



DEVELOPMENT REVIEW BOARD MEETING MINUTES

Meeting Type: **Regular Meeting**
Date: **Thursday, February 11, 2016**
Time: **7:00 p.m.**
Place: **Municipal Building Community Room**
Address: **47 Bombardier Road, Milton, Vermont 05468-3205**
Contact: **802.893.1186**
Website: **miltonvt.org**

1 **1. CALL TO ORDER**

2 The Chair called the meeting to order at 7:05 p.m.

3
4 **2. ATTENDANCE**

5 **Members Present:** Bruce Jenkins, Chair; David Conley, Vice-Chair; Henry Bonges, Clerk; Clayton Forgan

6 **Members Absent:** None

7 **Staff Present:** Jeff Castle, Town Planner

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9 **3. AGENDA REVIEW**

10 None.

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12 **4. PUBLIC FORUM**

13 None.

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15 **5. OLD HEARINGS**

16 None.

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18 **6. NEW HEARINGS**

19 **6(A). Minor Conventional Subdivision Final Plan, Site Plan & Variance Application -- 947- 951 US Route**
20 **7 South -- General Stannard House Committee, Applicant/Miller Realty Group LLP, Owner.**

21
22 The Chair read the following summary to open the hearing:

23
24 The Applicant seeks a 2-lot Minor Conventional Subdivision Final Plan approval to place the existing
25 Stannard House on a new, non-conforming, 6,835 sq. ft. lot with access from US Route 7; the remaining
26 853,539 sq. ft. lot would contain the existing distribution warehouse. The Applicant also seeks Site Plan
27 approval for the newly created lot for a "public/private facility" use. The proposed plan would require a
28 variance from the District's dimensional requirements, pursuant to Zoning Regulations Sections 394, 520, 550
29 and 1070. The property is described as 947-951 US Route 7 South; Tax Map 3, Parcel 8-1; SPAN #13967;
30 contains approximately 19.75 acres; and is located within the General Industrial (I2) Zoning District and the
31 Catamount Planning Area.

32
33 The Chair administered the Oath to Interested Persons. Representing the Applicants were Bill Kaigle, Chairman
34 of the General Stannard House Committee, and Roger Dickinson of Lamoureux & Dickinson, hereafter referred
35 to as "Applicant(s)."

36
37 In response to the following numbered items within the Staff Report:

- 38 1. The Applicant agreed to obtain an approved Zoning Permit to demolish the rear addition to the
39 structure.
40 2. The Applicant the Final Plat shall show the license number and seal of the land surveyor, per
41 Subdivision Regulation Section 610.1(1).

