

# TOWN OF HIGHGATE

## Development Review Board

October 10, 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 @ 6:03pm, 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; Michael Kravetz

**Staff:** Wendi Dusablon- Town Clerk / Public Meetings Clerk; Samantha Derosia – Zoning Administrator

**Public / Other:** John Ferland; Cheryl Messier; Janice Lapan; Norman LaPan; Tammy Lapan; Rick Lapan; Armand Messier; Peter St. Germain

### II. PUBLIC HEARINGS

**Ferland, John & Jane**

**2 Lot Subdivision – Final Plan Review**

**3565 Gore Road**

**Agricultural District**

John Ferland was present and had been previously sworn in. Abutting property owner Peter St. Germain was also present. John had submitted large plans in advance of this meeting and had brought smaller copies with him. Rick went through the list of items needed from the previous hearing – contour lines, parcel #, signature blocks and zoning information. All these items appeared to have been added to the plan and everything was in order. Tim asked about the replacement septic area. This was not required, and John had submitted paperwork for the file at the last meeting on this. Michael asked about lot 2 (153 acres) and how you access that lot. There is currently no access but if John sells to his abutting neighbors, John & Judy Rainville (as planned), they will be able to access it through their existing property. Motion by Tim Reynolds to close this hearing. The motion was seconded by Woody Rouse – **APPROVED**. A decision letter will be issued within 45-days and sent to John Ferland and his engineer Harvey Chaffee.

**Lapan, Norman & Janice**

**Conditional Use Review & Site Plan Review**

**540 US Route 7**

**Medium Density Residential District**

Norman and Janice Lapan were present, as well as their son Rick Lapan and his wife, Tammy. Also present was neighbor Cheryl Messier and her son, Armand Messier. All were sworn in by Rick Trombley, Chair of the DRB. Rick Trombley commented that the Lapan property looks very nice and is kept up very well. Norman and Janice plan to continue residing in their home located at 540 US Route 7. Their son, Rick Lapan, plans to run his automotive business out of the 50' x 100' garage facility. The property will be considered a "mixed use" property with residential and business on it. Norman, Janice and Rick Lapan are here to get the necessary permits for this to happen. Norman has already applied for the permit for the storage container. Samantha, ZA, noted that the permit was applied for, paid for and approved, but never completed and recorded because of some missing information, which Norman completed at this meeting. The Conditional Use and Site Plan Reviews were applied for in June 2018 for the July 2018 DRB meeting. It was realized through the paperwork and survey process that a small portion of the Lapan garage was built on State of Vermont property, which put a halt to everything. On September 10, 2019 the Town of Highgate received a mylar for the boundary retracement survey, as well as a quit claim deed and property transfer for 2.04 acres. Mr. and Mrs. Lapan now own the property that was previously in question. The documents have been recorded in the Town of Highgate land records, map slide 436-B (mylar) and Vol. 189 Pages 540-544 (deed and transfer). Copies have also been added to the DRB file. Wendi

