

BARRE TOWN PLANNING COMMISSION MINUTES

The Town of Barre Planning Commission held its regular meeting on **Wednesday, January 20, 2016** beginning at **7:00** p.m. at the **Municipal Building**, Lower Websterville, to consider the following:

Members Present:

Cedric Sanborn Charlie Thygesen
Chris Violette Debra Pierce
John Hameline

Members Absent:

Claire Duke George Clain

Others Present:

Robert Hausman Nathan Royea
Jay Carr Andrew Thomas

1) **CHANGES TO THE AGENDA**

2) **APPROVAL OF MINUTES:**

On a motion made by Hameline, seconded by Pierce, the Planning Commission voted to approve the minutes from December 16, 2015.

3) **WARNED PUBLIC HEARINGS (7:05 p.m.)**

APPLICANT: **HAUSMAN**

Request Robert Hausman for allowed use determination for the proposed use of a wholesale and retail firearms business for property located at 323 East Montpelier Rd; Parcel ID 009/041.01; Zoned: Low Density Residential; AU-1500004

Consultant: None

Date: January 15, 2016

Enclosures: Applicants narrative to criteria; GIS site map

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the purpose of allowed use determination in accordance with Article 2 § 2.4 (C) whereas the applicant is proposing a use that is not specifically allowed in the zone the property is located in. The subject parcel of land is located in a low density residential zone.

The applicant is proposing to convert an existing commercial building from the current use of overhead door sales to firearms wholesale/retail. Commercial uses are not specifically allowed in residential zones.

The applicant states that his proposed business will be mostly for the wholesale sales of firearms and I would assume accessories as well. In addition, the applicant also indicates that there will be some limited retail sales from this site.

The Planning Commission must use the criteria below to determine the following. I have provided brief comments of my own based on my understanding of the proposal and knowledge of the area.

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

1. Emergency services:

The use proposed by the applicant is not significantly different than the current use. There should be little impact on Fire and EMS given it's the same building and the roughly the same number of people. The use is different but still commercial in nature so I wouldn't think the Police Department would have a substantial impact either, certainly not any more than their capacity to handle.

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

The existing building is connected to municipal sewer, water is onsite. There is currently one sewer unit being assessed to this parcel. The nature of the applicants proposed use is not significantly different than what is there today with regard to employees and customers. Existing sewer allocation should be sufficient to serve the proposed use.

3. The character of the area affected and the impact on neighboring uses 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 can be best described as mixed use. While the subject parcel is residential, the parcel next to just to the North is commercial. Two parcels up is a store and across the street is an office building. Just to the South towards Barre City are several more commercial businesses. The property itself is abutted on all sides by residential.

The commercial use of the property dates back many years and as far as I know has always functioned harmoniously with abutters and the area as a whole.

Based on the information supplied by the applicant it does not appear that the nature of this business will have much impact on the character of the area than already exist.

4. Traffic on roads and highways in the vicinity:

The subject parcel of land is located along VT Rt. 14 (East Montpelier Road) which is a main North to South State Highway. This road is heavily traveled with traffic coming and going from Barre City and surrounding communities. Much of the traffic is also passing through to other areas of the State.

Based on the description of the proposed use and the fact its located on the State highway, there should be little impact on the roads in the vicinity.

5. Zoning bylaws and bylaws then in effect:

The proposed use is not specifically allowed in this low density zone. However as mentioned, if the Planning Commission finds that the use fits in with the character of the area and isn't causing a burden to the community and approves the use, it will comply with Zoning.

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

This minimum lot size for this zone is 1 acre when served by municipal sewer. The subject parcel is .41 acres but predates zoning so it is grandfathered.

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

The existing building is 1,200sf in size. Barre Town's parking regulation requires 1 parking space for every 200sf of building size. Based on that formula 6 parking spaces are required. The applicant states he believes there is enough parking for 8 vehicles. Whether there is room for 8 or not I don't know but I am confident there is enough parking for 6 which meets the zoning requirement.

