



MILTON DEVELOPMENT REVIEW BOARD PUBLIC NOTICE OF MEETING & AGENDA

Meeting Type: Regular Meeting
Date: Thursday, August 13, 2015
Time: 7:00 p.m.
Place: Municipal Building Community Room
Address: 43 Bombardier Road, Milton, Vermont 05468-3205
Contact: (802)893.1186
Website: miltonvt.org

1. Call to Order
2. Attendance
3. Agenda Review
4. Public Forum

The public may attend and be heard in accordance with Vermont's Open Meeting Law (1 V.S.A. 312).

5. Election of Officers

The DRB Bylaws Article III, Section 1 states, "The Board shall organize and elect by majority vote of all members present and voting, a Chairperson, Vice-Chairperson, and a Clerk at the first regularly scheduled meeting subsequent to annual appointments by the Town of Milton Selectboard."

Action: Elect Chair, Vice-Chair, & Clerk.

6. Bylaw Review

The DRB last updated their Bylaws in March 2014. At that meeting, the DRB agreed that an annual review to keep the Bylaws up-to-date is best practice.

Action: Review Bylaws; Amend as Needed.

7. Old Hearings/Business

None

8. New Hearings/Business

- 8(A). 37 Centre Drive - Site Plan Application - Gordon & Margaret Gilbert, Owners/Applicants.
The Applicants are requesting Site Plan Amendment approval from the Development Review Board according to the Town of Milton Zoning Regulations for a proposed 5' x 60' new public warehousing (self-storage) building located at 37 Centre Drive, described as SPAN# 11286, Tax Map 27, Parcel 9-14. No other site changes are proposed. The property contains six existing storage buildings and a carport. The subject property contains a total of 1.49 acres and is located within the "Downtown Business (DB1)" Zoning District.

9. Other Business

- 9(A). Staff Update

10. Approval of Minutes

- 10(A). July 23, 2015

11. Possible Deliberative Session on Pending Decisions

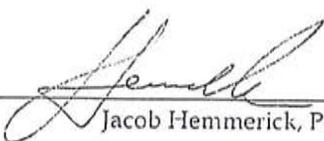
Private session for deliberations on applications and written decisions in accordance with 1 V.S.A. 312.

11(A). Greenfield Way - Variance - Greenfield Way Homeowners Association

11(B). 159 East Road - Major Conventional Subdivision Sketch Plan - Blondin/Martell

11(C). 698 Everest Road - Conditional Use - Mattos/Cavitt

12. Adjournment



Jacob Hemmerick, Planning Director

Filed in the Town Clerk's Office. Posted in the Municipal Building Lobby, Planning & Economic Development Department, Town's Facebook page, Town's DRB webpage, Middle Road Market, Milton Beverage, & Rene's Discount Beverage. E-mailed to the Regional Planning Commission, Burlington Free Press, Milton Independent, & LCATV.

TOWN OF MILTON

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| PROCEDURAL BYLAWS OF THE DEVELOPMENT REVIEW BOARD |
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ARTICLE I - PURPOSE

1. The purpose of these Bylaws is to assist the Town of Milton Development Review Board (hereinafter referred to as the "Board") with carrying out its duties, meeting its responsibilities, and avoiding misunderstandings by establishing rules of procedure. By identifying what is required of the hearings, recordkeeping, and Board determinations, cases may be handled more effectively and efficiently, resulting in greater protection for the Town and more equitable treatment for applicants.

ARTICLE II - GOVERNING RULE

1. The Board shall be governed by the provisions of *Chapter 117, Title 24, of the Municipal and Regional Planning and Development Act*, the *Town Charter*, the *Town's Administrative Code*, all other applicable State statutes, local laws, and ordinances, and these *Bylaws*.

ARTICLE III - OFFICERS AND DUTIES

1. The Board shall organize and elect, by majority vote of all members present and voting, a Chairperson, a Vice- Chairperson, and a Clerk annually at the first regularly scheduled meeting subsequent to annual appointments by the Town of Milton Selectboard.
2. The Chairperson shall call and preside at all meetings and hearings of the Board, decide all points of order and procedure, and appoint any subcommittees that may be found necessary.
3. The Vice-Chairperson shall assume the duties of the Chairperson in his/her absence.
4. The Clerk shall monitor the audience "sign-in sheet" at each meeting.
5. Members shall avail themselves of training opportunities annually.

ARTICLE IV -MEETINGS

1. A regular meeting of the Board shall be held on the second and fourth Thursday of each month to consider applications (subdivision plans, site plans, boundary line adjustments,

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variances, conditional uses, and appeals of administrative decisions) and other related business.

2. The Board may schedule work sessions and joint meetings with other boards and commissions to complete its work. The Board may schedule special meetings regarding any related matter as it sees fit.
3. All meetings of the Board shall be properly warned and noticed in accordance with the *Vermont Open Meeting* law and the *Town Charter*.
4. The Town Planner, or designee, shall notify members as soon as possible concerning any cancellations or special meetings.
5. Members shall notify the Town Planner as early as possible, if unable to attend any meeting. In circumstances when the Town Planner is unavailable, members shall notify the Planning Department.
6. A quorum shall consist of a majority of the designated strength of the Board.
7. The order of business at all regular meetings of the Board shall be as follows, unless otherwise re-assigned by the Chairperson:
 - A. Call to Order
 - B. Attendance
 - C. Additions /Deletions to Agenda
 - D. Public Forum
 - E. Applications/Oath to Planning Staff and Interested Persons
 - F. Planning Staff Report
 - G. Other Business
 - H. Approval of Minutes
 - J. Deliberative Session
 - K. Adjournment
8. The Board shall have the right to enter into Executive Session in accordance with *Title 1 V.S.A., Section 313*.

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9. The Board shall have the right to enter into Deliberative Session in accordance with *Title 1 V.S.A., Section 312*.
10. The Chairperson may appoint subcommittees for work session items. Such subcommittees may contain less than three (3) Board members, in which event the following rules shall apply:
 - A. Such subcommittees may be facilitated by the Planning Staff
 - B. Members of the community, with no voting privileges, shall be encouraged to participate.
 - C. The subcommittee shall arrange for meeting times convenient to its members.
11. Reports of subcommittees shall be approved, approved with conditions, or disapproved by the majority vote of the Board members present and voting.

ARTICLE V - ATTENDANCE

1. A provision for continued service on the Board by any member shall be a good attendance record.
2. Any member with unexcused absences for three (3) consecutive regular meetings may, by majority vote of the entire Board, be recommended to the Select Board for removal from the Board.
3. Absences will be excused by majority vote of the members present at any meeting. Valid excuses shall include: sickness, vacation, professional obligations, family or personal business, military service, emergencies, and other municipal business.
4. Members are expected to attend a minimum of fifty percent (50%) of all Special, Joint, and Work Session meetings within any twelve (12) month period of tenure.
5. A Board member shall be excused from that portion of a meeting where a conflict of interest on any scheduled topic exists or is perceived to exist. Disclosure of the specific content of a conflict interest shall be at the discretion of Board members.
6. Planning Staff shall annually present Board attendance to the Board and Town Manager prior to annual appointments by the Town of Milton Selectboard.

ARTICLE VI - CONFLICT OF INTEREST

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1. Members of the Board and Planning Staff are governed by Section 701 of the *Town Charter*, which reads:
 - A. A member of any appointed or elected board or commission or appointed or elected person or any person employed by the Town or School District of Milton shall not solicit or receive directly or indirectly any gift or compensation for recommending or voting on any finding, ruling, decision or report, or voting to procure any service, thing or supply purchased with public funds.
 - B. Nor shall any such member or employee receive directly or indirectly anything of value by contract or otherwise from the Town or School District unless it is received:
 - (1) As a result of a contract accepted after a public bid in accordance with law.
 - (2) In public recognition of service or achievement.
 - (3) As regular salary or expenses allowed by law for official duties performed as a member of such board or commission.
 - (4) For employment otherwise authorized by law.
 - C. No Board or commission member shall vote on any contract or purchase in which he/she has a direct or an indirect interest.
2. Members of the Board are governed by Section 703 of the *Town Charter*, which reads:
 - A. No board or commission member has any legal powers or authority unless acting at a duly warned board meeting or acting for the board after it formally grants power to act on its behalf.
 - B. Any board or commission member shall attend all regularly scheduled meetings in so far as possible and review study materials about the issues to be considered on each agenda.
 - C. Any board or commission member shall maintain confidentiality of discussion conducted in executive session and of other privileged information.
 - D. Any board or commission member shall abide by board decisions regardless of how individuals voted.
 - E. Any board or commission member shall listen to legal counsel and constructive criticism to protect the Town and school system from liability.

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- F. Any board or commission member shall refer complaints, requests, and concerns to the Town Manager or School Superintendent or other appropriate staff member.
 - G. Any board or commission member or elected or appointed official shall use the chain of command and avoid making commitments or promises that compromise Town and school system.
 - H. Any board or commission member or elected or appointed official shall listen to the recommendations of other board or commission members or elected or appointed officials and staff before making decisions and provide advice and counsel to improve the Town and school system.
- 3. Board member shall vote on any issue in which he/she has a direct or an indirect interest or conflict.
 - 4. Any Board member who knowingly participates in a portion of a meeting where an established conflict of interest on any scheduled topic exists may, by majority vote of the entire Board, be recommended to the Select Board for removal from the Board.

ARTICLE VII - RECORDS

- 1. A file of all material and decisions relating to each case shall be kept by the Planning Staff in the Department's Office as part of the records of the Board.
- 2. All records of the Board shall be public. Legal documents, such as mylars, deeds, covenants, memorandums of municipal action, and minutes, shall be kept on file in the Town Clerk's Office. All records shall be available for inspection by any person upon request.
- 3. Minutes of meetings shall be distributed by the Planning Staff to the SelectbBoard, Development Review Board, Planning Commission, Town Manager, Town Clerk, Assessor, Technical Advisory Committee, Planning Director, Town Planner, and Zoning Administrator.
- 4. Planning Staff shall make the Board aware of training opportunities funded by the Selectboard.

ARTICLE VIII - PROCEDURES

- 1. Motions shall be worded in the affirmative in order to be considered proper. Negatively worded motions shall be considered out of order.

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2. Motions shall carry only when they receive an affirmative vote of no less than a quorum of Board members.
3. A polled vote shall be taken on all final approvals for subdivisions, site plans, boundary line adjustments, variances, conditional uses, and appeals of administrative decisions.
4. A polled vote shall be taken on any motion when called for by a Board member.
5. *Roberts Rules of Order Newly Revised* shall determine procedural matters unless otherwise specifically set forth in these *Bylaws*.
6. Meetings shall commence promptly at 7:00 p.m. or as soon thereafter as a quorum of Board members is present.
7. Citizens shall be recognized for comment at the discretion of the Chairperson.
8. The time for adjournment shall be no later than 10:00 p.m. The time limit may be extended by a majority vote of Board members present.
9. To be considered for review at a specific meeting of the Board, a complete application must be delivered to the Board through the Planning Office. The Town Planner, or designee, shall determine if all application materials necessary have been submitted. When all application materials have been submitted, the Town Planner, at his/her discretion shall schedule the application at the next future regular Board meeting. The Town Planner shall use discretion in scheduling meeting topics, and shall not include more applications within any given evening if such volume will extend the meeting beyond 10:00 p.m. while allowing for transaction of routine Board business.

ARTICLE IX - ASSIGNMENT OF ALTERNATES

1. No more than 2 alternates shall serve on the Board for any one application.
2. Alternates will have no regular assignments on the Board
3. The assignment of an alternate to the Board will come from an alphabetical roster list. The assignment will begin with the first alternate in alphabetical order and rotate through the list until all alternates have served and the rotation will be repeated.
4. The purpose of alternates is to maintain a full Board, or as close to full as possible during public meetings. The duty of the alternates is to attend public hearings where a regular Board member or members are unable to attend for any reason. If a regular member must recuse him or herself from an application, the alternate will be called to serve on the Board for that application only. For an ill or otherwise completely absent regular Board member, attendance of the alternate shall be for the complete agenda.

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5. An alternate that is called upon to serve shall be required to be part of the Board until a decision is made on that application. This includes attending deliberative sessions and the continuance of the public hearing if it has been tabled or recessed.
6. The Chairperson of the Board shall appoint an alternate to serve on the Board by selecting an individual from the roster as provided in paragraph three (3) above whenever, based on one of the conditions identified in paragraph four (4) above, the Chairperson deems it appropriate to appoint an alternate. If the Chair does not appoint an alternate when one of the conditions identified in paragraph four (4) above occurs, a majority of the members of the DRB present and voting may appoint an alternate.

ARTICLE X - RULES OF CONDUCT

1. At all warned or noticed hearings of the Board, or at any Board meeting involving the presence of members of the community, the following rules of conduct shall be applied:
 - A. The Chairperson shall direct the applicant or person setting forth a proposal, Planning Staff, and all (interested) parties who wish to speak on the proposal, to step forth and take an oath to tell the truth, Applicant will then be asked to present such application or proposal.
 - B. The Chairperson shall then ask persons present who have comments with regard to the application or proposal to step forward, give their name, and make their comment. The applicant or person setting forth the proposal shall then be given an opportunity to respond before the next person is asked to step forward. All comments from Planning Staff, applicants, and interested persons shall be directed to the Chairperson.
 - C. After all persons have been heard, the Chairperson shall open the discussion to the members of the Board. Such discussion shall occur in an orderly fashion, with no more than one person speaking at any given time.
 - D. If more questions from persons present result from the discussion, the Chairperson shall repeat the procedure as set forth in item B above.