thanked them for their patience, noting that anything to do with the State of Vermont takes time. Rick Lapan does not plan to have any employees on site other than himself. The garage has a separate 1,000 gallon septic tank and has water also. Proposed hours of operation for the automotive garage are Monday – Friday from 8am – 5pm and Saturdays from 8am – noon. Deliveries will be from traditional carrier services, such as UPS. Oil will be disposed of using an oil burner. There are two driveways to the property that form a horseshoe shaped driveway, one for in and one for out. Rick Trombley had questions about the traffic flow pattern. Rick Lapan is considering a gate for one of the access points. Parking was discussed as well. Rick Lapan estimates anywhere from 8 to 12 cars on site at any given time. He plans to work on cars and trucks (all automobiles) but not tractor trailers. Rick Lapan currently operates at 80 St. Albans Road in St. Albans. He would like to use his same signage, which is double sided, at the 540 US Route 7 location. Signage was discussed further, and the section was read aloud from our development regulations. More information on signage will be sent as part of the DRB decision letter following this hearing. The board asked about lighting at the new location in Highgate. Currently there are three motion lights in place on the front, side and rear of the garage in Highgate. More lighting can be added if the board makes it a requirement. Rick Trombley asked for any comments or questions from those in the audience. Armand and Cheryl Messier had questions. Armand also stated that the Lapan family have been good neighbors and he wishes them well with the proposal before the board. Armand does not live at the property, but his name is on the deed. Mr. Messier asked about car storage and if it would be inside or outside. Rick Lapan answered that some would be stored inside and outside. The DRB will have the final say on how many vehicles can be on site. Mr. Messier also asked if car sales are part of the business proposal. Rick Lapan answered that if he does a job and is told that the customer can't afford to pay, it has happened where they turn the title over to him and he would try to sell it. So there may be a few cars out there for sale from time to time. Any cars outside will be running and operable vehicles, unless they are waiting for parts. Cheryl Messier asked about cars for sale and if there would be any flashy lighting – no, there will not. The plan is for auto repairs mostly. Armand asked to clarify the hours being requested for Saturdays, which are 8am – noon, and also asked about chemical and fluid storage. Rick Lapan answered that these are stored in barrels and that they are picked up by companies and this is well documented by the State of Vermont. Mr. Messier also asked for clarification on the permit mentioned earlier that needed perfecting. Samantha clarified the permit for the storage container was paid for and approved but was never signed and recorded in the land records. It was still in the DRB file with the other documents and was found while preparing for this hearing. Tammy Lapan asked about restrictions on signage. More information will be given to them as part of the decision letter process. As far as selling cars, the board will decide on the limit for sales and if their business needs change, they will need to come back to the DRB. Rick Trombley read through the criteria for a Conditional Use Review from the development regulations. Rick Trombley then read through the criteria for a Site Plan Review from the development regulations. Woody asked what happens if a customer comes in after 5pm or there is a tow in after 5pm. Rick Lapan would accommodate them, especially in an emergency situation. Michael asked how many bays they have – there are two large doors and one small one. 18-20 cars could easily fit inside the garage, which is 50' x 100'. There will be two lifts inside as well. There were no further questions from the board, the applicants or the public. Motion by Woody Rouse to close this hearing. The motion was seconded by Michael Kravetz – **APPROVED**. A decision letter will be issued within 45 days.

### III. APPROVAL OF MINUTES

Motion by Rick Trombley to accept the minutes from September 12, 2019, as written. The motion was seconded by Tim Reynolds – **APPROVED**.

### IV. OTHER BUSINESS & UPDATES

- The board members signed the DRB Rules & Procedure and Conflict of Interest Policy that was approved at the last meeting.
- The decision letter for the Handy 4-lot subdivision was signed.
- Samantha provided the board with updates since the last meeting.
- We have received a letter of interest for the DRB open seat. Wendi will be putting this before the Selectboard on Oct. 16<sup>th</sup>.
- Samantha has a few other items for deliberative session.

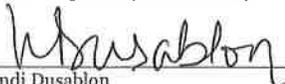
V. **DELIBERATIVE SESSION**

Motion by Rick Trombley to enter into deliberative session @ 6:55pm. The motion was seconded by Tim Reynolds – **APPROVED**. Motion by Woody Rouse to exit deliberative session @ 7:50pm. The motion was seconded by Tim Reynolds – **APPROVED**.

VI. **ADJOURNMENT**

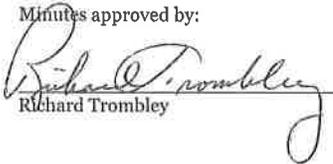
Motion by Rick Trombley to adjourn the meeting @ 7:50pm. The motion was seconded by Tim Reynolds – **APPROVED**.

Minutes respectfully submitted by:

  
Wendi Dusablon, Town Clerk &  
Public Meetings Clerk

11-14-19  
Date

Minutes approved by:

  
Richard Trombley, DRB, Chair

11.14.19  
Date