



## DEVELOPMENT REVIEW BOARD

Meeting Type: ..... **Regular**  
Date: ..... **Thursday, July 28, 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 7:08 p.m.  
3

4 **2. ATTENDANCE**

5 **Members Present:** Bruce Jenkins, Chair; David Conley, Vice-Chair; Henry Bonges, Clerk; Bob  
6 Brisson

7 **Members Absent:** Julie Rutz

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

9 **Public Present:** James Hall, Chris Blondin, Melissa Blondin, Marilyn Bluto, and Karl  
10 Marchessault.  
11

12 **3. AGENDA REVIEW**

13 None.  
14

15 **4. PUBLIC FORUM**

16 None.  
17

18 **5. ELECTION OF OFFICERS**

19 Tabled by general consent until all members are present; meeting conducted according to the  
20 prior fiscal year officers.  
21

22 **6. OLD HEARINGS/BUSINESS**

23 **6(A). (Rescheduled from canceled 7/14/16 meeting) Erwin, Loretta & Lee Devino,**  
24 **Owners/Erwin Devino, Applicant -- Minor Conventional Subdivision Final Plan -- 242 North**  
25 **Road**  
26

27 The Chair read the following summary to open the hearing:  
28

29 **Erwin, Loretta & Lee Devino, Owners/Erwin Devino, Applicant** requests **Final Plan** approval for  
30 a proposed 2-lot **Minor Conventional Subdivision** located at **242 North Road**, described as Tax  
31 Map 15, Parcel 119-1 and SPAN #10952. A single family home currently exists on the lot and a  
32 new single family home is proposed, to be serviced by municipal water and sewer. The subject  
33 property contains approximately 1.08 acres and is located within the "Old Towne Residential" (R1)  
34 Zoning District and North Road Planning Area.  
35

36 The Chair administered the Oath to Interested Persons. Representing the applicant was Karl

1 Marchessault of O'Leary-Burke, hereafter referred to as "Applicant."  
2

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

- 4 1. The Applicant agreed that, if approved, the applicant must submit draft legal  
5 instruments for the proposed 20 foot sewer easement on Lot 1 to benefit Lot 2, that all  
6 requested revisions must be complete before the Plat may be recorded, and that only  
7 instruments approved by the Town may be recorded in the Town of Milton Land  
8 Records.
- 9 2. The Applicant agreed that the Final Plat shall be in compliance with SR610, and include  
10 the seal of the licensed land surveyor.
- 11 3. The applicant agreed that the lots shall be numbered sequentially, labeled Lot 1 and Lot  
12 2, contingent upon Surveyor Seth Kittredge's approval, which the Applicant did not  
13 think would be a problem. However, the applicant noted that this is ultimately up to  
14 Kittredge.
- 15 4. The Applicant agreed that the final Plat shall show that the iron pipes have been set, and  
16 the Surveyor shall also submit a letter or e-mail attesting that all corner markers have  
17 been set prior to recording the final Plat.
- 18 5. The proposed locations of street trees were discussed; they were moved to avoid  
19 conflicts that arose with the sewer, water, and power lines. The DRB did not indicate  
20 whether or not the proposed street trees are acceptably located.
- 21 6. The Applicant agreed to provide a landscaping surety to guarantee the completion of  
22 the approved landscaping, to submit a written cost estimate for the proposed trees from  
23 a landscape contractor, and a performance bond to guarantee their survival for three  
24 years from installation. The Applicant agreed to establish the surety prior to the issuance  
25 of a Zoning Permit.
- 26 7. The Applicant agreed to obtain a water & wastewater connection permit prior to  
27 obtaining a zoning permit for the proposed single family dwelling.
- 28 8. The Applicant agreed that the proposed driveway shall be constructed according to  
29 ZR593 and the driveway specifications as defined in the Public Works Specifications.
- 30 9. The Applicant agreed to obtain a Town Highway Access prior to the issuance of a  
31 Zoning Permit for the new driveway, per ZR594, *Highway Access Permit*, adding that this  
32 process has already begun.
- 33 10. The Applicant agreed to submit draft deeds and any other associated legal instruments  
34 for all impacted lots for review and approval by the Town Attorney, that all requested  
35 revisions must be complete before the Plat may be recorded, and that only instruments  
36 approved by the Town may be recorded in the Town of Milton Land Records.
- 37 11. The applicant agreed to submit one paper or electronic .PDF version of the revised final  
38 Plat and any associated plans for review and approval by Staff prior to submitting the  
39 mylar, and to submit one full-sized (to scale) paper Final Plat and one 11x17 paper plat  
40 depicting the requested changes.
- 41 12. The Applicant agreed that the final Plat shall be submitted on mylar (18" x 24"), signed  
42 by the licensed surveyor and the Chair of the DRB, and recorded in the Town Clerk's  
43 Office within 180 days of the date of the DRB's Final Approval Decision, that Final  
44 approval expires if not filed within 180 days (unless extended by the Zoning  
45 Administrator for pending local or state approvals), and that in the event a subdivision

