



DEVELOPMENT REVIEW BOARD

Meeting Type:.....Regular
Date:.....Thursday, June 9, 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 **1. CALL TO ORDER**

2 The Chair called the meeting to order at 7:04 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

8 **Public Present:** See attached sign-in sheet
9

10 **3. AGENDA REVIEW**

11 None.
12

13 **4. PUBLIC FORUM**

14 None.
15

16 **5. OLD HEARINGS**

17 None.
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19 **6. NEW HEARINGS**

20 **6(A). Scott Allard, Owner/Applicant -- Conditional Use -- 467 West Milton Road**
21

22 The Chair read the following summary to open the hearing:
23

24 **Scott Allard, Owner/Applicant** requests **Conditional Use** approval at **467 West Milton Road** in order to
25 elevate a portion of the existing structure so the living space is above the base flood elevation. The proposal
26 does not include any increase in square footage. The subject property consists of approximately 0.85 acres, is
27 described as SPAN# 13071, Tax Map 6 and Parcel 42, and is located in the Flood Hazard Zoning District and
28 Lamoille Planning Area.
29

30 The Chair administered the Oath to Interested Persons. Representing the applicants was Scott Allard, hereafter
31 referred to as "Applicant."
32

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

- 34 1. The Applicant stated no excavation will occur.
- 35 2. The Applicant agreed that the Development Review Board (DRB) may attach such additional
36 reasonable conditions and safeguards as it may deem necessary to implement the provisions and
37 intentions of these Regulations and the Milton *Comprehensive Plan*.

3. Nothing was stated in reply to the reading of the following item: "The DRB shall determine if the proposal has an undo adverse effect on the above standards."
4. The Applicant agreed to construct and maintain the proposed addition in accordance with Section VII of Appendix A, Special Flood Hazard Area.
5. The Applicant stated that a FEMA Elevation Certificate had already been submitted and wondered if a new one would be required. Staff clarified that it is required and the Applicant agreed that the proposed improvements shall be located such that the lowest floor is at least one (1) foot above the base flood elevation, and that this must be documented in as-build condition with a FEMA Elevation Certificate.
6. The Applicant stated that he'd been in contact with a permit specialist from the Vermont Agency of Natural Resources (ANR), and had been told that his project was not worth their time to review. Furthermore, he'd been asked to tell the Town of Milton to **stop bothering ANR with these small requests**. Staff replied that the regulations (Zoning Regulations Appendix A, Section VIII, A, 1b) specifically state that one is required, particularly in the floodway. The Applicant agreed to try to obtain something in writing from ANR, whether that be a statement that their review is not necessary or a Project Review Sheet (PRS). The Applicant agreed that a copy of any such documentation shall be provided to the Town before a zoning permit can be issued and that all required State and Federal approvals shall be acquired. Staff will follow-up with ANR to obtain their view on the types of proposals that should be required to obtain ANR review.
7. The Applicant agreed that, if approved, any comments made by the State NFIP Coordinator will be addressed prior to the issuance of a Zoning Permit.
8. The Applicant agreed that a Zoning Permit is required prior to construction and an associated Certificate of Compliance is required after construction is complete (and prior to occupation/use of the new structures).
9. Conley asked what the height of the new bedrooms would be. The Applicant stated they will be the height of the second floor, an elevation of 118.45. Bonges clarified that the proposal includes a tear-down and rebuild, not just elevation of the existing structure. The Applicant agreed. The DRB had no further questions or comments.

MOTION by Conley to APPROVE the Conditional Use application for 467 West Milton Road subject to the conditions above; SECOND by Forgan. Unanimously APPROVED.

6(B). J.M. Rowley Corporation, Owner/Kevin Carmichael, Applicant -- Site Plan & Conditional Use -- 5 River Street

The Chair read the following summary to open the hearing:

J.M. Rowley Corporation, Owner/Kevin Carmichael, Applicant request after-the-fact **Site Plan & Conditional Use** approval under Section 110 of the Milton Zoning Regulations for an expansion of use to add an accessory vehicle/trailer (U-Haul) rental service to the existing personal service use (Tool Wizard & More) at **5 River Street**. The proposal includes modifications to the approved parking and internal circulation. The subject property consists of approximately 1.68 acres, is described as Tax Map 34 and Parcel 2, and is in the Old Towne Residential/Commercial (M5) Zoning District and Town Core Planning Area.

