

TOWN OF HIGHGATE

Development Review Board Minutes February 13, 2014

I. CALL TO ORDER

The meeting was called to order by chairman, Rick Trombley at 6:00pm.

Present at meeting:

- **DRB Members:** Rick Trombley – Chairman, Tim Reynolds – Vice Chairman, Woody Rouse, and Julie Rice; *Pauline Decarreau was absent*
- **Staff:** Heidi Britch-Valenta – Planning and Zoning Administrator, and Samantha Rice – Planning and Zoning Clerk
- **Applicants:** Richard Deso, Brad Ruderman – Engineer, Daniel Menard, Stephen Tetreault – Surveyor, Daniel Brousseau and Roy Hango - Surveyor
- **Public:** Chris Yates, Bob White, Sandy & Paul Thibault and David & Bev Danyow

Before Mr. Trombley began the public hearings he told the public that the DRB will not allow threats made at an individual board member or the Board as a whole whether the threat was intended to be serious or a joke.

Mr. Trombley swore in everybody present at the meeting.

II. PUBLIC HEARINGS

A. DESO LEDUC PROPERTIES LLC.

Preliminary Plat Review and Conditional Use
16-Unit Subdivision, Medium Density Residential District
Lamkin Street, Highgate
Parcel # 0021-005-197

Mr. Ruderman started by saying that there were a few changes made from the previous meeting. The first change was adding a cul-de-sac with a grassy center at the end of the road instead of the previously proposed hammerhead. Mr. Deso indicated that the area around the cul-de-sac will remain in its natural conditions. Next Mr. Deso proposed to

include a 4-foot grass path along the side of the road to be used as a pedestrian walkway. Then Mr. Ruderman pointed out that the current site plan also has more defined storm water management details. Mr. Deso and Mr. Ruderman met with a storm water engineer with whom they decided to put grass swales on both sides of the road and in the rear of each of the properties. In relation to the pedestrian path, the pedestrian path will be located along the road and then the swales will be alongside of that. Mr. Deso has also proposed increased isolation area from Mr. and Mrs. Real's well.

Next Mr. Ruderman explained the grass path proposed to be used as a pedestrian access. The path is going to be a grass area adjacent to the road and will be mowed by the homeowners association. The path is within the right-of-way so it will be considered part of the common land and will be marked by property pins; the grass swales separate the pedestrian path from the property line. The Development Review Board is concerned that the grass pedestrian path isn't going to keep people off from the road as intended. Mr. Deso suggested raising the grass path above the road or adding white crushed stone with a grass strip in between in order to keep the stones out of the road.

In addition to these changes, Mr. Deso reconfigured the lot lines for lot #11 and lot #12 in order to avoid destruction of the sage plant due to the rare species of plant. There is no further blocking proposed for that area. Mr. Reynolds asked Mr. Deso how he will be able to make sure that the homeowners don't mow over the rare sage grass. Mr. Deso said he would fence these areas off and put the location of the plant in the deeds.

Then Mr. Ruderman asked the Board if Mr. Deso could change the 30 foot perimeter. With that said, they would like to request a waiver of setback for 10 feet on the sides and 40 feet in the front of the lots. The proposed change in setback would be for all 15 lots.

Mr. Deso also requested that the road be paved after five building permits have been received.

Mr. Deso's ACT 250 application has not been sent to the State yet.

Mr. Trombley asked if there were any question from the public.

Mr. Yates asked if the buried septic and leach fields would be up sloped from the well. Mr. Deso explained that no they will be down sloped from the well. He also asked what the total length of the road was. Mr. Ruderman said the total length of the road is 13,023 feet and 50 feet wide. Then Mr. Yates suggested that he would like to see a 30-foot setback in between each lot instead of 10 feet. Mr. Yates also discussed the fact that Mr. Deso is considering his right-of-way as part of his common land. These 2-acres that make up the right of way in fact cannot be considered as part of the common land.

Mr. Trombley closed the hearing.

B. DANIEL & LISE BROSSEAU

Sketch Plan Review

7-Lot Subdivision, Medium Density Residential District

Morey Road, Highgate

Parcel # 0013-006-230

Mr. Trombley began the hearing by asking if anyone on the Board felt the need to recuse their self from this particular hearing. The Board and Mr. Brosseau had no objections to anyone serving on the Board.

Mr. Brosseau is proposing to subdivide a 463.93 acre parcel into seven lots. Six of those lots will be new building lots and the seventh lot will consist of the remaining land. Mr. Brosseau plans to provide access to the six lots off from the existing Darlene drive. This access consists of a 50 foot right-of-way with a 16 foot travel portion. Mr. Brosseau has not thought of a name yet for the access road located off from Darlene Drive. The setbacks for the six lots are in accordance with the town Bylaws. Mr. Brosseau is proposing to use conventional in ground septic systems for the six building lots. In order to place all the wells on the individual lots Mr. Brosseau will need to shift the septic systems from some of the adjacent lots. Lot #2, #4, and #6 are going to have 2 sewers on each. Currently Mr. Brosseau has not found any drainage or erosion problems.

The Board suggested to Mr. Brosseau that the travel portion for his access was too narrow and needs to meet A76 standards. Then the Board suggested that after three building lots have been constructed the access road needs to be paved.

Next, Mr. Rouse explained to Mr. Brosseau that the Town of Highgate, in accordance with the Fire Department, is trying to get rid of hammer heads at the end of developments and instead are requesting that cul-de-sacs be put in. The applicant was willing to change that part of his proposal.

Then Mr. Trombley asked if there were any questions from the public.

