



DEVELOPMENT REVIEW BOARD

Meeting Type:..... **Regular Meeting**
Date:..... **Thursday, January 27, 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

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

1. Call to Order

The meeting was called to order by J. Rutz at 6:01 P.M.

2. Attendance

DRB Members Present: J. Rutz, H. Bonges (arrived at 6:07 P.M.), R. Brisson, M. Callahan, N. Smith

DRB Members Absent: B. Jenkins

Staff: Amanda Pitts, Drew Bulfer

662 Route 7 South: Cody Schmoll, John Schmoll

441 Route 7 South: Karl Marchessault (did not sign in), Mike Bessery (did not sign in), Norm Benoit (did not sign in), Dan Osman (via zoom – did not sign in), Jodi Adams (via zoom – did not sign in).

3. Agenda Review

No additions.

4. Public Forum

No public forum items raised.

5. Staff Updates

6. Continued Hearing/New Business:

The following hearing is a continued hearing:

- A. Cody & Chelsea Schmoll,** applicants are requesting Variance approval for a reduced side set back of 5-feet, to allow for the construction of a three-bay garage and additional dwelling space located at **662 Route 7 South;** described as Parcel No. 207042-000000, Book 460 & Page 542, SPAN 396-123-13521. The subject property is recorded as having 0.32 acres and is located within the Low Density Residential (R3) zoning district, and the Catamount Planning area.

J. Rutz administered the oath. Applicants clarified existing northern setback as 7.5 feet and entered additional exhibits (Reference 1 and 2; Sketch over Survey). Hearing closed at 6:07.

The following hearing is a new hearing:

- B. Bessery Real Estate LLP c/o Mike Bessery, applicant, is requesting Major Site Plan and Conditional Use approval for the redevelopment of the property at 441-457 Route 7 South. The applicant intends to demolish the three (3) existing one-story buildings with a total of 10-dwelling units, and rebuild two (2), two-story buildings with a total of 10 dwelling units. The proposed development also includes the removal of access on Route 7, the addition of access on Nancy Drive, and additional covered and uncovered parking and storage spaces. The subject property is owned by the applicant, and is described as Parcel No. 225017-000000, SPAN 396-123- 10737. The property is recorded as having 2.4 acres, and is located within the Checkerberry Neighborhood Center (NC1) zoning district and the Town Core Planning Area.

J. Rutz administered the oath and read through the numbered items. Karl Marchessault, engineer; Mike Bessery, owner; and Norm Benoit, architect represented the applicant for this hearing. Dan Osman and Jodi Adams attended as adjacent property owners. Applicant agreed to the numbered items listed below, unless otherwise noted.

1. *The applicant shall secure a Project Review Sheet from the Department of Environmental Conservation and all applicable permits.*
2. *The DRB may schedule a site visit.*
3. *Applicant shall revise final plans and address TAC comments from DPW.*
4. *The applicant must obtain a town highway access permit for the proposed curb cut on Nancy Drive and submit a Letter of Intent from VTrans for the changes to access off Route 7 South.*
5. *The DRB shall determine whether two curb cuts are allowed for the proposed development.*
6. *The applicant must construct the proposed sidewalk along Nancy Drive, continuance across driveways. The final plan set must be updated to illustrate this addition.*

Applicant contests constructing sidewalk along Nancy Drive.

7. *Applicant shall obtain water/wastewater approval from Public Works and State Water/wastewater Division prior to construction. Applicant shall also follow public infrastructure acceptance process in Milton Public Works Specifications for the sewer manholes to become public infrastructure.*
8. *Applicant must provide an erosion control and stormwater management plan to the Town Engineer for review and approval prior to the issuance of a zoning permit.*
9. *The DRB shall determine if the proposed project is a substantial modification and therefore requires review under section 3101.*

Applicant contests that this is a substantial modification and asks the application not be reviewed under section 3101.

10. *Applicant is advised to delineate the open space on the final plans.*
11. *The DRB shall determine whether the applicant is required to provide additional screening on the Route 7 side of the proposed open space.*
12. *The DRB shall determine whether the proposed development must comply with Section 3101.A(2)(e). The DRB may require the construction of a children's play area.*

Applicant contests.

