

June 21, 2022

DRB Members Present: Steve Kappel (Chair), Norman Hill, Clarice Cutler, Steve Justis, Glenn Weyant, Jeff Cueto (7:22pm)
DRB Members Absent: Lauren Oates, Mark Lane, Kim Watson

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Marcie Bolduc, Daniel Kitchen, Kris Jurentkuff, Johannes Wheeler, Barclay Johnson, David Kitchen, Liz Suter, Chris Russell

Call to Order: 7:05 p.m.

Public Comment: None

Additions to Agenda: None

Continuation of Conditional use review of Application #22-025, submitted by M. Bolduc Leasing LLC

The Chair re-opened the hearing at 7:05pm by reading the warning: "Continuation of Conditional use review of Application 22-025, submitted by M. Bolduc Leasing LLC, for alterations to its mixed use property located at 4423 US Rte. 2. The proposal is to construct a 34' x 56' addition to the back end of the main building used by VT Crossroads Auto Repair LLC. The property, currently used for motor vehicle sales & service, retail and self-storage, is in Zone A – Commercial, where conditional use review is required for building modifications on properties subject to §4.11 mixed use."

The applicants were sworn in at 7:06pm. Chris Russell noted that the addition will be on the east end of the building. The addition will increase the repair space for the building. The DRB reviewed the map of the site plan. The front of the existing building will remain the same; the addition will be at the rear with one new bay door. There is a possibility of extra storage units at the rear off the addition. The overall area will be 44' by 56', including the additional storage area. The ZA noted that the addition meets setbacks.

Section 5.5 Conditional Use Standards

Section 5.5(C) General Standards

- 1) Facilities – no additional impact
- 2) Character of area – fits in the area
- 3) Traffic – no planned increase in traffic; want to maintain what they have now
- 4) Bylaws – n/a
- 5) Renewable energy – no effect

Section 5.5 (E) Supplemental Standards

- 1) Fumes, noise, odors, etc., nuisance – shop will not produce more fumes, gas, noise or nuisance than it is currently
- 2) Open spaces – this will not change
- 3) Surrounding properties – this will not change
- 4) Landscaping/district character – no plan for new landscaping
- 5) Signs, buildings – nothing proposed at this time
- 6) Water/sewer – follow all state requirements
Waste oil – they take care of it themselves; it leaves the shop

Motion: I move to approve the Application #22-025 for the addition as presented. Made: Mr. Hill, second: Mr. Justis
Vote on Motion: Passed 5-0

Continuation of Preliminary Plan review of Application #22-028, submitted by Kitchen Sync Holdings LLC

The Chair re-opened the hearing at 7:23 pm by reading the warning: "Continuation of Preliminary plan review of Application #22-028, submitted by Kitchen Sync Holdings LLC, for a subdivision of its 11-acre property located on Wheeler Road. The proposal will create 4 lots: Lot 1 of 1.44 acres with 236 feet of Wheeler Road frontage; Lot 2 of 4.77 acres and 151 feet of Wheeler Road frontage; Lot 3 of 1.80 acres; and, Lot 4 of 3.03 acres. Both Lots 3 & 4 are accessed by easement over Lot 1. The property is in Zone C – Residential/Commercial where the minimum lot size is 1 acre plus 150 feet of road frontage."

The applicants (Daniel Kitchen and David Kitchen) and representative (Kris Jurentkuff) were sworn in at 7:24pm. Mr. Jurentkuff noted that the applicants would like to subdivide an 11-acre parcel into four lots. Lots 1 & 2 will have a shared driveway, and will provide a larger turnaround for the town trucks. Lots 3 & 4 will share a driveway off Wheeler Road.

Easements are noted on the map. All lots will be served by on-site septic and water; Lot 1's septic will be physically located on Lot 2. There are some modest stormwater drainage plans, mainly along Wheeler Road near the proposed turnaround.

Ms. Cutler wondered if the stormwater system is required or voluntary. Mr. Jurentkuff felt that they wanted to have a system in place in case the DRB asked for it; they are under the acreage requirement needed for a state permit. The development is adjacent to a wetlands area. Ms. Suter, as an abutting neighbor, has noticed that there is an increase in traffic and noise; she is concerned with the area being a construction site for the next five year. She wondered if the town could require a road study to see what the road is designed to handle. Mr. Wheeler noted 'adverse, undue impact to the neighborhood' and how the DRB feels about that language; he wondered what power the town has on the developer over the life of the project. The ZA noted that the town doesn't impose a lot of additional conditions on developers because the state has many conditions. It was noted that the DRB can interpret the 'impact' language at least at a minimal requirement. Mr. Wheeler wondered if the town would be amenable to limiting the hours of construction and deliveries at the site. Mr. Kitchen noted that construction is generally limited to 7am-5pm Monday to Friday but he wouldn't be open to having a strict schedule for construction as it depends on many subcontractor schedules. The town has not limited construction hours in the past, to anyone's knowledge. The Chair asked that the applicants and neighbors work together to come up with a workable plan and present it at the next hearing.

Mr. Justis wondered if any of the lots are sold; Mr. Kitchen noted that no lots have been sold so far. The majority of the activity on the parcel has been moving the trailers and cleaning up the lot. The market will dictate how quickly construction on the lots will occur. The Kitchens are happy to accommodate the neighbors to the extent that they can. Mr. Johnson noted that the Kitchens were supportive of the suggestions he had and he approves of the development.

Mr. Jurentkuff would like some concrete guidance from the board. The SB has not approved the curb cuts until after the preliminary hearing with the DRB. Mr. Jurentkuff spoke with the Fire Department and has reduced the slope on one of the driveways. Regarding the stormwater system, Ms. Cutler wondered if the DRB could require a system beyond the minimum; Mr. Cueto doesn't believe the town has ever required something beyond the minimum. The wetlands have been delineated on the map. Nothing will be done within the 50' buffer, as required by the state.

Motion: I move to approve Application #22-028 as a Preliminary Plan. Made: Mr. Cueto, second: Ms. Cutler
Vote on Motion: Passed 5-0-1 (Hill abstained)

Review of Minutes

May 3, 2022

Motion: I move to approve the minutes as written. Made: Ms. Cutler, second: Mr. Kappel

Vote on Motion: Passed 6-0

June 7, 2022

Motion: I move to approve the minutes as written. Made: Mr. Cueto, second: Mr. Hill

Vote on Motion: Passed 6-0

Other Business/ZA Report

There is a new Zoning Administrator; his name is Tyson Brown. He lives on Barnes Road and will probably start within a day or two. Bruce's last day is next Thursday, June 30. The zoning regulations amendments were adopted by the SB last night and they will be effective in three weeks, July 21, 2022. There will be a window where the two regulations will be used simultaneously. There is a new minutes taker who will be starting in the first meeting in August. There is no DRB activity for the foreseeable future.

Motion to adjourn. Made by Mr. Cueto, second by Mr. Justis. Passed 6-0. Meeting adjourned at 8:15 p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary