from Fecteau Residential to the Town of Barre for a temporary turn-around.

Plans submitted now show details with regard to the road construction and a sewer line extension. The section of road, considered the second road (first road created as part of the V&P Fecteau four lot subdivision), will be 610 feet long. Of the 610 feet, only about 200 feet of the road is being constructed on this lot. The road will end in a right hand hammerhead turn-around. An easement to the Town of Barre is required for that turn-around. The sewer line extension of 300 feet is incorporated into the second road.

The applicant was directed to get Selectboard approval of the second road (first road is already approved) and sewer line extension between last month's preliminary approval and this month's final. The applicant did get on the Selectboard's January 12th agenda but that meeting was subsequently canceled. The applicant will now be on the January 19th Selectboard agenda.

Normally final approval wouldn't come without Selectboard conceptual approval but in this case I suggest conditioning final approval that Selectboard approval of the road and sewer extension is required. It was not the applicant's fault they didn't get the Selectboard's blessing before this meeting.

CV's SUMMARY OF RECOMMENDATIONS & CONDITIONS:

With consideration to the conditions below, I recommend approval of this three lot subdivision.

1. The Selectboard must agree to the proposed road extension within 30 days of this approval or the subdivision will be null and void.
2. One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
3. Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff.
4. An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
5. No changes to the approved plan can be made unless first reviewed by either the Town Planning Officer, or the Town Engineer for a determination of significance. If it is determined that an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
6. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS:

CV provided a brief summary.

CV reminded Fecteau that this plan still needs approval from the Selectboard and that they should attend the next available meeting. In fact the request to conceptually accept the road is on the Selectboard's agenda January 19th.

MOTION & RECOMMENDATION:

On a motion by Sanborn, seconded by Driscoll, the Development Review Board voted to approve the request by Fecteau Residential for final approval for a 3-lot subdivision on property located off Nichols Rd: Parcel ID 008/021.02; Zoned: Medium Density Residential; P-150000016; Approval is subject to conditions 1 – 6.

DISCUSSION:

CONDITIONS Yes X No _____

MOTION BY: SANBORN

SECOND BY: DRISCOLL

ROLL CALL:

Mark Nicholson YES

Charles Thygesen, Sr. YES

Cedric Sanborn YES

Mark Reaves YES

Jon Valsangiacomo YES

Shaun Driscoll YES

Greg Richards ABSENT

*Jim Fecteau RECUSED

*John Hameline ___

**Alternate Development Review Board Members*

APPLICANT: **THYGESEN**

Request by Charles & Beverly Thygesen for final approval a 2-lot subdivision on property located off Meadow Wood Drive; Parcel ID 022/024.00; Zoned: High Density Residential; P-1500020

Consultant: Chase & Chase

Date: January 8, 2016

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

This is a final warned public hearing for a proposed two lot subdivision of land for the purpose of creating a new building lot. This hearing assumes preliminary approval earlier on this agenda. The subject parcel is located off Meadow Wood Drive in a high density residential zone. The minimum lot size when municipal and off-site water is used is 1/3 of an acre. The subject area is residential in nature on lots similarly sized to the lot being proposed. The proposed plan includes two boundary line adjustments that will be subject to review later on this same agenda.

The lot subject to this request is currently 66.8 acers (plan) 59.7 (assessors) with road frontage on Meadow Wood Drive, Holden Road, and Middle Road.

The proposed lot, shown as lot 2 on the plans, will be .9 acres in size with access by an easement across the parent lot (lot 1). The intent is for the new lot to not have road frontage, which means the access easement will need to be 25' in width. Sewer is proposed to be municipal using a pump station and a long forcemain sewer line across lot 1 to the other side of Meadow Wood Drive and along Meadow Drive in an easterly direction before connecting to the municipal main. Water service again is off lot, proposing to connect to a private water system for which the applicants assert they have capacity to serve. The water line will also need a long easement across lot 1.

The proposed new lot is proposed for the purpose of a single-family dwelling.