1 plat is recorded without complying with this requirement, the plat shall be considered  
2 null and void.

3  
4 MOTION by Conley to APPROVE the Minor Conventional Subdivision Final Plan application  
5 for 242 North Road subject to the conditions above; SECOND by Bonges. Unanimously  
6 APPROVED.

7  
8 **7. NEW HEARINGS/BUSINESS**

9 **7(A). Chris Blondin/Owner & Applicant -- Major Conventional Subdivision Preliminary Plan**  
10 **-- 159-169 East Road**

11  
12 The Chair read the following summary to open the hearing:

13  
14 **Chris Blondin/Applicant & Owner** requests **Preliminary Plan** approval for a **Major Conventional**  
15 **Subdivision** located at **159-169 East Road**. The proposal would result in eight (8) lots, to be served  
16 by shared septic and wells. Also proposed is a new, looped private road within a 60' private right-  
17 of-way accessed from two intersections on East Road. The site contains several existing structures.  
18 The property is described as SPAN numbers 12211 & 12210, Tax Map 11, Parcel 93. The subject  
19 property contains a total of 61.41 acres and is located within the "Old Towne Residential" (R1)  
20 Zoning District and Town Core Planning Area.

21  
22 The Chair administered the Oath to Interested Persons. Representing the Applicant was Chris  
23 Blondin, hereafter referred to as "Applicant(s)."

24  
25 A few minutes were taken to allow members to read supplemental materials that were submitted  
26 after the Commissioners' packets for this meeting had been mailed. Staff explained that Peter  
27 Whitmore, an adjoining property owner, was out of town and therefore not in attendance, but had  
28 submitted a letter that morning to the Planning Office stating his position. Staff read the letter  
29 aloud in its entirety.

30  
31 In response to the following numbered items within the Staff Report:

- 32 1. The Applicant agreed that the Final application/plans shall label all existing and  
33 proposed utilities as well as existing principal and accessory structures and indicate if  
34 the existing buildings/structures are to be retained or removed.
- 35 2. The Applicant agreed that the Final Plans shall show the type, location and approximate  
36 size of all existing and proposed streets and driveways, specifications in compliance  
37 with the Town's Public Works Specifications, and shall indicate existing access to be  
38 retained or removed. The proposed access points off East Road were discussed and the  
39 Applicant answered questions from the DRB.
- 40 3. The Applicant agreed that the Final Plans shall delineate the boundaries of all proposed  
41 easements.
- 42 4. The Applicant agreed that the Final Plan shall show, or be accompanied by, the above  
43 requirements of SR600.1. Staff advised that the Department of Public Works has some  
44 concerns about a culvert on East Road. Discussion followed about the direction of  
45 drainage off the property. The Applicant advised an engineering firm had been  
46 contacted and the options were being discussed.