ARTICLE XI - AMENDMENTS

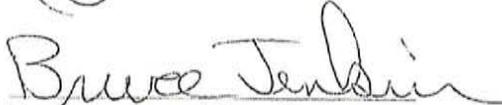
1. These rules may be amended at any regular meeting of the Board by an affirmative vote of a quorum of the Board provided that such amendment has been presented in writing to each member of the Board at least five (5) working days preceding the meeting at which the vote is taken.

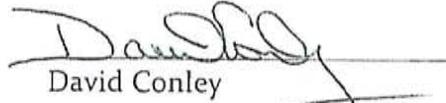
Town of Milton Development Review Board Procedural Bylaws

Adopted December 11, 1997, and amended this 26th of March, 2015


Allen Lasell, Chairperson

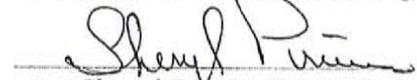

Clayton Forgan


Bruce Jenkins, Vice-Chairperson


David Conley

Thomas Cole, Clerk

Filed with the Town Clerk's Office this 27 of March, 2015


Sheryl Prince, Town Clerk



TOWN OF MILTON
Planning & Economic Development Department
43 Bombardier Road
Milton, VT 05468-3205
(802) 893-1186
miltonvt.org

DEVELOPMENT REVIEW BOARD STAFF REPORT

| | |
|---|----------------------------------|
| Hearing Date: August 13, 2015 | |
| Case No: DRB 2015-22 | |
| Application(s)/Requested Action: Site Plan Amendment IV | |
| Existing Use: Public Warehousing | |
| Proposed Use: Public Warehousing | |
| Application Received: April 29, 2015 | |
| Application Deemed Complete: July 27, 2015 | |
| Staff Report Finalized: August 7, 2015 | |
| Applicant(s): Gordon and Margaret Gilbert 200 Woodbury Rd. Burlington, VT 05408 802.862.7816 | Owner(s): Same |
| Engineer/License: None | Surveyor/License: None |
| E-911/Postal Address: 37 Centre Drive | |
| Tax Map, Parcel(s): 27, 9-14 | |
| School Parcel Account Number(s) (SPAN): 11286 | |
| Deed(s): 365, 390 | |
| Existing Size: 1.49 Acres (per the Grand List) | |
| Zoning District(s): Downtown Business District (DB1) | |
| Comprehensive Plan Planning Area: Town Core Planning Area, New Downtown Sub Area | |
| Location: Located west of Centre Drive between US Route 7 South and Bombardier Road | |
|  | |

Summary of Proposal: The Applicants are requesting Site Plan approval from the Development Review Board (DRB) according to the Town of Milton Zoning Regulations for a proposed 5' x 60' new public warehousing (self-storage) building located at 37 Centre Drive, described as SPAN# 11286, Tax Map 27, Parcel 9-14. No other site changes are proposed. The property contains six existing storage buildings and a carport. The subject property contains a total of 1.49 acres and is located within the "Downtown Business (DB1)" Zoning District.

Comments: Jacob Hemmerick, Town Planner; and Amanda Pitts, Zoning Administrator, herein referred to as Staff, have reviewed the application, materials and plans submitted and have the following comments. The numbered items propose conditions of approval.

Applicant: This matter comes before the Development Review Board on the application of Gordon and Margaret Gilbert referred to hereafter as the "Applicant".

Application: The Applicant requests approval to amend the Site Plan. The application was submitted by a representative of the Applicant, Lloyd Gilbert, on April 29, 2015 and was not deemed complete until the Applicant had first received Interim Zoning Conditional Use Approval from the Selectboard on July 6, 2015 according to the Interim Zoning Regulations. A copy of the application and all supporting materials are maintained in the application file and available for public inspection during Planning and Economic Development Department business hours.

Ownership: The property is owned by Gordon and Margaret Gilbert and a deed of ownership is recorded in the Town's Land Records in Volume 365, Page 390. The owner is a signatory to this application.

General Jurisdiction: Land development is subject to the control of the Town of Milton pursuant to, but not limited to, the following: The Vermont Planning and Development Act (Act); The Town of Milton Zoning Regulations (ZR), effective January 5, 2015; the Town of Milton Interim Zoning Bylaws effective February 26, 2015; The Town of Milton Interim Zoning Regulations (IZR) effective February 26, 2015; and The Town of Milton Subdivision Regulations (SR), effective June 28, 2010.

Site Plan Specific Jurisdiction: ZR110 states, "No LAND DEVELOPMENT shall be undertaken or effected except in conformance with the applicable provisions of these Regulations. No land, building or other STRUCTURE shall be used for any purpose except as provided in these Regulations."

ZR130 states, "In accordance with Section 1000 of this Ordinance, no LAND DEVELOPMENT, excavation or construction shall be started on any land parcel or STRUCTURE and no EXPANSION, ALTERATION or change of USE shall be started within any existing STRUCTURE without a Zoning Permit issued by the Zoning Administrator."

ZR170 states: "The following requirements and reviews shall be fulfilled by all applicants before a Zoning Permit is granted, unless specifically exempted in this Ordinance:

(3) Site Plan Review - Section 800

ZR800 states: "Site Plan approval, granted in accordance with this Section by the Milton Development Review Board, shall be required before a Zoning Permit is issued for any USE in any district with the exception of SINGLE FAMILY DWELLINGS, DUPLEXES, and TRIPLEX - OWNER OCCUPIED on single lots, ACCESSORY

residential STRUCTURES, and all agricultural USES."

Site Visit: The DRB reserves the right to schedule a site visit and recess the hearing to a subsequent meeting if on-site observation would better inform the DRB's decision.

Notice/Warning of Hearing: Public warning was issued by the Department of Planning and Economic Development for the hearing according to Vermont Statutes Annotated Chapter 24 §4464. Adjoining property owners notified include: Richard LeBlanc, Kimberly Almeida-LeBlanc; Sheridan Properties, LLC; Gabriel Handy Trustee of DDH GSH Trust; Northern New England District Council of the Assemblies of God; Fletcher Allen Healthcare Inc.; Milton New Life Christian Fellowship; and the Fraternal Order of the Eagles.

Application Exhibits: The following exhibits were submitted with the application and attached to the Staff Report: a partial site plan dated April 30, 2015 (ATTACHED).

Waivers Requested: The Applicant requested waivers from ZR803.3 (Existing Features) and ZR803.9 (Utility Plan), and also proposed no changes to lighting or landscaping, and therefore requests also waivers from ZR803.8 and 803.6, respectively.

Approval History: Based on the documents available in the Planning Department's file:

- The Planning Commission Minutes of November 15, 1994 show that the Site Plan was first approved for a four-building self-storage facility (Final Plans ATTACHED).
- In 2012, the site received DRB approval to amend the Site Plan to construct an additional 10' x 80' storage building.
- In September of 2013, the site received Zoning Administrator approval to administratively amend the Site Plan to add a 10 foot by 80 foot storage area.
- In August of 2014, the site received Zoning Administrator approval to administratively amend the Site Plan to add a 10 foot by 20 foot paved parking area.
- In December of 2014, the site received Zoning Administrator approval to administratively amend the Site Plan after-the-fact for a metal carport canopy; this application was submitted after the Applicant had received a Voluntary Compliance Letter for constructing a carport without Site Plan Amendment or a Zoning Permit from the Zoning Administrator.
- The current proposal was found to be subject to the Interim Zoning Conditional Use Review by Staff and the Selectboard, and the Selectboard issued their written Decision on July 27, 2015 approving the proposal as a conditional use subject to three conditions:
 - Applicant shall receive all necessary approvals from the Development Review Board before the Administrative Officer may issue a zoning permit.
 - Applicant shall obtain a zoning permit before commencing any land development on the subject property.
 - Applicant shall receive any other applicable Town approvals and/or permits.

Compliance: In checking the history on this property, Staff has discovered that the Applicant has not received a Certificate of Compliance for the 10x80 expansion of September 2013 and has not received a Zoning Permit or Certificate of Occupancy for the unpermitted, after-the fact expansion carport building that received administrative Site Plan amendment approval in December 2014. Additionally, Staff finds that the landscaping is not maintained in a manner consistent with the approved landscaping plan of 1994, which does not appear to have been amended. The attached plans show roughly 20 pine trees likely meant to screen the site from view. The site has fewer than 10 conifer plantings, more than 75% of which appear to be cedars and

do not seem to correspond with the locations shown on the plans. Some of the approved plantings, however, cannot be brought into compliance due to subsequent amendments that permitted buildings where plantings are also approved.

Property Location: The site is located at 37 Centre Drive, described as Tax Map 27, Parcel 9-14 and School Parcel Account Number (SPAN) 11286.

Size/Area: According to the Assessor's Grand List, the subject parcel is approximately 1.49 acres.

Zoning District: The site is located within the Downtown Business (DB1) Zoning District described on the Town of Milton Zoning Map, last amended August 22, 2011, on record and display at the Municipal Offices and available on the Town's website. ZR466 states that purpose of the DB1 Zoning District is to:

Encourage and enhance the development of Town Core areas with the tallest buildings, highest density, and greatest diversity of commercial and light industrial uses. Residential uses will not be allowed except where incorporated into a Planned Unit Development-MIXED USE or where created as an Elderly Housing Complex. Buildings should be placed close to the sidewalks. A pedestrian friendly environment should be encouraged through the planting of street trees and green belts along sidewalks and the placement of safe street crossings.

Comprehensive Planning Area: The site is located within the Town Core Planning Area, as delineated in Map 2 of the 2013 Comprehensive Plan. The site is located in the New Downtown Sub Area, as delineated in Figure 9.1 of the 2013 Comprehensive Plan (p.112). The Plan states the following about the New Downtown Area:

Reflecting its central location within the downtown, the New Downtown is targeted for the tallest buildings, the highest density, and the greatest extent of mixed uses.

In 2000, through the public process that led to the development of the Town Core Master Plan, it became apparent that the Town's residents desired a downtown with higher densities and mixed-uses that would be supportive of and attractive to businesses, among other things. As a result of this study, the Town made major changes to its Zoning Regulations in 2001 to begin implementing the vision contained in the Town Core Master Plan: densities were increased, height-limitations were relaxed, and a mix-of-uses were encouraged within the Town Core. This new town center was referred to as the Milton Crossroads Marketplace (MCMP) and this name was incorporated into the zoning district names; it is now referred to as the New Downtown.

In 2005, the Town solidified its commitment to this plan by establishing the "Downtown Business District" (DB1 District) to limit residential growth from outpacing commercial growth in the heart of the new downtown. The DB1 District has been designed to promote commercial growth and is the area of Town where the densest development is encouraged, although the Town expects some development to also occur in the immediately adjacent areas (for example, the Checkerberry area). In order to encourage the development of a dense downtown, infrastructure upgrades and expansion, such as municipal water and wastewater services and transportation improvements, will be necessary.

The 2007 Route 7 Land Use Study finds that the use of commercial developments within the DB1 district should be emphasized while better defining the allowed residential uses and eliminating light industrial. Uses to be encouraged should be retail, restaurants, professional services, offices, hotels, and incubator spaces for new businesses. The Study also recommends encouraging multi-family housing in the New Downtown district, while restricting retail in order to concentrate it in DB1. The Study further suggests encouraging single family development in the New Downtown West district. Single family and multi-family senior housing project have been developed on the only vacant land in this district.

There are a number of incompatible land uses in this area such as recycling yards that store automobiles and parts. These uses are incompatible with the surrounding pattern of residential and mixed use development. New developments in the New Downtown should be pedestrian friendly environments incorporating streetlights, street trees, signage and public spaces. Guidelines should be incorporated into the Zoning Regulations for these streetscape elements. The 2007 Streetscape Study has some design recommendations that could provide guidance on this goal. Additionally, in February 2012, further direction was sought by the Planning Commission's 'Enhancing Route 7' public forum and survey where input was sought from community members on how to improve the appearance, accessibility, and safety of Route 7 and the adjacent areas of the Town Core. Specifically, methods discussed are establishing stronger landscaping standards, establishing clearer sign regulations, and implementing signature street lights, crosswalks, and/or wayfinding signage. The input from both the study and the public outreach efforts should to be further evaluated, prioritized, and specific improvement methods should then be incorporated into the Zoning Regulations.

9.1. Town Core - New Downtown Sub-Area Goals

Goal 9.1.1. Encourage structures be placed to improve aesthetics and enhance pedestrian connections.

Goal 9.1.2. Enhance streetscape elements by incorporating streetlights, street trees, and signage.

Goal 9.1.3. Encourage commercial development including retail, restaurants, professional services, offices, hotels, and incubator spaces in the Downtown Business district. Residential uses should be encouraged in the New Downtown Center and New Downtown West district.

Goal 9.1.4. Develop a multi-modal transit station to incorporate pedestrians, bicycles and bus service.

Goal 9.1.5. Promote the development of community activities for a range of ages.

Objective 9.1.5.a. Encourage the creation of a community center for such activities as a theater or performance space, arts facility, and community gatherings.

Objective 9.1.5.b. Evaluate the need for expansions of educational campuses for maximum use of facilities.

