



Agenda

for the Meeting of the Development Review Board

City Council Chambers, City Hall
Monday, June 17, 2019 at 7:00 PM

Members: Daniel Richardson (Chair), Kate McCarthy (Vice Chair), Kevin O'Connell, Ryan Kane, Robert Goodwin, Michael Lazorchak (alternate), and Clare Rock (alternate).

Please note: Changes in the agenda may occur

- 1) Call to Order by the Chair
- 2) Approval of the Agenda
- 3) Comments from the Chair
- 4) 301 River St. (Eastern Gateway)-Continued
Owner/Applicant: Junction Associates
Final Plan Review of a two lot subdivision.
- 5) 81 North St. (Residential 3000)
Owner/Applicant: Eyrich Stauffer
Sketch Plan Review of a two lot subdivision.
- 6) Review meeting minutes of 5-6-19 and 6-3-19
- 7) Other Business:
 1. Next meeting is July 8th, 2019.
- 8) Adjournment

MONTPELIER DEVELOPMENT REVIEW BOARD REPORT

Prepared by Meredith Strobridge Crandall, Planning and Zoning Administrator

Date: June 12, 2019

For the meeting of June 17, 2019

SKETCH PLAN SUBDIVISION REVIEW

Applicant: Eyrich Stauffer

Owner: Same

Address: 81 North Street

Application # Z-2019-0054

Zone: Residential 3000



Guiding Ordinance Sections

Chapter 200. General Provisions

Chapter 210. Base Zoning Districts & Neighborhoods

- Section 2109. Residential 3000 (RES 3) Zoning District & Neighborhoods

Chapter 300. General Standards

- Section 3001. Use Standards
- Section 3002. Dimensional Standards
- Section 3003. Accessory Structures and Uses
- Section 3004. Demolition
- Section 3005. Riparian Areas
- Section 3006. Wetlands and Vernal Pools
- Section 3007. Steep Slopes
- Section 3008. Erosion Control
- Section 3009. Stormwater Management
- Section 3010. Access and Circulation
- Section 3011. Parking and Loading Areas
- Section 3012. Signs

Chapter 350. Subdivision Standards

- Section 3501. Applicability
- Section 3502. Capacity of Community Facilities and Utilities
- Section 3503. Suitability of Land
- Section 3504. Traffic
- Section 3505. Design and Configuration of Parcel Boundaries
- Section 3506. Design and Layout of Necessary Improvements
- Section 3507. Character of the Neighborhood and Settlement Pattern
- Section 3508. Renewable Energy and Conservation
- Section 3509. Natural Resource Protection
- Section 3510. Lot Line Adjustment and Lot Merger

Chapter 440. Subdivision and PUD Review Procedures

Materials Submitted:

- a) Development Application, dated 5/20/2019;
- b) Subdivision Attachment, Sketch Plan Review, dated 5/22/2019;
- c) Subdivision of 81 North Street, Applicant Responses re: Chapter 350: Subdivision Standards, dated May 24, 2019 (the “Narrative”);
- d) 81 North Proposed Subdivision, by Applicant, dated 5/24/2019 (the “Sketch Plan”);
- e) Google Maps image captures, aerial and street view;

Materials Provided by Staff:

- f) Email correspondence between Tom McArdle, Department of Public Works Director, Kurt Motyka, Assistant Director of DPW, and Meredith Crandall, Planning and Zoning Administrator, re: Application for Review: 81 North St Sketch for 6/17 Meeting, dated 6/12/19 (“DPW Comments”).

Project Scope & Applicant Request

Applicant seeks sketch plan review for a proposal to subdivide a 16,500+ SF (0.38 acre) parcel containing a single-family home and driveway into two parcels, such that: (i) all current structures and uses will be on an approximate 6,600 SF westernmost parcel (“Lot 1”); and (ii) the easternmost parcel of approximately 9,900 SF will be vacant (“Lot 2”).

The current parcel is located in the Residential 3,000 (“RES 3”) Zoning District. This sketch plan subdivision application will first be reviewed by the Board on June 17, 2019.

STAFF REVIEW & COMMENTS

1. Existing Conditions: The parcel is an existing 0.38 acre parcel with 105 feet of frontage on Ewing Street and 70 feet on North Street. The current parcel contains a single-family home served by municipal water and sewer.
2. Location: The subject parcel is located on the corner of North and Ewing Streets, within the Franklin St - Northeast Neighborhood of the RES 3 Zoning District.
3. Permit/Parcel History: The permit history for the property is as follows:

