



DEVELOPMENT REVIEW BOARD

Meeting Type:.....Regular
Date:.....Thursday, May 26, 2016
Time:.....7:00 p.m.
Place:.....Municipal Building Community Room
Address:.....43 Bombardier Road Milton, VT 05468
Contact:.....(802) 893-1186
Website:www.miltonvt.org

MEETING MINUTES

1. CALL TO ORDER

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

2. ATTENDANCE

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

Members Absent: None

Staff Present: Jeff Castle, Town Planner

Public Present:

3. AGENDA REVIEW

Additions: Staff added the following items to the Agenda:

- Review of a Landscape Plan submitted for 8 Catamount Drive, per the conditions of their Site Plan decision.
- Review/signing of a plat resulting from a minor conventional subdivision on Railroad Street.

Deletions: None.

4. PUBLIC FORUM

None.

5. OLD HEARINGS

None.

6. NEW HEARINGS

6(A). Minor Conventional Subdivision Sketch Plan -- Lake Road & Hibbard Road -- Rowley Family Real Estate II, LLC, Owner/Connor & Meghann Rowley, Applicants

The Chair read the following summary to open the hearing:

Rowley Family Real Estate II, LLC, Owner/Connor & Meghann Rowley, Applicants request **Sketch Plan** approval for a proposed 2-lot **Minor Conventional Subdivision** located at **Lake Road and Hibbard Road**, described as Tax Map 14, Parcel 6 and SPAN #13077. A single family home is also proposed for the newly created 10-acre lot, to be served by on-site private septic and water and accessed from Hibbard Road. The subject property contains approximately 255.10 acres and is located within the "Agricultural/Rural Residential" (R5) Zoning District.

The Chair administered the Oath to Interested Persons. Representing the applicants were Connor Rowley, Meghann Rowley, Clare Rowley, and Brian Tremback of Lamoureux Dickinson Engineering, hereafter referred to as "applicant(s)." The applicant gave an overview of the proposal and advised that there were 2 errors

1 contained in the application, regarding the frontage: the proposed newly created lot would have 443' of
2 frontage, and the remaining parcel was listed as having 900' of frontage (based on Lake Road only), but Dixon
3 Road actually extends in to the property and creates over 5000' of frontage on that road alone.
4

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

- 6 1. The applicant agreed that all existing Restrictions and Covenants shall be shown and labeled on the
7 final application plat. A right-of-way shown on the sketch plan is labeled as CVPS; the Chair clarified
8 that VELCO is the correct holder of that right-of-way.
- 9 2. The Chair stated that the applicant had already given the proposed frontage for Lot 2: 443 feet.
- 10 3. The applicant agreed to submit an application for approval of a subdivision plat within six (6)
11 months of classification by the DRB of the sketch plan as a minor subdivision, that the application
12 shall contain those items set forth in Section 610 of these regulations, and shall conform to the layout
13 shown on the sketch plan plus any recommendations made by the DRB.
- 14 4. The applicant agreed that the final plat application shall include all items listed in Subdivision
15 Regulations 610.
- 16 5. The applicant agreed that the Final application shall include Section 700 responses, submitted by e-
17 mail in Microsoft .DOC format to the Town Planner. The Chair briefly reviewed the contents of
18 Section 700.
- 19 6. The applicant agreed that the location of a storm water drainage easement of such width as to
20 encompass the twenty five (25) year flood area of the water course within the subdivision shall be
21 included in the Final Plat application.
- 22 7. The applicant agreed to submit \$500 with the Final application to cover the legal review of the deeds
23 and any other required legal instruments by the Town Attorney, and that any funds not expended on
24 the legal review will be refunded to the applicant.
- 25 8. The applicant agreed to submit draft deeds and any other associated legal instruments for all
26 impacted lots for review and approval by the Town Attorney, that all requested revisions must be
27 complete before the Plat may be recorded, and that only instruments approved by the Town may be
28 recorded in the Town of Milton Land Records. The applicant inquired who the Town Attorney is;
29 Staff advised that the Town uses the firm Stitzel, Page & Fletcher and briefly went over the legal
30 review process.
- 31 9. The applicant agreed to obtain a Project Review Sheet from the Permit Specialist in the District 4
32 Regional Office of the Agency of Natural Resources, provide a copy to the Town, and obtain all
33 required State permits and approvals.

