



DEVELOPMENT REVIEW BOARD

Meeting Type:.....**Regular Meeting**
Date:.....**Thursday, June 29, 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; Nick Smith, Vice-Chair; Julie Rutz, Clerk; Maryalice Callahan; Scott Turner

DRB Members Absent: None

Staff: Amanda Pitts

Hearings: Karl Marchessault, Beverly Bronson, Lisa Lamphere, Trisha Ward

3. Agenda Review: None

4. Public Forum: None

5. Continued Hearing/New Business:

- 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 their proposed project. B. Jenkins administered the oath and addressed the following numbered items.

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 continue hearing to July 13, 2023 at 6:00 pm by J. Rutz. Second by M. Callahan. Motion carried.

- B. **Beverly Bronson**, applicant, is requesting Major Site Plan and Conditional Use approval for a change of use to a “tavern” with an accessory “restaurant” use. The subject property is located at **2 Legion Road**, and described as Parcel # 225008-000000, SPAN 396-123-10052, and owned by Milton American Legion Post No 57. The property is recorded as having 0.5 acres and is located within the Checkerberry Neighborhood Center (NC1) zoning district and the Town Core Planning Area.

Beverly Bronson, 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 shall obtain water and wastewater allocation approval from the State and Town. TAC comments from DPW require a grease/oil trap, allocation approval, and the purchase of a meter, check valve and isolation valve.*
3. *Applicant shall provide details on proposed outdoor seating area. If proposed as impervious surface, details on erosion control and stormwater management are required prior to approval of final plans.*
4. *Applicant is advised to provide details on Wetlands or exemptions from Wetlands Division staff.*
5. *Applicant is advised that all signs must be in compliance with section 3015 and must obtain sign permit, if required, prior to placement.*
6. *Applicant is advised to relocate accessible parking space closer to the entrance of the building.*
7. *DRB to determine if existing parking meets parking requirements.*
8. *Applicant is advised to show bicycle parking (bike rack) on the final plans.*
9. *DRB to determine requirements of sidewalk.*
10. *DRB to determine street tree and site landscaping requirements.*
11. *Applicant shall provide lighting details with final plans in compliance with section 3205.*
12. *DRB to determine outdoor seating area compliance with section 3207.B.*
13. *Applicant shall maintain and operate site in compliance with section 3208, specifically noise and dumpster screening.*
14. *DRB to determine if applicant proposed best fix for special provisions section 3209.*
15. *Applicant is advised to provide details on anticipated customer traffic.*
16. *DRB to determine if application fits the character of the area.*
17. *Applicant to meet the Commercial Building Energy Standards, if applicable.*
18. *DRB to determine any additional conditions of approval.*
19. *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.

20. 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.
21. A Zoning Permit is required prior to construction/commencement of use and an associated Certificate of Compliance is required following completion.
22. 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.
23. 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.
24. The DRB may schedule a site visit.
25. 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 continue hearing to July 27, 2023 at 6:00 pm by J. Rutz at 7:03 pm. Second by N. Smith.
Motion carried.**

6. Other Business

A. Minutes:

- a. **Motion to approve June 8, 2023 meeting minutes by J. Rutz. Second by S. Turner.
Motion carried.**

7. Motion to adjourn meeting by N. Smith at 8:08 pm. Second by M. Callahan. Meeting adjourned.

8. Deliberative Session

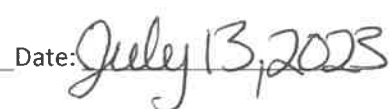
Private session for deliberations on applications and written decisions in accordance with 1V.S.A. 312.

+Respectfully submitted,

Amanda Costello

APPROVED MINUTES:


Bruce Jenkins, Chair





Date: 

Filed with the Milton Town Clerk's Office on this 14th day of July, 2023.

ATTEST: , Milton Town Clerk

SIGN-IN SHEET FOR DEVELOPMENT REVIEW BOARD MEETING

DATE: June 29, 2023 General Sign-In Sheet

NAME (PRINT)	SIGNATURE	MAILING ADDRESS	E-MAIL	Indicate Hearing or Reason for Attendance
Lisa Lamphere		PO BOX 1475 MILTON VT 05478	llampher@adl.com	Abutter
Trishna Ward		US Moshier Ln St. Albans VT		with Abutter
Beverly Benson		165 Ferrand Rd St Albans 05478	bousay57@hotmail.com	Change of
Karl Marchessault		1 Corporate Drive Essex Jct VT 05452	karm@colemphoton.com	Bellevue Ridge

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.

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