

BARRE TOWN PLANNING COMMISSION MINUTES

The Town of Barre Planning Commission held their regular monthly meeting on **Wednesday, October 17, 2018** beginning at 7:00 p.m. at the **Municipal Building**, 149 Websterville Road.

MEMBERS PRESENT:

Byron Atwood, Charlie Thygesen, Sr., Claire Duke (Acting Chair), Debra Pierce, George Clain

MEMBERS ABSENT:

Cedric Sanborn

STAFF PRESENT:

Chris Violette, Julie Kimball

OTHERS PRESENT:

Kevin McCabe

CHANGES TO THE AGENDA:

None

APPROVAL OF MINUTES:

Ms. Duke asked for a motion to approve the June 20, 2018 minutes.

A MOTION to accept the minutes was made by Mr. Violette. Ms. Pierce seconded, and all accepted without further discussion.

A MOTION was made by Mr. Violette to approve the July 25, 2018 minutes as written. A second was made by Mr. Thygesen. Mr. Clain asked why there was a delay in starting the meeting. Mr. Violette indicated he would look into the actual time and/or reason. All were in favor of accepting the minutes.

WARNED PUBLIC HEARING:

Planning Commission Staff Comments by Chris Violette
October 12, 2018 (for October 17, 2018 meeting)

Agenda Item 3:

Request by Green Cab VT for allowed use determination in accordance with Article 2, section 2.4 (c) whereas the applicant is proposing to use the property located at 127 Birchwood Park Drive as a hub for commercial vehicle for hire operations in Washington County. Property is owned by Interstate Maintenance: Parcel ID: 005/055.01; Zoned medium density residential; AU-1800005.

This is a warned public hearing for determining whether a use not specifically allowed in a zone can be an allowed use. Allowed Use Determination (AUD) is authorized in the Barre Town Zoning Bylaw under Article 2, sec. 2.4 (B) whereas the applicant is proposing a use of land and building that is not allowed by permit or conditional use. Said property is in a medium density residential zone.

During an allowed use determination hearing, the applicant must demonstrate to the commission's satisfaction that the proposed use will not alter the characteristics of the area and will not cause an undue burden on the community.

The location of the proposed project is just off Miller Road on Birchwood Park Drive. Residential uses dominate the area on medium size lots of approximately 2-3 acres in size. The subject parcel is 1 acre and has approximately 320' of road frontage along Birchwood Park Drive and 183' along Miller Road. Both roads are Town class 3 roads, Miller is paved, Birchwood is gravel. Access to the property is via the Birchwood Park Drive road frontage. Waste water disposal and potable water is onsite. There is currently a 2900± s.f. building on the parcel, the rest is either driveway and parking lot or light vegetation.

The applicant per his letter dated September 27, 2018 is proposing to use the building to house the Washington County arm of Green Cab VT which is a for hire commercial transportation company. They transport individuals (like a cab) or groups. They operate using a variety of vehicles including cars, SUV's, and vans. Their website boasts the use of alternate fuel vehicles to be eco-conscious.

Green Cab VT proposes to use this location to stage their vehicles (number not noted) to provide service to the Washington County area. Light maintenance and cleaning will be done here as well, inside the building. As proposed, there will be one employee onsite, the rest will drive there, park their vehicles, and take a Green Cab vehicle. It is noted that the biggest impact to the area will be employees coming and going.

This parcel has generally been used as light industrial for many years. The permit file shows that Schwans' used the building prior to 1989 and before Schwans, Tony's pizza used the building as a distribution hub. Most recently, Interstate Maintenance, a cleaning company, used the building since at least 1997. The building has essentially not been used for the last 4 or 5 years. The inactivity means that any potential grandfathering of the parcel and building was lost. At one time the zoning of this parcel and several surrounding it were industrial.