The Chair administered the Oath to Interested Persons. Representing the Applicant was Kevin Carmichael, Marcia Phillips, Nathan Dandra and Scott Allard, hereafter referred to as "Applicant(s)."

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

- 1 1. The DRB did not feel that a site visit was necessary.
- 2 2. The Applicant stated that a portion of the building housing the existing personal service is specifically
3 designated for the U-Haul business, with a front counter. The Applicant stated Tool Wizard & More is
4 separate from U-Haul.
- 5 3. The Applicant agreed that, if approved, a Zoning Permit is required and an associated Certificate of
6 Compliance is required to cure the Zoning Violation. The Chair asked about the Zoning Violation
7 and Staff clarified. The Chair inquired how adding a U-Haul business is an expansion of use and the
8 Applicants wondered the same. Staff explained why the addition of the U-Haul business
9 (particularly because parking previously approved in the Site Plan for Tool Wizard & More is being
10 used to park U-Haul trucks, thereby changing the approved internal circulation) does require a Site
11 Plan Amendment.
- 12 4. Discussion about existing and proposed parking was held. Staff and the Applicant clarified the
13 exhibits presented. The Applicants indicated they would like to be able to park four U-Haul vehicles
14 in the front along Route 7. The Vice-Chair asked what the maximum number of vehicles on-site at
15 any given time could be; the Applicant replied that they'd just gone through one of their busiest
16 weekends, and there were approximately 16 pieces of equipment on site during that time. The
17 Applicant explained the nature of the U-Haul business, stating most trucks are one-way rentals and
18 therefore are removed from the site quickly, typically within a few days. The Vice-Chair inquired
19 about parking for the neighboring rental unit on the same parcel. The Applicant replied two parking
20 spaces are proposed for the rental unit. The number of parking spaces dedicated to the U-Haul
21 business, the delineation of parking spaces, the number of spaces used by employees, and
22 handicapped parking were all discussed.
- 23 5. The Clerk asked about green space as a possibility to break up the expanse of pavement, and
24 wondered if the Applicant had considered this. The Applicant replied that one of the reasons they
25 had not followed through on a previously approved Site Plan approval was due to one of the
26 conditions of approval, which was to install a berm and some green space along the Route 7 frontage.
27 This was cost-prohibitive and not feasible to the business that was in place at that time. The site's
28 history was discussed by the group.
- 29 6. The group felt that the parking of rental vehicles had already been discussed. The Vice-Chair felt it
30 was fair to want to park 3-4 vehicles along Route 7. There were no further comments.
- 31 7. The Applicant stated that are willing to set a maximum lot limit of 10 trucks, 4 regular size trailers
32 and two pieces of towing equipment, resulting in 16 total pieces of equipment on the lot at any given
33 time. The Applicant stressed that this a *maximum* number, will not be the norm, and that typically
34 there will be fewer pieces of equipment on site.
- 35 8. The DRB felt that the proposal does not have an undue adverse effect on the traffic on roads and
36 highways in the vicinity, stating the proposal likely will impact traffic less than the previous use did.
37 The Applicant added that typically customers are in and out quickly.
- 38 9. The Applicant agreed that if Conditional Use approval is granted, the Development Review Board may
39 attach such additional reasonable conditions and safeguards as it may deem necessary to implement
40 the provisions and intentions of these Regulations and the Milton *Comprehensive Plan*.
- 41 10. The Applicant agreed that the DRB may impose appropriate conditions and safeguards to meet the
42 standards of the Site Plan section.
- 43 11. The Applicant agreed that the DRB may grant the requested waivers from the application
44 requirement of ZR803.6, ZR803.7, ZR803.8, ZR803.9, and ZR803.10. The Applicant confirmed there is
45 a drop-box on the side of the building.
- 46 12. The Applicant agreed that he DRB shall determine the appropriateness of the proposed landscaping
47 and screening. The Chair confirmed with the Applicant that no changes are proposed.
- 48 13. The DRB felt that the adequacy of existing parking had already been discussed.

