

TOWN OF HIGHGATE

Development Review Board

Minutes

May 8, 2014

I. CALL TO ORDER

The meeting was called to order by chairman, Rick Trombley at 6:03pm.

Present at meeting:

- **Development Review Board Members:** Rick Trombley – Chairman, Tim Reynolds – Vice Chairman, Woody Rouse, Julie Rice, and Pauline Decarreau
- **Staff:** Heidi Britch-Valenta – Planning and Zoning Administrator, and Samantha Rice – Planning and Zoning Clerk
- **Applicants:** Michael Gosselin, Peter Mazzurak – *Engineer*, Andy Leduc, Eric Leduc, Pete Paquette, Benjamin O’Neil, and Chris Galipeau
- **Public:** Norman Champagna

Mr. Trombley swore in everybody present at the meeting.

II. PUBLIC HEARINGS

a) Michael Gosselin

Final Plat Review

2-Lot Subdivision

Agricultural District

671 Campagna Road, Highgate

Parcel # 0007-029-071

Mr. Trombley began the hearing by explaining to the public that at 4:00pm the majority of the Development Review Board and the Town Administrator did a site visit on Mr. Gosselin’s property. The Board checked the location of the pins but had a few follow-up questions. Mr. Trombley asked the engineer how often pins are usually placed. Mr. Mazzurak responded by stating that the pins are placed where the company feels they are necessary. They are not placed at every corner but the majority of the time they are placed just about in every corner. There are existing pins at the beginning of the road, located 3 inches below grade and then another one 18 inches below grade. At some points the company calculated the points and at other points they used the preexisting markers.

Commonly pins are placed at the end of a straight line they would put a pin and other points are put down by calculating, like around a curve but generally it's by discretion. As long as the geometry is there to locate between the points it is reproducible by another surveyor.

Mr. Gosselin is not proposing any changes from the previous hearing.

Mr. Campagna questioned as to why Mr. Gosselin's road was not centered in the right-of-way. As long as the road is located between the 50-foot easement there is no specific placement of where the road is located. It could be off center to the left or right or in the center.

Mr. Gosselin's address and a building envelope will need to be added to the Final Mylar in order to move forward. In addition, Mr. Gosselin has added a shared-use covenant for the easement. This covenant will be added to the deed.

Mr. Trombley closed the hearing.

b) Leduc Construction LLC.
Conditional Use Review
Sand Extraction Pit
Industrial/Commercial District
835 Route 78, Highgate
Parcel # 0018-078-161

In April the Development Review Board met with Mr. Leduc and his son, Eric and left the hearing pending regarding a potential bond to ensure completion of the extraction and reclamation on their Route 78 property. After the hearing in April the Board received two letters as testimony, one from Mr. Many and one from a select board member. Mr. Trombley read both of the letters out loud to the public.

In response to comments made in the letters of testimony, Mrs. Britch-Valenta explained that there is a difference between sand extraction on a 5-acre parcel and sand extraction on a larger parcel; the major difference is that ACT 250 does not review the application when the parcel is 5-acres or less.

According to the Reclamation Document of Vermont, which outlines the standards of sand extraction, when approving a sand pit use the Board should consider: reclamation of the pit in phases (allowing the owner to extract and reclaim an acre or two and then have an engineer sign off on the completion of that phase before the owner proceeded), a test to established the depth of the water table submitted by an engineer clarifying what the water table depth is and then designating the depth the owner can dig, and caution not to

allow extraction too close to a property line because it can cause instability for a neighbor.

Mr. Leduc has already extracted sand from the Route 78 location but then stopped when the Town notified him of the violation. The Contractor of the Border Patrol building asked Mr. Leduc for permission to place the extra sand from the Border Patrol property on to his Route 78 property. Then Mr. Leduc started moving the coarse sand from his Route 78 property to his sand pit on Route 207. The last time Mr. Leduc extracted sand was last year. The only time sand was moved was when Mr. Leduc sold a piece of land to Mr. Dan Menard that had a stockpile of sand. The Board then asked Mr. Leduc, as a sandpit owner, if he realized that you're not supposed to stockpile sand that close to boundary lines. He did not believe this was going to be an issue due to the fact that the Border Patrol Building came to him with the request.

Mr. Trombley then asked if there has been any soil testing on the property. In response, Mr. Leduc said no there hasn't been any soil testing but didn't feel as if it was needed because the dump sits below the property and the water runs downward away from the sand being extracted. Mr. Leduc plans on only digging 10-12 feet deep and doesn't plan on digging near the water table.