When considering the character of the area you have to look at the current uses and lay of the land etc. There are no other commercial uses other than a home car repair business that received an AUD a couple of years ago just up the road. One of the things that makes this site appealing to the applicant is the proximity to VT Rt. 63 (South Barre Access Road). Rt. 63 is a little over ¼ mile to the South. There are only a couple of houses between Rt. 63 and the subject site. It should also be noted that Miller Road is a heavily traveled road and a truck route. Most of the trucks going to Bridge Street, to H.P. Hood or Reynolds and Sons use this route.

The biggest impact as I see it will just be having cars stored there. There will of course be cars coming and going and activity at the building. I'd like to hear the applicant's testimony but given the use of the property before, the nature of the proposed use, and that the use, while in a residential area, isn't in extreme close proximity. Birchwood Park Drive is only minimally impacted based on the short distance it will be traveled and the type of vehicles. Miller Road is more than capable of handling the traffic. This building has been vacant for some time; it would be good to get a relatively low impact use there. There will be some change to the character of the area, but I don't think substantial and I don't see much of a burden to the Town.

ADDITIONAL COMMENTS:

Ms. Duke opened the hearing for the request by Green Cab VT and invited comments from the petitioner, Kevin McCabe, co-owner of Green Cab VT. Mr. McCabe explained his business partner could not be at the meeting. His business partner founded the company in 2008 in Chittenden County starting with one vehicle. Currently, the operation boasts 34 vehicles and the largest for hire transportation company in the State. Approximately three years ago an investment was made for a software platform that would enable them to dispatch from a centralized location. They've been able to extend their services to areas that have limited or no transportation options. They opened their doors to Central Vermont in 2016 with one car, and now have five vehicles. They have been looking for a location that is not only easy access to most of their contracts, but also a hub for the drivers to leave their cars to pick up a Green Cab vehicle. Mr. McCabe explained that operations and major maintenance would be conducted at the South Burlington facility. Due to current Medium Density Residential zoning, they are hoping for an allowance to use the space. He indicated they are committed to the environment, the community and their contracts.

Discussion followed with regards to vehicle capacity, growth, maximum vehicle allowance before returning to the commission for review, energy efficiencies including solar power, allowed use determination, no municipal water/sewer on-site, site enhancements, maintenance of vehicles, and property maintenance.

Specifically, Mr. Violette indicated he did not want the site to turn into a vehicle graveyard. Mr. McCabe indicated he would agree to a condition that any such vehicles be dismantled and moved prior to 30-days. Also, only a specific number of vehicles be permitted on the lot at any given time without prior approval from the commission. Again, Mr. McCabe was agreeable.

Mr. Clain asked Mr. McCabe if he would be willing to partner with the town to assist with the transportation aspect of their Energy Plan. Mr. McCabe indicated he would be happy to provide a letter reflecting such, as well as sharing metrics generated via their software.

Mr. Thygesen asked about providing transportation to youth athletic and school teams. Mr. McCabe indicated they currently provide for after school programs, but not entire teams due to capacity limitations in the vans. However, they do school trips, weddings, foliage rides, etc. so certainly open for discussion in the future. Mr. Thygesen inquired about qualifications for van drivers. Mr. McCabe stated all drivers are vetted, complete background checks, and all in Chittenden County and at least half in Washington County have licensed school bus II endorsements.

Mr. Atwood asked about late-night rides from clubs/bars. Mr. McCabe noted extended weekend hours and availability for late night accommodations. Mr. Atwood emphasized this could potentially save lives as currently there is not a service.

Mr. Atwood made a MOTION to close the hearing. Ms. Pierce seconded the motion. All in favor of the motion; none opposed.

Mr. McCabe made closing remarks and thanked the commission before exiting the meeting.

ENHANCED ENERGY PLAN:

Ms. Duke referenced the status of the file sharing program. Mr. Violette indicated the status remains the same. He is hopeful of establishing a file sharing program soon with the help of his new Administrative Assistant, Julie Kimball, whom he introduced to the Commission. He indicated we hope to have something to report by the next meeting.

Mr. Violette made a MOTION to go into Deliberative Session at 8:00 p.m. Ms. Duke asked if all were in favor and the motion to proceed was unanimous.