There were a few items that cropped up during the preliminary review earlier on this agenda. It is hard for me to comment further without knowing how the earlier concerns have been addressed. Below are the comments from the preliminary review.

According to the plans, the outline of the Town road right-of-way appears to touch the northeast corner of the proposed lot. While maybe not directly "road" frontage, that hasn't mattered in other requests, the right-of-way has been used to declare frontage when necessary to create a conforming lot. If this lot truly touches the road right-of-way it would not be conforming. The lot may have to be adjusted slightly.

Water supply is from what is known as the Mountain View Acres water system. This system apparently dates back into the early 70's when the other lots in this area were first being developed. The Thygesen's were the creators of this water system. I'm not sure how many other houses are connected to this private

system, but the applicant claims to have at least three connections available. Like any other request we should have confirmation of an ability to serve the proposed new lot with water.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Final approval would be subject to having received preliminary approval earlier and all other issues worked out. Assuming that is the case, generally the creation of one new lot with off-site service is pretty basic and the board could approve with the following proposed conditions:

1. All easements and/or right-of-ways, as shown on the final (stamped approved) plans by Chase & Chase Surveyors, shall be created when the need arises in order to fulfill the development as proposed and approved. This include: Sewer and water lines as they cross the remaining land as well as an access and possibly a utility easement also across the remaining land.
2. One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
3. Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff.
4. An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
5. No changes to the approved plan can be made unless first reviewed by either the Town Planning Officer, or the Town Engineer for a determination of significance. If it is determined that an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
6. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.
7. Future owners need to be made aware that the sewer line will not be taken over by the Town of Barre to be shown on final plans and in deeds.
8. Thygesen needs to seek an easement from the Town of Barre for the portion of the sewer line that crosses the Town road right-of-way.

ADDITIONAL COMMENTS:

Thygesen recused.

CV gave a brief summary and recommends approval with the added conditions of 7 & 8.

MOTION & RECOMMENDATION:

On a motion by Sanborn, seconded by Fecteau, the Development Review Board voted to approve the request by Charles & Beverly Thygesen for final approval a 2-lot subdivision on property located off

Meadow Wood Drive; Parcel ID 022/024.00; Zoned: High Density Residential; P-15000020; Approval is subject to conditions 1 – 8.

DISCUSSION:

CONDITIONS Yes X No _____
MOTION BY: SANBORN
SECOND BY: FECTEAU

ROLL CALL:

Mark Nicholson YES
Charles Thygesen, Sr. RECUSED
Cedric Sanborn YES
Mark Reaves YES
*Jim Fecteau YES
Jon Valsangiacomo YES
Shaun Driscoll YES
Greg Richards ABSENT
*John Hameline ___

**Alternate Development Review Board Members*

APPLICANT:

THYGESEN / GRANGE

Request by Charles & Beverly Thygesen and Perry & Kathleen Grange for a boundary line adjustment for property located off Meadow Wood Drive; Parcel ID 022/024.00 & 022/019.00; Zoned: High Density Residential; P-15000021 / 22

Consultant: Chase and Chase

Date: January 8, 2016

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the purpose of a boundary line adjustment between two neighboring property owners. The subject properties are located off Meadow Wood Drive in a high density residential zone with minimum lot sizes of 1/3 of an acre when municipal sewer and off-site water is used.

The Thygesen lot is around 60 acres in size while the Grange parcel is .33 acres. The proposal calls for .33 acres to go from Thygesen to Grange doubling the size of the Grange lot to .66 acres. The Grange lot would also pick up additional 50 feet of road frontage. Both lot will remain conforming as a result of the BLA. There do not appear to be any current feature that would be affected by the proposal such as building setback, easements etc.

The main concern with this plan is that while the Granges have signed on as a co-applicant, there are still unanswered questions for them with Thygesen so that they can't make a final decision on whether to proceed with the BLA or not. This is problematic in the sense that if the lot for the BLA is created, do we know for sure it is going to transfer? The .33 acre lot being created to complete the BLA would be nonconforming if not merged with the land of Grange.