34 Hearing no further questions or comments, the Chair closed the Hearing at 7:17 p.m.
35

36 **6(B). Minor Conventional Subdivision Sketch Plan - 42 Petty Brook Road - David C. Howe/Owner &**
37 **Applicant.**
38

39 The Chair read the following summary to open the hearing:
40

41 **David C. Howe, Owner/Applicant** requests **Sketch Plan** approval for a proposed 2-lot **Minor Conventional**
42 **Subdivision** located at **42 Petty Brook Road**, described as Tax Map 3, Parcel 37, SPAN #11614. A single family
43 home currently exists on the lot and a new single family home is proposed. The subject property contains
44 approximately 12.13 acres and is located within the "Low Density Residential" (R3) Zoning District and
45 Catamount Planning Area.
46

47 The Chair administered the Oath to Interested Persons. Representing the Applicant was David Howe, hereafter

1 referred to as "applicant."
2

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

- 4 1. The Applicant stated the waiver was necessary in order to retain the required 300' frontage on the
5 remaining parcel. The DRB will determine if they shall grant the requested waiver from the
6 minimum frontage requirement for Lot 2.
- 7 2. The applicant agreed to apply for a State Water/Wastewater permit prior to submitting a final plan
8 application.
- 9 3. Item #3 of the Staff Report stated, "If approved, the final application shall indicate if the existing
10 culvert is adequate for the proposed driveway in conformance with the driveway standards of ZR593
11 and the driveway specifications as defined in the Public Works Specifications." The applicant stated
12 the Town placed the culvert 3 years ago and that, if the Town placed it, it ought to be up to the
13 Town's specifications. Staff clarified that there is a culvert in place to access the existing field, and it
14 just needs to be confirmed that the culvert meets the Public Works Specifications for a private
15 driveway.
- 16 4. The DRB shall determine if the proposed lots meet the minimum lot width to depth ratio as described
17 in ZR640. Staff explained that the calculation is difficult to make in this case due to the irregular
18 shape of the lot.
- 19 5. The applicant agreed to submit an application for approval of a subdivision plat within six (6)
20 months of classification by the DRB of the sketch plan as a minor subdivision, that the application
21 shall contain those items set forth in Section 610 of these regulations, and shall conform to the layout
22 shown on the sketch plan plus any recommendations made by the DRB.
- 23 6. The applicant agreed that the final plat application shall include all items listed in Subdivision
24 Regulations 610, including a survey of all lots resulting from the proposed subdivision.
- 25 7. The applicant agreed that the Final application shall include Section 700 responses, submitted by e-
26 mail in Microsoft .DOC format to the Town Planner. The applicant stated he will work with Staff to
27 achieve this.
- 28 8. The applicant agreed that the location of a storm water drainage easement of such width as to
29 encompass the twenty five (25) year flood area of the water course within the subdivision shall be
30 included in the Final Plat application. The Applicant stated the surveyor or engineer would do this.
- 31 9. The DRB and applicant felt this item had already been discussed. The DRB will determine if the
32 proposed lot layout is in conformance to the lot layout requirements of SR880.
- 33 10. The applicant agreed to submit \$500 with the Final application to cover the legal review of the deeds
34 and any other required legal instruments by the Town Attorney, and that any funds not expended on
35 the legal review will be refunded to the Applicant.
- 36 11. The applicant agreed to submit draft deeds and any other associated legal instruments for all
37 impacted lots for review and approval by the Town Attorney, that all requested revisions must be
38 complete before the Plat may be recorded, and that only instruments approved by the Town may be
39 recorded in the Town of Milton Land Records.
- 40 12. The applicant agreed to obtain a Project Review Sheet from the Permit Specialist in the District 4
41 Regional Office of the Agency of Natural Resources, provide a copy to the Town, and obtain all
42 required State permits and approvals.

43
44 Hearing no further questions or comments, the Chair closed the Hearing at 7:32 p.m.
45

46 **6(C). Bove Sauce Factory Landscaping Plan -- Rick Bove -- 8 Catamount Drive**

47 Staff presented the Landscape Plan and reviewed pertinent changes. The Chair inquired about a previously-
48 approved statue, and Staff advised that the statue is on hold per the Applicant. The Vice-Chair inquired

1 about screening of neighboring properties, and Staff advised that the screening portion of the landscaping
2 was not substantially changed. Questions were asked and answered.