D-2019-0020	81 NORTH ST	Eyrich Stauffer	MONTPELIER DEVELOPMENT	DEVELOPMENT PERMIT	Multiple interior renovations including plumbing, heating and electrical.	Multiple interior renovations including plumbing, heating and electrical.	PENDING	02/01/2019
B-2019-0013	81 NORTH ST	Eyrich Stauffer	BUILDING	BUILDING PERMIT - SINGLE FAMILY	Multiple interior renovations including plumbing, heating and electrical.	Multiple interior renovations including plumbing, heating and electrical.	ISSUED	01/30/2019 02/11/2019
Z1278	81 NORTH ST	JAMIE COPE	ZONING	LEGACY - ZONING PERMIT		ADDITION TO DWELLING	PENDING	01/01/1990
Z1279	81 NORTH ST	JAMIE COPE	ZONING	LEGACY - ZONING PERMIT		BED AND BREAKFAST (ONE ROOM)	PENDING	01/01/1990

CHAPTER 300 GENERAL STANDARDS

4. Section 3001. Use Standards

- A. Applicability. The land development shall conform to the use standards for the applicable zoning district ...
 - i. One, two, three, and four dwelling uses are all “permitted” uses within the RES 3 District.
- B. Mixed uses. Any combination of permitted or conditional uses allowed on a single lot.
- C. Prohibited uses. *Not applicable*.
- D. Materially similar uses. *Not applicable*.
 - i. The subject parcel contains one single-family home.
 - ii. No new uses are proposed in this application.

Staff Findings: The use on the current parcel is permitted under §§ 3001.A, 2109.C and Fig. 2-15. No new uses are proposed at this time.

5. Section 3002. Dimensional Standards

- A. Applicability. Land development shall conform to the dimensional standards for the applicable zoning district, as set in Chapter 200. Figure 2-09 establishes the dimensional standards for development in the RES 3 District as follows:

Figure 2-09. Residential 3000 District Dimensional Standards

LOTS	SETBACKS	DENSITY	BUILDINGS
Lot size: 3,000 sf min Frontage: 45 ft min Coverage: 60% max	Front: 10 ft min Side: 5 ft min Rear: 10 ft min Water: 25 ft min	Residential: 1 du/3,000 sf max Floor Area Ratio: 1.0 FAR max	Footprint: 2,500 sf max Height: 35 ft max

Note 1 See Section 3002 for specific information and any exceptions regarding dimensional standards. Accessory structures may have reduced dimensional standards (see Section 3003 for specific details regarding accessory structures).

- B. Per § 3002.G(1), corner parcels have two fronts and all remaining boundaries are sides for setback purposes.
 - i. The existing parcel:
 - a. Is approximately 16,500 SF (0.38 acre) and has frontage of 105 feet on Ewing Street and 70 feet on North Street.
 - b. Has significantly less than 60% coverage.
 - (1) **Per the Subdivision attachment, there’s roughly 1,100 SF of impervious surface.**
 - (2) **Staff’s estimate, counting the driveway, is closer to 2,400 SF of impervious surface.**
 - c. Contains a single family home on a corner lot set back from the property boundaries as follows (based on the Subdivision Attachment, Sketch Plan, and Departmental mapping):
 - (1) North St. Front: 23 feet
 - (2) Ewing Front: 10 feet
 - (3) Southwestern Boundary Side: 40 feet
 - (4) Eastern Side: 72 feet
 - (5) Southern Boundary Side: 100+ feet
 - d. *The building height and footprint are not applicable here, where no*

related changes are proposed.

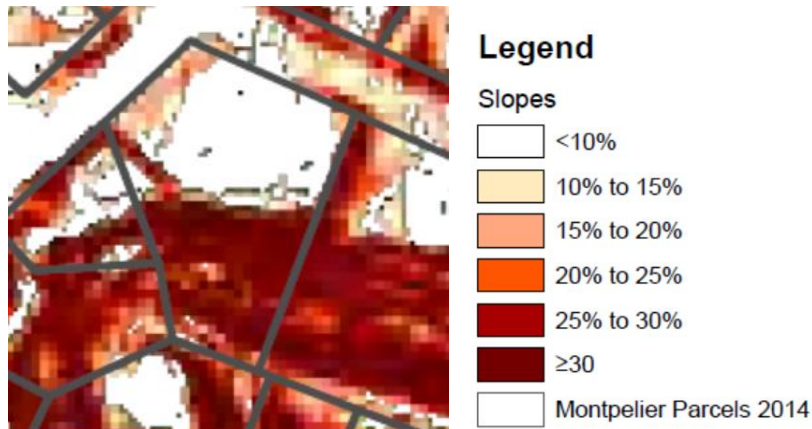
ii. After the subdivision:

- a. Proposed Lot 1 will be 6,600 SF, with 70 feet of frontage on North St. and 60 feet of frontage on Ewing St., significantly less than 60% coverage, and the following approximate setbacks (based on the Subdivision Attachment, Sketch Plan, and Departmental mapping):
 - (1) North St. Front: 23 feet
 - (2) Ewing Front: 10 feet
 - (3) Southwestern Boundary Side: 40 feet
 - (4) Eastern Side: 25 feet
- b. Proposed Lot 2 will be 9,900 SF, with approximately 45 feet of frontage on Ewing St., and no coverage. An approximate building area is delineated on the Sketch Plan, avoiding potential steep slopes and indicating approximate setback limits.
- c. *Again, building footprints not applicable here, where the Application proposes no changes to existing buildings and no new buildings.*

C. Principal buildings. *Not applicable for subdivisions.*

D. Calculating Density: § 3002.D. In RES 3, the residential density allowance is 1 dwelling unit per each 3,000 SF of parcel area. §§ 2109 & 3002.C. Land with grades of 30% or more (steep slopes) are excluded from buildable area used to calculate maximum density. § 3002.C(2).