Objective 9.1.5.c. Encourage the creation of an indoor/outdoor recreation facility to accommodate such activities and uses as hockey, ice skating, a swimming pool, and children and adult programs (refer to the 2007-2027 Recreation Plan for prioritization of these needs).

Goal 9.1.6. Further evaluate and prioritize the input from the 2007 Streetscape study and the 2012 Planning Commission Enhancing Route 7 public forum and survey with the goal of implementation of priority recommendations.

Physical Characteristics/Natural Features: The site is developed on flat terrain with little vegetation or landscaping. The site drains directly to Lake Champlain via Mallets Creek. The site contains no presumed wetlands, flood risk, significant habitat or habitat crossings.

Existing Use/Structures/Characteristics: The site contains six existing storage buildings (including an office), as well as a carport building.

Surrounding Uses/Structures: To the west, a 38-unit multi-family residential building is being erected. To the north is an existing restaurant with Site Plan approval for a 4-story, 30-unit elderly housing building. To the east is an existing medical office, church and fraternal club. To the south is a gym and hair salon.

Proposed Use/Structures: The Applicant seeks to build a new 5' x 60' new public warehousing (self-storage) building.

Access: The site is currently and proposed to be accessed directly from Bombardier Road. The approved Site Plan to the west is accessed via a 60' right-of-way easement over the subject site. This associated site plan for the adjacent 38-unit shows that the subject site's driveway shall be relocated from Bombardier Road to provide site access from a proposed private road (crossing the subject site and granting access to the 38-unit multi-

family housing site to the west) and not Bombardier Road. In the ATTACHED Final Plan from the 1994 approval, the DRB will see that shared access from Bombardier was part of the original proposal, but has subsequently been amended to show direct access from Bombardier Road. The Applicant proposes to retain access directly from Bombardier Road in the attached Plans.

Existing Utilities: The site is served by on-site wastewater and municipal water. No changes are proposed.

Existing Restrictions or Covenants: The plan shows a 60-foot wide easement to benefit the lot to the west. No other restrictions are shown.

Proposed Restrictions or Covenants: No new restrictions or easements are shown.

GENERAL PROVISIONS

ZR150 Dimensional Requirements: The section states, "Every USE involving the construction, reconstruction, conversion, structural ALTERATION, relocation or enlargement of a STRUCTURE must comply with the minimum LOT AREA, FRONTAGE, SETBACK areas and all other requirements specified in these Regulations for the district in which the USE occurs. A summary district dimensional table is located immediately following Articles III and IV, District Regulations."

ZR 467/468, District Permitted & Conditional Uses: The existing public warehousing use is listed as a conditional use by ZR468(7). The site has never received conditional use approval.

ZR 489, Dimensional Requirements: The table below shows the required dimensional requirement for the subject property's Zoning District, as well as the existing and proposed compliance.

| | Required | Proposed |
|------------------------------------|------------------------|----------|
| Minimum LOT AREA (sq. ft.) | 5,000 | >5,000 |
| Minimum Road FRONTAGE (linear ft.) | 0 | >0 |
| Minimum FRONT SETBACK (linear ft.) | 0 | 60 |
| Minimum SIDE SETBACK (linear ft.) | 0 | 2 |
| Minimum REAR SETBACK (linear ft.) | 0 | 2 |
| Maximum LOT COVERAGE (%) | 80 | ? |
| Maximum building HEIGHT | 5 STORIES up to 70 ft. | ? |

The Applicant proposes a two (2) foot setback to the west, a two (2) foot setback to the north and a five (5) separation from the adjacent building to the east from the proposed structure. Without elevations, Staff is unable to evaluate the structure's height compliance. The Plans do not show lot coverage.

1. The Final Plans shall include building elevations showing the height of the proposed structure as well as list the site's lot coverage (as defined by the Regulations) in compliance with ZR489.

ZR540, Number of Structures on Lots: The section states, "There shall be only one PRINCIPAL STRUCTURE and its approved ACCESSORY STRUCTURES on a LOT. The following are exceptions: ACCESSORY farm DWELLINGS in accordance with Section 872 "ACCESSORY Dwelling"; DUPLEXES, TRIPLEXES and

MULTIFAMILY DWELLINGS in accordance with the provisions of the District Regulations (Articles III and IV), and PLANNED UNIT DEVELOPMENTS in accordance with Section 850 "PLANNED UNIT DEVELOPMENTS."

PRINCIPAL STRUCTURE is defined by ZR1010 as:

A STRUCTURE having significant or primary USE and justifying its own utilization (such as a dwelling or office building) as contrasted to ACCESSORY STRUCTURES which are incidental or subordinate to primary STRUCTURES and do not alone justify their utilization (such as a tool shed or auto garage used in conjunction with a dwelling). Certain STRUCTURES may be either principal or ACCESSORY depending upon utilization, such as a parking garage as an ACCESSORY STRUCTURE to a high-rise apartment or as a PRINCIPAL STRUCTURE when operated commercially in a business area.

Staff understands that the proposal would house additional public warehousing units, and interprets the language above to mean that it would create a new principal and non-complying structure.

2. The Applicant shall state if the proposed structure would be principal or accessory according to the Zoning Regulations.

SITE PLAN REVIEW

ZR802.1, Conditions: "In reviewing Site Plans, the Development Review Board may impose appropriate conditions and safeguards to meet the standards of this section."

Site Plan Application Requirements: ZR803 lists required elements for all Site Plan applications. The Applicant has requested a waivers from ZR803.3, ZR803.6, ZR803.8, and ZR803.9, although Staff finds that other items have not been met or fully met, but opted to allow this application to proceed to hearing although incomplete. Staff finds that the application requirements *italicized* below have not been met by the Applicant and recommends that the DRB not waive these requirements for Final Plans.

3. All requirements not waived by the DRB shall be submitted with the Final Plans in compliance with the Zoning Regulations and approval.
- 803.1 *Project title and site address. Name and address of the Applicant, the property owner of record, and adjoining landowners. Name and address of the PERSON or firm preparing the map. Scale of the map, north point and date.*
- 803.2 *Deed reference(s), Lister's tax map and parcel number, and copies of any deed restrictions or covenants.*
- 803.3 *All existing features, including but not limited to, boundaries, total area of the lot, contours, drainage patterns and storm drainage systems, STRUCTURES and land USES, trees, shrubs and other vegetation, wetlands, floodplains, rock outcroppings, STREETS (public and private) and the associated rights of way, driveways, outdoor lighting, signage, sidewalks, alternate transportation paths, easements and rights-of-way.*
- 803.5 All proposed improvements, including but not limited to, STRUCTURES, DRIVEWAYS, contours depicting site grading, off-street parking and loading spaces, circulation, sidewalks, alternative transportation paths, and SIGNS.
- 803.6 *A landscaping plan showing locations of all existing and proposed plantings, a plant list with species, size and quantity. A written cost estimate of all landscaping prepared by a professional landscape architect or landscape contractor.*
- 803.7 *Building elevations indicating location and HEIGHT of all existing and proposed structures.*

Development Review Board Case Number 2015-22 Staff Report
Site Plan Amendment IV - 37 Centre Drive - Gilbert - August 13, 2015

- 803.8 *An outdoor lighting plan showing locations and designs of existing and proposed outdoor lighting. This shall include all flood and/or security lights, building mounted lights, and parking and street lights. At a minimum, outdoor lighting specifications shall be provided showing photometric data, types of fixtures and lamps, and mounting height of fixtures.*
- 803.9 *A utility plan showing existing and proposed public water and sewer, private sewage disposal systems, wells, storm drainage facilities, fire protection details, electric, gas, telephone, cable and all other utility lines.*
- 803.10 Estimate of daily and peak hour traffic generation and a report on traffic impacts at project access points, major intersections nearby and other locations.

The Applicant estimates that daily trips will increase by an estimated 2-3 cars.

- 803.11 Any other data or information that the Development Review Board shall view as necessary in applying the Site Plan Review standards.
- 803.13 *A certification that there are no outstanding violations with respect to the property, or a detailed, written description of any and all outstanding violations.*

Other Plan Elements: Staff requests that the DRB include the following condition:

4. The Final Plans shall label each building with a unique identifier such as building "A" and show the location and dimensions of the existing office.

Site Plan Review Standards & Procedures: ZR802.2(a) states that the DRB "may consider the following in its review of a Site Plan application."

- **Site Circulation Safety:** Maximum safety of vehicular and pedestrian circulation on site, between the site and adjacent roads and sidewalks, and between the site and adjacent land uses
- **Circulation, Parking, Loading Adequacy:** Adequacy of traffic circulation, parking, and loading facilities.
- **Transportation Impacts:** Impacts on capacity of roadways and other transportation facilities in the vicinity.
- **Landscaping, Screening, Lighting Adequacy:** Adequacy of landscaping, screening, and outdoor lighting.
- **Municipal Service Impact:** Impacts on the Town's ability to provide adequate sewer, water, fire, police, or other municipal services and facilities.
- **Suitability for Development:** Suitability of the site for the proposed scope of development, including due regard for the preservation of existing natural and historical resources.
- **Comprehensive Plan Consistency:** Consistency with the Comprehensive Plan.

Unless otherwise stated or exempted, Staff finds that the 802 standards have been met.

ZR804 ,M1, M2, M4 & DB1 Special Provisions: This section states recommended standards for Site Plans occurring within certain Town Core Districts.

ZR804.1, Like Kind Quality: The section states, "Uses may mix as long as they are sited and designed of LIKE KIND QUALITY with neighboring properties. Houses, offices and stores may be above, next to, or in the general vicinity of each other; but consideration should be given to elements of common concern - hours of operation, lighting, shared parking, etc." ZR160(c) states that "Like kind quality is a suitable standard in historic areas or other established neighborhoods. In emerging areas and in locations where future plans differ from existing development, quality of a development may be judged in relation to the standards of an approved Town Core Master Plan." Staff finds that the site is an existing, approved use that pre-dates

neighboring properties and is not of like kind quality with neighboring properties or the Plan's vision in this emerging area.

ZR804.2, Streetscape: The section states, "Buildings should be placed close to the sidewalks. Street trees and green belts along sidewalks should be constructed to provide a pedestrian-friendly environment." Staff finds that the proposed building would not meet this standard, but is the best location when working within the existing internal circulation patterns. No street trees are proposed.

ZR804.3, Pedestrian and Bike Provision: The section states, "Site design should accommodate pedestrian movements. Sidewalks/bike paths will be encouraged along all public streets in the district. Buildings, parking lots and internal walkways should be located to encourage connections to those public sidewalks and bike paths." Staff finds that this is an auto-dependent use that does not require internal pedestrian movement, but the proposal would adversely impact pedestrian safety at the highway access as explained below. The site's Centre Drive frontage includes an existing sidewalk.

ZR804.4, Street Trees & Green Belts: The section states, "Street trees should be encouraged along major connecting roads and pedestrian spaces to be placed within a green belt of at least 6 feet in width and spaced no more than 50' apart. Tree grates may be used in places with limited width." The proposal does not include street trees, and Staff recommends the following condition.

5. The Final Plan shall show street trees located five feet from the front property boundary.

ZR804.5, Parking Considerations: The section states, "Parking should not be allowed to dominate the site. Parking spaces should be limited to the needs of the use. Some front yard parking may be allowed at the discretion of the DRB, but parking lots should be behind or on the side of buildings. Where parking lots are visible from the public street, appropriate landscaping should be included. On-street parking may be possible along some roadways." The proposed site plan includes zero parking spaces, which is addressed below.

ZR806.2, Landscape Plan Review: "The Development Review Board shall determine the appropriateness of the proposed landscaping and screening. In considering a Site Plan application, the Development Review Board may require modifications to the proposed landscaping plans in order to more fully implement the purpose of this Section." Staff has found that the site's landscaping is not in compliance with the 1994 approval, although buildings have been administratively approved and permitted over the years altering the location of landscaping. Staff finds that the existing landscaping, as depicted on the proposal's plans, is not accurate with what the DRB would see on the ground from Centre Drive. Staff finds that the original landscaping plan was either not installed or maintained in accordance with the approval. Staff recommends that the DRB include the following conditions in their Decision.

6. The Final Plans shall show the existing landscaping and show that the site is screened by plantings on a year-round basis along the south, east, and western boundaries through appropriate plantings and shall include all originally approved landscaping (except where buildings have otherwise been approved).

ZR806.3, Landscape Cost Estimate & Bond: The section states, "All landscaping plans shall be accompanied by a written cost estimate prepared by a professional landscape architect or landscape contractor. The applicant shall provide a performance bond or other form of security to the Town to guarantee the completion of all required landscaping. The bond, or other form of security, shall also guarantee all plantings for a period of three years from installation."

7. The applicant shall provide a performance bond or other form of security to the Town in accordance with ZR806.3 to guarantee the completion of all required landscaping; the surety must be established prior to the issuance of a Zoning Permit, per Zoning Regulations Section 806.3 and the Town's Policy 98-02 on *Landscape Performance Bonds*.

ZR806.6, Front Setback Landscaping: The section states, "The FRONT SETBACK area shall be landscaped in accordance with the approved Site Plans and maintained in good appearance."