- 1 14. The Applicant agreed that Final Plans shall clearly label existing ADA parking spaces.
2 15. The Applicant did not desire a physical barrier to be placed to prevent encroachment into the public
3 right-of-way, but was open to discussion. It was agreed that concrete barriers will be erected in front
4 of the four front parking spaces that will house the trucks. Barriers shall be indicated on the Final
5 Plans.
6 16. A 10 foot by 60 foot loading/unloading space was discussed and Staff indicated where it could be
7 shown on the Final Plans. The DRB briefly discussed that the current business will be doesn't require
8 a lot of loading/unloading, or deliveries.
9 17. The Applicant felt that the requirement to provide at least one bicycle parking or storage facility is
10 not necessary, stating that if anyone wanted to leave their bike there, they would happily secure it
11 inside the building. Once it was explained that this is a requirement for all Site Plans, the Applicant
12 agreed to provide it and show and its location on the Final Plans. Potential locations were discussed.
13 18. The Applicant agreed to obtain a Project Review Sheet from the Permit Specialist in the District 4
14 Regional Office of the Agency of Natural Resources, provide a copy to the Town, and obtain all
15 required State permits and approvals prior to issuance of a Zoning Permit.
16 19. The Applicant agreed to submit two (2) full-sized (to scale) and two (2) reduced (11 x 17) complete
17 final plan sets depicting the requested changes and that the revised plans must be deemed Final by
18 the Town Planner prior to being eligible for a Zoning Permit from the Zoning Administrator. The
19 Applicant asked what specifically needs to be shown; the Chair explained that the Final Plan must
20 illustrate all features discussed, including but not limited to: outdoor lighting, resident and
21 commercial parking, plantings, curbing, the bike rack, the loading zone, etc. Staff is available to assist
22 with Final Plan requirements. *The Applicant is advised to submit ONE plan set for staff review prior to*
23 *submitting all the copies of the Final Plan sets.*
24 20. The following numbered item was not read aloud, but is a requirement: **CONDITIONAL USE**
25 **approval shall expire one year from the date of issue. If the work has not been completed, the applicant**
26 **shall apply to the Zoning Administrator for an extension. The Zoning Administrator may grant a**
27 **single one-year extension for the identical project only.**
28 21. The Applicant agreed that a Zoning Permit is required for expansion of use or construction and an
29 associated Certificate of Compliance is required.
30 22. The Applicant responded to the one question remaining from the DRB, relating to foot traffic.
31 Bonges expressed a desire to do a site visit; Conley and Jenkins both stated they had no need for one.
32 Forgan and Bonges will do individual site visits.
33

34 Hearing no further questions or comments, the Chair closed the Hearing at 7:59 p.m.
35

36 7. OTHER BUSINESS

37 7(A). Staff Update

38 Staff gave a quick update on Planning Department activity:

- 39 • The second DRB meeting in June has been cancelled. The DRB's next meeting will be July 14, 2016
- 40 • New DRB application forms are active and feedback is being received. Although the form may seem
41 daunting at first, it's gathering much more quality information up-front, and in fact is only slightly
42 longer than the previous forms. Some formatting quirks are being worked out, and any further
43 feedback is appreciated.
44

45 8. MINUTES

46 8(A). Minutes of May 26, 2016

47 MOTION by Bonges to APPROVE the Minutes of May 26, 2016 as written; SECOND by Forgan.

48 Unanimously APPROVED.

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9. DELIBERATIVE SESSION

MOTION by Conley to enter Deliberative Session at 8:14 p.m.; SECOND by Forgan. Unanimously APPROVED.

