

# TOWN OF HIGHGATE

## Development Review Board

February 14, 2019 @ 6pm  
Approved Minutes

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

### I. CALL TO ORDER

The meeting was called to order by Chair, Richard Trombley @ 6:00pm, noting there was a quorum of the board present.

Present at this meeting:

**DRB members:** Richard Trombley, Chair; Tim Reynolds, Vice-Chair; Woodbury Rouse, Jr *absent – Julie Rice and Scott Martin*

**Staff:** Wendi Dusablon- Town Clerk / Public Meetings Clerk;

**Public / Other:** Adam Locke; Russell Stanley; John Ferland; Nancy Bockus; Kyle Wells; Karina Ckless; Ed Manna; John Rainville; Clarence Miller; Steve LaFar; Sharon Bousquet

### II. PUBLIC HEARINGS

*State of Vermont*

*Agency of Transportation (VTrans)*

*Conditional Use Review*

*629 Airport Road*

*Industrial / Commercial District*

Kyle Wells, Project Manager with VT Agency of Transportation, was present and was sworn in. He had plans to share with the board, which had also been submitted in advance of this hearing. The proposal is a relocation of the perimeter and safety fence to comply with FAA guidelines. They will be submitting a grant in May to see if they can get the project funded. The fence is proposed to be 8' high, chain link, and will be competitively bid out through their contract administration department at VTrans. Kyle has reviewed our bylaws and feels this project meets the town's criteria for a conditional use review. He pointed out on the plans the closest point to the main road, which is Route 78. There were questions about the runway extension comparative to this fence proposal. These projects will not interfere with one another. Gates are being proposed for maintenance purposes and so hangar owners can get through. Kyle hopes to eventually have a trail on the outside of the fencing for maintenance purposes and to get towards the back side of the property. Woody expressed concern for owners of hangars at the airport and having difficulty accessing their buildings. There were no further questions from the board, the applicant or others present. Rick read through the criteria for a conditional use review from the development regulations. Motion by Tim Reynolds to close this hearing. The motion was seconded by Woody Rouse – **APPROVED.** The DRB has 45 days to issue a written decision.

*Ferland, John & Jane*

*Boundary Line Adjustment (continuation from previous hearing)*

*3565 Gore Road*

*Agricultural District*

John Ferland and abutting land owner John Rainville were present. Both were previously sworn in and were reminded they are still under oath. Mr. Ferland came into the office and spoke to Anna. Harvey Chaffee, surveyor, was also in the office at the same time. They hashed out a few things and he believed they came to the understanding that if they were able to show where the two separate parcels he owns are located, and showed all abutting land owners, that he probably would not have to survey his whole property. Anna has since left her position as ZA for the Town of Highgate so the board is not aware of any conversation that did or did not take place. Mr. Ferland is proposing to have a new dividing line and to keep a portion (39 acres +/-) and sell a portion (152 acres +/-). Tim Reynolds strongly feels this proposal is a subdivision, not a BLA. The board agreed, adding that it is a subdivision but moving a boundary line also. The criteria for a BLA and subdivision are different, per the development regulations. For example, the well needs to be shown in addition

to the septic system and replacement septic system area. Town approval is also contingent on any necessary state permits. When you subdivide, you submit a final mylar which sets things in stone at the town level. Mr. Ferland is not happy about having to survey his entire property when the info is already recorded here in the deeds. He further stated it is farmland and will remain as farmland even after he sells some of it, and there are no plans to develop it. The property is not in land trust. Steve LaFar asked if the property has any recorded mylars on file with the town already. Mr. Ferland is not aware of any. Sharon Bousquet asked about the zoning bylaws and if this topic is covered in that document. This subdivision also creates a non-conforming lot, at least until Mr. Rainville purchases it. Once everything is finalized, the applicant has 180 days to submit and record the final mylar with the town, otherwise the decision is null and void. Rick Trombley read from the development regulations section 4.1 "*property boundary surveys are required for all new subdivided lots. Property boundary surveys are required for the entire parcel (original lot from which lots are subdivided) when: it is 10 acres or less in size and /or greater than 50% is subdivided into lots*". There was lively discussion on how this section of our bylaws can be interpreted in different ways and the need to edit this section in our next re-write. Mr. Ferland prefers not to have to survey the entire thing and there is no one disputing anything. This proposal is now considered a two lot subdivision, the big question is if he will be required to survey his entire property, based on section 4.1 in our bylaws. This will require further discussion in deliberative session. Other than this issue, everything Mr. Ferland has presented is looking good. All the abutters are listed, but tax map info and zoning info is missing. A letter will be sent to Mr. Ferland with what the board is requiring before he can come back for a final review. There were no further questions from the board, the applicant or others present. Motion by Rick Trombley to continue this hearing. The motion was seconded by Tim Reynolds – **APPROVED**. Mr. Ferland does not need to attend the final review hearing as long as the documents requested are submitted by the deadline. The decision to attend is up to him.