- 1 3. The Applicant agreed that any required site changes shall be shown on the revised Site Plans which shall
2 be submitted for Staff review prior to the Plat being recorded in the Land Records.
- 3 4. The Applicant agreed that the Surveyor shall submit a written documentation attesting that all corner
4 markers have been set prior to recording the Plat in the Land Records.
- 5 5. The Applicant and the DRB briefly discussed lighting. The Applicant stated the proposed lighting
6 fixtures are cut-off, directing the light to the site and not on to adjoining properties. The Chair asked if
7 the front of the house would be lit; the Applicant stated it would be, possibly with a ground-mounted
8 spotlight. Conley and Bonges inquired whether or not there would be any night-time activity. The
9 Applicant stated there likely would be some activity taking place after dark, but not all the time. The
10 proposed primary hours of operation are during the day.
- 11 6. The Applicant agreed to submit standard engineering details of the proposed water and wastewater
12 systems for the approval of the Department of Public Works.
- 13 7. The Applicant agreed that a municipal water allocation shall be obtained prior to the issuance of a
14 Zoning Permit, though added that the Stannard House Committee's primary objective right now is to
15 stabilize the structure, as it is in need of significant rehabilitation. Therefore connections to municipal
16 water and/or wastewater are not on the immediate horizon, but will be at some point in the future.
- 17 8. The Applicant agreed that the wastewater holding tank shall be vented and have a high level alarm and
18 level sensor.
- 19 9. Discussion commenced regarding Public Works' recommendation that the Applicant reconsider
20 connecting to municipal sewer service. The Applicant stated that Public Works had previously agreed
21 to the proposed holding tank, but they had looked in to the connection option as recommended and
22 found the costs to be prohibitive. The Applicants stated their preference would be to proceed with the
23 holding tank as previously discussed. The Chair inquired why an on-site septic system could not be
24 constructed and the Applicant advised the lot is simply too small.
- 25 10. The Applicant agreed that a State Water/Wastewater Permit shall be obtained prior to the issuance of a
26 Zoning Permit.
- 27 11. The Applicant agreed to submit with the final plat all necessary legal data, including a certificate of title
28 showing ownership of all properties and easements to be dedicated to the Town, all proposed deeds
29 conveying property or easements to the Town, a draft of all restrictions which will run with the land,
30 and any other data as deemed necessary by the DRB.
- 31 12. The Applicant agreed to submit the revised final Plat and any associated plans for approval by Staff
32 prior to submitting the mylar, and to submit one (1) full-sized (to scale) and one (1) 11x17 paper plats
33 depicting the requested changes to be kept on file in the Planning Office.
- 34 13. The Applicant agreed the Final Plat shall be submitted on 18" x 24" mylar, signed by the licensed
35 surveyor and the Chair of the DRB, and recorded in the Land Records within 180 days of the date of
36 DRB's Final Approval Decision, per Subdivision Regulations Section 940.
- 37 14. The Applicant clarified that the proposed accessible walkway at the rear entry will be installed on grade
38 (as opposed to a built ramp structure). Conley asked about year-round use; the Applicant replied that
39 the current plan is for seasonal use only and they do not plan to be open during winter.
- 40 15. The Applicant stated the intent is to construct a 6' x 6' front porch and steps to replicate what originally
41 existed; a Variance is needed as these would project in to the front set-back. The Chair confirmed with
42 the Applicant that the proposed porch would remain well out of the right-of-way.
- 43 16. The Applicant stated they do not expect any heavy traffic. Conley asked about possible school field trips
44 to the site, and where they school bus would park. The Applicant replied that the General Stannard
45 House Committee has discussed this possibility, and surmised that the school bus would drop the
46 students off and come back to pick them up, as there is no on-site parking proposed that would
47 accommodate a school bus.
- 48 17. The Applicant agreed to install and guarantee the survival or replacement of required landscaping for a
49 period of three (3) years from the date of the plantings.

18. The Applicant agreed parking will not be permitted along Route 7, even in the event that the onsite parking is full. A brief discussion regarding parking resumed. The Chair asked the square footage of the building and the Applicant replied that they believed it to be 24x40. The Chair remarked that with less than 1,000 square feet of space inside, he didn't foresee large numbers of people converging on the site at any one time, so the minimal parking shouldn't be an issue.
19. The Applicant agreed to install a sign identifying the ADA parking space, and to include the sign on the Final Site Plan.
20. The Applicant agreed to submit standard details of the driveway and parking area for approval by the Department of Public Works.
21. The Applicant agreed the drive exit apron to US Route 7 shall be paved up to the right-of-way. The Applicant felt the requested stop bar and stop sign were not necessary, but stated they had an approved highway access permit from V-Trans and they would do whatever was required of them by that agency.
22. The Applicant agreed to meet all sign standards of ZR830.
23. The Applicant agreed to install a Fire Department Key Box on the building, and to show the location on the Final Site Plan.
24. The Applicant agreed to address all comments and concerns of the Technical Advisory Committee. The DRB found that these had already been addressed.
25. The DRB did not have any additional questions for the Applicant.
26. Conley inquired about signage and where it would be located. The Applicant replied that the sign plan is not finalized yet, but they anticipate the sign will be in a similar location to the "Save My House" banner that is currently displayed at the site, which is along Route 7. Jenkins asked about the State's historic roadside markers; the Applicant replied they will soon be submitting an application for that marker and they are excited to obtain it. Forgan asked if there were plans to have a dumpster on the property. The Applicant replied that there will not be a dumpster, and all trash will be taken off site to be disposed of.
27. The Applicant agreed to obtain a Project Review Sheet (PRS) from the Permit Specialist in the District 4 Regional Office of the Agency of Natural Resources and to obtain all required State permits and approvals prior to construction.
28. The Applicant agreed to submit two (2) full-sized and two (2) reduced complete final site plan sets depicting the requested changes, and that these must be deemed Final by the Town Planner prior to being eligible for a Zoning Permit.
29. The Applicant agreed to obtain the necessary Zoning Permit and associated Certificate of Compliance.
30. The DRB did not have any additional questions for the Applicant.