13. *The DRB shall determine whether applicant must provide private or semi-private open space for 65% of dwelling units in accordance with section 3101.A(2)*

Applicant contests.

14. *DRB shall determine if bulk storage must be provided to remaining buildings.*

Applicant stated bulk storage is provided to new buildings, but contests adding to remaining 3 & 5 unit buildings.

15. *Applicant shall clarify laundry for remaining buildings. If no laundry provided, DRB shall determine if laundry must be provided to those units.*

Applicant stated laundry is provided to new buildings, but contests adding to remaining 3 & 5 unit buildings.

16. *The DRB shall determine whether applicant must provide pedestrian access to the existing buildings.*

17. *DRB shall determine if private garage parking is required in accordance with section 3101.A(8).*

Applicant contests.

18. *The DRB shall determine whether the applicant shall show covered bicycle parking in accordance with section and 3103.A(10) and 3203.A on the final plans.*

Applicant contests.

19. *The DRB shall determine requirement of additional windows, porches, balconies, and entryways on the street facing façade.*

Applicant agreed to provide landscaping along this façade.

20. *Applicant must design and operate parking areas in accordance with section 3202.F & 3202.G.*

21. *Applicant shall provide 2 accessible parking spaces on the final plans and design and maintain in compliance with section 3202.I.*

22. *The applicant shall construct a sidewalk along Nancy Drive in accordance with section 3203.B and Public Works Specifications. Applicant shall follow the public infrastructure acceptance process in the Milton Public Works Specifications.*

Applicant contests.

23. *The DRB shall determine if additional sidewalk to Route 7 from existing buildings and to parking area is required.*

Applicant agreed to provide sidewalk from parking area to existing 5-unit building.

24. *Applicant shall provide a landscaping plan that outlines proposed and remaining landscaping in accordance with section 3204.*

25. *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.*

26. *The applicant shall provide parking lot landscaping in accordance with section 3204.G*

27. *The DRB shall determine whether the proposed lighting meets the requirements of Section 3205.*
28. *The applicant must operate the site in conformance with all Section 3208 requirements.*
29. *The DRB must determine if the proposal is the "best fix" for the site. If not, DRB can determine sections of 3209 that the applicant must conform to.*
30. *The proposed development must meet the applicable stretch codes for residential and commercial development. The applicant must submit an energy certificate/affidavit to the Public Service Department and/or the Town of Milton Land Records prior to issuance of the certificate of occupancy.*
31. *The DRB may place conditions on any approval as deemed necessary to further the purposes of these regulations and ensure conformance with all applicable provisions of these regulations.*
32. *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.*
33. *Applicant shall submit one (1) full-sized (to scale) and one (1) reduced (11 x 17) complete final plan sets depicting the changes required by the DRB. The revised plans must be deemed Final by Planning Staff prior to being eligible for a Zoning Permit from the Zoning Administrator. The Applicant is advised to submit an electronic .pdf plan for staff review prior to submitting all the copies of the Final Plan set.*
34. *A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.*
35. *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.*
36. *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.*
37. *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 perform site visit on February 10, 2022 at 5:00 PM by H. Bonges, second by R. Brisson. Motion carried.

Motion to continue hearing to February 10, 2022 by H. Bonges, second by R. Brisson. Motion carried.

7. Other Business:

- A. Approval of Minutes from January 13, 2021

Did not make action on this agenda item.

8. Deliberative Session

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

Motion to adjourn public session and enter deliberative Session at 7:05 P.M. by H. Bonges, second by N. Smith. Motion carried. Public session adjourned.

9. Adjournment

Meeting was adjourned.

Respectfully submitted,

Amanda Pitts

APPROVED MINUTES:

Julia Pitts Date: 2/10/22
xxxx

Filed with the Milton Town Clerk's Office on this 11th day of February, 2022.

ATTEST: Kirsti Bees, Milton Town Clerk