At 8:15 p.m. the Planning Commission returned to Regular Session.

In Deliberative Session *Mr. Violette made a MOTION to approve the Green Cab VT request after the testimony and review presented.*

He indicated the proposed use will not alter the characteristic of the area and will not cause undue burden to the community subject to seven conditions set forth by the Planning Commission as follows:

1. Limit the number of vehicles for hire to seven
2. Limit inoperable vehicles to no more than one month on property
3. Septic system needs inspection and certified that it can handle the proposed use
4. Lighting to be LED, shielded and down casted
5. Any future solar projects come back to the Planning Commission for review
6. This approval is limited to this company and this applicant only
7. Any vehicle repair work is limited to only minor, light duty repair

Mr. Clain seconded the motion. All were in favor; no opposition.

OTHER:

Ms. Duke referenced Agenda Item #5, the Town **Conflict of Interest Policy**. Mr. Violette explained prior to this policy, the Development Review Board and Planning Commission were the only town entities to have Conflict of Interest policies. Representatives from every Board of the town weighed in on the policy and reviewed other towns policies. Mr. Violette explained that the Planning Commission's existing policy can remain, but the Selectboard wants all Boards to abide by the policy presented.

Ms. Duke entertained a motion to adopt the Conflict of Interest Policy as recommended by the Selectboard in addition to the existing Planning Commission Policy.

Mr. Violette made a MOTION to adopt the Conflict of Interest Policy adopted on September 25, 2018 by the Selectboard and directed their committees to follow.

Moreover, Mr. Violette suggested blending the two policies, maintaining the existing, more restrictive content, while integrating the new. Thereafter, reviewing on a regular basis. Ms. Duke noted the Planning Commission Policy was adopted in May 2009.

Mr. Clain seconded the motion to which all were in favor; none opposed.

CORRESPONDENCE:

Ms. Duke asked if there was correspondence to review. Mr. Violette stated he had one informational item to share. He indicated the Selectboard is reviewing two small sections of road that involve TH #6-Upper Prospect Street and TH #7-Morrison Road intersections near Bond Auto Warehouse. The road was reconfigured many years ago and more recently because of town reconfiguration. Sections of town right-of-way remain, and Bond Auto recently conducted boundary line adjustments. Due to a past intersection project, the two highways were shifted away from the 2 sections. The town is holding a public hearing on October 23, 2018 to discuss the possible discontinuance of the 2 inactive sections. The Selectboard will meet at the Bond Auto Warehouse parking lot on Morrison Road to examine the site at 5:45 p.m. The regularly scheduled meeting will commence at the town offices at 6:30 p.m.

ROUND TABLE:

Mr. Thygesen shared a recent comical observation with regards to the solar array in an Industrial Park in Barre Town. He recalled that during the meeting to establish such, the question was asked how the grounds would be maintained due to the proximity of the solar arrays to the ground. The answer from the petitioner was to erect fencing and house goats there. They would have a special breed of goats with 2-foot legs. Mr. Thygesen said he recently came around the corner up by the airport and sure enough he saw the fenced in area accompanied with goats. Ms. Duke thanked Mr. Thygesen for sharing; laughter ensued thanks to his goat discovery and indeed adequate grounds maintenance.

Ms. Duke asked if there was further discussion. Mr. Violette indicated the next Planning Commission meeting is slated for Thanksgiving Eve, November 21, 2018. He asked if a different night in November would suffice or cancel altogether and resume in December. The consensus was to defer to the scheduled meeting in December.

Town Manager, Carl Rogers entered the meeting at 8:30 p.m. to hand out the Conflict of Interest Policy. Mr. Violette indicated it had already been given to the members and addressed.

ADJOURN:

Ms. Duke asked for a motion to adjourn the meeting.

A MOTION by Mr. Clain was made, seconded by Mr. Thygesen and voted unanimously to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Julie Kimball

Claire Duke, Acting Chair

Byron Atwood

Charlie Thygesen Sr.

George Clain

Chris Violette

Debra Pierce

