

1 **Minutes from**
2 **TOWN OF MILTON – DEVELOPMENT REVIEW BOARD**
3 **April 23, 2015**

4
5 **A complete audio record of the meeting is available in the Planning and**
6 **Economic Development office.**

7
8 **Members Present:** Bruce Jenkins, Vice-Chair; Thomas Cole, Clerk;
9 David Conley; Clayton Forgan

10 **Members Absent:** None

11 **Staff Present:** Jacob Hemmerick, Town Planner

12 **Others Present:** See attached sign-in sheet.

13
14 **CALL TO ORDER**

15
16 Mr. Jenkins called the meeting to order at 7:01 pm.

17
18 **ADDITIONS TO/DELETIONS FROM THE AGENDA**

19
20 None.

21
22 **PUBLIC FORUM**

23
24 None.

25
26 **PUBLIC HEARINGS ON APPLICATIONS**

27
28 **Boundary Line Adjustment Application – Crest Drive 14 and 17 – Paul & Cynthia**
29 **Mongeon and James & Wendy Payea, Owners/Applicants.** The Applicants are
30 requesting Boundary Line Adjustment approval to adjust the property boundary between
31 two adjacent lots located at 14 and 17 Crest Drive, described as Tax Map 11, Parcels 4-
32 2 & 4-9. The proposal would transfer 0.17 acres from lot 2 (Parcel 4-2) to lot 1 (Parcel
33 4-9). The subject properties contain a total of approximately 9.42 acres and are located
34 within the “Medium Density Residential” (R2) Zoning District.

35
36 Doug Goulette was present for this hearing. Mr. Jenkins administered the oath and read
37 the numbered items from the Staff Report.

38
39 In response to Item Number:

- 40 1. Mr. Goulette agreed to submit \$500 to cover the legal review of the deeds and
41 any other required legal instruments by the Town Attorney.
42 2. Mr. Goulette agreed to submit deeds and any other associated legal instruments
43 for all impacted lots for review and approval by the Town Attorney. All requested
44 revisions must be complete before the Plat may be recorded.
45 3. Mr. Goulette agreed to submit one paper or electronic .PDF version of the
46 revised final Plat for review and approval by Staff prior to submitting the mylar.

- 47 The Applicant shall also submit one full-sized (to scale) paper Final Plat and one
48 11x17 paper plat depicting any requested changes, to be maintained in the
49 Planning Office's application file.
- 50 4. Mr. Goulette agreed that the final Plat shall be in compliance with SR610 and
51 submitted on mylar (18" x 24"), signed by the licensed surveyor and the Chair of
52 the DRB, and recorded in the Town Clerk's Office within 180 days of the date of
53 the DRB's Final Approval Decision per SR940.
- 54 5. "No changes, erasures, modifications, or revisions, other than those required by
55 this Decision, shall be made on the Plat after approval unless a revised Plat is
56 first submitted to the Department of Planning and Economic Development. In the
57 event the subdivision plat is recorded without complying with this requirement, the
58 Plat shall be considered null and void," Mr. Goulette agreed.
- 59 6. "This proposal shall be completed, operated, and maintained as set forth in the
60 plans and exhibits as approved by the Development Review Board and on file in
61 the Department of Planning and Economic Development, and in accordance with
62 the conditions of this approval," Mr. Goulette agreed.

63 **Motion** by David Conley, **second** by Clayton Forgan to **APPROVE** Paul & Cynthia
64 Mongeon and James & Wendy Payea, Owner/Applicant's, Boundary Line Adjustment
65 Application located at 14 & 17 Crest Drive. **Discussion:** None. **Vote:** Mr. Jenkins: yea;
66 Mr. Cole: yea; Mr. Forgan: yea; Mr. Conley: yea. **MOTION PASSED.**

67
68 Mr. Jenkins called for a short recess at 7:08p.m.

69
70 The meeting was reconvened at 7:11p.m.