- i. **Based on the 2018 Montpelier Slopes Map (see excerpt below) and Applicant's estimates of total parcel sizes, it appears that both Lot 1 and Lot 2 will have sufficient buildable area for at least 1 dwelling unit each. Applicant should confirm this in the Final Application.**



E. Height. *Not applicable, no structures being changed in Lot 1 and no structures proposed for Lot 2 in this application.*

Staff Comment: Applicant needs to confirm impervious cover and buildable area in the Final Subdivision Application, and make sure setbacks are delineated for Lot 2 on the Final Plan.

6. Section 3003. Accessory Structures and Uses

- A. Driveways are accessory structures/uses that are allowed to encroach into the standard setbacks on any side, up to the property line.

- i. The Application doesn't include a driveway/access plan. Options include a shared driveway, a new driveway for Lot 1, or new driveways for both Lots.

Staff Comment: Applicant to propose access plan with Final Application, following survey.

7. Section 3004. Demolition – *Not applicable. No demolition is proposed.*
8. Section 3005. Riparian Areas – *Not applicable, no riparian areas within over 200 feet.*
9. Section 3006. Wetlands and Vernal Pools – *Not applicable.* The standards in § 3006 only apply to wetlands or vernal pools documented on the Montpelier Natural Resources Inventory Map. Staff verified that no wetlands are vernal pools on or abutting the parcel involved, and no vernal pools within 500 feet of it.
10. Section 3007. Steep Slopes – Section 3007 applies to land development that proposes to disturb or clear land on steep slopes that exceeds the threshold amounts specified in Figure 3-08, all of which are 15% or greater.

A. *Not applicable. Although some steep slopes are present, none will be disturbed by the subdivision, and there appears to be sufficient area on Lot 2 for development without disturbing the steep slopes.*



11. Section 3008. Erosion Control – The provisions of this section apply to land development that proposes to disturb or clear land on steep slopes that exceed the threshold amounts specified in Figure 3-08. *Not applicable, the act of subdivision will not disturb any soil, so this provision is not applicable here.*

Staff Comment: Applicant should note that appropriate Erosion control practices will need to be followed during future development of Lot 2 given the natural terrain.

12. Section 3009. Stormwater Management – Section 3009 outlines the requirements for stormwater management and requires that storm sewer system and other drainage improvements shall be in accordance with plans approved by the Director of Public Works. In no case shall stormwater discharge into a city sewer system if a separate system exists.
A. *Not applicable. No changes to the current stormwater flows or grading proposed.*

Staff Comment: As part of any future development on Lot 2, Applicant will need to get DPW's approval of a storm water connection through a construction and access permit. There is a storm water line that runs along Ewing Street, but it appears to be on the opposite side of the street from the Lot 2 frontage. See below and DPW Comments.



13. Section 3010. Access and Circulation – The purpose of this section is to promote safe and efficient access to and circulation within a property for vehicular, bicycle, and pedestrian traffic.

A. Vehicular access. Section 3010(B) requires that all lots being developed or redeveloped to provide vehicular access from the street in accordance with any city public works specifications, VTrans' B-71 Standard, and the standards listed in § 3010. Those standards include:

- i. General. All proposed land development shall be designed with adequate access and circulation to prevent traffic congestion on the street and traffic conflicts (including service vehicles, passenger vehicles, parking, drive through lanes, bicyclists and pedestrians) within the site.
- ii. State or Class 1 highways. *Not applicable. Ewing Street and North Street are Class 3 town highways.*
- iii. Number. Shared access is strongly encouraged.
 - a. It may be possible for a shared driveway between Lots 1 and 2.
Applicant to clarify access plan in Final Application following survey.
- iv. Spacing. Access points shall be spaced as specified in figure 3-11, which for RES 3 requires a minimum of: (1) 100 feet between curb cuts and intersections; and (2) 45 feet between driveways.
 - a. The current curb cut on Ewing Street appears to be:
 - (1) 40+ feet from the intersection of North and Ewing Streets an existing nonconformity.
 - (2) 70+ feet from the driveway for 3 Ewing Street (the neighbor to the East)
 - b. It appears possible for a new curb cut to be created for Lot 1 on North St that would meet the driveway spacing requirement (45 feet), and then create a new curb cut for Lot 2 that would be ≥ 45 feet from the 3 Ewing St. access. *However, neither would be likely to meet the 100 foot intersection spacing requirement.*

Staff Comment: Given that the RES 3 frontage minimum is 45 feet, it appears unlikely that many corner parcels in the District have a driveway that's 100 feet or more from an intersection.