8. The Applicant shall maintain the Site's landscaping in good appearance in compliance with ZR806.6.

ZR806.7, Residential Screening: The section states, "In all districts other than the MIXED USE Zoning Districts, where non-residential USES are located adjacent to residential buildings, there shall be plantings or attractive solid fencing to screen all outdoor lighting and parking from the view of the ground floor of adjacent residential buildings. In residential districts, non-residential USES shall be screened from adjacent properties. This provision shall apply even though the adjoining property is not developed. In all districts where permitted, auto service stations shall be screened in the same manner from all abutting properties." The property is adjacent to two, approved residential buildings. Without a lighting plan, staff cannot evaluate if the lighting is effectively screened. The site plan shows no parking that would need screened, but parking is required, as addressed below.

9. The Final Plans shall show the location of all lighting and parking and be screened in accordance with ZR806.7.

ZR806.8, Dumpster Screening: The Section states, "Landscaping and/or fencing shall be provided to screen trash/garbage containers/dumpsters from view of adjoining properties and roads. Screening shall surround the trash/garbage containers/ dumpsters on three sides." The plan includes no dumpster or trash container on site. The addition of a dumpster would require screening and an administrative Site Plan amendment.

ZR810/812, Parking & Loading Requirements: "The number and location of parking and loading spaces associated with any lot or USE shall comply with the following requirements. The following number of parking spaces shall be provided for each USE listed below unless waived by the Development Review Board. [...] If a USE is not listed below, the required parking spaces will be as required by the Development Review Board." Staff finds that 802.2 requires 2 spaces for each 3 employees at a public warehousing use.

10. The Applicant shall state the number of employees and the Final Plans shall show parking in compliance with ZR812.

ZR812.3, Disability Parking: The section states, "Parking lots for other than single FAMILY, DUPLEX, TRIPLEX - OWNER OCCUPIED, and multifamily residential dwellings shall include parking for DISABLED PERSONS according to the following specifications and shall comply with the latest standards of the Americans with Disabilities Act. Parking spaces for the DISABLED shall be set aside in close proximity to entrances and identified with SIGNS for USE by individuals with physical disabilities. Building entrances shall be designed for access by individuals with physical DISABILITIES. Handicapped parking spaces shall have minimum dimensions of 14 feet in width and 18 feet in length. The parking spaces for the DISABLED shall be included in the total number of spaces required." The Plans do not show handicapped parking in compliance with ZR812.3

11. The Final Plans shall show ADA parking in compliance with ZR812.3

ZR812.6, Parking Drainage: The section states, "All parking lots shall be properly drained. The parking plan shall also indicate the location and type of stormwater drainage facilities. There shall be no increase in stormwater run-off as a result of any development approval. To the greatest extent possible, on site stormwater drainage facilities are encouraged."

12. The Final Plans shall indicate the location and type of stormwater drainage facilities in compliance with ZR812.6.

Access Issue: Staff has found that a discrepancy exists between the 2012 Site Plan's approved driveway configuration for this property and the Site Plan approval for the lot to the west (aka 41 Center Drive). The site plan approval for the 38-unit multi-family residential building to the west is consistent with the subject's site 1994 approval; however, the DRB's 2012 Decision approved a plan altering the location of the subject property's driveway which would now place a sidewalk providing pedestrian access to the residential building to the west within the center of the subject property's existing driveway. Staff recommends that the following condition in order to bring coherence to these two site plans; otherwise the site will be unsafe for pedestrians and the curb cut will be non-conforming. This would also be consistent with the intent established by ZR816 and ZR814.1(1).

13. The Final Plans shall show the site's highway access/driveway returned to the configuration shown in the original 1994 approval.

ZR814, Minimum Internal Road, DRIVEWAY and Aisle Widths: Staff finds that the internal widths are non-conforming and the proposal would not render them more non-conforming.

ZR819, Bicycle Parking Space: The section states, "At least one bicycle parking or storage facility shall be provided for all uses subject to Site Plan Review. Additional such facilities may be required as deemed necessary by the Development Review Board"

14. The Final Plans shall show a bicycle parking in compliance with ZR819.

ZR820, Outdoor Lighting: The sections states "Outdoor lighting should be designed, installed and maintained to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas, along streets and sidewalks, and not cause glare or direct illumination onto adjacent properties or streets." The Applicant requested a waiver from showing lighting plans, and no new lighting is proposed.

MUNICIPAL IMPACT

Technical Advisory Committee: The TAC Committee members had no comments.

ADMINISTRATION

Article X, Zoning Permit & Certificate of Occupancy: The section states:

15. A Zoning Permit is required and an associated Certificate of Compliance is required after construction is complete (and prior to occupation/use of the new structures).

Final Plan Submission:

16. The Applicant shall submit 2 full-sized (to scale) and 2 reduced (11 x 17) complete final plan sets depicting the requested changes. The revised plans must be deemed Final by the Town Planner prior to being eligible for a Zoning Permit from the Zoning Administrator. *The applicant is advised to submit one copy for review prior to going to the expense of creating multiple copies.*

State Project Review: Per 24 VSA4449 "Any application for an approval or permit and any approval or permit issued under this section shall include a statement, in content and form approved by the Secretary of Natural Resources, that State permits may be required and that the permittee should contact State agencies to determine what permits must be obtained before any construction may commence."

17. The Applicant shall obtain a Project Review Sheet from the Permit Specialist in the District 4 Regional Office of the Agency of Natural Resources, provide a copy to the Town, and obtain all required State permits and approvals prior to construction.

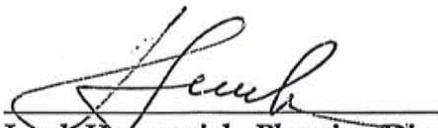
CONCLUDING REVIEW

18. The Applicant shall address any remaining concerns from the DRB concerning the standards above.

STAFF RECOMMENDATION

While Staff finds that approval has the potential to correct the highway access issue and greatly improve the screening of the existing use through the addition of landscaping that addressed key components of the regulations, Staff is concerned that the proposal – even though a small expansion to an existing site – is not consistent with the Comprehensive Plan, the purpose of the Zoning District; and finds that the proposal would constitute the addition of another principal structure out of compliance with ZR540. Primarily for the latter reason, Staff recommends that the DRB deny the Site Plan Amendment IV for a proposed 5' x 60' new public warehousing (self-storage) building located at 37 Centre Drive, described as SPAN# 11286, Tax Map 27, Parcel 9-14.

Respectfully Submitted:



Jacob Hemmerick, Planning Director

ATTACHMENTS:

1. Proposed Site Plan
2. 1994 Final Plans

3. TAC Comments

COPIES TO:

1. Applicant(s)
2. Owners(s)



TOWN OF MILTON
Planning & Economic Development Department
43 Bombardier Road
Milton, Vermont 05468-3205
802.893.1186
miltonvt.org

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, August 13, 2015

Date of Review: 7/29/15

Department: PW

TAC Member: Roger Hunt

37 Centre Drive - Site Plan Application - Gordon & Margaret Gilbert, Owners/Applicants.

No Comment.

R FH



TOWN OF MILTON
Planning & Economic Development Department
43 Bombardier Road
Milton, Vermont 05468-3205
802.893.1186
miltonvt.org

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, August 13, 2015

Date of Review: 7/26/15

Department: Milton Town School District

TAC Member: John Sarone

37 Centre Drive - Site Plan Application - Gordon & Margaret Gilbert, Owners/Applicants.

No concerns. Recommendation for Approval
J. Sarone



TOWN OF MILTON
Planning & Economic Development Department
43 Bombardier Road
Milton, Vermont 05468-3205
802.893.1186
miltonvt.org

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, August 13, 2015

Date of Review: 07.28.15

Department: POLICE

TAC Member: BRETT VAN NOORDT

37 Centre Drive - Site Plan Application - Gordon & Margaret Gilbert, Owners/Applicants.

NO COMMENTS
OR CONCERNS

RECEIVED

JUL 28 2015

Planning & Economic Development
Milton, Vermont



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Planning & Economic Development Department
 43 Bombardier Road
 Milton, Vermont 05468-3205
 802.893.1186
 miltonvt.org

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, August 13, 2015

Date of Review: 7-23-15

Department: Recreation

TAC Member: Afu Buchesnaer

37 Centre Drive - Site Plan Application - Gordon & Margaret Gilbert, Owners/Applicants.

No comments re: Recreation

RECEIVED

JUL 23 2015

Planning & Economic Development
 Milton, Vermont

APRIL 30 2015

CLASS CENTER
STORAGE FACILITY

PROPOSED BUILDING
5 X 60, ONE STORY

SCALE 1" = 30 FT

WAIVERS REQUESTED
FOR SECTIONS 803.3
TO SECTION 803.9

NO CHANGES TO
LIGHT TANK OR
LANDSCAPING PROPOSED

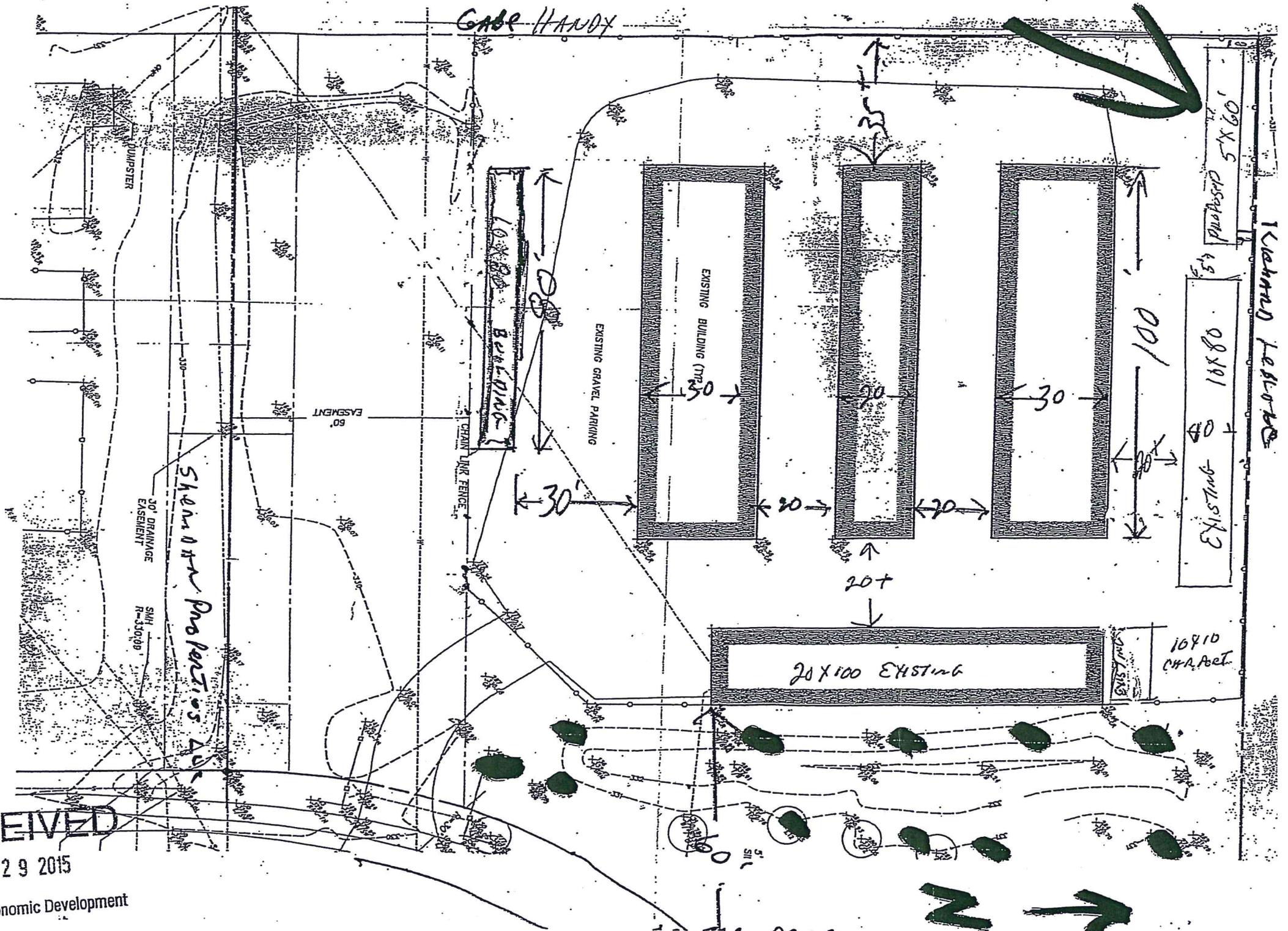
DAILY TRIPS INCREASED
ESTIMATED AT 2-3 TRIPS

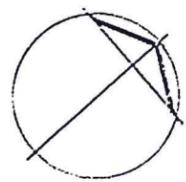
PLAN PREPARED BY
PO BOX 166 HILTON
LOYD GILBERT

RECEIVED

APR 29 2015

Planning & Economic Development



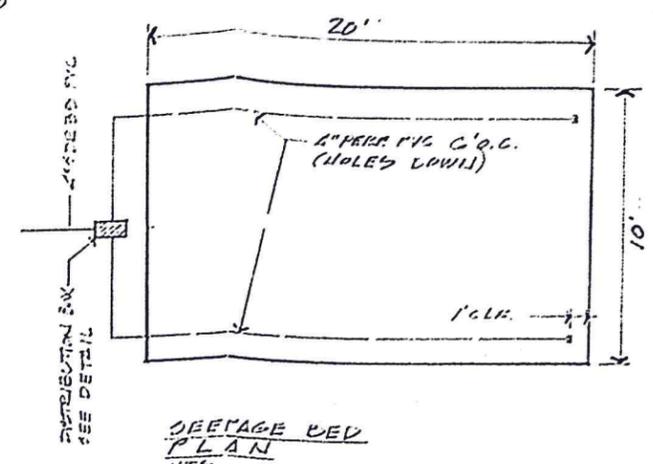


SITE PLAN
SCALE: 1" = 30'