- 1 5. The Applicant agreed that, if approved, the Final Application shall include Section 700  
2 responses specifically addressing how the proposal meets each finding above.
- 3 6. The Applicant agreed that the Final Plan's application and plans shall demonstrate  
4 compliance with the road and driveway standards established ZR592 & 593 and the  
5 Town of Milton Public Works Specifications.
- 6 7. The Applicant agreed that the Final Plans shall include a hammer head at the end of  
7 each proposed dead end street.
- 8 8. The Applicant agreed that, if approved, the Final Plans shall show a street design in  
9 conformance with SR800.10/ZR590.
- 10 9. The Applicant did not understand this request, because at the Sketch Plan meeting it  
11 was discussed that a sidewalk wouldn't make sense in this location and would not  
12 connect to any existing sidewalk. Staff explained that this is a requirement for the Zone.  
13 The DRB and the Applicant discussed the pros and cons of this requirement. The  
14 Applicant stated that if it had to be done, it would be done, but that it did not make  
15 sense to him. The Applicant is willing to contribute to the Sidewalk Fund if that's an  
16 option. Staff will look in to it.
- 17 10. This numbered item stated: "The Final Plans shall include the proposed location of a  
18 pedestrian easement/walking path between East Road and Railroad Street for  
19 dedication to the Town." The Chair advised that the Town could not require this, but if  
20 the Applicant wanted to do so they were welcome to. There was no definitive decision  
21 regarding this item.
- 22 11. The Applicant felt that the lighting had been discussed at the Sketch Plan meeting. The  
23 DRB will determine if the proposed lighting is appropriate.
- 24 12. The Applicant agreed that the final plan shall include trees sited between East Road and  
25 the proposed right-of-way if required. Some discussion of the options followed.
- 26 13. The Applicant agreed that an adequate surface storm water drainage plan for the entire  
27 subdivision area shall be provided with the Preliminary Plan application, and that the  
28 subdivider's engineer shall provide such information as the DRB deems necessary to  
29 determine the adequacy of all proposed drainage facilities.
- 30 14. The Applicant agreed that the Final Plans shall show easements of sufficient width for  
31 the proposed shared water and wastewater systems, as well as clearly delineate the  
32 boundaries of the access right-of-ways.
- 33 15. The Applicant agreed to submit \$500 with the Final application to cover the legal review  
34 of the deeds and any other required legal instruments by the Town.
- 35 16. The Applicant agreed to submit draft deeds and any other associated legal instruments  
36 for all impacted lots for review and approval by the Town Attorney, that all requested  
37 revisions must be complete before the Plat may be recorded, and that only instruments  
38 approved by the Town may be recorded in the Town of Milton Land Records.
- 39 17. The Applicant agreed to obtain a Project Review Sheet from the Permit Specialist in the  
40 District 4 Regional Office of the Agency of Natural Resources, provide a copy to the  
41 Town, and obtain all required State permits and approvals.
- 42 18. The Applicant agreed to respond to any remaining comments or concerns from the  
43 Development Review Board. James Hall, an adjoining property owner, stated he had  
44 never met the Applicant. Hall wanted this clarified as the Applicant had previously  
45 stated he'd talked with the neighbors, but Hall has not spoken with or met the  
46 Applicant. Hall felt this proposal was not compatible with the surrounding land, stating

1 that nowhere on all of East Road does this type of development exist. Hall also  
2 expressed concern about drainage from the site; his concerns were discussed. Brisson  
3 asked the Applicant for his thoughts on the letter from Peter Whitmore that was read  
4 aloud by Staff earlier in the meeting, and the Applicant shared his thoughts: the  
5 proposed lighting is limited and downcast, there is no proposed street lighting, and the  
6 existing vegetative buffer will remain. The Applicant felt that visibility from the  
7 Whitmore property would be minimal. The DRB also discussed concerns that Marilyn  
8 Bluto, another adjoining property owner, had brought up previously. The Applicant  
9 stated a survey of Bluto's property had been done, and Bluto stated that everything had  
10 been straightened out.

11  
12 Hearing no further questions or comments, the Chair closed the Hearing at 8:17 p.m.

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14 **8. OTHER BUSINESS**

15 **8(A). Bylaw Review**

16 Tabled by general consent, until all members are present.

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18 **8(B). Staff Update**

19 Staff shared a brief update of Planning Department activities. The makeup of the DRB and the  
20 role of Alternate members was discussed.

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22 **9. MINUTES**

23 **9(A). Minutes of June 9, 2016**

24 MOTION by Conley to APPROVE the Minutes of June 9, 2016 as written; SECOND by Bonges.  
25 Unanimously APPROVED.

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27 **10. ADJOURNED**

28 MOTION by Bonges to adjourn at 8:30 p.m.; SECOND by Conley. Unanimously APPROVED.

29  
30 Minutes approved by the Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

31  
32 \_\_\_\_\_  
33 Bruce Jenkins, Chair /kt

34  
35 Draft filed with the Town Clerk this 1<sup>st</sup> day of August, 2016.

36  
37 Filed with the Town Clerk this \_\_\_\_\_ day of \_\_\_\_\_, 2016.