- v. Cross access. § 3010.B(5). *Not applicable to residential development.*
- vi. Length. *Not applicable to subdivision where no new driveways created.*
- vii. Emergency access. *Not applicable to subdivision without further details of proposed new development.* Further, the proposed parcels will be small enough that access from the adjacent streets should be sufficient for emergency purposes.
- viii. Street improvements. *Not applicable, no new streets created.*
- ix. Non-conformities. Any non-compliances with requirements for spacing of current access points are non-conformities that may remain, unchanged.

Staff Comments: Applicant will need to provide an access proposal as part of the Final Plan.

DPW Comments: Applicant will need to provide a detailed site plan (including utility services) to secure the applicable construction and access permit that incorporates approvals for any new driveway curb cuts, as well as the water, sewer, and storm water connections. See enclosed DPW Comments.

14. Section 3011. Parking and Loading Areas

- A. Residential uses in RES 3 are required to have a minimum of 1 off-street parking space for each unit. § 3011.C and Figure 3-11.
- B. The Board may waive some off-street parking requirements, if (among other options) there is an existing transit stop within ¼ mile of the proposed development. § 3011.C(3)(d).
- C. Off-street parking shall be behind the front line of the building (inclusive of vehicle overhang) – except that personal vehicles may be parked within any lawful residential driveway. § 3011.G(2).
- D. Parking spaces must be 8.5 feet wide by 18 feet deep, except for compact car spaces approved by the DRB. § 3011.H(1).
- E. Parking spaces must be accessible from a driveway or access aisle, except for “tandem parking (a double-depth parking space with one vehicle parking the other in) for residential or employee parking.” § 3011.H(1)(b).
- F. Off-street parking must have a “firm, level surface appropriate for the anticipated level of use in all seasons.” § 3011.I(1).
- G. Snow storage areas should be identified for compliance with § 3011.I(4) – requiring adequate space for snow storage on site without obstructing vehicle or pedestrian visibility or circulation to the maximum extent feasible given the physical characteristics of the property.
- H. Sites with nonconforming parking areas must come into conformance with § 3011 to the maximum extent feasible given the physical characteristics of the lot and the existing development when there is going to be an increase in the amount of parking, a change in the location of parking on the site, or a substantial change to the site layout, access and circulation.

- i. No changes are proposed currently for the parking layout – that shown on the Sketch Plan.

Staff Comment: As this is a subdivision proposal where both Lots 1 and 2 will be residential, Applicant's Final Application needs to show: (1) how access and parking will be provided for Lot 1 after the subdivision; and (2) a possible access/driveway plan for Lot 2 that will allow for parking for at least 1 off-street vehicle as well as a home. These can be shown on a separate Site Plan, versus the final survey plat.

15. Section 3012. Signs – *Not applicable. No signs being proposed at this time.*

CHAPTER 350 SUBDIVISION STANDARDS: All subdivision of land shall conform to the standards of this section.

16. Section 3502. Capacity of Community Facilities and Utilities: The applicant shall demonstrate that the proposed subdivision shall not cause a disproportionate or unreasonable burden on the city's ability to provide community facilities and utilities including: (1) local schools; (2) police, fire protection, and ambulance service; (3) street infrastructure and maintenance; (4) parks and recreation facilities; (5) water supply, sewage disposal and stormwater systems and infrastructure; (6) Solid waste disposal services and facilities.
 - A. Per the Narrative, this "small scale" subdivision won't "cause an unreasonable burden on the City's ability to provide community facilities and utilities."
 - B. With the acreage on Lot 2, in RES 3, the most likely future use is a single family home or possibly 2 dwelling units.

Staff Comment: Adding one new residential parcel – with either one or two dwelling units – in this area will not cause a disproportionate or unreasonable burden on the city's ability to provide community facilities or utilities.

17. Section 3503. Suitability of Land
 - A. Section 3503.A. "The land to be subdivided shall be suitable for use without endangering public health or safety, and causing undue adverse impacts on the environment, neighboring properties or the character of the area."
 - B. Subsection B. "Land subject to periodic flooding, poor drainage, inadequate capability to support development or other hazardous conditions shall not be subdivided unless the applicant can demonstrate that appropriate measures shall be taken to overcome the physical limitations."
 - i. Per the Narrative, the land is suitable for subdivision, will not endanger public health, and is not subject to flooding or other hazardous conditions.

Staff Comment: The existing lot is already developed as a single-family residence, making it entirely suitable for subdividing and building a new residence on what has been a side-yard.

