



## DEVELOPMENT REVIEW BOARD

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Meeting Type:.....**Regular Meeting**  
Date:.....**Thursday, August 12, 2021**  
Time:.....**6:00 p.m.**  
Place:.....**Community Room**  
Address:.....**43 Bombardier Road**  
Contact:.....**(802) 893-1186**  
Website:.....**www.miltonvt.gov**

## MEETING MINUTES

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*Bruce Jenkins, Chair    Henry Bonges, Vice Chair    Julie Rutz, Clerk    Robert Brisson    Maryalice Callahan    Nick Smith, Alternate*

### AGENDA

#### 1. Call to Order

B. Jenkins called the meeting to order at 6:03 PM.

#### 2. Attendance

**DRB Members:** Bruce Jenkins, Chair; Henry Bonges, Vice-Chair; Julie Rutz, Clerk; Nick Smith, Alternate.

**DRB Members Absent:** Maryalice Callahan; Robert Brisson

**Staff:** Cymone Haiju

**Other:** Mary Way; Nancy Lodge; Ed Robinson; Dan Heil; Chris Mattos; Mike Leo; Brad Gardner; Charlotte Gardner

#### 3. Agenda Review

None.

#### 4. Public Forum

*The public may attend and be heard in accordance with Vermont's Open Meeting Law (1 V.S.A. 312).*

None.

#### 5. Staff Updates

C. Haiju shared that R. Saunders is on leave as of July 25, 2021 with the birth of his new daughter Lila and is anticipated to return one month later. She also shared that herself and A. Pitts, Zoning Administrator, are filling in for him during this time.

#### 6. New Hearings/Business:

The following hearings are new hearings:

- A. **Milton Commons LLC. c/o Charlotte Gardner** is requesting **Preliminary Major Conventional Subdivision** approval for a proposed 4-lot subdivision located at **Bartlett Road & Route 7 South**, described as Parcel #207006.000000, Book 360 & Page 029, SPAN 396-123-12658. The subject property is recorded as having 107.2 acres and is located within the General Industrial (I2) zoning district, and the Catamount Planning Area.  
  
B. Jenkins read aloud the project summary and swore in the applicants, their representative and interested parties.  
B. Jenkins read aloud the following numbered items for further discussion with the applicant and their representative. D. Heil provided a brief overview of the proposed project.

- 1. State and municipal permits may be required for the proposed subdivision and the construction of water/wastewater infrastructure. All required permits must be obtained prior to receiving zoning approval.**
- 2. The applicant shall install one hydrant on each of lots 3 and 6, and shall consult with fire department to determine the appropriate location and configuration.**
- 3. If the Development Review Board approves the preliminary plan, the applicant will have 6 months to file a complete final subdivision plan.**
- 4. Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.**
- 5. The DRB shall motion to recess or close this hearing. If recessed, a specific time, date, and place shall be designated to resume the hearing. If closed, the DRB shall issue a decision within 45 days.**

D. Heil, the applicant's representative has agreed to all of the aforementioned numbered items, and have agreed to work with the Fire Department on item numbered two. N. Smith, Alternate asked if the threshold will include stormwater. D. Heil stated that stormwater will be address when the individual lots are developed.

**Motion made by J. Rutz at 6:12 p.m. to close the hearing, with a second by H. Bonges. Motion passed unanimously.**

- B. Michael Leo, applicant, is requesting Major Site Plan and Conditional Use approval for the expansion of a repair service use at 412 Westford Road. The applicant is also applying for a Waiver to allow the new construction to encroach upon the side setback; and a Variance to increase lot coverage to 50.2%. The subject property is owned by the applicant and is described as Parcel # 216029-000000, Book 487 & Page 670 SPAN 396-123-10699. The property is recorded as having 0.5 acres, and is located within the Agricultural/Rural Residential (R5) zoning district and the East Milton Planning Area.**

B. Jenkins read aloud the project summary and swore in the applicant, their representative and interested parties. B. Jenkins read aloud the following numbered items for further discussion with the applicant and their representative. M. Leo, applicant, provided a brief overview of the proposed project.