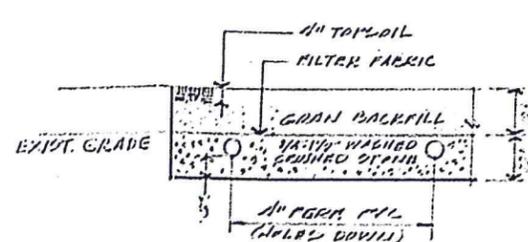
LOT COVERAGE DATA

| | | |
|---------------|-------------------|--------|
| BUILDINGS | 10000 SF | 10.000 |
| PARKING | 1100 SF | 680 |
| GRAVEL ACCESS | 17000 SF | 15952 |
| SEPTIC AREA | 600 SF | 600 |
| COVERAGE | 28700 SF (at 90°) | 27232 |
| % COVERAGE | 44% | 42% |

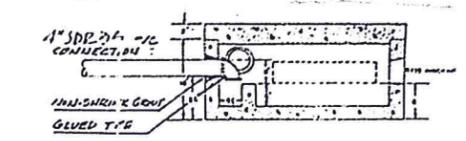
Permit 5-1-95 2843



SEEPAGE BED
PLAN
NTS



SEEPAGE BED
SECTION
NTS
DETAIL



INSTALLATION
A structure of similar dimension shall be constructed of steel and concrete (or steel with concrete fill). All inlet and outlet positions will be present to facilitate connection.
The unit will be installed on consolidated native soil that is level in all directions after construction.
All pipe openings will be grouted with non-shrink cement and the unit tested with clean water prior to backfilling to the top and distribution to the field in equal through all pipe lines.

"APPROVED"
Department
of
Environmental Conservation

Approved By: EMC
Permit #: UV-4-0812
DATE: 3-17-95

File Copy

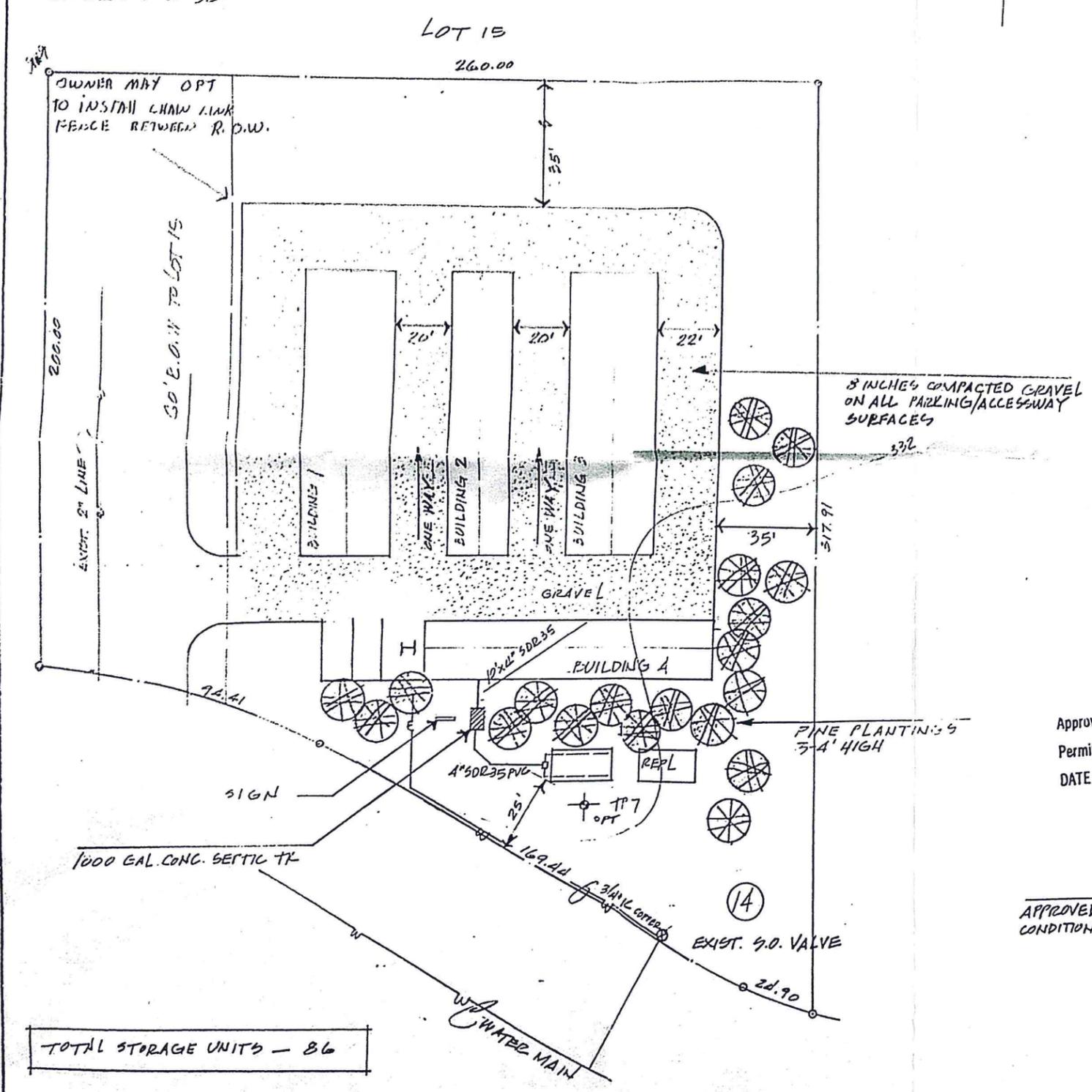
DESIGN CRITERIA

4 EMPLOYEES @ 15 GAL/EMPL.
= 60 GALLONS/DAY
60 GPD/1.2 = 50 SQUARE FEET
USE 10' x 20' SEEPAGE BED
200 SF / 50 SF

SOIL DATA (TP 7)

0.8" TOPSOIL
8-16 REDDISH BRN. SAND
16-80 LT. BRN MED. SAND
80-84 WET MED. SAND
PT: 2.2 MIN/IN

OK
VHA
May 1/95



TOTAL STORAGE UNITS - 86

REX
24 HRS LOT LINES,
AND REVIEW
RECEIVED
MAR 17 1995

WASTE WATER PLAN
FOR
GORDON GILBERT
LOT 15 - MILTON CENTRE
MILTON
DATE: 12/1/94
DIV. NO. 1 OF 1



APPROVED
J. H. STUART
PROFESSIONAL ENGINEER
PO BOX 367
ESSEX, VT 05451



TOWN OF MILTON Planning & Economic Development Department

43 Bombardier Road
Milton, Vermont 05468-3205
www.miltonvt.org
(802) 893-1186

MEMO

TO: Development Review Board
Planning Commission
Economic Development Commission
Conservation Commission
Technical Advisory Committee
Regional Planning Commissioner
(Regional Planning Commission) TAC Appointee
(Regional Planning Commission) PAC Appointee
Town Manager

FROM: Planning Staff

DATE: Finalized on Friday, August 7, 2015

RE: PLANNING DEPARTMENT STAFF UPDATE (7/18-8/7)

We welcome your questions and suggestions.

BOARD/COMMISSION ACTIVITY

Selectboard (Planning Items)

- ▶ **Members:** Darren Adams, Chair; Stu King, Vice-Chair; John Bartlett, Clerk; Ken Nolan,; and John Cushing
- ▶ Agendas and minutes are available [online](#).
- ▶ Last met on 8/3
 - Set tax rate
 - Minutes pending.
- ▶ Next meeting on 8/17

Planning Commission

- ▶ **Members:** Lori Donna, Chair; Julie Rutz, Vice-Chair; Tony Micklus, Clerk; Henry Bonges; and John Lindsay.
- ▶ Agendas and minutes are available [online](#).
- ▶ Last met on 8/4
 - Heard Public Forum discussion on dog and kennel regulation for subsequent research & consideration.
 - Tabled election of officers.
 - Conducted discussion to prioritize Zoning Alternatives for further analysis.
 - Agreed upon a 12-month target timeline to propose Zoning Amendments that aim to lift Interim Zoning.
 - Tabled Minutes of July 21.
- ▶ Next meeting 8/18
 - Review the FY2016 meeting schedule for holiday or other conflicts.
 - Map out the Interim Zoning work plan & timeline.
 - Discuss public outreach.

Regional Planning Commission (RPC)

- ▶ **Representative:** Lou Mossey
- ▶ Agendas and minutes are available [online](#).
- ▶ Last met on 7/15
 - Covered in prior update.
- ▶ Next Meeting 9/16

RPC Planning Advisory Committee

- ▶ **Representative:** Hemmerick

- ▶ Agendas and minutes are available [online](#).
- ▶ Last met on 7/8
 - Covered in prior update.
- ▶ Next meeting 9/9

RPC Transportation Advisory Committee

- ▶ Representative: Roger Hunt
- ▶ Agendas and minutes are available [online](#).
- ▶ Last met on 6/2
 - Covered in prior update.
- ▶ Next meeting on 9/1

Economic Development Commission

- ▶ Members: Donna Barlow-Casey, Ex-Officio Chair; John Barone, Ex-Officio; Courtney Lamdin, Business; Lou Mossey, Community; Lori Donna, Community; and Jeanne O'Bryan, Business
- ▶ Agendas and minutes are available [online](#).
- ▶ Last met on 6/10 (no quorum).
- ▶ Next meeting 9/9.

Reactivation Survey:

- ▶ Staff will sent out a survey to EDC stakeholders on Monday aimed at learning how the Town can re-energize the EDC. We welcome your ideas.

Vacancies:

- ▶ 1 community member 3-year term, ending June 30, 2018
- ▶ 1 Milton Business Association member 3-year term ending June 30, 2018.
- ▶ 1 business member 3-year term, ending June 30, 2018.

Conservation Commission

- ▶ Members: Judy Kinner, Chair; Bonnie Pease; Laurie DiCesare; Dan Gaherty; and Jay Maurice
- ▶ Agendas and minutes are available [online](#).
- ▶ Met on 7/14
 - Tabled election of officers.
 - Identified a rain barrel workshop as a preferred water quality community outreach program to do in partnership with the Winooski Natural Resource Conservation District.
 - Discussed Lamoille Riverwalk Trail conditions and infrastructure needs.
 - Discussed Milton Pond Dam Engineering report and approved a motion of support advising that the engineering solution should maintain the existing water level at Milton Pond.
 - Reviewed a draft RFQ/RFP for the Recreational Trails Program grant-funded project for trail improvements at the Town Forest
 - Approved Minutes of 6/23.
- ▶ Will meet next on 8/22
 - Discuss RTP RFQ/RFP and moving parts: timeline and wetland permitting.
 - Review Town Forest Map and Brochure and Discuss Kiosk Improvements.

Development Review Board

- ▶ Members: Bruce Jenkins, Vice-Chair & Acting Chair; David Conley; Clayton Forgan; and Henry Bonges
- ▶ Agendas, meeting materials and minutes are available [online](#).
- ▶ Met on 7/23

Hearings Conducted:

- ▶ 698 Everest Road - CU for Shoreline Staircase - Mattos/Cavitt (APPROVED)

Decision(s) Signed/Issued:

- ▶ Catamount Lot 14B, Site Plan for Trucking Distribution, T. Chase Investments LLC

Plat(s) Signed:

- ▶ None

In Deliberation:

- ▶ Greenfield Way, Variance, Greenfield HOA (PENDING DECISION)

Pending Written Decision:

- ▶ 159 East Road, 7-lot MCS Sketch, Martell/Blondin (APPROVED)
- ▶ 698 Everest Road - CU for Shoreline Staircase - Mattos/Cavitt (APPROVED)

Will meet next on 8/13:

- ▶ Elect officers
- ▶ Conduct annual DRB Bylaw review
- ▶ Hear Application on 37 Centre Drive, Site Plan Amendment IV, Gilbert

Will meet on 8/27, Upcoming Applications:

- ▶ US Route 7 South 947-951, mCS Sketch & Variance, Stannard House Committee/Miller Realty Group LLP
- ▶ Cold Spring Road 171/232, BLA, Clark
- ▶ Gonyeau 121, SP Amendment II, NG Advantage/Clean Energy

Vacancies

- ▶ One regular member, 3-year term ending June 30, 2018.
- ▶ Three alternate members, unexpired 1-year terms ending June 30, 2016.

Pending Environmental Division of the Superior Court Appeals

▶ **Route 7 South 368, PUD-M Final Plan Amendment XIII, Southerberry Phase III, Southerly Side of US Route 7 LLC/Sawyer**

A trial hearing is scheduled for 9/15 and 9/16.

▶ **297 McMullen, CU & SP for Earth and Mineral Excavation, J&M Sand**

Nothing new since last update. Received Appellants statement of questions on 6/5, filed with the Court on 5/12. Court hearing held on 6/8. Adjoining property owner filed an appearance. Court scheduled another status conference mid-July.