18. Section 3504. Traffic – The applicant shall demonstrate that the proposed subdivision will not have an undue adverse effect upon the traffic in the area including:
 - A. Per Applicant, one new single-family parcel is proposed.

Staff Comment: The addition of one new parcel, developed with either a single-family home or two

units, will not have an undue adverse effect upon the traffic in the area.

19. Section 3505. Design and Configuration of Parcel Boundaries.

A. Lot arrangement. The applicant shall design the subdivision:

- i. (1) To follow and extend the planned settlement pattern (including lot size, lot configuration, street layout and building location) as defined by the purpose and standards of the applicable zoning district to the maximum extent feasible given the site's topography and natural features;
 - a. The purpose of the RES 3 District "is to encourage infill residential development with a range of housing choices while preserving each neighborhood's distinct character and quality." § 2109.A.
- ii. (2) To connect to and extend existing street, sidewalk, path, trail, utility, greenway, and open space corridors to the maximum extent feasible given the site's topography and natural features.
- iii. (3) So that there shall be no foreseeable difficulties in obtaining zoning permits to build on all lots not intended for conservation purposes in accordance with the standards of these regulations;
- iv. (4) So that there shall be no foreseeable difficulties in providing access to buildings on lots not intended for conservation purposes from an approved street.
- v. (5) To avoid direct access from arterial streets or state or Class 1 highways. The Development Review Board may require shared access or other means to minimize new access points along arterial streets or highways.
- vi. (6) To allow further subdivision on any remaining undivided land and adjoining undeveloped parcels in a manner that would result in a logical and coordinated development pattern.
- vii. (7) So that there shall be positive drainage away from building sites and a coordinated stormwater drainage pattern for the subdivision that does not concentrate stormwater drainage from each lot to adjacent lots.

B. Lot dimensions. The applicant shall design the subdivision:

- i. (1) So that all lots front on a street;
- ii. (2) So that lot dimensions meet the minimum standards for the zoning district;
- iii. (3) So that generally side lot lines are at right angles to straight street lines or radial to curved street lines with recognition that some variability may be desirable to respond to the site's topography and natural features.
- iv. (4) So that generally rear lot lines are parallel to street lines with recognition that some variability may be desirable to respond to the site's topography and natural features.
- v. (5) To avoid flag and other irregularly shaped lots except when desirable to respond to the site's topography and natural features.
 - a. Applicant notes in the Narrative that lot is being designed to satisfy all requirements of Section 3505.

Staff Comment: The parcel design and configuration generally satisfies the § 3505 requirements, and it appears that there are multiple alternatives for access points that would be allowable at the zoning permit stage. **Applicant should demonstrate at least one viable access option on a potential**

site plan at the Final Application stage.

20. Section 3506. Design and Layout of Necessary Improvements:

- A. Streets. *Not applicable. No new streets proposed with this subdivision.*
- B. Pedestrian and bike facilities. *Not applicable to this two-lot subdivision with no new streets, no changes to internal pedestrian flows, and no changes in use.*
- C. Water and Wastewater facilities. *Not applicable, Lot 1 is currently connected to City water and sewer, and there are no foreseeable difficulties with connecting Lot 2 though State and DPW permits will be required.*
- D. Firefighting facilities. The applicant shall design the subdivision to provide water for fire protection in accordance with the following:
 - i. Per Narrative, both buildings have sprinkler systems.
 - ii. Staff has determined that there are fire hydrants: (1) at the corner of West St. and East State St; and (2) slightly more than 100 feet to the east of the subject parcel, on the same side of East State Street.
- E. **Public and private utilities. The applicant shall design the subdivision to provide utility service to each lot not intended for conservation purposes. Per subsection E(1), “utilities shall be located underground unless prevented by ledge or other physical conditions.”**
 - i. In this developed neighborhood, all powerlines are currently above-ground, with the line along Ewing Street crossing over the road half-way down the Ewing St. frontage (see image below).
 - ii. **Given the current physical location of the power lines, it seems sensible for Applicant to reach out to the local service provider to determine whether power for Lot 2 could be run underground from pole on the eastern boundary, and whether the power company would require a new pole (due to age of the current one) to do so.**



- F. Landscaping. The applicant shall design the subdivision to maximize the preservation of existing mature vegetation and provide additional landscaping

- (which may be installed when lots are subsequently developed) as necessary to:
- i. Maintain and provide privacy both for adjoining property owners and between lots within the subdivision;
 - ii. Enhance the appearance of street frontages and shade streets and sidewalks;
 - iii. Maintain or establish vegetated buffers along waterways and other natural areas;
 - iv. Utilize green stormwater infrastructure practices.
 - a. No new landscaping is proposed.

Staff Comment: Given the nature of this proposed infill, should the Board approve this subdivision request at the final application stage, Staff suggests requiring a landscaping plan be included in the zoning permit application that meets the requirements of § 3506.F(1)(2) and (4).

