

# TOWN OF HIGHGATE

## Development Review Board

May 14, 2015 @ 6pm

### Approved Minutes

**NOTE: All actions taken are unanimous unless otherwise stated.**

#### I. CALL TO ORDER

The meeting was called to order by chairman, Rick Trombley at 6:02pm.

##### Present at this meeting:

- **DRB members:** Rick Trombley, Chairman; Woody Rouse; Tim Reynolds; Scott Martin; *absent – Julie Rice*
- **Staff:** Heidi Britch-Valenta, Planning & Zoning Administrator; Wendi Dusablon- Planning & Zoning Clerk
- **Public / Other:** Larry Lackey – State of VT-AOT; Jacques Larose - CEA; Laurie Lapan; Mike Gervais – NLS;

#### II. PUBLIC HEARINGS

*Michael Gervais (surveyor) was running late for the Lapan public hearing, so the State of VT – AOT / Franklin County Airport went first.*

- **State of Vermont – Franklin County Airport**  
Site plan amendment to add hangars and relocate the access  
Industrial / Commercial District  
Airport Road

Jacques Larose and Larry Lackey were present. This plan should look familiar, it is the same plan that the DRB approved in 2014, file # DRB-015-14. There was an issue submitting the mylar within the specified amount of time, so they are here tonight for that reason. The project has two main components 1) relocation of the gravel drive along the east side of the existing hangars and 2) four hangar sites. The project does have approved storm water permits. Tim asked about the location of the driveway and Heidi asked if they could explain how this project ties in to the project they came to the DRB about in April 2015. Jacques explained how they are separate projects, the proposal brought to the DRB last month is still being discussed with Mr. Harrison. They are only here tonight on this former plan because of the mylar issue. What the board has before them is something they have already approved, and a decision letter was issued in June 2014. Rick Trombley closed the hearing at 6:12pm.

- **Lawrence Jr. & Laurie Lapan**  
Boundary Line Adjustment  
Medium Density Residential District  
VT Route 78

Prior to Mr. Gervais arriving, Laurie Lapan tried to answer as many questions for the board as she could. Rick asked if anyone on the board would need to recuse themselves from this hearing – no. Lawrence Jr. & Laurie Lapan would like to shift some boundary lines which are currently two properties which are combined for tax purposes. There are two separate deeds and they would like to

incorporate the barn into the remaining lands. Heidi noted that the first hurdle for them will be the easement and also a wastewater amendment so it would be noted that the lots are separate. Laurie stated that Ernest & April Lapan as well as Rose Salter (all neighboring properties) would need to be involved in the easement process. There is currently a road built up to the barn which is accessible from the existing driveway. There is currently a goat farm and cheese making plant up there and the potential owners want to own the barn and no longer lease it from the Lapans. The easement must be 50' and will be serving four properties. Laurie noted that the lots already exist, they are only changing the line to include the barn. Heidi added that anything serving more than two homes has to meet road standards. Tim had questions on how the access is decided. Laurie gave the copies of the deeds to Mr. Gervais, but she believes there are no dimensions on the deed as to the width of the right of way. This is something Mr. Gervais will need to figure out. The main barn was built around 2005 and an addition was put on just last year for the cheese making plant. Heidi clarified that the lot that was added by a separate deed was not a separate development lot. It is going to be one more owner who could potentially subdivide that property. It was noted that the back of Rose Salters property is too steep to be considered for an access. Rick asked for some clarification on the four lots, where they are and who owns them. Heidi pointed these out on the maps provided. Heidi asked Laurie if she was concerned that they would not be able to get a 50' wide access. Laurie added that in 1986 when they purchased the property from her in-laws, there were already three lots being accessed by the right of way. At 6:35pm Mr. Gervais was still not present, and the board really can't proceed until they know what is there for a right of way. There was some discussion on whether or not this could be classified as a BLA. It was decided that because there are no new lots being created and there are separate deeds, this is a BLA. Rick went over the criteria with the board. Mr. Gervais arrived at 6:48pm and apologized, he thought the meeting was warned for 7pm. Rick swore Mr. Gervais and Mrs. Lapan in. Mr. Gervais stated that the width of the driveway depends on where you measure it. There is no deeded width. At the most narrow portion it is between 20-25 feet and all of it that crosses lot #1 is 50'. Mr. Gervais noted they are only proposing changing the shape of the lots, no new buildings. It is possible to get a wider right of way, but the neighbors would have to agree. Laurie said that logging trucks and milk trucks go up through there and turn around with no problem at all. Mr. Gervais pointed out that this access already serves four lots, and there will still be just four lots. Heidi sees it differently. She thinks by separating the barn from the home, that they are in essence creating another lot and selling it. If another home were to eventually be added, the capacity of the road would need to be increased. Heidi stated that they are not adding another home, but they are adding another destination. Mr. Gervais disagreed with this. It is the boards call, of course, but it was noted that they are not increasing the usage of the barn either. Laurie noted that in 2007 another road was added to the barn that was not there before. Mr. Gervais added that if it is needed, the neighbors will have to be willing to sign off on an easement. Nothing would change for Mrs. Salter, really. The plans Mr. Gervais brought with him tonight are slightly different than what was provided ahead of time for the packets. The new plans have survey marks and more verbiage. Mr. Gervais feels if the neighbors are agreeable, a 50' right of way can easily be added to the plans. Mr. Gervais would like the board to approve the BLA with the condition that they obtain a 50' right of way all the way to Route 78. This appears to be the main concern. Without that, all conditions will not have been met. Rick Trombley closed the hearing at 7:12pm. The DRB will notify them of their decision and / or any conditions.

