



DEVELOPMENT REVIEW BOARD

Meeting Type: **Regular Meeting**
Date: **Thursday, May 25, 2023**
Time: **6:00 p.m.**
Place: **Community Room or Via Zoom**
Address: **43 Bombardier Road**
Contact: **(802) 893-1186**
Website: **www.miltonvt.gov**

MEETING MINUTES

<i>Bruce Jenkins,</i> <i>Chair</i>	<i>Nick Smith,</i> <i>Vice Chair</i>	<i>Julie Rutz,</i> <i>Clerk</i>	<i>Scott Turner</i>	<i>Maryalice</i> <i>Callahan</i>	<i>Henry Bonges,</i> <i>Alternate</i>	<i>Robert Brisson,</i> <i>Alternate</i>
---------------------------------------	---	------------------------------------	---------------------	-------------------------------------	--	--

MINUTES

1. Call to Order

The meeting was called to order by B. Jenkins at 6:00 P.M.

2. Attendance

DRB Members Present: Bruce Jenkins, Chair; Nick Smith, Vice-Chair; Julie Rutz, Clerk; Maryalice Callahan; Scott Turner;

DRB Members Absent: None

Staff: Amanda Pitts

Hearings: Don Turner, Jeff Olesky, Ryan Bellavance, Richard Hamlin, and interested parties (see sign-in sheet)

3. Agenda Review: Moving Town of Milton hearing to second.

4. Public Forum: None

5. Continued Hearing/New Business:

- B. Bellavance Properties LLC, Applicant** is requesting Major Site Plan approval at **96 Gonyeau Rd**, described as Parcel #203006-000000, SPAN 396-123-11328, and owned by Stephen and Anita Allen. The proposed project is to convert a residential property to a "truck or freight transportation" use and associated site work. The subject property is recorded as having 5.5 acres and is located within the General Industrial (I2) zoning district, and the Catamount Planning Area.

Ryan Bellavance, applicant, and Rick Hamlin, engineer, attended the hearing and gave a summary of their proposed project. B. Jenkins administered the oath and Richard Hamlin addressed the following numbered items.

- 1. The applicant shall secure a Project Review Sheet or Permit Navigator Summary from the Department of Environmental Conservation and all applicable permits.*
- 2. DRB to determine approval of 2 curb-cuts.*
- 3. Applicant is advised to remove septic tank and cap well in accordance with state regulations.*
- 4. Applicant is advised to perform construction and operate site in conformance with erosion control and stormwater management sections 3009 and 3010.*
- 5. DRB to determine if parking as proposed meets requirements of section 3202.*

6. *Landscaping required under this section or as a condition of approval must be maintained in a healthy condition. Dead or dying plants must be replaced within 1 growing season with a comparable plant (in terms of type, form, size at maturity, etc.) of at least the minimum size requirements specified in Figure 3-03.*
7. *DRB to determine if proposed landscaping meets requirements of section 3204.*
8. *Applicant shall clarify if outdoor lighting is proposed, and if so, show locations and specifications in accordance with section 3205 on final plans.*
9. *Applicant shall maintain and operate site in accordance with performance standards of section 3208.*
10. *This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the Development Review Board and on file in the Department of Planning and Zoning, and in accordance with the conditions of this approval. No changes, erasures, modifications, or revisions, other than those required by this Decision, shall be made on the plan after approval unless a revised plan is first submitted to the Department of Planning and Zoning for approval.*
11. *Applicant shall submit one (1) full-sized (to scale) and one (1) reduced (11 x 17) complete final plan sets depicting the requested changes. The revised plans must be deemed Final by Planning Staff prior to being eligible for a Zoning Permit from the Zoning Administrator and/or recording the final survey plat. The Applicant is advised to submit an electronic .pdf plan for staff review prior to submitting all copies of the Final Plan set.*
12. *A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.*
13. *The Site Plan Approval shall expire three years from the date of issuance if the applicant does not receive a zoning permit by this date.*
14. *Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.*
15. *The DRB may schedule a site visit.*
16. *The DRB shall motion to recess or close this hearing. If recessed, a specific time, date, and place shall be designated to resume the hearing. If closed, the DRB shall issue a decision within 45 days.*

Motion to close hearing by N. Smith at 6:29 pm. Second by S. Turner. Motion carried.

- A. Town of Milton, Owner/Applicant** is requesting Final Plan for a proposed 4-lot subdivision located at **20 Kienle Road**, described as Parcel #135014-000000, SPAN 396-123-13916. The proposal includes connection to municipal water and sewer for new lots. The subject property is recorded as having 0.8 acres and is located within the Old Towne Residential (R1) and zoning districts, and the Town Core Planning Area.