Many years ago Mr. & Mrs Thygesen did something similar on a larger scale creating numerous small parcels with the plan of selling them and creating BLA's with abutting property owners. I assume that is what they are hoping to do here now too. However, creating nonconforming lots in the hope of selling them is not the cleanest way to do things.

Hopefully the answers the Granges seek will be answered before the meeting so we know this transfer is going to happen.

If it moves forward, the BLA will have to be completed by transferring the property to the Granges and then they will have to merge the two lots by deed.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I am uncomfortable recommending approval not knowing that the BLA is going to be completed. If the board does grant approval here are some recommend conditions:

1. To complete this boundary line adjustment, a deed conveying the .33 acres from Thygesen to Grange must be completed within 30 days. Said deed must also clearly state that this land is merged, combined as one lot of .66 acres.
2. One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
3. Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff.
4. An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
5. No changes to the approved plan can be made unless first reviewed by either the Town Planning Officer, or the Town Engineer for a determination of significance. If it is determined that an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.
6. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS:

Thygesen and Valsangiacomo recused.

CV gave a summary of this item and indicated that the Granges are still not sure of all the details and whether they want this BLA to move forward.

There are no issues with setbacks.

Nicholson suggested a continuance; Thygesen stated that he doesn't want to wait another thirty days and

doesn't like the policy that he'd have to have a deed in thirty days.

Sanborn stated that the procedure that is always used is to make sure the lots always have a home. Sanborn would like to continuance.

Reaves stated the process works and it's worked in the past. Doesn't have an issue with the boundary line adjustment, but wants to see it to be conforming to the policy in place.

MOTION & RECOMMENDATION:

On a motion by Sanborn, seconded by Reaves, the Development Review Board voted to continue the request by Charles & Beverly Thygesen and Perry & Kathleen Grange for a boundary line adjustment for property located off Meadow Wood Drive until February 10, 2016; Parcel ID 022/024.00 & 022/019.00; Zoned: High Density Residential; P-15000021 / 22

DISCUSSION:

CONDITIONS Yes ___ No ___
MOTION BY: SANBORN
SECOND BY: REAVES

ROLL CALL:

Mark Nicholson YES

Charles Thygesen, Sr. RECUSED

Cedric Sanborn YES

Mark Reaves YES

*Jim Fecteau YES

Jon Valsangiacomo RECUSED

Shaun Driscoll YES

Greg Richards ABSENT

*John Hameline ___

**Alternate Development Review Board Members*

APPLICANT: **THYGESEN / SANBORN & HISLOP**

Request by Charles & Beverly Thygesen and Bruce Sanborn & Pamela Hislop for a boundary line adjustment for property located off Meadow Wood Drive; Parcel ID 022/024.00 & 022/018.00; Zoned: High Density Residential; P-15000023 / 24

Consultant: Chase & Chase

Date: January 8, 2016

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the purpose of a boundary line adjustment between two neighboring property owners. The subject properties are located off Meadow Wood Drive in a high density residential zone with minimum lot sizes of 1/3 of an acre when municipal sewer and off-site water is

used.

The Thygesen lot is around 60 acres in size while the Sanborn/Hislop parcel is .33 acres. The proposal calls for .18 acres to go from Thygesen to Sanborn/Hislop increasing their lot to .51 acres. This BLA would add land to the rear of the Sanborn/Hislop property. Both lots will remain conforming as a result of the BLA. There do not appear to be any current feature that would be affected by the proposal such as building setback, easements etc.

The main concern with this plan is that while the Sanborn and Hislop have signed on as a co-applicant, there are still unanswered questions for them with Thygesen so that they can't make a final decision on whether to proceed with the BLA or not. This is problematic in the sense that if the lot for the BLA is created, do we know for sure it is going to transfer? The .18 acre lot being created to complete the BLA would be nonconforming if not merged with the land of Sanborn/Hislop.

