



## DEVELOPMENT REVIEW BOARD

Meeting Type: ..... **Regular Meeting**  
Date: ..... **Thursday, September 22, 2022**  
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*, *Robert Brisson, 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; Nick Smith, Vice-Chair; Julie Rutz, Clerk; Maryalice Callahan, Scott Turner

**DRB Members Absent:** Henry Bonges, Alternate; Bob Brisson, Alternate

**Staff:** Amanda Pitts

**Fruitful Ventures:** Armand Turner, Karl Marchessault, Steve Ploesser

**Town of Milton:** Derick Read, Don Turner, Sharon Resigne

#### 3. Agenda Review: None

#### 4. Public Forum: None

#### 5. Staff Updates: None

#### 6. Continued Hearing/New Business:

The following hearing is a new hearing:

- A. Fruitful Ventures LLC** are requesting Major Site Plan and Conditional Use approval for the construction of a 24,000 square feet commercial building and a 12,000 square feet commercial building, and associated site work. The subject property is described as Parcel # 207013-000000, SPAN 396-123-12037 (lot 1), owned by applicant, and is recorded as having 3.04 acres. It is located within the Checkerberry Commercial (M4-C) zoning district and the Town Core Planning area.

**B. Jenkins administered the oath and read through the numbered items. Karl M. and Armand T. attended representing the Fruitful Ventures applicant for this hearing.**

1. *Applicant is advised this application may be subject to Vtrans approval.*

2. *The applicant shall secure a Permit Navigator Summary or Project Review Sheet from the Department of Environmental Conservation and all applicable permits.*
3. *Applicant is advised to install stop signs at intersections of Route 7 and Southerberry Drive.*
4. *DRB may determine specific uses allowed for this approval.*
5. *Applicant shall show details of building height in compliance with first story requirement of section 2007.G(7).*
6. *Applicant shall provide building details to determine compliance with section 2107.D. DRB to determine if required prior to approval or as condition of approval.*
7. *Applicant shall provide street trees in compliance with section 2107.D(d).*
8. *Applicant is advised that a highway access permit will be required at the time the Town takes over ownership of new road. Applicant is responsible to repair any damage to road, sidewalks, etc, prior to Town taking over road.*
9. *Applicant shall clarify if construction curb-cut will be removed.*
10. *DRB shall determine approval of more than 1 curb-cut.*
11. *Applicant shall design driveways in accordance with section 3002 and public works specifications, specifically to provide 18" culverts.*
12. *Applicant shall obtain town and state water/wastewater approvals. Applicant is advised to determine if manholes will remain private. If proposed as public, applicant shall follow public infrastructure acceptance process outlined in public works specifications.*
13. *Applicant shall submit design criteria for business directory to be approved by the DRB.*
14. *DRB may determine conditions for 17 additional spaces surfacing materials and/or phasing.*
15. *Applicant shall design and operate parking in accordance with section 3202.G and I.*
16. *Applicant shall provide bicycle storage in accordance with section 3203.A.*
17. *Applicant shall maintain landscaping 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.*
18. *Applicant shall provide street trees in accordance with section 3204.E and 2107.D.*
19. *Applicant shall provide 30 trees in accordance with section 3204.F.*
20. *Applicant shall provide shade trees in accordance with section 3204.G.*

21. *DRB shall determine if any additional screening is required.*
22. *Applicant shall provide lighting in conformance with section 3205.*
23. *Applicant shall maintain and operate site in accordance with section 3208.*
24. *DRB to determine conditions of approval to mitigate traffic impacts.*
25. *Buildings shall meet the stretch code for commercial buildings.*
26. *DRB may place conditions of approval as deemed necessary to further the purposes of these regulations and ensure conformance with all applicable provisions of these regulations.*
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. *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.*
29. *A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.*
30. *If approved, the Site Plan and Conditional Use Approval shall expire three years from the date of issuance if the applicant does not receive a zoning permit by this date.*
31. *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.*
32. *The DRB may schedule a site visit.*
33. *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 by J. Rutz to continue to October 6, 2022 meeting, second by N. Smith. Motion carried.**

- B. Town of Milton, applicant,** are requesting Major Site Plan and Conditional Use approval for the construction of a 30,000 square foot public works facility building and associated site work on Lot 2 of the previously approved Brault subdivision off Bombardier Road. Subject parcel is described as lot 2 of Parcel # 207057-000000, SPAN 396-123-10416,

and owned by **Brault Family Revocable Living Trust**. The subject property is recorded as having 6.67 acres and is located within the Checkerberry Residential (M4-R) zoning district, and the Town Core Planning Area.

**B. Jenkins administered the oath and read through the numbered items. Derick Read Engineer from Krebs & Lancing and Don Turner represented applicant at this hearing.**

1. *The type of approval requested is for Major Site Plan only.*
2. *The applicant is advised to obtain all applicable permits prior to development.*
3. *Applicant shall obtain a highway access permit for the driveway and curb-cut off Park Place prior to construction.*
4. *Applicant shall obtain State and Town approvals for water/sewer lines, hydrants and connections.*
5. *Applicant advised to maintain wetland buffer in accordance with section 3011.*
6. *Applicant is advised to operate the repair and serving of vehicles in accordance with section 3108.*
7. *DRB may determine reduction of the minimum parking to 13 spaces per section 3202.B(4).*
8. *Applicant shall design and maintain parking areas and accessible parking spaces in accordance with section 3202.G & I.*
9. *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.*
10. *Per previous approval, the applicant shall retain the existing natural tree line to the best extent possible, and plant coniferous trees to provide a barrier to the municipal outdoor performance center and baseball fields along Lot 2 and the driveway serving Lot 2. The barrier shall include more than 1 row of trees.*
11. *Applicant shall provide and operate lighting in accordance with section 3205.*
12. *Applicant shall operate site in accordance with performance standards of section 3208.*
13. *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.*

14. 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.
15. A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.
16. 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.
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.

**Motioned by M. Callahan to close, second by S. Turner at 7:08pm.**

#### **8. Approval of Minutes**

**Motion to approve September 8, 2022 minutes. N. Smith approved 9/8/2022 minutes, second by J. Rutz. Motion carried.**

#### **9. Adjournment**

**Motion to adjourn meeting at 7:12pm by J. Rutz, second by S. Turner. Meeting adjourned.**

#### **10. 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 \_\_\_\_\_, 2022.

ATTEST: \_\_\_\_\_, Milton Town Clerk