9 Loading/unloading facilities;

The existing building has an overhead door where deliveries will take place. The applicant states that there is enough room for a truck to get in off the road to make deliveries. This site has received deliveries for the current use in the past without any difficulties that I am aware of so I do not see a problem with this use either.

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Upon review of the criteria above and the fact that there is an existing commercial business located in this location without any issues, it appears that this proposed use will not alter the character of the area or cause an undue burden to the Town as long as the use is as described by the applicant. I recommend approval with the following condition:

1. The use is approved based on the information presented both orally and written and if the parameters change substantially by this owner or a

subsequent owner then the change must be review and approved by the Planning Commission.

2. This approval if for the applicant. Any future plans for the building must be presented to the Planning Commission for approval.

(The Commission may want to explore parameters so that if the business increases beyond what was presented there will be a method to know when further review is warranted.)

COMMENTS:

CV gave a summary of this agenda item; stating that the character of the neighborhood shouldn't change.

CV pointed out that the structure will meet the parking requirement.

CV doesn't believe this item will cause an undue burden to the Town of Barre.

CV introduced two letters from abutting properties; both support gun ownership and business, but are concerned about the crime in the neighborhood.

Robert Hausman said he'll have an alarm and will put metal over the windows.

Hameline asked about advertising; Hausman says he uses the World.

Thygesen recommends full lighting on all four sides with timers and cameras.

Hausman stated that cameras don't keep people out and that is what he's most interested in.

CV stated the last four armed robberies are at stores that don't have cameras; cameras don't fix the problem, but definitely deter.

CV asked if the ATF will inspect and amend the current license; Hausman stated yes.

CV stated that the Planning Commission can only recommend security measures, not require them.

On a motion by Thygesen, seconded by Violette, the Planning Commission voted to approve the request by Robert Hausman for allowed use determination for the proposed use of a wholesale and retail firearms business for property located at 323 East Montpelier Rd; Parcel ID 009/041.01; Zoned: Low Density Residential; Approval is subject to conditions 1 – 2 with two recommendations for lighting and cameras for added security; AU-15000004

APPLICANT:

BULLROCK DEUTSCHE-ECO SOLAR

Request by Bullrock Deutsche-Eco, LLC for an allowed use determination to add an additional curb-cut to property located at 69 Pitman Road owned by Malone Pitman Properties, LLC; Parcel ID 006/034.02; Zoned: IND; AU-15000005

Consultant: None

Date: January 15, 2016

Enclosures: Applicants narrative to criteria; GIS site map

STAFF REPORT/REVIEW COMMENTS FROM CHRIS VIOLETTE,
PLANNING OFFICER

This is a warned public hearing for the purpose of a multiple curb-cut request. The applicant is requesting what amounts to a third access to this parcel in the Wilson Industrial Park. The subject parcel is 3.56 acres in size and is located in an industrial zone. Multiple curb-cut authorizations come from Article 4, § 402 E. (2) of the Barre Town Subdivision Ordinance.

The Planning Commission is the authorized entity to review and grant or deny multiple curb-cut accesses. The Planning Commission relies heavily on the Town Engineer for input with regard to these types of request. The Town Engineer shall consider such things as; the functional class of the road; site distances; safety; width of the curb-cut; drainage; topography; and any other pertinent factors that a may apply.

The parcel of land subject to this request is owned by Malone Pitman Road Properties LLC. The applicant is acting with the owner's knowledge and consent. The applicants recently constructed a solar generation facility on the subject land. As part of that development, what is described as a new pad mount transformer needs to be installed and accessed by Green Mountain Power. The access is located at the Northwest part of the parcel near the curve in Pitman Road and across from Adams granite.

As mentioned this parcel already has two curb-cuts for the existing building. These curb-cuts have existed for some time and aren't subject to this request. It is also important to note that this parcel was just merged into one from what were three parcels.

The applicant has stated that the use of this curb-cut will be very limited with only occasional use. The Town Engineer has worked with the applicant with regard to the criteria used when making a determination as to whether additional curb-cuts are prudent.

