



## DEVELOPMENT REVIEW BOARD MEETING MINUTES

Meeting Type:  Regular Meeting  
Date:  Thursday, January 28, 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

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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

9 **3. AGENDA REVIEW**

10 None.  
11

12 **4. PUBLIC FORUM**

13 None.  
14

15 **5. NEW HEARINGS**

16 **5(A). Conditional Use Application – 204 Cobble Hill Road - Rick Sharp & Ruth Masters, Owners &**  
17 **Applicants.**  
18

19 The Chair read the following summary to open the hearing:  
20

21 The Applicants are requesting Conditional Use approval to hold weddings in an existing building pursuant to  
22 Zoning Regulations Section 120. The proposal estimates between five (5) and ten (10) weddings per year with a  
23 maximum capacity of eighty (80) guests. The property is currently used for outdoor recreation,  
24 telecommunication, and agriculture/forestry. The site is located at 204 Cobble Hill Road, described as SPAN  
25 #13248, Map 3, Parcel 64-1. The subject property contains approximately 101 acres and is located within the  
26 "Agricultural/Rural Residential" (R5) and "Forestry/Conservation/Scenic Ridgeline" (FC) Zoning Districts.  
27

28 The Chair administered the Oath to Interested Persons. Representing the Applicants were Rick Sharp and Ruth  
29 Masters, hereafter referred to as "Applicant(s)."  
30

31 The Chair recused himself from the hearing as he is a resident of Cobble Hill Road.  
32

33 The Vice-Chair asked the Applicant for an overview of what's currently happening on the property. The  
34 Applicant advised that Christmas tree sales have been stronger than normal the past few years, with  
35 approximately 1,000 trees scheduled to be planted this spring. Given that trees take at least 10 years to grow, the  
36 Applicants plan on staying in the Christmas tree business for quite some time. The Applicant stated that AT &T  
37 installed a new cell phone tower at the top of the mountain and built a \$250,000 road to access it. The Applicant  
38 briefly summarized activity at the site.  
39

40 Talk of the Christmas tree farm led in to the Conditional Use application, as the tree farm provides a picturesque  
41 background for wedding photos. The Applicants stated that over time, many couples who've been married

1 elsewhere have come up to have photos taken at the tree farm. The Applicants' niece was married on-site last  
2 year, so the Applicants had the opportunity to see what it takes to put on a wedding at the property. The event  
3 went well and subsequently the idea to host weddings was conceived. The Applicant stated that over the years  
4 they have watched hundreds of houses be built surrounding the property, and they are trying to keep the parcel  
5 as undeveloped as possible. Though they have considered subdividing, the Applicants prefer to keep the  
6 mountain for community recreation, offering activities such as snow tubing, sledding, paragliding, Segway  
7 tours, skiing and snow-shoeing. This diversity of activities, in addition to the tree farm, have kept the property  
8 financially feasible and the Applicant hopes to continue to do so.  
9

10 The Vice-Chair asked if, during the Applicants' niece's wedding, music was played and whether or not any  
11 complaints were received. The Applicants replied that no complaints were received, and that a boom box was  
12 used for music but in the future they would like the ability to have live bands. The Applicant stated the nearest  
13 neighbor is 100 yards away and that the area, in general, already has plenty of noise. The Applicant noted a few  
14 noisy events that already occur regularly, including target practice, ATV riding, and an annual 4th of July party  
15 that is attended by more people (over 100) than the proposed weddings would be. The Applicant estimated that  
16 for the first couple of years, there might be one wedding per month during the months of May-October, with a  
17 maximum of 10 per year. The Applicants propose a tent be erected on the existing deck to accommodate  
18 approximately 80 people.  
19

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

- 21 1. The applicant clarified all principal and accessory uses that are currently taking place on the property,  
22 including indoor (in the existing barn) and outdoor. In addition to what had already been discussed, the  
23 Applicant advised that the barn is used to complement the sale of Christmas trees; for example it's a  
24 place for customers to warm up, have a cup of hot chocolate, and pay for their tree. It is also used for  
25 wreath-making and sales. Outdoors, the Applicants offer snow-tubing, Segway tours and paragliding.  
26 Additionally, though they don't rent mountain bikes or cross country ski equipment, they do allow  
27 bikers, skiers and hikers to use the property, which the Applicant stated are all permitted uses.
- 28 2. The Applicant advised that there would be no on-site cooking or dishwashing; it would all be catered  
29 and physically brought to and from the property. The Applicant would like the ability to have a live  
30 music. The Applicant stated that other farms that are doing similar activities typically rent out the entire  
31 property for 3-4 days, and they imagine that's what they would also do. Conley inquired about staff at  
32 the mountain, and the Applicant advised that this past summer, they employed their first interns for the  
33 purpose of guided Segway tours. Forgan asked whether or not the Applicants planned to serve  
34 beverages at the weddings. The Applicants replied that they will likely seek a Liquor License, though  
35 they themselves will not be serving the alcohol; rather, a trained server would be doing so.
- 36 3. The Applicant stated that a Site Plan is already on file, and no actual site changes are being proposed  
37 other than the addition of temporary tents that are only up for the duration of the weddings. The  
38 Applicant further explained that, should the event-hosting be a success, they may come back seeking to  
39 amend the existing Site Plan to include a roof over the deck, rather than renting a tent for each event.
- 40 4. 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.
- 42 5. The Applicant and the DRB agreed that the details of the proposal have, for the most part, already been  
43 discussed. Brief discussion regarding the noise level was held: the Applicants do propose outdoor  
44 music performed on the deck, but are cognizant of the neighbors and surmised that the music would  
45 likely be performed on only 1 night of the weekend, and within the approximate hours of 6:00-12:00 p.m.  
46 In terms of hours of operation: these were harder to pin down, as the events would be sold as multi-day  
47 packages. The bulk of the visitors would be on the day of the actual wedding, but there will be others  
48 there prior to and after the event, doing set-up and tear-down. Additionally, some of the visitors may  
49 choose to camp there over the weekend, which the Applicants stated is a permitted use.