Pending Act 250 Applications

- ▶ Mackey Street, 2-Lot Subdivision, Cameron's Run
- ▶ 250 Westford, Single-Family Home, L. Bachand
- ▶ Catamount 14B, Trucking Facility, T. Chase Investments LLC
- ▶ 37 Catamount, Light Manufacturing Expansion, PEJ, LLC
- ▶ 121 Gonyeau, Site Expansion, NG Advantage
- ▶ Bombardier Road, Elderly Housing, Cathedral Square

CITIZEN PLANNER TRAINING & DEVELOPMENT

General information and training opportunities are shown below. If you're interested in attending any of the events below, please contact Staff, so we can put in a purchase order request and arrange registration (if approved). If you register yourself, the Town will not be able to reimburse you. In order to leverage the Town's investment and build a culture of knowledge sharing, we encourage attendees to write up a short summary of key takeaways from the event to share with stakeholders.

▶ **UVM Transportation Research Center Streetscape Design for Livability Webinar - 8/7 12-1PM**

Webinar Link: <https://www.youtube.com/watch?v=jrTRQMYOq94>

Trees can play an important role in shaping the space and character of a street. Rows of trees may visually subdivide vast streets into more human-scale spaces, or define street edges in the absence of nearby buildings. The naturalistic texture, movement, and permeability of trees also stands in contrast to the hard, rectilinear, static, and impermeable quality of most human-made building materials. Nonetheless, street trees are often selected, located, and even pruned with extreme intension. Like concrete and glass, they are materials with which built spaces are designed and constructed. This presentation will draw on examples from my recent travels in European cities to discuss how trees can shape built spaces as intentional and highly-managed materials, or as relatively unmanaged resources. These may provide a starting point for identifying the roles and management goals for roadside trees here in Vermont.

▶ **Soil Fest - 8/8 10AM to 12PM - St. Albans Taylor Park**

You, your family, and your friends are invited to Soil Fest on Saturday, August 8th, from 10 AM to 12 PM, at the band shell in St. Albans City's beautiful centerpiece: Taylor Park. Soil Fest is a free, fun and first-of-its kind event in northwestern Vermont that will leave attendees walking away with new knowledge they can use on their farms, in their gardens, and in their yards. "Soil Fest is the start of a new conversation about climate change, and where better to start that conversation than in Vermont?" said Tim Camisa, co-founder of Vermont Organics Reclamation (VOR), a St. Albans farm that raises vegetables and creates soil products. Soil Fest will feature: food; music; give-a-ways; workshops; interactive demos and activities; and exhibits from farmers, gardening and growing groups, and farm-to-school organizations. Also at Soil Fest, Camisa and Stiles will launch a Citizen Soil Science Initiative (CSSI), a virtual and real-world working group that will support applied research in communication about advanced soil management techniques that can help strengthen the balance of an environment facing great challenges. For more information on Soil Fest, email [Leon Thompson](mailto:Leon.Thompson@stalbansvt.com) or call 802-309-3198.

▶ **Safe Route to Parks Webinar on 8/11 at 2:30 PM**

For most people young and old, walking is a great way to get physically active, but there has to be safe places and spaces to walk. Parks and recreation play a tremendous role in creating more walkable communities, engaging the public in

walking and ensuring more people advocate for walking. On Tuesday, August 11 at 2:30 p.m. Eastern join NRPA and speakers from the American Planning Association, Rails to Trails and the City of Buckeye, Arizona Community Services Department in a free webinar to find out more about providing and promoting Safe Routes to Parks. [Click here](#) for more information and to register.

▶ **Health Resilience through Urban Infrastructure Planning and Design Webcast - 8/19 2-3:30 PM**

This webcast will explore ways in which public health and environmental agencies can collaborate to reduce the heat island effect, increase resilience to extreme heat events, and help each other further their respective missions. Join the webcast to learn about: *U.S. EPA's* Heat Island Reduction Program, as well as heat island reduction strategies and their benefits; *Health Canada's* program on Climate Change and Health, its experience collaborating with communities to reduce heat islands, and available tools and resources; *Quebec's* experience bringing city planners, urban foresters, non-profit organizations, and public health officials together to advance heat island mitigation measures. [Register](#).

▶ **Maker/Mixer Summit - 8/31 from 3:00 to 5:30 PM - Shelburne.**

For Makers, Sponsors, and those supporting the Maker Movement in the region. Monday August 31 from 3:00pm - 5:30pm. Location: All Souls Interfaith Gathering, Shelburne Vermont. Guest speakers include FIRST President Don Bossi, Make Author Kathy Cecerri, How to Make a Makerspace, and the viewing of the film "Most Likely to Succeed".

WATCH TRAILER: <http://www.mltsfilm.org/>

▶ **When Governments Cooperate - State Gov't Municipal Day: 9/9, Montpelier**

A day of Workshops for Vermont's Local Officials. SEPTEMBER 9, 2015 from 8 am - 4:15 pm. NEW WORKSHOPS this session include: Municipal Projects Done Right!, Planning that Matters: Shorter and Clearer Town Plans; Complete Streets are Green Streets; Reduce Damage from Flooding: Where to Start; Recreation Trail Planning and ADA Compliance; The PLENARY SESSION will feature a panel discussion of Vermont's New Clean Water Law. The \$25 registration fee includes morning coffee and a buffet lunch.

▶ **Green Infrastructure Workshop - 9/23 and 9/29 - CCRPC in Winooski**

The CCRPC will be presenting two options for you to attend a special discussion to dive deep into the issue of **Green Infrastructure** and explore the opportunities it presents for Vermont municipalities to reduce the impacts of stormwater on municipal budgets and assets while protecting vital natural resources. Wednesday afternoon, September 23rd from 12 noon -2:30 p.m. or Tuesday evening, September 29th from 6 p.m. to 8:30 p.m. Together, we'll discuss: what Green Infrastructure (GI) is and some examples of how it's been used; tools for self-assessment of your current bylaws (e.g. parking ratios, lot coverage, density, landscaping, etc) and whether they help or hinder GI; what measures your towns are already using to promote GI; promoting GI in your municipal plans (town plan, open space plan, stormwater master plans, flood resiliency, etc.); the (almost) updated State Stormwater Manual and the coming Municipal Roads Stormwater General Permit

runoff is produced, and seeks to restore and maintain natural hydrologic processes.

▶ **Champlain Valley Makers Faire: 9/26 & 27, Shelburne**

The Faire is calling for makers, presenters, and sponsors. [A Maker Faire](#) brings together families and individuals to celebrate the creative economy and the Do-It-Yourself (DIY) mindset to showcase all kinds of incredible projects. At Maker Faire, you'll find arts and crafts, science and engineering, food and music, fire and water but what makes this event special is that all these interesting projects and smart, creative people belong together. They are actively and openly creating a maker culture.

▶ **2015 Fall Grow It! Workshop for Garden Leaders - 10/6, 4-7PM - Milton**

Presented by Vermont Community Garden Network in partnership with Charlie Nardoizzi

Join community and school garden leaders from your region for this workshop on resilience: building and fostering more sustainable and responsive gardens, programs, and people. Learn strategies to boost your garden programs, share stories and ideas, and celebrate this growing movement. The workshop will take place at Milton High School at 17 Rebecca Lander Dr., Milton, VT 05468. Registration is \$30 per workshop. VCGN members are eligible for discounted registrations. Learn about the VCGN membership program and sign-up before you register for the workshop to receive your discount at <http://vcgn.org/membership/>. Sliding scale option also available. Please pre-register. For a list of all 7 Grow It! locations and dates across the state, more detailed workshop info, and online registration go to: <http://vcgn.org/what-we-do/growit>. Questions? Call (802) 861-4769.

▶ **Renewable Energy Vermont Conference and Expo: October 8 & 9, Burlington Sheraton**

This year's conference, *Leading the Energy REVolution*, will be held at the Sheraton in Burlington on October 8th and 9th. [\[Learn More\]](#)

▶ **Envisioning Vermont 2025, Vermont Housing & Conservation Board: 10/6, Burlington Hilton**

VHCB is planning a mixture of workshops, discussions, field trips and speakers to provide fresh perspectives and inspiration around themes that cross the boundaries between housing and conservation such as energy, climate action and food access. Save the date: <http://eepurl.com/br69jL>.

▶ **Annual Downtown Retreat - 9/24-25 - Grand Isle**

Downtown development leaders will gather at the [Grand Isle Lake House](#) for their annual fall retreat on September 24th

and 25th. The retreat provides educational sessions to strengthen Vermont's downtowns as well as an opportunity to network with peer organizations from around the state. For more information, contact [Gary Holloway](#).

▶ **Fall Downtown Networking Meeting - 12/4 - Wilmington**

Wilmington will host the fall downtown network meeting on December 4th. The networking event will highlight Wilmington's transformation and [recovery from Tropical Storm Irene](#). Attendees will learn how Wilmington Works leads their revitalization efforts, their recent successes and explore ongoing efforts to make the community more resilient. To RSVP or suggest topics for the agenda, contact [Gary Holloway](#).

▶ **Vermont Downtown Action Team**

The Vermont Downtown Action Team's [Design Tool Kit](#) highlights best practices for community design and planning. The Tool Kit was developed along with DHCD's award-winning [V-DAT action plans](#) that sped the recovery and revitalization of eight communities affected by the 2011 floods. Designed to help any Vermont city or town, the Tool Kit provides an overview of why downtowns and villages matter, the elements that define them and offers ways to improve downtowns and village centers through design, education, planning and implementation. For more information, contact [Richard Amore](#) or download the Tool Kit here:

<http://accd.vermont.gov/sites/accd/files/Documents/strongcommunities/cpr/Design%20Tool%20Kit%20-%20Vermont%20Downtowns%20and%20Village%20Centers%20-%20Web.pdf>

▶ **AARP Livability Design Collection**

AARP's Livability Index is an initiative of the [Public Policy Institute](#) and measures the quality of life in communities across multiple elements including: [housing](#), [transportation](#), [neighborhood characteristics](#), [environment](#), [health](#), [opportunity](#) and [civic and social engagement](#). Available in a user-friendly interactive [website](#), the Livability Index allows users to compare communities, adjust scores based on personal preferences and learn how to take action to make their own communities more livable. AARP also recently introduced the "[The Imagining Livability Design Collection](#)" which provides a visual glossary of common tools and investments to create livable, age-friendly communities.

▶ **Vermont Downtown and Historic Preservation Conference**

The Governor signed [H. 269](#) into law at the conference, which streamlines the management of mildly contaminated soils in state-designated areas and tax increment financing districts. Geoff Anderson, President of [Smart Growth America](#), provided the keynote address and showcased how public and private investments in compact community centers save money and return more tax revenue than outlying development. Conference presentations are available [online](#).

GENERAL NEWS

▶ **Tax Rate Change**

The Treasurer reported that the new tax rates were set at the Selectboard meeting held on 8/3/2015. The Town Tax Rate is \$0.5188. The School has two tax rates, Homestead and Non-Homestead. The Homestead tax rate is \$1.4013 and the Non-Homestead tax rate is \$1.4575. Therefore the total tax rates are as follows:

- Homestead \$1.4013 + \$0.5188 = \$1.9201
- Non-homestead \$1.4575 + \$0.5188 = \$1.9763

▶ **Solar Siting Task Force Met**

The first meeting of the Solar Siting Task Force, created under H.40 (A.56), took place this week. More on this topic can be found at the following site:

<http://vtdigger.org/2015/07/29/solar-land-use-committee-holds-first-meeting-in-montpelier/>

▶ **"Our Town" Grants Available for Place-Making**

The National Endowment for the Arts (NEA) is accepting applications for the "Our Town" matching grant program, which supports creative, arts-centered place-making projects. According to the NEA, creative place-making is when artists, arts organizations and community development practitioners deliberately integrate arts and culture into community revitalization to increase creative activity and quality of life. Grant funding ranges from \$25,000 to \$200,000 and "Our Town" grants require partnerships between arts organizations and government, other nonprofit organizations and private entities. The deadline for applications is September 21, 2015. [Click here](#) for more information about the grant, eligibility and process to apply.

▶ **Municipal Planning Grants Applications due September 30th**

DHCD is pleased to announce approximately \$450,000 in state funding to help cities and towns realize their visions for building more livable, walkable and sustainable communities. Grant applications are due September 30th with funding decisions announced in December. Check out the [FY16 MPG Program Description](#) for details on eligibility and the competitive criteria. Training to help applicants prepare strong grant proposals is scheduled for August 21st from noon-12:45pm. *The Planning Department is investigating this program to support consulting services to advance Interim Zoning.*

▶ **Announcing the 2016 State Historic Preservation and Barn Preservation Grants**

Each year the Vermont Advisory Council for Historic Preservation awards matching grants to owners of historic buildings. The [Historic Preservation Grant](#) program offers grants of up to \$20,000 to non-profit organizations and

municipalities while the Barn Preservation Grant program offers grants of up to \$15,000 to non-profit organizations, municipalities and private individuals. In 2014, thirty-nine projects received \$500,354 to help restore and repair historic buildings and agricultural buildings around the state. Applications for both programs are now available online and the deadlines are October 5th for Historic Preservation Grant applications and November 2nd for Barn Preservation Grant applications. For more information or to be added to the mailing list, contact Caitlin Corkins at (802) 828-3047.

