

Development Review Board Minutes
Town Office New Haven, Vermont
May 1, 2017

ORIGINAL

Members Present: Kathy Barrett, Carol Charbonneau, Tom Fyles, Donald Johnston, Susan Smiley, Mike Sweeney

Staff: Dave Wetmore, Zoning Administrator & Karen Gallott-Minute Taker

Guests: Jennifer Baker, Peter Gerry, Marie Boise, Ashley Boise, Randy Boise, Steve Revell,
Mike Stancliffe, Karen Gallott

At 7:00 PM Development Review Board (DRB) Chair, Kathy Barrett called the meeting to order. Alternate Fyles is now a full DRB member. DRB introductions were made.

a) *There were no adjustments to the agenda.*

b) *Visitors Business – none*

Public Hearing:

a) *2017DRB-06-SD-Pat Palmer SD (subdivision) and BLA (boundary line adjustment)*

The Palmer's were not present this evening. The Zoning Administrator (ZA) indicated the Palmer's were not ready to present this evening.

Smiley made the motion to move the public hearing for 017DRB-06-SD to DRB meeting on May 15, 2017.

Charbonneau seconded

Discussion – none

Vote: Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

b) *2017DRB-04-SD, Tire Barn Realty Trust, 2-lot SD (subdivision) – continued from April 17, 2017.*

Steve Revell presented tonight on behalf of Peter Gerry, owner of Pete's Tire Barns, Inc. and trustees of Tire Barn Realty Trust. A letter acknowledging this has been received.

Revell indicated that Lot 1 would be subdivided to create 2 lots. Lot 1 with Pete's Tire Barn business would become 5.19 acres and the newly created Lot 3 (to be sold at a future date to Randy and Marie Boise) containing the existing house and garage would be 4.99 acres. The existing Lot 2 belonging to Neil Allen and Jennifer Baker was subdivided off of Lot 1 many years ago.

There will be an easement on Lot #1 for the replacement septic for Lot #3.

There will be a septic easement through Lot #3 to Lot #1 from Lot #2 for a replacement septic.

The proposed Lot #3 meets all setbacks.

Revell indicated a minor error on the site plan, which the surveyor will need to correct on the Mylar: the Site plan shows Lot #3 along Hunt road it is printed "574 ft +/- along right of way". The words "along right of way" will need to be removed.

The ZA indicated that a letter from abutting neighbors Dorothy and Bolen Pilone, Dorothy Pilone, and Janet Bolen has been received, expressing their opposition to rezoning. The ZA feels these individuals may not realize that there is no rezoning with the application; and zoning for these lots had been changed from Agriculture to Highway commercial about the year 2009.

Opened for Public Comment

Jennifer Baker wanted to make sure that there was a septic easement through proposed Lot #3 to Lot #1 in case they needed to put in a replacement system. Revell assured that an easement will be on the final plat and will also be referenced on the deeds.

Public Comment Closed

Charbonneau made a motion to approved 2017DRB-04-SD as presented with the following conditions:

- The typo "right of way" will be removed from the Mylar
- Wastewater permits will stay in effect and all septic easements will be included on the Mylar
- There will be no changes (to include outdoor lighting, parking) to all structures on Lot #1

Sweeney seconded

Discussion – none

Vote: Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

c) 2017DRB-05-SP (site plan), Tire Barn Reality Trust, amended site plan – continued from April 17, 2017

Steve Revell presented tonight on behalf of Peter Gerry, owner of Pete's Tire Barns, Inc. and trustees of Tire Barn Reality Trust. A letter acknowledging this has been received

Randy Boise is the proposed buyer of Lot #3 that includes the existing single family residence and garage. Boise is proposing to build an additional 50 x 80 foot workshop/garage & welding supply room on the property. Boise has a vehicle restoration business as well as the welding supply business.

- DRB asked if the welding supplies are large tanks and hazardous. Boise replied he has small acetylene tanks; these small tanks will be stored on the truck, not inside the building. Large tanks are not allowed. The Division of Fire Protection will have jurisdiction and Boise will have to comply with their regulations and requests.