6. The Applicant and the DRB agreed that these concerns have already been discussed.
7. The Applicant reiterated that no major Site Plan changes are proposed. Staff agreed that a new Site Plan may not be required, based on the testimony being heard. The Applicant stated that no changes to access or parking are proposed; the only possible change would be lighting on and within the tent, which is typically LED lighting and nothing that could be considered floodlighting.
8. The Applicant agreed that, if approved, the Conditional Use must be annually and actively used in support of agricultural and outdoor recreational uses, and that if it is not, the Conditional Use approval shall expire.
9. The Applicant agreed that the DRB may include, at its discretion, conditions of approval that support the goals of the Comprehensive Plan and all bylaws, ordinances and regulations of the Town.
10. Staff briefly recapped the Town's Entertainment Ordinance, which applies to events that have an admittance fee. Staff explained that this condition was included in the Staff Report simply to clarify that if, in the future, the Applicants wish to host an event for which a cover charge/entrance fee might apply, (including but not limited to a concert or banquet) in the future, they will need to obtain the appropriate license. Conley inquired about the parking situation; the Applicant advised that no changes to parking are proposed, and that they currently have more than enough parking. Conley asked about signage for the parking, and the Applicants replied that they could potentially have a parking attendant, if necessary, during the events.
11. The Applicant agreed to address any additional conditions and safeguards as deemed necessary by the DRB. A brief discussion of lighting of the parking areas followed.

Hearing no further questions or comments, the Vice-Chair closed the Hearing at 7:56 p.m.

## **6. OTHER BUSINESS**

### **6(A). Staff Update**

Staff updated the DRB on recent activity and key projects, including Fee Schedule changes that Staff plans to present to the Selectboard in the near future. Staff advised that draft copies will be distributed to both DRB and Planning Commission members to obtain their feedback. Staff requested that comments be made by February 9, 2016. The DRB briefly discussed some of the changes to the Fee Schedule.

Bonges gave a quick update that the "Milton: Defining Downtown from the Diner to the Dam" (M4D) project is moving along quickly, and will be presented to the Selectboard soon. Bonges also advised that the Planning Commission is finalizing draft language for the DB1 district, with March 1 being the anticipated date of the first draft release.

Staff handed out copies of Administrative Amendments that have been done recently for board members to review. A Final Plat for Camp Precast was presented and signed. A summary of upcoming applications and hearings was given by Staff.

## **7. MINUTES**

### **7(A). Minutes of January 14, 2015**

MOTION by Conley to APPROVE the Minutes of January 14, 2016 as written; SECOND by Conley. Unanimously APPROVED.

## **8. DELIBERATIVE SESSION**

MOTION by Forgan to enter Deliberative Session at 8:02 p.m.; SECOND by Bonges. Unanimously APPROVED.

Decision(s) Signed:

1 **8(A). Variance Application - North Road 398 - David LaPorte, Owner/Applicant.**

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

7 **8(B). Site Plan Application - 358 Bear Trap Rd. - William R. Sawyer Revocable Trust & Sonya L. Sawyer Revocable Trust, Owners/Bill Sawyer, Applicant.**

- 9 Bruce Jenkins, Chair YEA/nay/abstain/absent/recusal
- 10 Dave Conley, Vice-Chair: YEA/nay/abstain/absent/recusal
- 11 Henry Bonges, Clerk: YEA/nay/abstain/absent/recusal
- 12 Clayton Forgan: YEA/nay/abstain/absent/recusal

14 **8(C). Site Plan Amendment I Application - 107 Catamount Drive - Toxic Lolli LLC, Owner & Applicant.**

- 15 Bruce Jenkins, Chair YEA/nay/abstain/absent/recusal
- 16 Dave Conley, Vice-Chair: YEA/nay/abstain/absent/recusal
- 17 Henry Bonges, Clerk: YEA/nay/abstain/absent/recusal
- 18 Clayton Forgan: YEA/nay/abstain/absent/recusal

20 **8(D). Site Plan Amendment - 167 US Route 7 South - Milton Pizza Company LLC, Owner & Applicant.**

- 21 Bruce Jenkins, Chair YEA/nay/abstain/absent/recusal
- 22 Dave Conley, Vice-Chair: YEA/nay/abstain/absent/recusal
- 23 Henry Bonges, Clerk: YEA/nay/abstain/absent/recusal
- 24 Clayton Forgan: YEA/nay/abstain/absent/recusal

26 MOTION to exit Deliberative Session; Motion SECONDED and CARRIED.

28 **9. ADJOURNED**

29 MOTION to adjourn; Motion SECONDED and CARRIED.

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

34 \_\_\_\_\_  
Bruce Jenkins, Chair /kt

36 Draft filed with the Town Clerk this 1<sup>st</sup> day of February, 2016.

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