As far as the information given for reclamation, Mr. Leduc offered the Board an estimate of \$3,900 per acres for a bond. ACT 250 suggested that the Town of Highgate use a phase approach instead of a bond to insure that the reclamation is completed. Mr. Leduc would have to have a written agreement with proper documentation explaining the use of the 3 acres on the 5-acre lot.

If approved, the extractions would start at the back of the lot closest to the property that hosts field days and then move forward. Mr. Leduc's intent with all the sand that is currently stockpiled at the Route 78 property is to leave that sand there and extracted the coarse sand to their Route 207 site.

Mr. Trombley closed the hearing.

c) Pete Paquette / Benjamin O'Neil & Tara Gagner
Boundary Line Adjustment
Medium Density Residential District
Rheaume Road, Highgate
Parcel # 0002-009-006

Mr. Paquette is proposing a boundary line adjustment for 2 lots. The transfer of land will be from Mr. Paquette's lot (#3) to Mr. O'Neil's adjoining lot (#2). The 12.42 acres outlined at the north of the property is going to be shifted over to affix Mr. O'Neill and

Miss Gagner's property. There is a boundary line that is going to be eliminated between lot #3 and the existing lot #2 and then a proposed boundary line will be created between the two lots. Mr. Paquette will be left with 8.54 acres and Mr. O'Neil and Miss Gagner will be gaining 12.42 acres resulting in 23.3 acres.

The existing, lot #2 had previously been sold to Mr. O'Neil, who resides on the property, by Mr. Paquette and now Mr. Paquette is allowing the transfer of land to Mr. O'Neil. Lot #3 currently has an existing double-wide on it with a septic so the state just needs to be notified for approval. Currently there is no construction changes proposed for lot #3.

Mr. Trombley closed the hearing.

d) State of Vermont – Franklin County Airport
Site Plan Review
Addition of 4 hangars and Relocation of the Access
Industrial/Commercial District
Airport Road, Highgate
Parcel # 0018-018-012

Mr. Galipeau explained that the use of the airport will not change with the proposed additions; the only changes are to the structures and the access. There are two components to the project; one is the existing access drive relocation and the construction of 4 new hangars. Currently the road is within a 30-foot access area and to add organization to the airport they are proposing to change to a linear alignment and providing paved aprons on the back side of the hangars to provide more parking spaces. In making this change, under the State rules, the amount of impervious area changes therefore the airport has submitted a storm water proposal to the State. As part of the local approval the airport will be amending the ACT 250 permit to address the criteria given by the Board. There are two proposed 60-foot by 60-foot hangars on the north side by the driveway, one proposed 60-foot by 60-foot hangar by the main entrance on the right and a proposed 135-foot by 40-foot hangar along the existing access. These added hangars will all be in-between existing hangars. In terms of hangars they are cold storage so there is no water, wastewater or heat being proposed in the hangars. Normally the hangars are leased out to a private entity with a lease agreement and it is the responsibility of the private airplane owner to construct the pre-manufactured hangars. They pay for the hangar and then pay rent to the State. The only change to the current prints in front of the Board is the addition of a location map to be included.

Mr. Trombley closed the hearing.

III. OTHER BUSINESS

The Board reviewed the minutes from the last Development Review Board meeting on April 10, 2014. The corrections needed were provided to the Developmental Review Board Secretary.

MOTION: Mr. Trombley motioned to approve the April minutes with corrections. Mr. Reynolds seconded the motion. Motion carried unanimously at 7:30pm.

IV. DELIBERATIVE SESSION

MOTION: Mr. Trombley motioned to go to deliberative session. Mr. Reynolds seconded the motion. Motion carried unanimously at 7:40 pm.

MOTION: Mr. Trombley motioned to go back into regular session. Mr. Rouse seconded the motion. Motion carried unanimously at 8:11 pm.

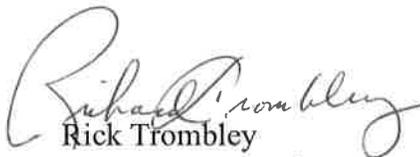
V. ADJOURNMENT

MOTION: Mr. Rouse made the motion to adjourn the meeting. Mrs. Decarreau seconded the motion. Motion carried at 8:14 pm.

Respectfully Submitted,

Samantha Rice
Development Review Board Secretary

Minutes approved by:


Rick Trombley
Development Review Board Chair

7.17.14
Date