3
4 MOTION by Conley to APPROVE the Landscaping Plan for Bove's Sauce Factory at 8 Catamount Drive, as
5 proposed. SECOND by Forgan. Unanimously APPROVED.
6

7 **7. OTHER BUSINESS**

8 **7(A). Staff Update**

9 Staff gave a quick update on Planning Department activity:

- 10 • New DRB application forms are active and available online; any feedback is appreciated.
- 11 • Pre-application Review services are going well, and in conjunction with the new application forms
12 should gather much more information up-front, making for a smoother process and Hearing.
- 13 • No Hearings are currently scheduled for the DRB's June 23, 2016 meeting.

14
15 The Vice-Chair inquired about the Sidewalk Fund, and discussion followed. Staff will follow up.
16

17 **8. MINUTES**

18 **8(A). Minutes of May 12, 2016**

19 MOTION by Bonges to APPROVE the Minutes of May 12, 2016 as written; SECOND by Conley.
20 Unanimously APPROVED.
21

22 **9. DELIBERATIVE SESSION**

23 MOTION by Conley to enter Deliberative Session at 7:52 p.m.; SECOND by Bonges. Unanimously
24 APPROVED.
25

26 **DECISIONS SIGNED:**

27
28 **9(A). Conditional Use & Variance Application -- 13 Rainbow Place -- Mike Crete, Owner/Rick LeClair,
29 Applicant.**

30 Bruce Jenkins, Chair	<u>yea</u> /nay/abstain/absent/recusal
31 Dave Conley, Vice-Chair:	<u>yea</u> /nay/abstain/absent/recusal
32 Henry Bonges, Clerk:	<u>yea</u> /nay/abstain/absent/recusal
33 Clayton Forgan:	<u>yea</u> /nay/abstain/absent/recusal

34
35 **9(B). Conditional Use Application -- 304 Cold Spring Road -- Justin & Betsy Wheating, Owners/Jack
36 Milbank - Civil Engineering Associates, Applicant.**

37 Bruce Jenkins, Chair	<u>yea</u> /nay/abstain/absent/recusal
38 Dave Conley, Vice-Chair:	<u>yea</u> /nay/abstain/absent/recusal
39 Henry Bonges, Clerk:	<u>yea</u> /nay/abstain/absent/recusal
40 Clayton Forgan:	<u>yea</u> /nay/abstain/absent/recusal

41
42 **9(C). Conditional Use Application -- 690 Everest Road -- Virginia & Daniel Dubois, Owners/Jack Milbank
43 - Civil Engineering Associates, Applicant.**

44 Bruce Jenkins, Chair	<u>yea</u> /nay/abstain/absent/recusal
45 Dave Conley, Vice-Chair:	<u>yea</u> /nay/abstain/absent/recusal
46 Henry Bonges, Clerk:	<u>yea</u> /nay/abstain/absent/recusal
47 Clayton Forgan:	<u>yea</u> /nay/abstain/absent/recusal

1 **9(D). Major Conventional Subdivision Sketch Plan Application -- 159 East Road -- Sandra Martell &**
2 **Waldo Martell, Owners/Chris Blondin, Applicant.**

- 3 Bruce Jenkins, Chair yea/nay/abstain/absent/recusal
- 4 Dave Conley, Vice-Chair: yea/nay/abstain/absent/recusal
- 5 Henry Bonges, Clerk: yea/nay/abstain/absent/recusal
- 6 Clayton Forgan: yea/nay/abstain/absent/recusal

7
8 MOTION by Conley to exit Deliberative Session at 8:20 p.m.; SECOND by Bonges. Unanimously
9 APPROVED.

10
11 **10. ADJOURNED**

12 MOTION by Conley to adjourn at 8:21 p.m.; SECOND by Bonges. Unanimously APPROVED.

13
14
15 Minutes approved by the Commission this _____ day of _____, 2016.

16
17
18 _____
19 Bruce Jenkins, Chair /kt

20 Draft filed with the Town Clerk this 27th day of May, 2016.

21
22 Filed with the Town Clerk this _____ day of _____, 2016.