71
72 **Boundary Line Adjustment Application – Bombardier Road, 59 Middle Road & 34**
73 **Centre Drive – Cathedral Square Corporation, Applicant; Milton Church of Christ,**
74 **Owner/Applicant; Milton New Life Christian Fellowship, Owner/Applicant,**
75 **Houston Commons Development, LLC/Owner.** The Applicants are requesting
76 Boundary Line Adjustment approval to adjust the property boundaries between three
77 adjoining lots located at Bombardier Road, 59 Middle Road and 34 Center Drive
78 described as SPAN#s 14174, 10684, 12120 and Tax Map 27, Parcels 15-2, 16 and 9-1.
79 The proposal would transfer 19,964 square feet from Parcel 16 (59 Middle) and 12,955
80 square feet from Parcel 9-1 (34 Centre) to Parcel 15-2 (Bombardier). The subject
81 properties contain a total of approximately 3.76 acres and are located within the
82 "Downtown Business" (DB1) Zoning District.

83
84 Scott Homstead, Cindy Reed, Miranda Lescaze, and Al Kendall were present for this
85 hearing. Mr. Jenkins administered the oath and read the numbered items from the Staff
86 Report.

87
88 In response to Item Number:

- 89 1. Mr. Homstead showed where the easements are located and stated that there
90 are many old easements. He also stated that there are easements which are
91 unaffected by the boundary line adjustment.

- 92 2. Mr. Homstead agreed to submit \$500 to cover the legal review of the deeds and
93 any other required legal instruments by the Town Attorney.
- 94 3. Mr. Homstead agreed to submit deeds and any other associated legal instruments for all
95 impacted lots for review and approval by the Town Attorney. All requested revisions must be
96 complete before the Plat may be recorded.
- 97 4. Mr. Homstead agreed to submit one full-sized (to scale) paper Final Plat and one 11x17 paper
98 plat depicting any requested changes, to be maintained in the Planning Office's application file.
- 99 5. Mr. Homstead agreed that the final Plat shall be in compliance with SR610 and
100 submitted on mylar (18" x 24"), signed by the licensed surveyor and the Chair of
101 the DRB, and recorded in the Town Clerk's Office within 180 days of the date of
102 the DRB's Final Approval Decision per SR940.
- 103 6. "No changes, erasures, modifications, or revisions, other than those required by
104 this Decision, shall be made on the Plat after approval unless a revised Plat is
105 first submitted to the Department of Planning and Economic Development. In the
106 event the subdivision plat is recorded without complying with this requirement, the
107 Plat shall be considered null and void," Mr. Homstead agreed.
- 108 7. "This proposal shall be completed, operated, and maintained as set forth in the
109 plans and exhibits as approved by the Development Review Board and on file in
110 the Department of Planning and Economic Development, and in accordance with
111 the conditions of this approval," Mr. Homstead agreed.
- 112 8. The Applicant shall address any remaining concerns of the DRB related to the
113 SR700 Standards above.

114 **Motion** by Thomas Cole, **second** by Clayton Forgan to **APPROVE** Cathedral Square
115 Corporation, Applicant; Milton Church of Christ, Owner/Applicant; Milton New Life
116 Christian Fellowship, Owner/Applicant, Houston Commons Development, LLC/Owner,
117 Boundary Line Adjustment Application located at Bombardier Road, 59 Middle Road &
118 34 Centre Drive. **Discussion:** None. **Vote:** Mr. Jenkins: yea; Mr. Cole: yea; Mr. Forgan:
119 yea; Mr. Conley: yea. **MOTION PASSED.**

120
121 **Site Plan and Variance Application – 57-78 Bombardier Road - Cathedral Square**
122 **Corporation c/o Cynthia Reid, Applicant, Houston Commons Development, LLC**
123 **c/o Roger Rugg, Owner.** The Applicant is requesting Site Plan approval for a
124 proposed 30-unit elderly housing complex located at Bombardier Road, described as
125 Tax Map 27, Parcel 15-2. The project is proposed to be serviced by municipal water
126 and sewer. Access is proposed off of Bombardier Road. The applicant requests a
127 Variance from Zoning Regulation section 593.1's requirement to establish a private
128 road. The subject property contains a total of 1.73 acres and is located within the
129 "Downtown Business" (DB1) Zoning District.

130
131 Scott Homstead, Cindy Reed, Miranda Lescaze, and Al Kendall were present for this
132 hearing. Mr. Jenkins administered the oath and read the numbered items from the Staff
133 Report.