G. Erosion Control. *Not applicable, as no construction or soil disturbance proposed.*

H. Stormwater Management. Subsection H requires Applicant to design the subdivision with adequate drainage and stormwater infrastructure in accordance with § 3009 and City specification.

Staff Comment: *No additional development proposed in this two-lot subdivision, so not applicable at this stage.* However, Applicant should be aware that DPW approval for storm water connections will be required for future development. See DPW Comments.

I. Parks and recreation areas. *Not applicable when no common recreation areas or facilities planned, and 10 or fewer dwelling units planned.*

J. Monuments and lot corner markers. The applicant shall install:

- i. Permanent right-of-way monuments at all street intersections and other critical points in street lines in accordance with state statute.
- ii. Lot corner markers at corners and angle points of all lots in accordance with state statute.

Staff Comment: As noted in the DPW Comments, the survey included in the Final Plan application will need to reflect this requirement.

K. Construction and Maintenance of Necessary Improvements. Applicant shall construct the necessary improvements in accordance with all conditions of approval and city specifications before the Administrative Officer may issue any zoning permits for further land development within the subdivision

- i. *Not an issue currently, as a two-lot subdivision application.* However, Applicant will need to obtain additional zoning permits and complete improvements noted in the DPW Comments for any future development.

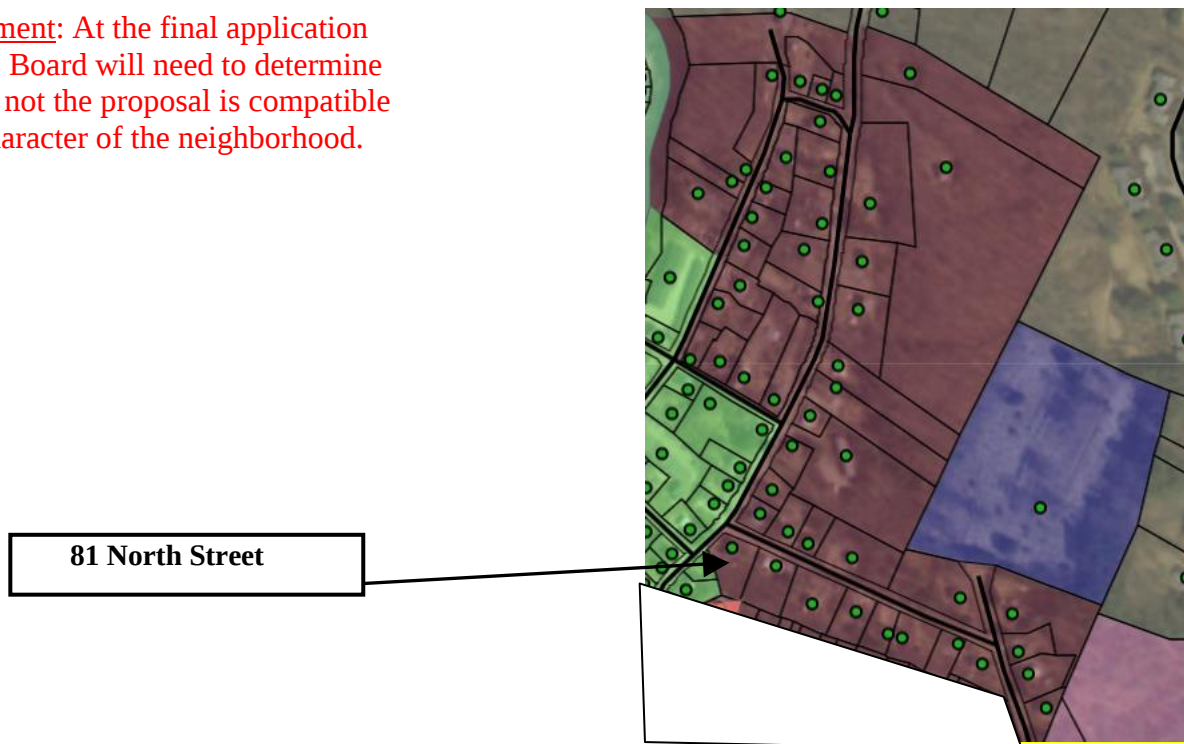
21. Section 3507. Character of the Neighborhood and Settlement Pattern – The applicant shall demonstrate that the proposed subdivision shall:

- A. Be compatible with or extend the city's traditional settlement pattern as a compact urban center;
- B. Not contribute to a pattern of strip development;
- C. Be compatible with the character of the neighborhood.
 - i. Section 2109.B(1), describes the Franklin St -Northeast Neighborhood as a

“primarily single-family residential neighborhood with homes fit into the terrain, most with a compact development footprint. Proposed land development may feature a modest increase in residential density accomplished primarily through conversion of existing buildings to multi-family occupancy and with a limited amount of infill on suitable sites.”