**Locke, Adam & Nannette**  
**4-Lot Subdivision – Sketch Plan Review**  
**1158 Lamkin Street**  
**Medium Density Residential District**

Adam Locke and Russell Stanley were present for this hearing. Adam has a total of 23.95 acres made up of two separate parcels. The front parcel is 5 acres +/- and he would like to subdivide this into 4 lots. Lot #1 with current home = 1 acre; Lot #2 = 1 acre; Lot #3 = 1 acre; Lot #4 = 1.76 acres. The back lot (18.95 acres) will remain untouched, as is. Mr. Locke is working with TDH on the surveying. He owns the right of way, which will remain in the same location, and be used to access the new lots. A cul-de-sac will need to be added to the plans and anything over 3 lots needs to be developed to A76 standards and paved. No sidewalk is being proposed for along the right of way. There were questions about lighting and above ground power vs. underground. A road agreement will need to be incorporated into the deeds as the lots are sold. There were questions about the existing house on lot #1. That will stay, there are no immediate plans to remove and / or replace that. The goal is to start with lot #2 and work backwards, he will then think about any changes to lot #1. Tim asked about the right of way width – it needs to be a minimum of 50'. The plans indicate 49.5'. Adam will get clarity on that but he knows it is definitely 50'. There were no further questions from the board, the applicant or others present. Rick read through the criteria from the development regulations. After this project is developed, it will require a road name. Mr. Locke plans to name it after his great-grandfather, the original owner of the property in his family. A letter will be sent to Mr. Locke with what he needs to come back with for his next review. The engineer (TDH) will need to update the plans. Motion by Rick Trombley to continue this hearing. The motion was seconded by Tim Reynolds – **APPROVED**.

**Cadieux, Betty – Estate of**  
**Bockus, Nancy – Applicant / Executor**  
**Boundary Line Adjustment (continuation from previous hearings)**  
**550 VT Route 78**  
**Industrial / Commercial District**

Nancy Bockus was present for this hearing and had been sworn in at a previous meeting. Additional documents were requested at the last meeting, which Mrs. Bockus submitted prior to this hearing for the board's review. The plans were updated from Barnard & Gervais and a sample deed was submitted from Timothy Hawkins with the incorporated language for easements, the road agreement and the shared water system. The DRB was satisfied with the paperwork that was submitted and thanked Mrs. Bockus for her patience. Motion by Rick Trombley to close this hearing. The motion was seconded by Tim Reynolds – **APPROVED**. Nancy will receive a decision letter and it will be a top priority because she has waited so long while we worked through this process.

**III. APPROVAL OF MINUTES**

Motion by Rick Trombley to accept the minutes from *January 10, 2019*, as amended. The motion was seconded by Tim Reynolds – **APPROVED**.

**IV. OTHER BUSINESS & UPDATES**

- Decision letters (MVU and M5) for review
- Mylars (Brosseau and M5) for review

**V. DELIBERATIVE SESSION**

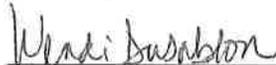
Motion by Tim Reynolds to enter into deliberative session @ 7:18pm. The motion was seconded by Woody Rouse – **APPROVED**.

Motion by Woody Rouse to exit deliberative session @ 7:59pm. The motion was seconded by Tim Reynolds – **APPROVED**.

**VI. ADJOURNMENT**

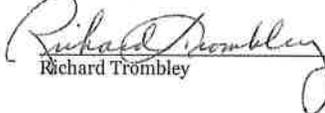
Motion by Tim Reynolds to adjourn the meeting @ 8:00pm. The motion was seconded by Woody Rouse – **APPROVED**.

Minutes respectfully submitted by:

  
Wendi Dusablon, Town Clerk &  
Public Meetings Clerk

4-11-19  
Date

Minutes approved by:

  
Richard Trombley, DRB, Chair

4.11.19  
Date