

# BARRE TOWN PLANNING COMMISSION MINUTES

The Town of Barre Planning Commission held their regular meeting on **Wednesday, July 19, 2017** beginning at **7:00** p.m. at the **Municipal Building**, Lower Websterville.

## **Members Present:**

Cedric Sanborn     Charlie Thygesen Sr.  
Chris Violette  
Claire Duke         George Clain

## **Members Absent:**

John Hameline  
Debra Pierce

## **Staff Present:**

Emily Marineau

## **Others Present:**

Eric Vorwald

### 1)     **CHANGES TO THE AGENDA**

None.

### 2)     **APPROVAL OF MINUTES:**

Due to the number of typo's the Planning Commission would like to take a look at the minutes next month before approving them.

### 3)     **ALLOWED USE DETERMINATION (PUBLIC HEARING)**

Request by Linda Labrie for an allowed use determination request to add a second living unit above a new garage attached to an existing single-family dwelling on property owned by Brenda Labrie located at 12 Benoit Drive; Parcel ID: 032/003.00; Zoned office building retail; AU-17000004.

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### **Staff Comments of Chris Violette**

This is a warned public hearing for the purpose of allowed use determination in accordance with Article 2, section 2.4 (c) of the Barre Town Zoning Bylaw. The applicant is proposing a use that is not specifically allowed by permitted or conditional use in an office building retail zone.

The applicant is proposing to create an apartment above the new garage that her daughter (Brenda LaBrie) is going to be constructing on her property at 12 Benoit Drive. The new garage

will be built after the existing garage is removed. The new garage will be attached to the existing single-family dwelling owned by Brenda.

The addition of the apartment requires allowed use determination because the office building retail zone does not allow residential uses. The current residential use of the LaBrie home, along with several others, are considered preexisting nonconforming uses. The expansion of the existing single-family use to a two-unit dwelling would be an expansion of the nonconformance and therefore not allowed unless the allowed use determination is granted.

The applicant ruled out an assessor dwelling because the 30% size limitation would just leave the second living unit too small.

Linda LaBrie was before the Commission last month (June) for conceptual review.

The Planning Commission must use the criteria below to determine the following before the use can be allowed:

The proposed use will not alter the characteristics of the area and will not cause an undue burden on the community.

I have provided brief comments of my own based on my understanding of the proposal and knowledge of the area. The applicant has also provided nice narrative related to the criteria.

1. Emergency services:

The applicant states and I concur that the addition of one living unit that will currently host one person (and likely not much more than that in the future) will not put a demand on the Town's emergency services that cannot be absorbed.

2. Water, sewer, or other municipal utility systems:

Municipal water (Barre City) and sewer (Barre Town) is utilized by this residence and the proposed new living unit will also connect to the same municipal services. Both utilities have the capacity to serve the proposed use. One additional sewer unit for the new living unit will be required (\$1,500).

3. 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:

Purpose statement for office building retail zone as printed in the Zoning Bylaw:

*This district is intended to be comprised of businesses to which people/customers must go to for the business to operate. These districts are limited by their density and street traffic. They are also fully served by municipal utilities.*

The character of the area is best defined as being mixed use. Residential uses along Benoit Drive and commercial uses at the beginning of the Benoit on East Barre Road (US Rt. 302)

Residential uses are not considered in office building retail zones based on the purpose statement and the fact they aren't allowed as permitted or conditional uses. However, as mentioned the residential uses that are there are preexisting (grandfathered) and as a result allowed to remain and unlikely to go away.

It is unlikely that allowing a new residential use above the garage will dramatically affect the character of the area.

4. Traffic on roads and highways in the vicinity:

Benoit Drive is a Town class 3 paved road access via East Barre Road (US Rt. 302)

The addition of one living unit with what will be one-person (at least for now) is unlikely to create additional traffic that can't be adequately handled.

5. Zoning bylaws and bylaws then in effect:

Zoning does not allow residential uses in office building residential zone. However, article 2, section 2.4 (c) does offer the Planning Commission the ability to consider uses not allowed and approve their uses if the character of the area and doesn't cause an undue burden on the Town.

If approved, the applicant will be able to receive a change of use permit.

6. The impact on neighboring uses;

Neighboring uses are most immediately other residential uses with some commercial at the beginning of the street. The addition of the one living unit should have insignificant impact on the other uses.