Town of Milton c/o Don Turner, owner and applicant, and Jeff Olesky, engineer, attended the hearing and gave a summary of their proposed project, and Don Turner discussed agreed upon buffers on Lot 1. B. Jenkins administered the oath and read through the numbered items.

1. *The applicant shall secure a Project Review Sheet or Permit Navigator Summary from the Department of Environmental Conservation and all applicable permits.*
2. *Applicant shall address TAC comments from DPW prior to approval of final plans.*

3. *Applicant is advised that any changes/additions to the existing fire station structure will require review under section 1302.*
4. *Curb-cuts and work within the Town right of way will require a highway access permit from public works and inspection at completion of work.*
5. *DRB to determine approval of 2 curb-cuts on both Lots 1 and 3.*
6. *Applicant is advised that all construction to be performed in accordance with erosion control and stormwater management sections 3009 and 3010.*
7. *DRB to determine if additional street lights are required.*
8. *Applicant is advised to show sidewalk along entire frontage of proposed lots and to avoid a meandering sidewalk. Sidewalk will follow public infrastructure acceptance outlined in the public works specifications.*
9. *If relocation of the sidewalk effects location of street trees, applicant is to provide new location in conformance with section 3204.E and to the satisfaction of DPW.*
10. *This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the Development Review Board and on file in the Department of Planning and Zoning, and in accordance with the conditions of this approval. No changes, erasures, modifications, or revisions, other than those required by this Decision, shall be made on the plan after approval unless a revised plan is first submitted to the Department of Planning and Zoning for approval.*
11. *In accordance with 24 V.S.A. §4463(b), the applicant must file a final subdivision plat for filing in the town's land records within 180 days of the Development Review Board's final approval. The plat must be deemed Final by Planning Staff prior to being eligible for recording as the final survey plat. Upon written request by the applicant prior to the expiration of the 180 days, the Zoning Administrator may grant a written 90-day extension to the filing deadline if other local or state permits are still pending.*
12. *Applicant shall submit one (1) full-sized (to scale) and one (1) reduced (11 x 17) complete final plan sets depicting the requested changes. The revised plans must be deemed Final by Planning Staff prior to being eligible for a Zoning Permit from the Zoning Administrator and/or recording the final survey plat. The Applicant is advised to submit an electronic .pdf plan for staff review prior to submitting all copies of the Final Plan set.*
13. *The Applicant shall submit \$500 to cover the legal review of the deeds and any other required legal instruments by the Town Attorney. Any funds not expended on the legal review will be refunded to the Applicant.*
14. *The applicant shall submit draft deeds and any other associated legal instruments for all impacted lots for review and approval by the Town Attorney. Only instruments approved by the Town may be recorded in the Town of Milton Land Records.*
15. *Prior to being eligible for zoning permit approval, the process outlined in the Town of Milton Public Works Specifications Section 110, the General Procedures for Acceptance of Public Infrastructure, shall be followed for the installation of the sidewalk and its future ownership and maintenance. Applicant will provide a cost estimate to the Director of Public Works for review, and Selectboard will approve the value. Applicant shall establish a surety in that approved amount. Draft legal documents will be submitted and approved by the Town Attorney.*
16. *A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.*
17. *Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.*
18. *The DRB may schedule a site visit.*

19. *The DRB shall motion to recess or close this hearing. If recessed, a specific time, date, and place shall be designated to resume the hearing. If closed, the DRB shall issue a decision within 45 days.*

Motion to close hearing by J. Rutz at 7:03 pm. Second by M. Callahan. Motion carried.

6. Other Business

A. Staff Updates: Bill McSweeney was appointed as an additional alternate to the DRB. And, the upcoming meetings are June 8, 2023 and June 29, 2023.

B. Minutes:

a. Motion to approve April 13, 2023 meeting minutes by J. Rutz. Second by M. Callahan. Motion carried.

b. Motion to approve April 27, 2023 meeting minutes by N. Smith. Second by S. Turner. Motion carried.

c. May 11, 2023 meeting minutes to be reviewed at upcoming June 8, 2023 hearing.

7. Motion to adjourn meeting by N. Smith at 7:06 pm. Second by J. Rutz. Meeting adjourned.

8. Deliberative Session

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

+Respectfully submitted,

Amanda Costello

APPROVED MINUTES:

Bruce Jenkins, Chair

Date: _____

Filed with the Milton Town Clerk’s Office on this _____ day of _____, 2023.

ATTEST: _____, Milton Town Clerk