▶ **Do you Know about VTransparency 3.0?**

The Agency of Transportation's web portal is updated daily with the latest information on pavement conditions, planned projects, bridge closures, bridge inspection reports and other information on the 3,200 miles of pavement across the state. The site also provides data to support local and regional data and planning efforts

▶ **Legislative Wrap-Up**

A number of new laws and amendments affecting local planning and regulation were enacted during the 2015 Vermont legislative session. See a summary of the changes to state statutes here.

▶ **Vermont's Comprehensive Energy Plan**

The Public Service Department (PSD) is updating Vermont's Comprehensive Energy Plan to address Vermont's energy future and meet the goal of obtaining 90% of the state's energy needs by 2050 from renewable energy. Your input is needed! Submit written comments or attend a public forum to join the conversation.

PLANNING DIRECTOR REPORT

Projects:

General Organization of Planning Department Server
Diverse Planning Assistant Training
Budgeting and Purchasing Needs Review
RTP Trail Project Wetlands Permitting Work
Town Planner Hiring Process Follow-up
EDC Reactivation Planning
Planning Shared Calendar Maintenance
CIP Budgeting Background Research
Municipal Planning Grant Research
Agency of Agriculture Air Cannon Rule Research
Hourglass Critical Path mapping with TM
Developer Escrow Management with Treasurer and Finance
Railroad Street Crossing Work Session Participation

Consults:

General customer service.
Met with resident about an mCS in the M1
Met with Commercial Broker about a M5 property.

DRB Follow-Up Activity Managed on the following Files:

Wagner Wood PRD
Greenfield Way Variance
Blackberry PUD
Cooper Road BLA
Crest Drive BLA
Clapper Road PUD
Cathedral Square SP
HW Ventures Norht Road CU & SP
Precast BLA & SP
Catamount 14B SP
Catamount 17 SP
Eagle Mtn Harbor Rd. Variance
Bernier Rd. mCS
Southerberry PUD - Appeal

Meetings Staffed/Attended and Follow-up Work:

7/23 DRB
8/4 PC
8/5 Dept. Head Meeting

General communication with CC about ongoing projects.

Meeting Preparation:

8/13 DRB Preparation - Wrote a Decision and a Staff Report

8/18 PC Preparation

8/18 CC Preparation

TOWN PLANNER REPORT

We are pleased to announce that a Town Planner has been hired, and will start on August 17, 2015. We will be introducing the new Planner in our next update.

ZONING ADMINISTRATOR, HEALTH OFFICER & E-911 COORDINATOR REPORT

- ▶ Customer visits and calls have been steady. Certificate of compliance requests have remained steady, mostly due to residential sale closings. I have started working on updating procedures and templates for staff coverage during my upcoming maternity leave.

Zoning/Development Review Consultations

- ▶ Met with Esther Lotz, Commercial Real Estate broker, and potential tenants regarding 5 River Street and potential retail use with associated personal services that could fit in under the retail use definition. Change of use would require an Administrative Site Plan Amendment.
- ▶ Discussed potential home occupation of a Doggie Daycare for a resident on Woodcrest Circle. Advised that this home occupation would require Conditional Use approval from the DRB.
- ▶ Received drawings on 8/6 from owner at 69 McMullen Road for the Conditional Use application that was submitted on 7/8 for an agriculture use. Will now schedule application for a DRB hearing.
- ▶ Met with Brad Washburn, engineer for Green Mountain Engineering, regarding a Site Plan amendment for the NG Advantage/Clean Energy site plan. They have since submitted a Site Plan Amendment application for circulation changes, addition of fuel pumps, etc. They are currently scheduled for an August 27, 2015 DRB hearing.
- ▶ Gabe Handy provided an update that the projected occupancy of the multi-family housing complex off Centre Drive (Jenna Lane) to be around November 2015.

Zoning Permits Issued/Denied

- ▶ Zoning Permits approved:
 - 13 residential alterations
 - 1 new single family home, 1 demo of existing home and rebuilding new single family home
 - 1 residential amendment
 - 1 commercial sign
 - 2 new commercial

Certificates of Compliance Issued/Denied

- ▶ CO's issued - 11 residential, 1 single family home, 2 commercial

Administrative Site Plan Amendments

- ▶ Received Administrative Site Plan Amendment for 107 Catamount Drive on 8/8.

Zoning Voluntary Compliance Letters/Violations Issued

- ▶ Notice of Violation issued for 69 McMullen Road for agriculture use without Conditional Use approval issued on 7/30.

Litter Voluntary Compliance Letters/Violations Issued

- ▶ None

Intent to Issue a Health Order/Health Orders Issued

- ▶ Voluntary Compliance issued for 40 Railroad Street on 7/27 for violations of Vermont Rental Housing Code.

E-911 Addresses Assigned

- ▶ New single family home at 112 Railroad Street.
- ▶ New commercial at 6 Catamount Drive.

GLOSSARY

| | |
|-------------|--|
| BLA | Boundary Line Adjustment |
| CC | Conservation Commission |
| CO | Certificate of Occupancy/Compliance |
| CP | Comprehensive Plan |
| CU | Conditional Use |
| DRB | Development Review Board |
| EDC | Economic Development Commission |
| HO | Health Order |
| mCS | Minor Conventional Subdivision |
| MCS | Major Conventional Subdivision |
| PC | Planning Commission |
| PWS | Public Works Specifications |
| PW | Public Works |
| PUD-M/I/C/R | Planned Unit Development <u>M</u> ixed-Use / <u>I</u> ndustrial / <u>C</u> ommercial / <u>R</u> esidential |
| SLB | Selectboard |
| SP | Site Plan |
| SR | Subdivision Regulations |
| TAC | Technical Advisory Committee: Police, Fire/Rescue, Public Works, School, Recreation |
| TM | Town Manager |
| VCL | Voluntary Compliance Letter |
| ZA | Zoning Administrator |
| ZP | Zoning Permit |
| ZR | Zoning Regulations |

Disclaimer:

While the Town of Milton strives to be accurate in all communications, any comments made in this informative courtesy memo do not constitute final decisions of the Town or its officers and should not be relied on as definitive statements as to the interpretation or application of land use laws and development regulations.



DEVELOPMENT REVIEW BOARD MEETING MINUTES

Meeting Type: **Regular Meeting**
Date: **Thursday, July 23, 2015**
Time: **7:00 p.m.**
Place: **Municipal Building Community Room**
Address: **43 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 7:07 p.m.
3

4 **2. ATTENDANCE**

5 **Members Present:** Bruce Jenkins, Vice-Chair and Acting Chair; Clayton Forgan; David Conley

6 **Members Absent:** Henry Bonges

7 **Staff Present:** Jacob Hemmerick, Planning Director; Kristen Treanor, Planning Assistant

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

10 **3. AGENDA REVIEW**

11 None.
12

13 **4. PUBLIC FORUM**

14 None.
15

16 **5. PUBLIC HEARINGS**

17
18 **5.1 Conditional Use Application – 698 Everest Road – Paul J. Mattos and Clara E. Cavitt, Applicants/Paul**
19 **Joseph Mattos and Clara Ellen Cavitt Trust, Owners**
20

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

23 In accordance with Sections 353(7) and 500 of the Town of Milton Zoning Regulations, the Applicant(s) are
24 requesting Conditional Use approval to install a beach access stairway from an existing dwelling unit patio,
25 located at the top of the lakeshore bank, down to the shoreline. The proposed stairway includes the
26 construction of two landings: one at top of the embankment, adjacent to the patio, and another at the top of
27 an existing retaining wall near the shoreline. The subject property is located at 698 Everest Road, described
28 as SPAN #12242, Tax Map 37, Parcel 19. The property contains a total of 0.43 acres and is located within the
29 "Shoreland Residential" (R6) and "Flood Hazard" (FH) Zoning Districts.
30

31 The Chair administered the oath to Interested Persons.
32

33 In response to the following numbered items in the Staff Report:
34

- 35 1. The Applicant agreed to include a drawing showing all distances from structures to the property
- 36 boundaries in compliance with the conditional use approval and the setback requirements for the
- 37 District in which the structure is located (shoreline setback exempted).
- 38 2. The Applicant agreed to abandon the existing stairway to the shoreline and re-vegetate that area.
- 39 3. The Applicant agreed to implement proper erosion and sedimentation measures during construction.
- 40 4. The Applicant agreed to construct and maintain the proposed stairway in accordance with Section VII of

Appendix A, Special Flood Hazard Area.

5. The Applicant agreed to obtain a Project Review Sheet from the Vermont Agency of Natural Resources for the proposal, in accordance with Zoning Regulations Appendix A, Section VIII, A, 1b. The applicant advised this is already in process.
6. The Applicant agreed to address any comments made by the state NFIP Coordinator prior to issuance of a Zoning Permit.
7. The Applicant agreed to obtain a Zoning Permit and, after construction is complete and prior to occupation/use of the improvements, a Certificate of Compliance.
8. The Applicant agreed to address any remaining concerns from the DRB concerning the standards above. Conley asked if there were going to be 7 steps going from the second landing down to the lake and Mattos advised there were 6 actual steps with the seventh one being the landing. Conley asked if the lower set of stairs that reach the beach would be permanent. Mattos stated the stairs are removable, as are the upper set in case the water gets abnormally high. Conley asked if the water level has ever gone over 104', and Mattos replied no, but added that in May 2011 the water level did reach within 8" of the top of the sea wall. Conley asked what other residents in the area were using; Mattos stated that there are various methods in use by neighbors. Jenkins asked if the site contained ledge; Mattos stated that the ledge was farther north and that his location was principally a dirt bank.

MOTION made by Conley to approve the Conditional Use Application subject to the 8 conditions listed in the Staff Report, SECOND by Forgan. Unanimously APPROVED.

6. OTHER BUSINESS

Hemmerick introduced the new Planning Assistant, Kristen Treanor, and stated that the Town Planner search is moving forward.

Hemmerick stated the Planning Commission had a meeting on July 21, 2015 with their planning consultant, PlaceSense, and that a list of 101 Zoning Alternatives had been created with the aim of meeting the goals of the Comprehensive Plan and the Interim Zoning Bylaws. The Planning Commission is taking a look at that list and will be paring it down to reflect what is important to them and what is feasible.

General discussion ensued. Hemmerick stated that there is currently one Site Plan Amendment for the August 13, 2015 DRB meeting and three applications for the second meeting in August. Vacancies on various Commissions were also discussed. Conley asked about a reduction in fees that he read about and Hemmerick advised that there had been a reduction in the Impact Fees effective July 1, 2015 and explained how those fees were formulated.

Finally, Hemmerick presented the draft written Decision regarding T. Chase Investments' application for Site Plan approval for the site at Catamount Drive Lot 14B (for which a vote was taken in Deliberative Session) on July 9, 2015. The vote records shows that the application was approved (as follows) subject to conditions.

| | |
|----------------------------|---|
| Vacant, Chair | yea/nay/abstain/absent/recusal |
| Bruce Jenkins, Vice-Chair: | <u>yea</u> /nay/abstain/absent/recusal |
| Vacant, Clerk: | yea/nay/abstain/absent/recusal |
| Henry Bonges: | <u>yea</u> /nay/abstain/absent/recusal |
| Clayton Forgan: | <u>yea</u> /nay/abstain/absent/recusal |
| David Conley: | yea/nay/abstain/ <u>absent</u> /recusal |

7. MINUTES

Jenkins suggested they table the approval of the Minutes of June 9, 2015 due to Conley not being present at that meeting. Minutes TABLED by UNANIMOUS CONSENT

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8. DELIBERATIVE SESSION

Hemmerick mentioned the DRB has one pending decision regarding Greenfield Way. The timeline was discussed and deliberations were TABLED by UNANIMOUS CONSENT until August 13, 2015. The DRB did not enter Deliberative Session.

9. ADJOURNED

MOTION by Conley to adjourn at 7:30 p.m., SECOND by Forgan. Unanimously APPROVED.

Minutes approved by the Commission this _____ day of _____, 2015.