134
135 In response to Item Number:

- 136 1. "Site Plan approval shall be conditioned upon the approval of the preceding
137 Boundary Line Adjustment (Case 2015-11), the recording of the associated Plat,
138 and the recording of associated deeds in the Town of Milton Land Records," Mr.
139 Homstead agreed.
- 140 2. Mr. Homstead agreed that the elderly housing complex shall comply with the
141 provisions of the Fair Housing Act, as amended, 42 U.S.C. Sec. 3601 et seq.
142 Applicable elderly housing regulations, as amended, of the U.S. Department of
143 Housing and Urban Development shall also be complied with (ZR891.1).
- 144 3. "The site, all buildings and dwelling units shall comply with all applicable state and
145 federal handicapped accessibility requirements, per ZR892.1(1)," Mr. Homstead
146 agreed.
- 147 4. Mr. Homstead agreed that each unit shall host no more than two occupants.
- 148 5. Mr. Homstead agreed that all buildings in the elderly housing complex shall be
149 located on the same lot.
- 150 6. Mr. Homstead agreed to provide adequate signage for the visitor parking areas
151 and it shall be properly maintained in the winter; maintenance shall be through
152 appropriate legal mechanisms, per ZR802.1(4).
- 153 7. Mr. Homstead agreed to include a note stating the percentage and area of open
154 space in compliance with ZR892.1(6) on the Final Plans.
- 155 8. Mr. Homstead agreed to submit a federal compliance report and association
156 documents, according to ZR892.1(7), for review and approval by the Town
157 attorney prior to the issuance of a Zoning Permit.
- 158 9. Mr. Homstead agreed to obtain municipal water and sewer allocation prior to
159 being eligible for a Zoning Permit.
- 160 10. Mr. Homstead agreed to obtain a State Water/Wastewater Permit prior to being
161 eligible for a Zoning Permit.
- 162 11. Mr. Homstead agreed that the Final Plans shall be in compliance with the
163 Driveway Standards of ZR593.2-7.
- 164 12. Mr. Homstead agreed that the Final Plans shall show a clearance of 15' at the
165 rear loading area in compliance with ZR593.8 in order to allow the Fire Truck to
166 turn around; the west elevation shows a barrier that may be lower than 15 feet.
- 167 13. "A Zoning Permit may be issued by the Zoning Administrator only after completion
168 of a Highway Access Permit application and approval by the Town Engineer or
169 Highway Superintendent," Mr. Homstead agreed.
- 170 14. Mr. Homstead agreed to have all new curb cuts or amended curb cuts inspected
171 by the Town Engineer or Highway Superintendent to ensure compliance before a
172 Certificate of Compliance is granted by the Zoning Administrator.
- 173 15. "If temporary construction structures are proposed, they shall be permitted in
174 accordance with ZR560," Mr. Homstead agreed.
- 175 16. "The DRB may impose appropriate conditions and safeguards to meet Site Plan
176 Standards, per ZR802.1," Mr. Homstead agreed.
- 177 17. Mr. Homstead agreed to establish a landscaping surety to guarantee the
178 completion of the approved landscaping. There was discussion on the trees
179 proposed in the greenbelt.
- 180 18. Mr. Homstead agreed to show signs on the Final Plans for all ADA spaces.

