



DEVELOPMENT REVIEW BOARD

Meeting Type:.....**Regular Meeting**
Date:.....**Thursday, May 11, 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*, *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; Julie Rutz, Clerk; Robert Brisson, Alternate; Henry Bonges, Alternate

DRB Members Absent: Maryalice Callahan; Scott Turner; Nick Smith, Vice-Chair

Staff: Amanda Pitts

Hearings: Jesse Bulta-Paradise, Gregory Bachison, Uday Smith, Timothy Fair via zoom

3. Agenda Review:

4. Public Forum: None

5. Continued Hearing/New Business:

- A. Jesse Bulta-Paradise, owner/applicant, and Gregory Bachison, applicant** has submitted an application for Major Site Plan and Conditional Use for a home business for outdoor cultivation. The property is located at **357 North Road**, described as Parcel # 215129-000000/ SPAN 396-123-13719. It is located in the Agricultural/Residential (R5) zoning district, and the East Milton Planning area.

Jesse Bulta-Paradise, owner and Gregory Bachison, 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. *Applicant is advised that additional accessory structures must obtain a zoning permit, if applicable, and be sited in conformance within the district dimensional standards*
3. *DRB to determine if proposal meets requirements of home business section 3102.A.*
4. *Applicant advised to label general employee parking spaces on the final plans.*
5. *DRB to determine if existing vegetation meets landscaping requirements of section 3204.*
6. *Applicant is advised to maintain existing screening from view of North Road and neighboring properties in accordance with section 3204.H.*

7. Applicant shall clarify if any outdoor light is proposed.
8. Applicant shall maintain and operate site in accordance with performance standards of section 3208.
9. DRB to determine if conditions of approval are deemed necessary.
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) 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. 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.
13. 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.
14. A Zoning Permit is required prior to construction and an associated Certificate of Compliance is required following completion.
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 J. Rutz at 6:19 pm. Second by H. Bonges. Motion carried.

- B. Uday Smith, applicant, and Bear Creek Development II LLC, owner** has submitted an application for Major Site Plan and Conditional Use for a change of use for the commercial units at this pre-existing PUD, specifically 4 Merrill Ln Unit 101 and 102 for appointment only retail sales use. The property is located at **4 & 6 Merrill Ln**, described as Parcel # 226022-000000/ SPAN 396-123-10305. It is located in the Checkerberry Residential (M4-R) zoning district, and the Town Core Planning area.

Uday Smith, 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 change of use for commercial units are "less intensive in nature and more compatible with the character of the area".
3. Applicant must obtain allocation approval for existing and proposed uses from the Town Water/Wastewater department and obtain amendments to State water/wastewater approvals.
4. Business signs must obtain permits for applicable signage and display signs in accordance with section 3015.

5. Applicant is advised to demarcate and provide signage for accessible parking spaces in conformance with section 3202.I.
6. Businesses and owner must operate and maintain site in accordance with section 3208.
7. Applicant shall meet the stretch code for commercial buildings, if required for renovation.
8. DRB may place conditions of approval to further the purposes of these regulations.
9. 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.
10. A Zoning Permit is required prior to change of use and an associated Certificate of Compliance is required following completion.
11. 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.
12. 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.
13. The DRB may schedule a site visit.
14. 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 H. Bonges at 6:45 pm. Second by J. Rutz. Motion carried.

6. Other Business

- A. **Staff Updates:** Upcoming meetings are May 25, 2023, and June 8, 2023. Request for reschedule of June 22, 2023 meeting to June 29, 2023 pending applications.
- B. **Minutes:** removed from agenda

7. Motion to adjourn meeting by J. Rutz at 6:48 pm. Second by R. Brisson. Meeting adjourned.

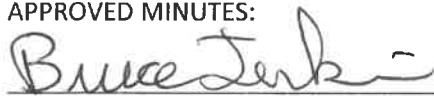
8. Deliberative Session

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: June 8, 2023

Filed with the Milton Town Clerk's Office on this 12th day of June, 2023.

ATTEST: Kristi Beers, Milton Town Clerk

SIGN-IN SHEET FOR DEVELOPMENT REVIEW BOARD MEETING

DATE: May 11, 2023 General Sign-In Sheet

NAME (PRINT)	SIGNATURE	MAILING ADDRESS	E-MAIL	Indicate Hearing or Reason for Attendance
Debra Smith		307 Bassett Dr. Colchester VT 05446	debrasmith@gmail.com	Credentialed
Jossie Bui-Haraden		357 North Rd North Rd	jossiebui@freemove.com	Zoning
Gregory Bodison		357 North Rd	gregory.bodison@gmail.com	Zoning
Timothy Fair	Via Zoom	380 Hurricane Lane Suite 202 Williston VT 05495	tim@fairsubira.com	North Rd

NOTE: Those wishing to gain interested person status and testify on an application must sign this sheet. Please print legibly, as we depend on this sign-in sheet for notification purposes.