Mr. Thibault, an adjoining landowner asked where the road is going to be located adjacent to Darlene Drive, because currently it looks like the access is going to be located 25 feet from Mr. and Mrs. Thibault's well. Mr. Brosseau's engineer assured Mr. Thibault that the access wouldn't harm his well and is accordance with all State regulations.

Then Mr. White, an adjoining landowner asked if there were going to be any changes made by his house. There is nothing proposed that is going to affect Mr. White.

Before the hearing was closed the applicant told the Board that he would prefer to come back in April for Final Plat instead of March because that was too soon to make all the changes requested by the Board.

Mr. Trombley closed the hearing.

C. DANIEL & JANE MENARD

Site Plan Review

Contractor Yard, Industrial/Commercial District

Leduc Industrial Park Road, Highgate

Parcel #0018-074-028

Mr. Menard is proposing to create a contractor yard on a lot that was previously divided by ACT 250. The lot has recently been purchased by Mr. Menard to be used as a contractor yard for his business, Dan's Concrete. Mr. Menard is proposing a 40 x 60 foot building with the office and a covered storage area in the rear. The driveway and parking lot will consist of gravel. The waste water system will be a mound system. Design counts have not been done yet and Mr. Menard would like to wait until after sketch plan to move forward with them. But Mr. Menard has already tested bits around the mound site. Mr. Menard and his engineer have retraced the boundary survey since it last had been modified and didn't find any alarming issues other than the Vermont Brick driveway encroaches onto the property. The parking spaces have changed from his original proposal. Mr. Menard is proposing two parking spaces in the front near the office and two parking spaces in the back. He is planning on keeping the natural buffer along Route 78.

Mr. Reynolds asked if there was going to be a sign or anything to label the contractor yard. Mr. Menard has not thought about a sign yet but if a sign is going to be proposed it will be a building mounted sign by the door. Then Mr. Reynolds asked if there would be any lighting outside of the office building. Mr. Menard is planning on using motion light for security and all lights will be down-shielded.

Mr. Trombley asked if the public had any questions for Mr. Menard.

Mrs. Danyow asked what the total acreage for the lot was and what kind of well Mr. Menard was going to be using. The lot is 3.9 acres and Mr. Menard is expecting to use a drilled well.

Mr. Trombley closed the hearing.

D. OTHER BUSINESS

The Board reviewed the minutes from the last Development Review Board meeting on

January 16, 2014. The corrections needed were provided to the Development Review Board Secretary.

MOTION: Mr. Rouse motioned to approve the January minutes with corrections. Mrs. Rice seconded the motion. Motion carried unanimously at 7:59pm

E. DELIBERATIVE SESSION

MOTION: Mr. Reynolds motioned to go to deliberative session. Mrs. Rice seconded the motion. Motion carried unanimously at 8:04pm.

MOTION: Mr. Trombley motioned to go into regular session. Mr. Reynolds seconded the motion. Motion carried unanimously at 8:47pm.

MOTION: Mr. Trombley motioned to approve Mr. Deso's 16-unit P.U.D with the following conditions:

- A sidewalk needs to be installed elevated above road level;
- The sidewalk needs to be either cement or paved;
- The sidewalk must be 4 feet wide and have a 2-foot grass strip in between itself and the road;
- All culverts must be 15 inches in diameter by 40 feet long per driveway;
- Five house permits can be issued to the applicant and then the road must be paved;
- A bond will be required in the amount of an estimate provided and agreed upon
- The engineer must submit a cost estimate for paving the road in order to issue a bond amount;
- The bond will be held for 2 years after the Town's approval;
- Covenants must be written for the restricted use of garbage disposals and the protection of the sage plant;
- Sample deeds and covenants must be submitted to the DRB;
- The applicant must understand that open space does not include the road (Per Section 720.3 (F) Open Space).

Mrs. Rice seconded the motion. Motion carried unanimously at 8:52pm.

**NOTE: After conferring with Regional Planning Commission this application was denied due to the numerous conditions needed to make this proposal compliant.*

MOTION: Mrs. Rice made a motion to approve Mr. Menard's Site Plan for a Contractor Yard with the following conditions:

- The hours of operation remain 6am to 7pm, six days a week, Monday thru Saturday;
- There are 8 parking spots provided, 2 parking spots in the front and 6 parking spots in the back of the building;
- The building must consist of the proposed 40 x 60 foot dimensions;
- Any future signs have to meet the bylaw regulations;
- If there are plans for a sign, the sign must be located on the site plan;
- The applicant must receive ACT 250 approval before a building permit can be received.

Mr. Reynolds seconded the motion. Motion carried unanimously at 8:54pm.

MOTION: Mr. Trombley made a motion to approve Mr. Brosseau's 7-lot Sketch Plan with the following conditions:

- The subdivision needs to have a cul-de-sac at the end of the road with a 100 foot diameter;
- The applicant needs to submit a sidewalk proposal to the DRB;
- The roadway must meet A76 standards;
- The applicant needs to receive a letter from the State explaining the wetland situation;
- The applicant needs to provide a road name and a development name;
- The applicant must receive an approval letter from the Fire Department and the Highgate Elementary School.

Mrs. Rice seconded the motion. Motion carried unanimously 8:56pm.

F. ADJOURNMENT

MOTION: Mr. Trombley made the motion to adjourn the meeting. Mr. Rouse seconded the motion. Motion carried unanimously at 9:07pm.

Respectfully Submitted,

Samantha Rice

Planning & Zoning Clerk

Minutes approved by:



Rick Trombley
Zoning Board of Adjustment Chair

Date 5.8.14