- 181 19. Mr. Homstead agreed to label curbing that appears on the plans but is not
182 depicted in the legend, and appears to block access to the parking garage and
183 loading area.
- 184 20. Mr. Homstead agreed to include a public bike rack.
- 185 21. "The maximum HEIGHT for parking and streetlights should not exceed 20 feet
186 from the ground to top of fixture," Mr. Homstead agreed.
- 187 22. Mr. Homstead agreed to obtain a Zoning Permit and an associated Certificate of
188 Occupancy after construction is complete.
- 189 23. "In addition to any other remedies provided for by law, a Zoning Permit, Sign
190 Permit, variance, CONDITIONAL USE approval, or Site Plan approval may be
191 revoked by the Zoning Administrator or Development Review Board, whichever
192 granted the permit or approval, for violation of these Regulations or the terms and
193 conditions of the permit or approval," Mr. Homstead agreed.
- 194 24. Mr. Homstead agreed to submit \$500 to cover the legal review of the deeds and
195 any other required legal instruments by the Town Attorney.
- 196 25. Mr. Homstead agreed to submit deeds and any other associated legal
197 instruments for all impacted lots for review and approval by the Town Attorney.
198 All requested revisions must be complete before the Plat may be recorded.
- 199 26. Mr. Homstead agreed to address all comments by the DRB Technical Advisory
200 Committee. There was discussion on the landscaping and they will coordinate
201 with the Fire Department.
- 202 26. Mr. Homstead agreed to obtain a Project Review Sheet from the Permit
203 Specialist in the District 4 Regional Office of the Agency of Natural Resources,
204 provide a copy to the Town, and obtain all required State permits and approvals
- 205 27. Mr. Homstead agreed to submit 3 full-sized (to scale) and 3 reduced (11 x 17)
206 complete final plan sets depicting the requested changes. The revised plans
207 must be deemed Final by the Town Planner prior to being eligible for a Zoning
208 Permit from the Zoning Administrator
- 209 28. Mr. Homstead agreed to address any remaining concerns of the DRB related to
210 the ZR802 Standards.

211
212 Mr. Conley asked where they would be putting their snow. Mr. Homstead stated that
213 they would be pushing it into the green area. There was a question about signage as
214 well and where it would be located. Mr. Homstead stated there is still discussion on
215 whether it would be located on the building or if there would be a freestanding sign.
216 There was also discussion about sidewalks and pathways.

217
218 Hearing closed at 8:08p.m.

219
220 **Site Plan Application – 59 Middle Road -- Milton Church of Christ c/o Al Kendall,**
221 **Owner/Applicant.** The Applicant is requesting Site Plan approval to upgrade the
222 existing gravel parking area at the Milton Church of Christ. The Applicant proposes a
223 38car paved parking lot and new landscaping. Access is proposed via an existing
224 entrance off of Middle Road. The subject property is located at 59 Middle Road,
225 described as Tax Map 27, Parcel 16, SPAN #10684. The subject property contains a
226 total of 0.98 acres and is located within the "Downtown Business" (DB1) Zoning District.

227
228 Scott Homstead, Cindy Reed, Miranda Lescaze, and Al Kendall were present for this
229 hearing. Mr. Jenkins administered the oath and read the numbered items from the Staff
230 Report.

231
232 In response to Item Number:

- 233 1. "Site Plan approval shall be conditioned upon the approval of the preceding
234 Boundary Line Adjustment (Case 2015-11), the recording of the associated Plat,
235 and the recording of associated deeds in the Town of Milton Land Records," Mr.
236 Homstead agreed.
- 237 2. "The DRB may impose appropriate conditions and safeguards to meet Site Plan
238 Standards, per ZR802.1," Mr. Homstead agreed.
- 239 3. Mr. Homstead agreed to show utilities on the Final Plans.
- 240 4. Mr. Homstead stated that he doesn't see anything that would trigger a need for a
241 State Water/Wastewater Permit.
- 242 5. Mr. Homstead agreed to build the driveways to the driveway specifications as
243 defined in the Public Works Specifications, per ZR593.2.
- 244 6. Mr. Homstead agreed to complete a Highway Access Permit application.
- 245 7. Mr. Homstead agreed that all new curb cuts or amended curb cuts shall be
246 inspected by the Town Engineer or Highway Superintendent to ensure
247 compliance.
- 248 8. Mr. Homstead agreed to establish a landscaping surety to guarantee the
249 completion of the approved landscaping and will be held to guarantee survival for
250 a period of three years from installation.
- 251 9. Mr. Homstead agreed to note the number of church seats.
- 252 10. Mr. Homstead agreed to remove the ADA space blocking access to the existing
253 paved walk and ramp from the Final Plans.
- 254 11. Mr. Homstead agreed to show parking blocks or curbing for those spaces
255 fronting Middle Road, per ZR812.4. He did question the need for them. Mr.
256 Conley asked if any lighting was proposed Mr. Homstead stated that they are not
257 proposing any additional lighting, there are no night events.
- 258 12. Mr. Homstead explained the sheet flow, infiltration areas, and overall drainage
259 plan to the Board, explaining how the stormwater plan will not impact neighboring
260 properties or the public right-of-way.
- 261 13. Mr. Homstead agreed to show queue storage in compliance with ZR814.7(2).
- 262 14. Mr. Homstead agreed to clear visibility triangles of visual obstructions in
263 compliance with ZR814.2.
- 264 15. Mr. Homstead agreed to show a connection between the front existing paved
265 walk and the building on the Final Plans.
- 266 16. Mr. Homstead agreed to show sidewalks and specifications according to Zoning
267 Regulations Section 817 on the Final Plans.
- 268 17. Mr. Homstead agreed to include a public bike rack per ZR819 on the Final Plans.
- 269 18. Mr. Homstead agreed to show the location of existing light fixtures as well as the
270 addition of a lamp near the ADA spaces and the central parking lot island, in
271 accordance with ZR820.