There will be a new 20' wide driveway and location of the parking, loading and entrances to the workshop/garage will be via the south side of the structure. There will be 2 bay doors one 12 x 12 and one 12 x14. There will an access door one the west, one on the east and one on the south sides of the building. There would be no increase of traffic for the vehicle restoration business. The welding supply business there would be a tractor trailer delivery four times a year and UPS deliveries several times a week.

- Selectboard has approved the curb cut for the driveway.
- The ZA was concerned if there would be sufficient room for a tractor trailer to swing onto the driveway.

The building is a Heritage Steel building with a dark gray roof and green sides. There would be no problem to provide some landscaping in front and on the east side of the workshop/garage.

Water to the proposed building will come from the single family residence. There will be a convenience toilet located in the shop and wastewater flows will go through the existing wastewater lines from the residence. This facility will not produce an increase in wastewater flow with the understanding that the person that works in the shop also lives in the

house. The building will have radiant heat with an oil furnace. There will be outside lighting on the south side of building.

Revell indicated that ACT 250 approval and state wastewater permit approval are needed.

There will be no additional employees other than Boise. Suggested hours of business would be 6 AM to 8 PM six days a week.

- DRB indicated that they would like the doors to the business closed at 6PM. Bosie can continue to work but all work must be done inside a closed building.

Signage for Pete's Tire Barn

Revell indicated the proposed sign would be placed 70 feet from the center line on Route 7 would be a tire with Pete's Tire Barn logo in the center of the tire. This sign would be double sided. The tire would be no larger than 6 foot 4.5 inches in diameter. As for the existing signage currently on the buildings, the Pete's Tire Barn banner would be removed, replacing the banner would be the wording Pete's Tire Barn in yellow letters painted on the side of the building.. The Cooper Tire sign would be removed. The Firestone sign would remain.

Open for public comment

Gallott expressed concern regarding safety issues with children that may want to play on or around the tire sign and this sign being so close to Route 7.

End of public comment

Sweeney pointed out that the placement of the tire sign might be in the line of sight for cars coming out of Hunt road onto Route 7. He asked if the sign could be moved further back. This was acceptable to the applicant.

Sweeney made a motion to approve 2017DRB-05-SP site plan with the following conditions:

- Setback for the tire sign would be 90 feet from center line of Route 7
- Hours of operation would be 6 days a week from 6AM to 8PM – doors to the workshop/garage would be closed at 6PM
- Act 250 approval
- Outdoor light on the south side of the building would be motion detected and downcast
- The Firestone sign stays
- The Cooper Tire sign would be removed
- The banner sign would be removed and replace with "Pete's Tire Barn" sign in yellow letters.

Charbonneau second

Discussion – none

Vote: Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

End of public hearing at 8:15 PM

DRB Business

1. Minutes for April 3, 2017

Johnston made the motion to approve the April 3, 2017 DRB minutes as presented.

Smiley seconded

Discussion – none

Vote: Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

2. Review and Sign Decisions:

a) 2017 DRB-01-SP, John Kipp, LLC

Smiley made the motion to accept the Findings and Decision as amended.

Charbonneau seconded

Discussion – none

Vote - Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

b) 2017DRB-02-CU, Leon Demers

Smiley made the motion to approve the Findings and Decision as presented

Charbonneau seconded

Discussion – none

Vote - Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

3. Review Decision Compliance and/or Sign final Plats:

a) Heffernan – the plat was signed by the Chair

4. Correspondence

- Received from Vermont League of Cities and Towns a spring planning session on June 14, 2017 at Lake Morey.

5. New Business – none

6. Old Business – none

Charbonneau made the motion to adjourn

Johnston seconded

Discussion – none

Vote - Yes – 6 (Barrett, Charbonneau, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

The meeting was adjourned at 8:35 PM

Respectfully Submitted By

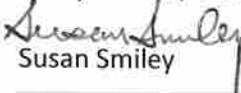
Karen Gallott


Kathy Barrett, Chair


Donald Johnston, Clerk


Carol Charbonneau


Tom Fyles


Susan Smiley


Mike Sweeney