REVIEW COMMENTS FROM HARRY HINRICHSEN,
TOWN ENGINEER

I have reviewed the secondary (multiple) curb request and have comments relating to road access issues.

The proposed location on Pitman road is in a 25 MPH speed limit. The minimum stopping sight distance for the main road is 155 feet and the driveway sight distance is 280 feet. The requested curb cut is to grant Green Mountain Power a landing to access the transfer panel immediately adjacent to solar farm on the Malone property at 69 Pitman Road.

I would recommend as one condition of approval that the property owner be responsible for maintaining the roadside vegetation particularly grass and brush along the first 30' back from the roadside and along the road edge to the railroad crossing.

I have conducted a field site review with the applicant's representative. I have discussed the access location relative to the existing drainage. The location lends itself to be the high point of the drainage such that there will not need to be a culvert as part of the installation.

There are drainage ways on either side of the proposed apron. **Runoff from the landing should be directed so it does not pond along the edge of the road but makes its way into one or the other of the two drainage systems.** The Town has adopted the VTRANS typical driveway detail which will accompany the permit. **This driveway detail should be followed for cross-section grade and profile during the final installation. The driveway shall also have an asphalt (paved) apron a minimum of 15' in to the landing from the edge of the existing roadway.**

SUMMARY OF RECOMMENDATIONS & CONDITIONS:

Harry and I both recommend approval with conditions based on the information provided and the low impact of the driveway.

COMMENTS:

CV provided a brief summary of the project, along with the Town Engineer's report.

CV recommends approval.

Andrew Thomas stated this access will go to a gate that encloses the solar array project and will be used by someone there to mow the grass. This will also be the access point for inspections and general maintenance with three to six visits a year.

Thygesen brought up the condition of paving; Thomas stated that he didn't plan to pave it and would have crushed stone down. Thygesen stated that the Town Engineer stated a paved apron is required.

Harry Hinrichsen stated that normally a curb-cut off a paved road requires a paved apron. This use isn't a whole lot different from agricultural with minimal use and doesn't have an issue with it not being paved, but two conditions still stand.

On a motion by Thygesen, seconded by Violette, the Planning Commission voted to approve the request by Bullrock Deutsche-Eco, LLC for an allowed use determination to add an additional curb-cut to property located at 69 Pitman Road owned by Malone Pitman Properties, LLC; Subject to condition 1 – 2; Parcel ID 006/034.02; Zoned: IND; AU-1500005

CONDITIONS:

1. The property owner be responsible for maintaining the roadside vegetation particularly grass and brush along the first 30' back from the roadside and along the road edge to the railroad crossing.
2. Runoff from the landing should be directed so it does not pond along the edge of the road but makes its way into one or the other of the two drainage systems.

4) **OTHER:**

CV recapped the hearing on solar siting that he testified on; he spoke on siting and the VSB.

Cedric has provided for the Commissions review proposed changes to the Town Plan.

Sanborn is ready to rewrite the Energy section of the Town Plan to help circumvent the VSB.

Sanborn handed out a page of changes he's recommending to the Town Plan.

Hameline will submit changes.

CV said that there was talk about utilizing roof tops, but a lot of head shaking.

Sanborn wants to fast track these changes as fast as possible.

CV stated that there are some things that need to be looked at.

Sanborn stated a public hearing for March would be good.

Hameline will hold for comments until after the revisions are made

5) **ZONING BYLAW AMENDMENT(S):**

Continue discussion regarding proposed zoning amendments – **no action taken**

6) **CORRESPONDENCE:**

7) **ROUND TABLE:**

8) **ADJOURN!**

On a motion by Hameline, seconded by Sanborn, the Planning Commission voted unanimously to adjourn the meeting of January 20, 2016 at 9:02 p.m.

Respectfully Submitted,

Heidi Bennett

Cedric Sanborn, Chair

John Hameline

Chris Violette

Charlie Thygesen Sr.

Claire Duke

George Clain

Debra Pierce

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