- a. Applicant’s Narrative notes that the new lot “will fit with neighborhood patterns and promote natural resource protection.”
- b. The proposal extends the City’s traditional settlement patterns, and is not strip development.
- c. This is an infill subdivision, where the future intended use is likely to be a single-family home built on what is now a large side-yard. Although there are larger parcels within the Neighborhood, this particular parcel appears to be suitable for an infill subdivision – given the terrain. See image below – parcels shaded maroon are in the subject Neighborhood.

Staff Comment: At the final application review, the Board will need to determine whether or not the proposal is compatible with the character of the neighborhood.



22. Section 3508. Renewable Energy and Energy Conservation – The general standards of this section apply to all subdivisions. The remaining provisions of this section apply to any subdivision with more than 10 lots.

- A. General Standards. To the maximum extent feasible given topography, orientation and vegetation, the applicant shall design the subdivision:
 - i. So that the maximum number of lots shall receive direct sunlight sufficient for using solar energy systems.
 - ii. With streets and lot lines that shall accommodate buildings oriented with their long axis oriented within 30 degrees of true east west.
 - iii. With the highest densities sited on south-facing slopes and the lowest

- densities sited on the north facing slopes.
- iv. With appropriate protections for each lot's solar access.

Staff Comments: Given the topography in the area (the land slopes up to the North, East and South of the house on 81 North Street), and the existing house on Lot 1, solar access on Lot 2 is going to be minimal. However, the requirements of § 3508 apply "to the maximum extent feasible given topography, orientation and vegetation"

23. Section 3509. Natural Resource Protection - The applicant shall demonstrate that the proposed subdivision has been designed and located to avoid, or if avoidance is not feasible then to minimize and mitigate, adverse impacts to any natural resource areas identified on the Montpelier Natural Resources Inventory Map in accordance with the following...
- i. *Not applicable. No natural resource areas identified on the subject parcel or within 500 feet.*
24. Section 3510. Lot Line Adjustment and Lot Merger – *Not applicable. This does not involve either a boundary line adjustment or a merger.*

Staff Recommended Action:

- ❖ Following the sketch plan meeting, the Development Review Board shall:
 - A. Make recommendations to guide the applicant in preparation of more detailed plans.
 - B. Request any additional application materials deemed necessary to determine compliance with these regulations.
 - C. Request that advisory committees review and make recommendations on the application as appropriate.
- ❖ The Development Review Board's determinations and recommendations shall be recorded in the minutes and provided to the applicant, but those actions shall not constitute a formal decision on the subdivision plan.
- ❖ After the Development Review Board has concluded its meeting on sketch plan and provided comments to the applicant, the applicant shall have one year to file the materials required for final plan review.

**Montpelier Development Review Board Meeting
June 3, 2019**

Subject to review and approval

This public meeting was recorded, and the video will be available for viewing at this link:
<https://www.montpelier-vt.org/1094/CivicClerk>

Present: Daniel Richardson, Kevin O'Connell, Ryan Kane, Robert Goodwin, Clare Rock (alternate), Michael Lazorchak (alternate), Meredith Crandall – staff.

Call to order: The meeting was called to order by the Chair, Dan Richardson.

Approval of the agenda: Kevin made a motion to approve the agenda as printed, Ryan seconded. The motion was approved on a 6-0 vote.

Comments from the Chair: He wished to thank Tom Kester for his contributions to the board since he moved to Barre. He then welcomed and thanked the new alternate, Mike Lazorchak.

Approval of minutes from May 6, 2019: Since there wasn't a quorum available, this was tabled to the next meeting.

301 River Street

Owner/Applicant: Junction Associates

Final plan review of a two lot subdivision.

Brian Emmons and Elliott Curtin from Junction Associates were in attendance and sworn in.

The application is to subdivide an existing 5.67 acre parcel. There will be no changes to the house or drive for the existing Lot 1, which will be on 2.01 acres.

The preliminary review requested more information regarding access. Applicant wishes to stick with the original access proposal. The representatives stated that there are other accesses along Route 302 that don't comply with the curb cut spacing requirements. Further, there is a massive area of ledge that would be cost prohibitive to remove to create a shared access point.

The proposed driveways would only be 72 feet apart. The zoning regulations standard requires at least 120 feet spacing. DPW's report stated that the proposed curb cut also does not meet the minimum separation requirements in the VTrans B71 standard. DPW recommended that the engineer be asked whether a reduction in the separation can be justified and/or to explore other options for compliance with the spacing standards.

In discussing character of the neighborhood, it was noted that the nearby stretch of the Route 302 corridor contains a variety of commercial businesses, including several car dealerships, Tractor Supply, Fecteau Homes, and the new Sanel Napa autoparts location, as well as a few small residential buildings.

The applicant asked to table the application to have the engineer attend the next meeting to address the Board's concerns. If the engineer cannot make that meeting, the applicants will contact Meredith and let her know that.