Hearing no further questions or comments, the Chair closed the Hearing at 7:29 p.m.

6(B). Sketch Plan- Minor Conventional Subdivision, Variance & Boundary Line Adjustment Application - 28-30 River Street, LLC & 32 River Street, LLC, Owners/William Harrington & John & Leah MacRae Applicants.

The Chair read the following summary to open the hearing:

The Applicants request Sketch Plan approval for a proposed 2-lot Minor Conventional Subdivision located at 28-30 River St, described as Tax Map 32, Parcel 22-2 and SPAN #11460. Lot 1 is to contain existing duplex on 0.34 acres accessed via River St. Lot 2 is to contain existing auto repair building on 0.31 acres accessed via Cherry St. Also proposed is a Boundary Line Adjustment to transfer .15 acres from 33 River Street, described as Tax Map 32 Parcel 22-4, SPAN #10397, to 28-30 River St. The Applicant seeks a Variance approval according to Section 1070 of the Zoning Regulations from Subdivision Regulations Sections 700.5 and 880.1 and Zoning Regulations Sections 454, 620. The Properties are located within the Old Towne Residential/Commercial (M5)

1 Zoning District and the Olde Town Planning Sub-Area.

2
3 The Chair administered the Oath to Interested Persons. Representing the Applicants were William Harrington
4 and John MacRae, hereafter referred to as "Applicant(s)."
5

6 In response to the following numbered items within the Staff Report:

- 7 1. The DRB found there was no need for a site visit.
- 8 2. The Applicant stated Lot #2 will not need to install and/or connect to water and wastewater systems for
9 proposed Lot #2, as they do not plan to continue the current commercial use in the existing garage.
10 Rather, the garage will be used solely by the Applicant to store personal belongings. Staff explained that
11 the current approved Use for the site is auto repair and state law requires functioning water and
12 wastewater service if that Use is to continue. The Applicant stated the Auto Repair Use will be
13 discontinued.
- 14 3. The Applicant stated the shed will be moved to meet setback requirements, or demolished.
- 15 4. The Applicant requests a Variance because, as proposed, Lot 1 will not meet the 80-foot road frontage
16 requirement. However, it currently has no road frontage whatsoever and the proposal would give it
17 approximately 45 feet of frontage. The DRB briefly discussed the details of the neighboring parcels and
18 the Applicant stated both neighboring parcels would retain the required frontage.
- 19 5. The Applicant agreed to submit a Final subdivision application within 6 months of DRB sketch
20 approval.
- 21 6. The Applicant agreed the final application will include all items listed in Subdivision Regulations 610.
- 22 7. The Applicant agreed that the Final application will include Section 700 responses submitted by email to
23 the Town Planner.
- 24 8. The Applicant agreed that the Final application will include the location of a storm water drainage
25 easement of such width as to encompass the twenty-five year flood area.
- 26 9. The Applicant agreed to escrow \$500 for the Town attorney's legal review of the deeds and any other
27 required legal instruments.
- 28 10. The Applicant agreed to submit draft deeds and any other associated legal instruments for all impacted
29 lots for review and approval by the Town attorney, and to make all requested revisions before the Final
30 Plat is recorded.
- 31 11. The Applicant agreed to obtain a State water/wastewater permit prior to the Final Subdivision
32 application.
- 33 12. The Applicant and the DRB agreed that nothing will be discharged from the garage, and the Use will be
34 abandoned; therefore this numbered item is moot.
- 35 13. The Applicant agreed to obtain a Project Review Sheet from the Agency of Natural Resources and to
36 obtain any required state permits and approvals.
- 37 14. The Applicant agreed to amend the Site Plan to reflect the new lot lines.
- 38 15. The Applicant agreed that if approved, the Boundary Line Adjustment approval will be conditioned
39 upon Final Subdivision approval and finalized on the Final Plat.