7. Minimum lot size; The minimum lot size for this zone is 1/3 of an acre when municipal services are available.

The minimum lot size for this zone is 1/2 acers. The parcel size is .3 acres, over the minimum lot size required.

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

Zoning requires two parking spaces for each living unit. Based on the existing residential use and the proposed second one, a total of four parking spaces is required.

The applicant states that two cars can be parked in the garage and there is enough room for six in the driveway. I concur that there is certainly enough parking for at least the four that is required.

- 9 Loading/unloading facilities;

N/A

### **Summary and recommendation**

After reviewing the criteria above, it doesn't appear to me that the proposed addition of a second living unit above the new garage at this location will cause a change in the character of the neighborhood or cause an undue burden to the Town of Barre. I propose the following condition.

1. One additional sewer unit must be obtained in accordance with the Barre Town sewer policy bringing this property to a total of two. The cost of a sewer allocation permit is \$1,500 paid for by the applicant.

### **ADDITIONAL COMMENTS:**

None

### **MOTION:**

*On a motion by Clain, seconded by Duke, the Planning Commission voted unanimously to approve Request by Linda LaBrie for an allowed use determination request for a second living unit above a new garage at 12 Benoit Street; Parcel ID 032/003.00; Zoned; Office Building Retail; AU-17000004 with the condition to obtain one additional sewer unit.*

### **4) SECOND CURB CUT REQUEST (PUBLIC HEARING)**

Request by Pierre Couture for a multiple curb-cut request in accordance with the Town of Barre Highway Ordinance to add a third driveway on property located at 29 Little John Road; Parcel ID: 006/051.00; Zoned medium density residential; AU-17000002.

Continued from May.

This is a warned public hearing, continued from the May 17, 2017 meeting, for the purpose of considering allowing the applicant a third curbside (access) from Littlejohn Road. The subject parcel currently has a single-family residential structure as well as an old barn located on it. There is currently two access to the property.

The May hearing created several questions related to this request. It was determined that there are actually two driveways already and this request would be for a third driveway. The Planning Commission seemed to be a bit reluctant to add a third access and asked the applicant to see if any alternative could be come up with. The Commission decided it might be best to continue this hearing so the applicant can look at alternatives.

The applicant stated he felt that he really needed the third access. He is very busy right now and asked the board if they are going to continue this hearing to continue it to the July Planning Commission meeting which is what happened.

I spoke to the applicant several weeks ago about alternatives but he has yet to submit any new ideas as of this writing.

#### **Review of the request:**

The applicant is currently seeking a conditional use permit from the Development Review Board (DRB) to convert the existing barn into an event venue. Events would mostly likely be limited to weddings. As part of that proposal, the plan is for parking to be located behind the barn. This parking configuration creates the need for a third curbside from Littlejohn Road.

Littlejohn Road is a Town class 3 paved road. The proposed third curbside will be across from Sabetto Street. Littlejohn road is fairly straight in this location with what appears to be adequate site distances. The third access will be approximately 200' to the East of the existing driveway.

Harry Hinrichsen, the Town Engineer grants access to municipal roads. Harry commonly weighs in on these types of request and has done so here as well.

#### **Comments from the Town Engineer, Harry Hinrichsen**

I have reviewed the sketch plan submitted for the application by Pierre Couture and have several comments.

This driveway as proposed will enter onto Littlejohn Road at a point where it is paved. The new entrance will need to have a paved entrance off the main road which has a minimum of a 15' paved apron and will have a maximum width of 24'. Drainage near the new driveway appears to fall away from the road into the field. Any drainage from the road and the area uphill of the new drive will need to be directed into the field rather than along or into the roadway. The new

driveway will need to comply with the B-71 Standards that the Town has adopted for Residential and Commercial Drives from the Vermont Agency of Transportation (VTRANS).

The primary concern is what impact the second driveway will have on this lot, the remaining land and any abutters. The new driveway is close to the intersection with Sabetto Street. This second driveway is also over 200' from the existing driveway that serves the homestead. The new driveway is about 25' from the property line with the adjoining parcel which is currently owned by Pierre. I do not see a negative condition created with this new driveway at its proposed location.

I would recommend that if any landscaping occurs near this new entrance onto Littlejohn Road, the types of trees or shrubs be kept well back from the edge of the Right-of-Way to maintain good sight distance.