Ryan made a motion to table the application to the next meeting, June 17. Rob seconded. The motion passed on a 6-0 vote.

Other Business: The next regular meeting will be Monday, June 17, 2019.

Adjournment: Rob made a motion to adjourn, Ryan seconded.

Respectfully submitted,

Tami Furry
Recording Secretary

**Montpelier Development Review Board Meeting
May 6, 2019**

Subject to review and approval

This public meeting was recorded, and the video will be available for viewing at this link:
<https://www.montpelier-vt.org/1094/CivicClerk>

Present: Daniel Richardson, Kevin O'Connell, Kate McCarthy, Deb Markowitz, Thomas Kester, Ryan Kane, Meredith Crandall – staff.

Call to order: The meeting was called to order by the Chair, Dan Richardson.

Approval of the agenda: Deb made a motion to approve the agenda, Tom seconded. Kate noted that the Vermont College of Fine Arts application has been withdrawn. Deb accepted a friendly amendment to the motion to approve the agenda as amended.

Comments from the Chair: Dan wanted to recognize Deb's service on the board, as she will be leaving. She has accepted a job in Boston and will be traveling back and forth, so she won't be able to attend further meetings.

Approval of minutes from April 15, 2019: Dan, Tom, Kevin, Kate, and Ryan were in attendance at that meeting. There was a clarifying question on an item. With the question answered, Ryan made a motion to approve the minutes as drafted, which Tom seconded. The motion passed on a 5-0 vote.

41 College Street

Owner/Applicant: Vermont College of Fine Arts

Site plan and conditional use review to convert NECI dorm into artist coop housing.

This application was withdrawn by the applicant.

217 North Street

Owner/Applicant: Will Schebaum

Review development of accessory dwelling on steep slopes.

The applicant was present.

The application is to build a 750 square foot accessory, single story dwelling and to extend the driveway to reach the new building. The building site includes slopes of around 30%, requiring review by the board.

The applicant submitted an amended Grading and Erosion Control Plan showing the 30% slopes (existing and proposed grades), as well as stormwater and erosion control details. He also provided a letter from Don Marsh attesting to the lack of an undue adverse impact on

slopes of the project as designed. There will be two raingardens installed to address storm runoff. The city engineer was satisfied with the changes made from the original application. Applicant indicated there will be no blasting, it seems as if there is no ledge there, just soil.

Dan reviewed the zoning criteria for steep slopes.

Nick Persampieri from 191 North Street was also sworn in and had concerns about the storm runoff going to the raingardens, and a driveway close to the property line and heavy equipment using that driveway to get to the construction. He's also concerned about the existing trees near the property line that he shares with the applicant. He expressed his support of the stormwater and drainage changes submitted by Applicant.

Kevin made a motion to accept the application as modified by the materials submitted by Applicant at the hearing, Deb seconded. The motion passed on a 6-0 vote.

Upper Main Street

Owner: Statewide Corporation Applicant: Jeff Stetter
Sketch plan review of a new four-unit PUD.

Rob Goodwin arrived in time to join the board for this application. The applicant was present.

The application is for a four-unit, single building infill housing planned unit development, including construction of a new gravel driveway and parking area. The building will be a 1,800 square foot building, containing three, small one-bedroom units, and one two-bedroom unit. The building will be net zero ready. Applicant reported that recent efforts to dig test pits for the State Wastewater and Potable Water Supply permit process had disappointing results, discovering more ledge, closer to the surface than anticipated.

The Board saw the application in a more abstract form previously, at an informal review.

For final approval, the following must be in the application package: stormwater management plan, professional lighting plan, professional landscaping plan, signed and sealed engineered grading plan, professional erosion and sediment control plan, and a demonstration that the project meets the steep slopes criteria.

Eric Bigglestone, president of the Murray Hill Association raised concerns about the project contaminating the Association's. He asked the Board to consider adding that the applicant pay for water testing, as Vermont Compost does, to ensure the Association's water source is not contaminated. Removal of the ledge and possible damage to neighbors' homes was another concern.

Jim Tringe, a nearby property owner was just interested in hearing about the proposal.

It was mentioned that a possible solution to the concerns about water contamination would be to hook into the city water and sewer, but it's possible that ledge would need to be blasted to make that happen.

Other business:

On June 18, the Vermont League of Cities and Towns Spring Planning and Zoning Forum will be held at the Lake Morey Resort.

The Downtown and Historic Perseveration Conference will be June 5 in various sites around the city.

The Conservation Committee has asked Dan and Meredith to attend their next meeting to discuss the Commission's role in development application review.

The next meeting is Monday, May 20, 2019. There are no applications scheduled, so Board members can either have the night off or schedule a training session. It was decided to take the night off and meet again on the next regular meeting date of June 3, 2019.

Adjournment: Kate made a motion to adjourn, Kate seconded.

Respectfully submitted,

Tami Furry
Recording Secretary