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41 Hearing no further questions or comments, the Chair closed the Hearing at 7:47 p.m.
42

43 **6(C). Sketch Plan- Minor Conventional Subdivision - Poor Farm Acres, LLC, Owner/Applicant.**
44

45 The Chair read the following summary to open the hearing:
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47 Poor Farm Acres, LLC, Owner/Applicant is requesting Sketch Plan approval for a proposed 2-lot Minor
48 Conventional Subdivision located at an unaddressed property on Poor Farm Road, described as Tax Map 15,
49 Parcel 55 and SPAN #11180. The applicant proposes access to Lot 1 via Poor Farm Road and Lot 2 via Highland

1 Avenue. The properties are proposed to be served by on-site water and wastewater. The subject property
2 contains approximately 2.00 acres and is located within the "Medium Density Residential" (R2) Zoning District
3 and Arrowhead Lake Planning Area.

4
5 The Chair administered the Oath to Interested Persons. Representing the Applicant was Karl Marchessault of
6 O'Leary-Burke Civil Associates, hereafter referred to as "Applicant."

7
8 In response to the following numbered items within the Staff Report:

- 9 1. The Applicant agreed that if subdivision is approved, the existing zoning permit for the existing lot must
10 be amended to reflect the change of property boundaries.
- 11 2. The Applicant agreed to provide legal documentation of the 60' easement from Highland Avenue to
12 benefit Lot 2, to be submitted with the Final application. The DRB questioned whether or not this parcel
13 was part of the original "Highland Woods" subdivision; Staff and the Applicant advised it was not.
- 14 3. The DRB discussed the minimum road frontage requirement. The Applicant stated that the way it
15 turned out, there is no road frontage for Lot 2 and he is relying on the 60-foot easement to allow for
16 ingress and egress.
- 17 4. The Applicant agreed to submit a Final subdivision application within 6 months of DRB sketch
18 approval.
- 19 5. The Applicant agreed the final application will include all items listed in Subdivision Regulations 610.
- 20 6. The Applicant agreed that the Final application will include Section 700 responses submitted by email to
21 the Town Planner.
- 22 7. The Applicant agreed to escrow \$500 for the Town attorney's legal review of the deeds and any other
23 required legal instruments.
- 24 8. The Applicant agreed to submit draft deeds and any other associated legal instruments for all impacted
25 lots for review and approval by the Town attorney, and to make all requested revisions before the Final
26 Plat is recorded.
- 27 9. The Applicant agreed to obtain a Highway Access Permit from the Town of Milton Department of
28 Public Works, and to construct all curb cuts in accordance with Public Works' specifications.
- 29 10. The Applicant agreed to obtain a Project Review Sheet from the Agency of Natural Resources and to
30 obtain any required state permits and approvals.

31
32 Hearing no further questions or comments, the Chair closed the Hearing at 8:03 p.m.

33 34 **7. OTHER BUSINESS**

35 **7(A). Staff Update**

36 Staff updated the DRB on upcoming hearings, including a Minor Conventional Subdivision application and
37 a Boundary Line Adjustment application scheduled for the DRB's next meeting. Staff advised that the
38 Selectboard meeting of 2/16/16, at which the Fee Schedule changes were to be presented, had a full Agenda
39 and therefore the DRB has more time to provide comments to Staff if they wish to. The Chair remarked he
40 found some of the fees to be too high; Staff explained some of the reasoning and research that went in to
41 arriving at the proposed fees.

42 43 **8. MINUTES**

44 **8(A). Minutes of January 28, 2016**

45 MOTION by Bonges to APPROVE the Minutes of January 28, 2016 as written; SECOND by Conley.
46 Unanimously APPROVED.

47 48 **9. DELIBERATIVE SESSION**