Many years ago Mr. & Mrs Thygesen did something similar on a larger scale creating numerous small parcels with the plan of selling them and creating BLA's with abutting property owners. I assume that is what they are hoping to do here now too. However, creating nonconforming lots in the hope of selling them is not the cleanest way to do things.

Hopefully the answers the Sanborn and Hislop seek will be answered before the meeting so we know this transfer is going to happen.

If it moves forward, the BLA will have to be completed by transferring the property to the Sanborn/Hislop then they will have to merge the two lots by deed.

CV's SUMMARY OF RECOMMENDATIONS & CONDITIONS:

I am uncomfortable recommending approval not knowing that the BLA is going to be completed. If the board does grant approval here are some recommend conditions:

1. To complete this boundary line adjustment, a deed conveying the .18 acres from Thygesen to Sanborn/Hislop must be completed within 30 days. Said deed must also clearly state that this land is merged, combined as one lot of .51 acres.
2. One (1) (18" x 24") recording plat must be submitted to the Planning office for filing in the Town of Barre land records in accordance with Barre Town subdivision regulation and state statute within 180-days of approval.
3. Three (3) sets (24" x 36") paper copies of the final approved plan must be submitted to the Planning Office within 30-days of approval unless a request to extend is made and approved by staff.
4. An electronic copy of the final approved plan provided to the Planning and Zoning Office within 30-days of final approval.
5. No changes to the approved plan can be made unless first reviewed by either the Town Planning Officer, or the Town Engineer for a determination of significance. If it is determined that an proposed change is significant, the plan will be required to go back before the Development Review Board for approval of the proposed change.

6. Failure to comply with any conditions as stated herein, could lead to nullification of this subdivision.

ADDITIONAL COMMENTS:

Thygesen and Valsangiacomo recused.

CV gave a brief summary of this item and indicated that Sanborn/Hislop are still not sure of all the details and whether they want this BLA to move forward.

Board is good with the request, but a continuance is needed.

MOTION & RECOMMENDATION:

On a motion by Sanborn, seconded by Reaves, the Development Review Board voted to continue the request by Charles & Beverly Thygesen and Bruce Sanborn & Pamela Hislop for a boundary line adjustment for property located off Meadow Wood Drive until February 10, 2016; Parcel ID 022/024.00 & 022/018.00; Zoned: High Density Residential; P-15000023 / 24

DISCUSSION:

CONDITIONS Yes ___ No ___

MOTION BY: SANBORN

SECOND BY: REAVES

ROLL CALL:

Mark Nicholson YES

Charles Thygesen, Sr. RECUSED

Cedric Sanborn YES

Mark Reaves YES

*Jim Fecteau YES

Jon Valsangiacomo RECUSED

Shaun Driscoll YES

Greg Richards ABSENT

*John Hameline ___

**Alternate Development Review Board Members*

3) CONCEPTUAL REVIEW

H. SITE PLAN REVIEW

1) PRELIMINARY REVIEW

2) WARNED PUBLIC HEARINGS

3) CONCEPTUAL REVIEW

I. CONDITIONAL USE REVIEW (WARNED PUBLIC HEARINGS)

J. VARIANCES (WARNED PUBLIC HEARINGS)

K. FLOOD HAZARD REVIEW

L. APPEALS OF ZONING ADMINISTRATORS DECISIONS

M. OTHER

N. FOLLOW-UPS

O. CORRESPONDENCE

STATE
TOWN
MISCELLANEOUS

P. ROUNDTABLE

Q. ADJOURN!

On a motion by Nicholson, seconded by Sanborn, the Development Review Board voted to adjourn the meeting of January 13, 2016 at 8:23 p.m.

Respectfully Submitted,

Heidi Bennett

Mark Nicholson, Chair

Cedric Sanborn

Mark Reaves

Jon Valsangiacomo

Jim Fecteau

Charlie Thygesen Sr.

Shaun Driscoll

Greg Richards

John Hamelin