



DEVELOPMENT REVIEW BOARD

Meeting Type: **Regular Meeting**
Date: **Thursday, July 13, 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

Bruce Jenkins, Chair; Nick Smith, Vice-Chair; Julie Rutz, Clerk; Scott Turner; Maryalice Callahan; Henry Bonges, Alternate; Bob Brisson, Alternate; Bill McSweeney, Alternate

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; Julie Rutz, Clerk; Maryalice Callahan; Scott Turner

DRB Members Absent: Nick Smith, Vice-Chair

Staff: Amanda Pitts

Hearings: Karl Marchessault, Lisa Lamphere, Steve Hardy

3. Agenda Review: None

4. Public Forum: None

5. Continued Hearing & New Business:

Continued:

- A. **Rocky Ridge Construction LLC**, owner & applicant, is requesting approval for a proposed Final Minor Subdivision for a 3-lot subdivision located at **320 Route 7 South**, described as Parcel #226027-000000, SPAN 396-123-12949. The applicant is requesting a combined hearing for a Major Site Plan for construction of a commercial building on proposed lot 3 and construction of an 8-unit multi-family dwelling on proposed lot 2. The subject property is recorded as having 1.73 acres and is located within the Checkerberry Residential (M4-R) and the Checkerberry Commercial (M4-C) zoning districts, and the Town Core Planning Area.

Karl Marchessault, engineer, attended the hearing and gave a summary of the revisions. B. Jenkins reminded attendees of the oath.

1. *The applicant shall secure all applicable permits identified in the Permit Navigator Results and documentation from departments for exemptions.*
2. *DRB to determine if subdivision plat to be revised to subtract road right of way from acreage for lots 1 and 2.*
3. *DRB to determine conformance of Lot 3 frontage dimensional standard requirement.*
4. *Applicant to show details of commercial building on Lot 3 to meet height requirements of maximum of 40' and first story height of 12' to 24'.*
5. *Applicant is advised to provide new density calculations based on correct buildable area.*

6. *Applicant is advised to revise final plans & plat to reflect correct side and rear setbacks (10 feet minimum) for M4-R and other dimensional standards that may need revision.*
7. *Applicant is advised to clarify the proposed uses for Lot 3. Any uses listed as conditional on the Use Table will require Conditional Use approval from the DRB.*
8. *Applicant is advised to show building on Lot 3 in conformance with section 2107.D(1)(c, d & e).*
9. *Applicant is advised to show additional landscaping to satisfy section 2107.D(2)c).*
10. *Applicant is advised that approval from Vtrans will be required for work in the Route 7 right of way.*
11. *DRB to determine if cross access is required for this project.*
12. *Applicant is advised that shared driveway agreement documents are required for Lots 2 and 3.*
13. *Applicant is advised to address TAC comments for Water and Sewer connections to the satisfaction of DPW. Applicant must obtain Town and State water/wastewater approval prior to any zoning permit issuance.*
14. *Applicant is advised to address comments from Fire Department.*
15. *DRB to determine if proposed number of parking meets requirements of section 3202.B.*
16. *Applicant is advised to clarify any loading areas.*
17. *DRB to determine any specific parking requirements for this project.*
18. *Parking shall be designed and maintained in conformance with sections 3202.G & I.*
19. *DRB to determine sidewalk/walkway requirement for pedestrian access for Lot 2.*
20. *Landscaping 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.*
21. *DRB to determine any additional screening requirements.*
22. *Applicant shall provide lighting in conformance with section 3205.*
23. *Applicant to maintain and operate site in conformance with performance standards of section 3208, and specifically waste storage screening.*
24. *DRB may require street lighting.*
25. *DRB to determine sidewalk requirements along Willy's Lane.*
26. *Applicant to provide an additional street tree on Lot 1 to satisfy section 3405.D.*
27. *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.*
28. *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.*
29. *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.*
30. *A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.*
31. *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.*

32. *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.*
33. *The DRB may schedule a site visit.*
34. *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 at 6:30 pm by J. Rutz. Second by S. Turner. Motion carried.

New Business:

- B. **Lawrence D Oliver Seed Company Inc**, Owner/Applicant, submitted an application for a Major Site Plan located at **40 Sunset Avenue**, described as Parcel # 136003-000000 / SPAN 396-123-12019 for the construction of a 40'x70' maintenance building. The subject parcel is located in the Light Industrial (I1) zoning district and the Town Core Planning Area.

Steve Hardy, applicant, attended the hearing and gave a summary of their proposed project. 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. *DRB to determine if existing driveway needs improvements.*
3. *If the proposed building is to be served by water and sewer, applicant shall obtain town and state approvals.*
4. *All construction shall be designed and operated in accordance with erosion control and stormwater management section 3009 and 3010.*
5. *Applicant must operate repair services for maintenance building in accordance with section 3108.*
6. *Applicant shall clarify if additional parking is proposed by the maintenance building.*
7. *Applicant shall clarify if any outdoor lighting is proposed.*
8. *Applicant shall clarify if there are new outdoor storage areas proposed with the new maintenance building.*
9. *Applicant must maintain and operate site in conformance 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 of use 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 at 6:40 pm by J. Rutz. Second by M. Callahan. Motion carried.

6. Other Business

A. Minutes:

- a. **Motion to approve June 29, 2023 meeting minutes by J. Rutz. Second by S. Turner. Motion carried.**

7. Motion to adjourn meeting by S. Turner at 6:41 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:

_____ Date: _____
Bruce Jenkins, Chair

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

ATTEST: _____, Milton Town Clerk