Bruce Jenkins, Vice-Chair & Acting Chair /kt

Filed with the Town Clerk this _____ day of _____, 2015



DEVELOPMENT REVIEW BOARD MEETING MINUTES

Meeting Type: **Regular Meeting**
Date: **Thursday, July 9, 2015**
Time: **7:00 p.m.**
Place: **Municipal Building Community Room**
Address: **43 Bombardier Road, Milton, Vermont 05468-3205**
Contact: **802.893.1186 ♦ planning@town.milton.vt.us ♦ miltonvt.org**

1 *The DRB conducted a Site Visit to Greenfield Way at 6:00 p.m. prior to the meeting.*
2

3 **1. CALL TO ORDER**

4 The Chair called the meeting to order at 7:12 p.m.
5

6 **2. ATTENDANCE**

7 **Members Present:** Bruce Jenkins, Vice Chair and Acting Chair; Clayton Forgan; and Henry Bonges

8 **Members Absent:** David Conley

9 **Staff Present:** Jacob Hemmerick, Planning Director
10

11 **3. AGENDA REVIEW**

12 **Additions:** Hemmerick stated that a draft written decision is ready for review for the 32 Catamount Drive
13 Site Plan Application from Rennline. The Chair assigned this for review during Deliberative Session.
14

15 **4. PUBLIC FORUM**

16 None.
17

18 **6. PUBLIC HEARINGS**

19
20 **6.1 Variance Application - Green Field Way - Green Field Homeowners Inc., Owners/Applicant**

21 The Chair read the following summary to re-open the hearing continued from June 25, 2015:
22

23 The Applicants are requesting a one-year Variance according to Section 1020 and 1070 of the Zoning
24 Regulations in order to be able to construct and formalize dwelling unit egress and HVAC structures
25 restricted by the Regulations and the 2009 DRB Final Plan & Site Plan Decision and Plat for the Type
26 "A" Planned Residential Development. The Plat restricts the placement of "structures" outside of the
27 defined "building envelopes" (subsequently redefined as "buildable envelopes") and within a
28 designated common area, "open space", "buffer strip" (within which no "structures" other than fences
29 may be placed) according to the Sections 844.3, 844.7(a) and 1010 of the March 26, 2007 Regulations
30 (active at the time of approval), as well as Sections 856, 856.3(a) and 1110 of the (current) January 5,
31 2015, Regulations. The subject development is located at Green Field Way, described as SPAN
32 #10148, Tax Map 25, Parcel 1. The subject property contains a total of approximately 1.92 acres and is
33 located within the "Checkerberry "M4" Zoning District.
34

35 The Chair administered the oath to Interested Persons, and explained that the hearing was continued to
36 conduct a site visit. Staff presented additional plans submitted by the Applicant. The Applicant was
37 represented at the hearing by Jay Nadeau, President of the Homeowners Association.
38

39 Susan Santerre, an adjoining property owner, expressed opposition to the proposal, and is concerned about
40 setting an adverse precedent.
41

1 Jenkins recalled discussions from the original approval regarding the limitations of the proposed design.

2
3 Four Stairways and one HVAC unit are requested under the variance. Currently there are HVAC units at Unit
4 #3 and Unit #12. Hemmerick stated that Staff's recommendation would be to have HVAC system placed under
5 the existing decks to help limit the impact, if the DRB were to approve. Nadeau stated that there is not enough
6 clearance under the deck of Unit#10, one of the proposed sites.

7
8 Susan Santerre questioned the applicants as to what was present when they purchased the unit. Applicant Staci
9 Lebos stated that when her unit was purchased it had railings and stairs, and that no additions have been made
10 to her unit in 3 years.

11
12 With no further testimony, the hearing was closed at 7:25 p.m.

13
14 **6.2 Sketch Plan Application, Major Conventional Subdivision - 159 East Road - Sandra Martell, Owner and**
15 **Chris Blondin, Applicant.**

16 The Chair read the following summary to open the hearing:

17
18 The Applicant is requesting Sketch Plan approval for a proposed 8-lot Major Conventional Subdivision
19 located at 159 East Road, described as SPAN# 12211, Tax Map 11, Parcel 93. The subject lots are
20 proposed to be served by shared septic and shared wells. Also proposed is a new, looped private road
21 within a 60' private right-of-way accessed from two intersections on East Road. The site contains several
22 existing structures. The subject property contains a total of 59.13 acres. And is located within the "Old
23 Towne Residential" (R1) Zoning District.

24
25 The Chair administered the oath to Interested Persons. Chris and Joey Blondin represented the Applicant at
26 the hearing.

27
28 In response to the following numbered items in the Staff Report:

- 29 1. The Applicant stated for the record that all persons with an ownership interest are party to this
30 application, noting that Waldo Martell is deceased. Hemmerick explained that he included this item to
31 ensure that Mr. Martell's heirs/beneficiaries are aware of the application.
- 32 2. The Applicant agreed that the preliminary application will show consistent acreage on the draft plat and
33 application form and that the plat shall show lot areas and be prepared by and attested by a licensed
34 surveyor. The Applicant stated that Warren Robenstien had done the 2009 survey of the property
35 located at 159 East road, but he is not sure if Ms. Bluto's survey from 1982 was consulted. The Applicant
36 stated that a new survey will be completed.
- 37 3. The Applicant agreed to label all existing and proposed utilities as well as existing and principal uses
38 housed in each building or accessory structure. The Applicant explained that all structures, with the
39 exception of the brick house, will be removed.
- 40 4. The Applicant agreed to show the type, location and approximate size of existing and proposed streets
41 and driveways and indicate existing access(es) to be retained or removed. The DRB and Applicant
42 discussed the width of the East Road public right-of-way.
- 43 5. The Applicant agreed to show the type, approximate size and location of existing or proposed utilities.
44 Currently there is one well on the property.
- 45 6. The Applicant agreed preliminary plans shall delineate all proposed easements.
- 46 7. The Applicant agreed that the preliminary plans shall show the names of current owners of record of
47 contiguous properties, per section SR300.2. Staff stated that he noticed some discrepancies with names
48 between adjoining property owners provided on the application versus the draft Plat dated January 25,
49 2009 that should be reconciled.

- 1 8. The Applicant agreed that the preliminary plans shall show suitable dead ends in compliance with
2 SR800/590.
- 3 9. The Applicant agreed that the preliminary plans shall show street design in conformance with
4 SR800.10/ZR590.
- 5 10. The Applicant agreed that preliminary plans will show an adequate surface storm water drainage plan
6 for the entire subdivision area, including a drainage easement per SR840.
- 7 11. The Applicant agreed that the preliminary plans shall show easements of sufficient width for the
8 proposed shared water and wastewater system(s) as well as delineate the boundaries of the access right-
9 of-ways.
- 10 12. The Applicant agreed that the preliminary plans shall demonstrate compliance with the road and
11 driveway standards established by ZR592 and 593.
- 12 13. The Applicant agreed that within 6 months of classification by the DRB of the sketch plan as a major sub-
13 division, the sub-divider shall submit an application for approval of a preliminary plat in accordance
14 with SR500.
- 15 14. The Applicant agreed to address any current concerns that the DRB may have related to the SR700
16 standards and that the preliminary application shall include Section 700 responses specifically
17 addressing how the proposal meets each finding.
- 18 15. The Applicant agreed that the preliminary application and plans shall address all comments from the
19 Development Review Board Technical Advisory Committee (Public Works and Fire) attached to the staff
20 report.
- 21 16. The Applicant agreed to address any remaining concerns from the DRB concerning the standards above.
22 The DRB had no further concerns.

23
24 The Chair read a letter into the record from Marilyn Bluto, an adjoining property owner, dated July 9, 2015 and
25 submitted to the application file. Ms. Bluto was present at the hearing.

26
27 The Chair closed the hearing at 7:49 p.m.

28
29 **6.3 Site Plan Application - Catamount Drive (Lot 14 B) - T. Chase Investments, LLC c/o Neagley & Chase**
30 **Construction Co; Owners/Applicants.**

31 The Chair read the following summary to open the hearing:

32 The Applicant seeks Site Plan Approval according to the Milton Zoning Regulations to construct a 10,100
33 sq. ft. compressed natural gas trucking distribution facility in the Catamount Industrial Park. The site is
34 proposed to be served by municipal water and sewer and accessed from two curb cuts off Catamount
35 Drive. The site is located at Catamount Drive (Lot 14 B), described as SPAN #11527, Tax Map 3, Parcel
36 8-145. The subject property contains a total of approximately 3.34 acres and is located within the
37 "General Industrial "I2" Zoning District.

38
39 The Chair administered the oath to Interested Persons. Doug Goulette of Lamoureux and Dickinson and Tom
40 Chase of T. Chase Investments LLC represented the Applicant at the hearing.

41
42 The Applicant introduced the project and reviewed the following changes that were made after the application's
43 submission:

- 44 • The proposed gravel site for parking and trailers has been paved.
- 45 • Eliminated small grassy strip in trailer parking area.
- 46 • Building now has sidewalks adjacent to the office portion.
- 47 • Transformer pad has been removed, and replaced with a transformer pole on the North side of
48 Catamount Drive.
- 49 • Emergency generator and screening added.

- 1 • Addition of bike rack.
- 2 • A small wooden fence has been added to stop tractors from hitting the building.
- 3 • Additional landscaping (shrubbery) to screen the trailers has been added.

4
5 In response to the following numbered items in the Staff Report:

- 6 1. The Applicant agreed that a Town waste/sewer permit shall be required prior to being eligible for a
7 zoning permit per ZR570.
- 8 2. The Applicant agreed that a State water /waste water permit shall be required prior to being eligible
9 for a zoning permit.
- 10 3. The Applicant agreed that driveways must be built to the Driveway specifications as defined in the
11 Public works Specifications.
- 12 4. The Applicant agreed that a Town Highway Access Permit shall be required prior to being eligible
13 for a Zoning permit per 594.
- 14 5. The Applicant agreed that all curb cuts shall be inspected according to ZR595 prior to the issuance of
15 a Certificate of Compliance.
- 16 6. The Applicant agreed that construction trailers shall be used in accordance with ZR560.
- 17 7. The Applicant agreed that the Final Plans shall show a revised landscaping plan (and associated cost
18 estimates) to minimize the visual impact of the outdoor trailer parking area on a year-round basis, as
19 presented by the Applicant at the hearing.
- 20 8. The Applicant agreed that a landscaping surety to guarantee the completion of the approved
21 landscaping. The surety is to be held for a period of Three years from installation. The surety must be
22 established prior to the issuance of a Zoning permit, per Zoning regulations Section 806.3 and the
23 Town's Policy 98-02 on *Landscape performance Bonds*.
- 24 9. The Applicant agreed that the FRONT SETBACK area shall be landscaped in accordance with the
25 approved Site Plans and maintained in good appearance.
- 26 10. The Applicant noted the proposed plans show parking barriers between front parking lot spaced
27 abutting the front sidewalk; which Staff overlooked.
- 28 11. The Applicant stated that they are requesting two driveways, and the DRB noted that unless
29 specifically approved by the Development Review Board, there shall be not more than one driveway.
30 The DRB found that two driveways are suitable.
- 31 12. The Applicant agreed that at least one bicycle parking or storage facility shall be provided for all uses
32 subject to the Site Plan Review. Additional such facilities may be required as deemed necessary by
33 the Development Review Board.
- 34 13. The applicant agreed that Final Plans shall include lighting specifications demonstrating compliance
35 with ZR820, explaining that they are proposing LED lights.
- 36 14. The Applicant agreed that no SIGN, billboard or exterior graphic display shall be permitted except as
37 provided in this Section ZR830.
- 38 15. The Applicant agreed that all comments by the development Review Board Technical Advisory
39 Committee (Public Works and Fire) and attached to the Staff Report shall be addressed in the
40 Preliminary Plans, including but not limited to some civil changes and fire safety items.
- 41 16. The Applicant agreed that a Zoning Permit is required and an associated Certificate of Compliance is
42 required after construction is complete (an prior to occupation/use of the new structures).
- 43 17. The Applicant agreed to submit Final Plans as requested.
- 44 18. The Applicant agreed to obtain all required State permits and approvals prior to construction.
- 45 19. The Applicant addressed remaining concerns by the DRB.

46
47 The Chair closed the hearing at 8:09 p.m.

48 49 7. OTHER BUSINESS

1 Staff gave a brief Staff Update on Department activities. Questions were asked and answered.
2

3 **8. MINUTES**

4 MOTION by Bonges to approve the Minutes of June 25, 2015 as presented, SECOND by Forgan.
5 Unanimously APPROVED.
6

7 **9. DELIBERATIVE SESSION**

8 MOTION by Bonges to enter Deliberative session at 8:33 p.m., SECOND by Forgan. Unanimously
9 APPROVED.
10

11 MOTION by Bonges to exit Deliberative session at 9:05 p.m., SECOND by Forgan. Unanimously
12 APPROVED.
13

14 **8. ADJOURNED**

15 MOTION by Bonges to adjourn 9:06 p.m., SECOND by Forgan. Unanimously APPROVED.
16

17 **Minutes approved by the Commission this _____ day of _____, 2015.**
18
19

20 _____
21 **Bruce Jenkins, Vice-Chair & Acting Chair**
22

23 **Filed with the Town Clerk this _____ day of _____, 2015**

MEETING SIGN-IN SHEET - Milton Development Review Board

Date: Thursday, July 9, 2015

| NAME (PRINT) | SIGNATURE | MAILING ADDRESS | PHONE # |
|----------------------|-------------------------|--------------------------------------|-----------------|
| JAY NABEAU | <i>Jay Nabean</i> | 12 Green Field Way #103 Milton VT | 535- 8095 |
| STACY LEISOS | <i>Stacy Leisos</i> | 66103 Greenfield way MILTON | 7344781 |
| Carol Bitter | <i>Carol Bitter</i> | 12 Green Field Wg 103 Milton | 824 5940 |
| Peter & Joyce Muller | <i>Joyce Muller</i> | 11 Greenfield Way #102 | 891-6448 |
| Pam Conant | <i>Pam Conant</i> | 11 Greenfield Way #103 | 893 8669 |
| Pam Conant | <i>Pam Conant</i> | 7 Elderberg Pt N. Esplan | 508 589-2023 |
| Paul Noonan | <i>Paul Noonan</i> | 29 W. Milton Rd | 893-2174 |
| Susan Santere | <i>Susan McChantene</i> | 14 Morris Dr. Essex | 878-4450 |
| Doreen Goretz | <i>Doreen Goretz</i> | | |
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NOTE: THOSE WISHING TO GAIN INTERESTED PERSON STATUS AND TESTIFY ON AN APPLICATION MUST ALSO SIGN-IN ON THE HEARING SIGN-IN SHEET.