- 1. The table provided in the application form is inconsistent with the site plan provided. The applicant shall also clarify the existing and proposed setbacks, which show inconsistencies.**

C. Haiju, Staff provided clarification on this numbered item. C. Mattos, applicant's representative provided the appropriate setbacks of the proposed new building. N. Smith asked if the land had been surveyed recently; yes, within the last three years.

- 2. The applicant has not provided stormwater management plans with the application. The DRB shall determine if a stormwater management plan is needed.**

C. Mattos explained that there is currently a curtain drain on the property and the new building would be in front of its existing location.

- 3. The applicant shall clarify the number of existing and proposed parking spaces, including location for the accessible parking space. The DRB shall make the determination of whether the proposed development meets minimum parking space requirements.**

Applicant stated they would not be adding any parking spaces and no additional employees will be hired. They are simply looking to gain storage for vehicles inside. Staff explained that it is important to ensure that the number of spaces required for this type of use is met. Further discussion was had on this matter.

- 4. The DRB shall determine whether a landscape plan is required for the proposed development.**

B. Jenkins asked if there was any proposed landscaping at this point. The applicant stated they intend on adding three to four bushes, with no lighting proposed at this time.

- 5. The applicant must comply with all performance standards outlined in Section 3208. The DRB may require the applicant to illustrate waste storage facilities on the site plan.**
- 6. The DRB shall determine whether to grant conditional use approval for the expansion of a nonconforming use for the proposed development.**
- 7. The DRB shall determine if the proposed development meets the Waiver criteria of Figure 4-01.**
- 8. The DRB shall determine if the proposed development meets the Variance criteria of Figure 4-01, for the increase in lot coverage and the exterior dimension increase for a nonconforming structure.**
- 9. If conditional use, waiver, and variance are approved, an approved Zoning Permit is required prior to the proposed development and an associated Certificate of Compliance is required following completion.**
- 10. If an applicant does not obtain a zoning permit for proposed land development within 3 years of approval, the approvals will expire and the applicant will need to apply for a new approval under the regulations as in effect at the time of the new application. An amendment to a development approval obtained under Section 4204 or Section 4305 will not affect the expiration date.**
- 11. Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.**
- 12. The DRB shall motion to recess or close this hearing. If recessed, a specific time, date, and place shall be designated to resume the hearing. If closed, the DRB shall issue a decision within 45 days.**

The applicant and their representative agreed to items 5 through 12.

N. Smith made the recommendation that all numbered items should be displayed on the site plan.

The applicant and their representative agreed to conduct further research on the required length of walkway for Fire Department's requirements, as well as concretizing the numbers on the proposal such as number of dumpsters on site, the setbacks both existing and proposed, and any landscaping items to provide a clear site plan.

**Motion made at 6:42 p.m. by J. Rutz to continue the hearing to August 26, 2021, with a second by N. Smith. Motion passed unanimously.**

## **7. Other Business:**

- A. Approval of Minutes from July 15, 2021.

**Members of the Board have requested that Henry Bonges name be removed from the list of attendees, and that they would reconsider at the next meeting, August 26, 2021.**

Ed Robinson asked to share comments regarding the Milton Commons project. B. Jenkins stated that the hearing is closed and they cannot take any further comments at this hearing. Board members shared the he could express concerns at the final hearing, or to staff.

## **8. Deliberative Session**

**Motion made by J. Rutz to enter deliberative session at 6:47 PM, with a second by N. Smith. Motion carried.**

## **9. Adjournment**

Motion to adjourn made by J. Rutz, with a d by N. Smith. Meeting was adjourned.

Respectfully submitted,

Cally Audet

APPROVED MINUTES:

*Bruce Jenkins* *vice-chair* Date: *9/9/2021*  
Bruce Jenkins, Chair

Filed with the Milton Town Clerk's Office on this *13<sup>th</sup>* day of *September*, 2021.

ATTEST: *Krist Beers* Milton Town Clerk