

**CITY OF VERGENNES  
DEVELOPMENT REVIEW BOARD  
MINUTES  
REGULAR MEETING  
MONDAY, MARCH 10, 2014**

Members Present: Jason Farrell-Chair, Peter Garon, Carrie Barrows Alexandria McGuire, Don Peabody, Steve Rapoport, Alternate Member Ziggy Comeau

Members Absent: Brent Rakowski

Guests: Jamie Simpson, Steve Palmer, Fire Chief Jim Breur, John Pettis, Wayne Godette, Father Yvon Royer, Ed Nill, John Cartier, Cheryl Brinkman, Kathy Cannon, Peter Kahn, Brett Bartlett, Dean Bartlett, Jason Mullin

Present: Zoning Administrator Mel Hawley

1. **Review and accept minutes of previous meetings**

Zoning Administrator Hawley reported that the minutes to the February 3, 2014 regular meeting were not included in the agenda packets and thus will need to be deferred to the next regular meeting.

2. **Public Hearing - UTC Aerospace Systems, 100 Panton Road, Compressed Gas Decanting Station, Site Plan Review, Conditional Use Review**

Jason Farrell read the public notice and swore in Jamie Simpson, Project Engineer for Green Mountain Engineering, Steve Palmer, Director of Construction & Maintenance for NG Advantage, Vergennes Fire Chief Jim Breur, and abutting property owner John Pettis. Jamie explained that Green Mountain Engineering and NG Advantage had been engaged by UTC to design and install a compressed natural gas decanting station as a stop-gap measure as UTC moves toward the elimination of using fuel oil for heating the facility. Jamie gave an overview of the site plan which identified the location of the station. Steve gave a PowerPoint presentation outlining how the station works and the related safety features for both the trucks and station. The presentation also included various photos of other installations. A hard copy of the presentation was requested for the file. The site plan reflected a 20,000 gallon underground fuel oil tank between the station and building with the gas line and communications conduit in close proximity. Both Jamie and Steve said there are no safety issues in that regard when taking into account the specifications of the gas line. Members noted that four parking spaces would be temporarily eliminated during the period that the station would be situated (about two years). Zoning Administrator Hawley said that he had not done a complete analysis of parking requirements for the plant but noted that the parking lot between the plant and Vergennes Area Rescue Squad is delineated for about 75 vehicles and is extremely underutilized and therefore did not see the installation of the station as adversely affecting off-street parking. There was some confusion about the anticipated number of trucks for the delivery of compressed natural gas when compared to fuel oil. At the time

the application was reviewed, Kevin Hanson of UTC forecasted an increase in the number of deliveries which of course would be eliminated upon the permanent installation and connection to natural gas. With no further discussion, Peter Garon moved to close the public hearing and take up the application in deliberative session. The motion was seconded by Alex McGuire with all voting in favor.

3. **Public Hearing - St. Peter's Church, King Street and South Maple Street, Expansion of Parking Lot behind Parish Hall, Site Plan Review (see Section 311)**

Jason Farrell read the public notice and swore in Wayne Godette, Father Yvon Royer, Ed Nill, and John Cartier, all present on behalf of St. Peter's Church. Peter Garon disclosed that he owns a house on South Maple Street across the street from the subject property but felt that he did not have a conflict of interest under the rules of procedure. All members concurred. Wayne gave a brief description of the project and reported that they are now contemplating placing lights on the parish hall to better light the parking lot. Jason said that the hearing was warned with the applicant's prior announcement that no lighting was involved. He said that if it that is no longer the case, lighting specifications would need to be filed. Wayne said that no lighting should be considered as part of this application. Members asked Mel if there was any more information relative to the discrepancy in the common boundary line with the Steve Clark. Mel said that their surveyor contends that the survey that was filed is correct. Jason read an e-mail from Steve Clark requesting that additional survey work be conducted. The e-mail also suggested that a visual screen in some form around the existing/expanded portion of the parking lot. Cheryl Brinkman requested the opportunity to ask about drainage and Jason swore her in. Cheryl asked if there was any stormwater management associated with the project given the proximity to Mossey Brook. Wayne said that the expanded parking lot would not be paved as they did not desire to trigger the requirement of a state stormwater permit by creating additional impervious surface. With no further comments, Alex McGuire moved close the public hearing and take up the application in deliberative session. The motion was seconded by Peter Garon with all voting in favor.