- 272 19. Mr. Homstead agreed to obtain a Zoning Permit and an associated Certificate of
273 Compliance after construction is complete.
- 274 20. "In addition to any other remedies provided for by law, a Zoning Permit, Sign
275 Permit, or Site Plan approval may be revoked by the Zoning Administrator or
276 Development Review Board, whichever granted the permit or approval, for
277 violation of these Regulations or the terms and conditions of the permit or
278 approval," Mr. Homstead agreed.
- 279 21. Mr. Homstead agreed to address all comments by the DRB Technical Advisory
280 Committee. Mr. Homstead stated that rather than relocate the hydrant they would
281 relocate their entrance.
- 282 22. "All public infrastructure (sidewalk/hydrant) shall be approved in accordance with
283 the procedures in the Public Works Specifications Section 110 (on the
284 acceptance of public infrastructure)," Mr Homstead agreed.
- 285 23. Mr. Homstead agreed to must obtain a Project Review Sheet from the Permit
286 Specialist in the District 4 Regional Office of the Agency of Natural Resources,
287 provide a copy to the Town, and obtain all required State permits and approvals.
- 288 24. Mr. Homstead agreed to shall submit 3 full-sized (to scale) and 3 reduced (11 x
289 17) complete final plan sets depicting the requested changes.
- 290 25. "The Applicant shall address any remaining concerns of the DRB related to the
291 ZR802 Standards above," Mr. Homstead agreed.

292

293 Hearing closed at 8:35p.m.

294

295 OTHER BUSINESS

296

297 Mr. Hemmerick reviewed the Memo included in the packet, going over activities of other
298 Boards/Commissions, upcoming DRB applications, continuing education opportunities,
299 personnel changes, development review consultations, and other activities.

300

301 Mr. Hemmerick and the DRB discussed the Interim Zoning.

302

303 APPROVAL OF MINUTES

304

305 **Motion by** David Conley, **second by** Thomas Cole to approve the minutes of April 9,
306 2015. Discussion: None. Vote: Mr. Jenkins: yea; Mr. Forgan: yea; Mr. Cole: yea; Mr.
307 Conley: yea. **MOTION PASSED.**

308

309 DELIBERATIVE SESSION

310

311 **Motion by** Thomas Cole, **second by** Clayton Forgan, to enter Deliberative Session at
312 8:55 pm. Discussion: None. Vote: Mr. Jenkins: yea; Mr. Cole: yea; Mr. Forgan: yea; Mr.
313 Conley: yea. **MOTION PASSED.**

314

315 PUBLIC SESSION

316

317 **Motion by Conley, second by Forgan to re-enter Public Session 9:24 pm. Discussion:**
318 **None. Vote: Mr. Jenkins: yea; Mr. Cole: yea; Mr. Forgan; yea, Mr. Conley: yea.**
319 **MOTION PASSED.**

320

321

322 **ADJOURNMENT**

323

324 **Motion by Conley, second by Forgan, to adjourn the meeting at 9:24 pm. Discussion:**
325 **None. Vote: Mr. Jenkins: yea; Mr. Cole: yea; Mr. Forgan: yea; Mr. Conley: yea. MOTION**
326 **PASSED.**

327

328 Respectfully submitted,

329

330

331

332 _____
333 Bruce Jenkins
334 Vice-Chair and Acting Chair

335 _____
336 Meghan Grant
337 Planning Assistant

338

339 Date Approved: _____

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