If the driveway and the rest of the parking lot are to be paved, there will need to be erosion control and run-off assessment. Currently there aren't any dimensions on the parking lot but if the site is fully paved there may be concerns regarding the amounts and impacts of stormwater run-off.

### **Summary and recommendation**

Having not heard anything new from the applicant it is hard to make any recommendation or give advice. In fairness, I am writing this report a week early due to being on vacation the week I would normally write it. As a result, there is still time for the applicant to submit additional information.

### **ADDITIONAL COMMENTS:**

Violette states Couture called and formally asked for a continuance for next month's meeting, August 16, 2017.

### **MOTION:**

*On a motion by Duke seconded by Clain, the Planning Commission voted to continue the request by Pierre Couture until August 16th for an allowed use permit for a second curb cut located at 29 Little John Rd; Parcel ID 006/051.00; Zoned; Medium Density Residential; AU-1700002*

## **5) ZONED CHANGE REQUEST**

*Violette makes a motion to open the public hearing on the 8 zoning amendments changes, Clain seconds the motion.*

### **Sec 3.8 OUTDOOR STORAGE LIMITATIONS;**

No changes needed for final approval.

Sec 4.2 ACCESSORY DWELLING:

No changes needed for final approval.

Sec 4.22 RESIDENTIAL STRUCTURE LIMITS:

No changes needed for final approval.

Sec 5.5 CONDITIONAL USE REVIEW:

No changes needed for final approval.

Sec 5.6 SITE PLAN REVIEW:

No changes needed for final.

Sec 6.5 PUD STANDARDS AND REVIEW CRITERIA:

No changes needed for final approval.

Sec 7.10 WAIVERS:

No changes needed for final approval.

Article 8 ACCESSORY DWELLING:

No Changes needed for final approval.

*Violette makes a motion to close the public hearing on the 8 zoning amendments changes, Clain seconds the motion.*

**MOTION:**

*A motion was made by Violette and seconded by Clain, the Planning Commission voted unanimously to approve final approval of zone change amendments moving the changes onto the Select Board.*

6) **ENHANCED TECHNICAL ASSISTANCE:**

Presentation by Eric Vorwald from the Central Vermont Regional Planning Commission of the draft energy planning documents for the Town Plan.

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Eric Vorwald's (Central Vermont Regional Planning Commission) will be here to go over the proposed Town plan amendments to create a compliant energy plan that would give the Town substantial deference at Public Service Board hearings.

There are several handouts included in your packets that show the proposed changes. I emphasize proposed, I have no doubt some the changes will create concern for board members.

CVRPC will view what they have presented as meeting the commitment to create a draft Town Plan before July 31<sup>st</sup>.

As I understand it, it will not be up to the Planning Commission to decide how to proceed from here.

**ADDITIONAL COMMENTS:**

Eric Vorwald from the Central Vermont Regional Planning Commission reviewed the draft energy plan for the Town of Barre. Eric and the Planning Commission had a lengthy discussion on the meaning of the maps, the wordage used in the document. Some board members voiced their concerns and Eric did his best to explain the reasoning behind the maps.

The Planning Commission will move forward with reviewing the document closer and making the changes need to fit the Town of Barre's plan.

**MOTION:**

*A motion was made by Duke and seconded by Thygesen The Planning Commission voted unanimously to accept the rough draft of the Central Vermont Regional Planning Commission's energy plan for the Town of Barre. The Planning Commission thanked Eric for his hard work with helping write the rough draft.*

7) **MISCELLANEOUS:**

8)

9) **FOLLOW-UP**

Thygesen asked Violette if he has heard anything from the Traffic Safety Board about the Planning Commission's request to look into Wilsion Street. Violette states that he has not but he will check in with Harry about it.

7) **CORRESPONDENCE:**

8) **ROUND TABLE:**

9) **ADJOURN:**

*On a motion by Claire Duke, seconded by Charlie Thygesen, the Planning Commission voted unanimously to adjourn the meeting of July 19, 2017 at 8:30pm.*

Respectfully Submitted,

Emily Marineau

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Cedric Sanborn, Chair

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John Hameline

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Charlie Thygesen Sr.

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George Clain

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Chris Violette

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Claire Duke

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Debra Pierce

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