4. **Vergennes Union High School, 50 Monkton Road, Expansion and Modification of Parking Lots, Addition for Cafeteria Freezer and Refrigeration, Site Plan Review (see Section 311)**

Kathy Cannon, Business Manager for the Addison Northwest Supervisory Union, presented an application and site plan on behalf of the Vergennes Union High School. She explained that the recent bond vote that was approved included items that involve the parking lot configuration and also work associated with the cafeteria which includes the placement of a walk-in refrigerator/freezer unit that is an addition to the footprint of the building. Mel said that resurfacing the parking lot to the west of the school along with some sidewalk replacement would be considered maintenance and repair and therefore exempt activity. The refrigerator/freezer, reconfiguration of the visitor parking and creating of new handicapped parking spaces in front of the school requires site plan review. Members wondered if there was any roof-mounted equipment associated with the refrigerator/freezer. Kathy said that she do not think that was the case but would get that confirmed. Jason reminded everyone that as a community-owned facility, there is a limitation of review under Section 311 of the regulations. Steve Rapoport moved that the

application be deemed complete and that a public hearing be warned for April 7, 2014. The motion was seconded by Peter Garon with all voting in favor.

Alternate Member Ziggy Comeau departed at this point in the meeting as she was not serving in her capacity as an alternate member during previous proceedings involving the application by River's Edge Associates.

5. **Public Hearing (continued) – River's Edge Associates, West Main Street, Claybrook Subdivision, Planned Unit Development**

Jason Farrell read the public notice and swore in Peter Kahn, Brett Bartlett, Dean Bartlett presenting River's Edge Associates, LLC and adjacent property owner Jason Mullin. At the request of the Board, Peter Kahn provided a detailed phasing plan dated January 14, 2014. Peter said that the last meeting concluded with a following items needed.

- 1) Letter from City Manger Mel Hawley regarding municipal services
- 2) Letter from Fire Chef Jim Breur
- 3) Approval of declarations and by-laws from City Attorney James Ouimette
- 4) Road maintenance responsibilities in Declarations (see pages 5, 14, 16)
- 5) Revision of berm construction
- 6) Phase plan revised to show Commodore Drive return road in phase IV, not phase II; reference plan sheet 8 for turn-arounds; extend ROW to O'Daniel

Mel submitted a memorandum to the Board addressing items 1 and 2. Mel submitted a copy of an e-mail from City Attorney Ouimette confirming that he had completed his review of the declarations and by-laws as evidence that the latest versions satisfied his concerns raised in his December 27, 2013 letter. This addresses item 4. The final versions of the by-laws and declarations are dated January 10, 2014, however the declarations reflect changes made since that date based on the review by the City Attorney. "March 10, 2014" was written on the final versions. The specification for the berm has been clarified in the plans. The phasing of the berm is as proposed in a revised phasing plan dated February 28, 2014. The proposal is to construct the berm along the back of all Phase I lots and then extend the berm one additional lot into the next phase each time and prior to occupancy of each home in Phase I. Jason Mullin wondered about how the phasing would work as to whether the entire parcel would be under construction or whether construction would involve only disturbed land within a given phase area. Peter said there would be limited activity in land associated with a future phase and would likely be limited to moving fill but not construct any additional roadway until a phase is complete. Peter also explained that the section of roadway between Lot 27 and 28 that was previously reflected as part of Phase II infrastructure had been changed such that this section is in Phase IV. He also noted that the three turn-arounds are now clearly identified on the phasing plan and that the right-of-way to the O'Daniel previously omitted in error on an earlier phasing plan is now reflected in the revised phasing plan. Jason Mullin also requested clarification that the right-of way between Lot 1 and Lot 2 of Hopkins Ridge is not contemplated in the Claybrook proposal. Peter and the Board confirmed that is indeed the case as the only access to the lots in Claybrook is via West Main Street unless and until such time as there is a connection through the O'Daniel

property. Mel reminded everyone that although Peter desires to have the road turned over to the City in phases, it is the City Council that will make that determination as the Development Review Board does not have the authority to accept a street. With no further comment, Alex McGuire moved to close the public hearing and direct Zoning Administrator Hawley to draft an affirmative decision on the application. The motion was seconded by Steve Rapoport with all voting in favor.

6. **Pending Application - UTC Aerospace Systems, 100 Pantan Road, Accessory Structures for Waste Disposal and Scrap Metal Roll-offs, Site Plan and Conditional Use Review**

As directed by the Board, Zoning Administrator Hawley drafted an affirmative decision on this application. Don Peabody moved to approve the findings of fact and decision as drafted and to authorize Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Peter Garon with all voting in favor.

7. **Adjournment**

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Mel Hawley  
Acting Recording Secretary