10. ADJOURNED

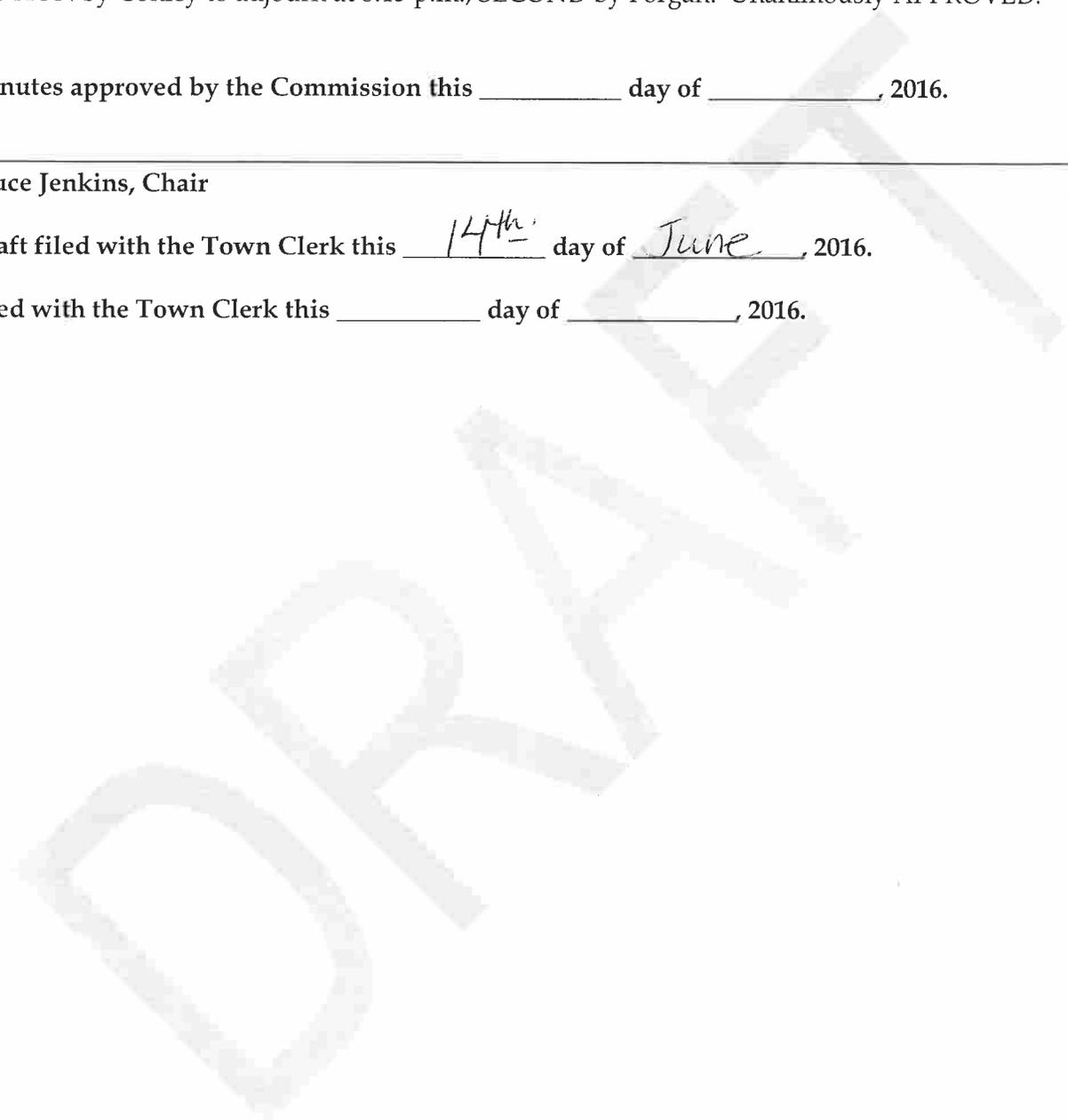
MOTION by Conley to adjourn at 8:15 p.m.; SECOND by Forgan. Unanimously APPROVED.

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

Bruce Jenkins, Chair /kt

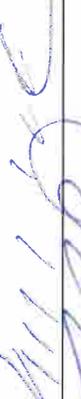
Draft filed with the Town Clerk this 14th day of June, 2016.

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



MEETING SIGN-IN SHEET - Milton Development Review Board

Date: Thursday, June 9, 2016

NAME (PRINT)	SIGNATURE	MAILING ADDRESS	PHONE #
Sue Ann		467 W. Victoria St	853-4328
Marcia Dillig		775 Creek Fr. Col	879-0230
Kevin Carmichael		" "	" "
Nathan Doster		150 Cambridge, Cambridge, VT	376-1222
Roxie VanZile		76 East Spring St Winooski	(802) 688-0520
William Head		35 Fielder Rd Huntington, VT 05462	(802) 434-5204

NOTE: THOSE WISHING TO GAIN INTERESTED PERSON STATUS AND TESTIFY ON AN APPLICATION MUST ALSO SIGN-IN ON THE HEARING SIGN-IN SHEET.