

TOWN OF HIGHGATE

Development Review Board

July 11, 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; Michael Kravetz *Scott Martin – resigned from the DRB 7/3/19*

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

Public / Other: Michael Gervais – Barnard & Gervais; Bernie Gladden; Chris Boudreau; Brian Killkelley – Native Energy; Jen Davis – VTrans; Kyle Wells – VTrans; Adam Locke; Russell Stanley; Dan Handy

II. PUBLIC HEARINGS

**Campagna, Donald – Estate of
Browne, Nancy – Executor
2 Lot Subdivision – Final Plan Review
758 Campagna Road
Agricultural District**

Michael Gervais was the only one present for this hearing. B&G received the follow up letter from Samantha after the last meeting and prepared the plans for this final review. There were no changes to the boundaries. Everything is nailed down and will be on the final mylar. The ag well is shown as requested. With regard to the power supply, there was a trench on site, but no lines were in when they were there. Curb cuts are shown, one field access and one gravel driveway to the greenhouse structure. Rick asked if both curb cuts are staying there. It was noted that proper permits were obtained for the greenhouse structure as well as the driveway to it. There were no further questions from the board or from Michael Gervais. Rick read through the criteria from the development regulations for final plan review. Motion by Tim Reynolds to close the hearing. The motion was seconded by Woody Rouse – **APPROVED.** A decision letter will be issued within 45 days.

**Gabree, Marc
2 Lot Subdivision – Preliminary Plan Review
90 US Route 7
Medium Density Residential District**

Michael Gervais was also present for this hearing, as well as two abutting property owners – Bernie Gladden @ 175 Jewell Avenue and Christopher Boudreau @ 266 Jewell Avenue. All were sworn in by Rick Trombley. The proposal is to subdivide off an acre for Marc's daughter, Amber, and build a single family home. There is a shared driveway that will be used and it will split off to the northerly side of the existing garage. The distance from the driveway to the property line is more than 50' according to Michael Gervais. The driveway will extend about 150' to the new house site. The location of the house site is approximate at this time but will be more finalized with a building envelope for the final review. There will be an onsite septic mound as well as a replacement area with a small easement in between for maintenance. For water they will tap into the Swanton municipal system and run a water line easement to serve the new house. They have not yet attempted to get the allocations for water and septic, but they will. And if they have to, they will propose a well. Woody asked how many homes total will be coming off that driveway. The total would be three with the new dwelling. This will then become a road, not a driveway, and require a road name to be chosen and approved by the town. Michael Kravetz asked about the septic systems being close together and if effectiveness and performance will be impacted. Michael Gervais explained that they are side by side on a downhill slope and the mound

will be sized according to state regulations, 10 x 42, and the soils are good there. The right of way to the new house will be 50' the entire way. There was discussion about the old railroad bed (wood trail) that is now owned by the Town of Highgate. Up further on Decker Road it becomes State of VT property, just north of the property owned by the Machia family. Both Chris Boudreau and Bernie Gladden had questions about this property. Chris asked if the State owned it all at one time – yes, they did. Michael Gervais added that the Railroad deeded it over to the State and the State in turn deeded a portion to the town. Michael Gervais isn't certain, but believes that the town can impose the requirements on it as it sees fit. There was further discussion about lease agreements that needed to be signed with the State years ago. Mr. Gabree isn't proposing any development at this time for the area being discussed near the railroad bed. That area of his property has nothing to do with the proposal before the board tonight. Bernie Gladden asked about the location of the new house and how far off the boundary it will be. Michael Gervais replied that the building envelope will be marked out on the final plan with setbacks noted to the septic, property lines, etc. The house can be moved within the building envelope, but it will be approximately 80' from the Gladden property line. There were no further questions or comments. Rick read through the criteria from the development regulations for preliminary plan review. Michael Gervais will be meeting with a rep from the State regarding wetlands to review the site, so there may be some changes after that visit. The driveway (road) will have to be named when the third residence is added. A follow up letter will be sent recapping this meeting and what is required to move forward. A road name request form will also be sent out. Motion by Tim Reynolds to move this hearing to final review. The motion was seconded by Michael Kravetz – **APPROVED.** The deadline is July 22nd to be added to the August 8th DRB agenda.

**Handy, Lawrence J; Handy, Lorraine
Handy, Floyd E. – Family Partnership
c/o Handy, Daniel
4 Lot Subdivision – Preliminary Plan Review
423 VT Route 78
Industrial / Commercial District &
Medium Density Residential District**

Present for this hearing were: Dan Handy; Kyle Wells and Jen Davis – VTrans. Mr. Handy's engineer, Peter Garceau from Cross Consulting, was not present. The follow up letter sent after the sketch plan review was recapped. The lots were renumbered as requested, with the largest lot being labeled as lot #1 not as "remaining lands". Dan is hoping that the curb cuts will come off Airport Road, but that isn't known at this time. There was discussion about the old town road, Hempyard Road, that has been discontinued. Dan made mention of the access points already on the property – a driveway to the little house, an access road for the barn and field and another access road further to the west. There is one party interested in the front parcel, but those discussions are very preliminary at this point. The goal for now is to get it all subdivided and make sure things are within reasonable scope to move forward when it's time for permitting. Lot #4 has a slab there and no decisions have been made about removing it or not. Adjacent to that is another pad. Kyle Wells from VTrans believes Airport Road is a state owned road and when a curb cut is made you need an access permit (called an 11/11 permit). The town has Airport Road listed as a private road that is maintained by the State. A boundary survey is in the works of the entire airport property. It should be complete in the next few weeks and a copy will be sent to the town for recording, per Kyle. Jen Davis from VTrans wanted to highlight the height restrictions in the airport overlay district as well as lighting that needs to be thoughtfully planned out in and around the airport. Dan would have liked to see impact fees implemented at the airport years ago. Kyle spoke about easements that will be needed as each lot gets separated out. He gave more detail on the easement project. Woody pointed out some possible setback issues, depending on where the access points are (Airport Road vs. VT Route 78). It makes sense to Jen and Kyle to access from Airport Road if possible, considering the speed limit on Route 78 is 50mph. Kyle did ask to confirm that no development was proposed at this time on the larger lot (lot #1). Dan noted that no development is being considered for lot #1 during this phase. There was further discussion on the possibility of water and septic coming to the airport from Swanton in the

coming years. A group has been put together to study this possibility and is working with a consultant. This group has met a few times and had a meeting earlier today. It was noted that for the final review that building envelopes need to be added to the plans. Motion by Tim Reynolds to move this hearing to final review. The motion was seconded by Woody Rouse – **APPROVED**. The deadline is July 22nd to be added to the August 8th DRB agenda.

III. **PRESENTATION – NATIVE ENERGY**

Brian Killkelley was present from Native Energy with a brief presentation on the proposed 44 kW Dairy Manure Anaerobic Digester and Electric Generation Project @ 1881 Durkee Road. This location is the Laroche Farm (Matt Laroche). Brian shared the presentation and answered questions from the board along the way. This is the first project of its kind in Highgate. There are others in Franklin County for example – in Franklin, Berkshire and Sheldon. Matt has 300 cows, and this system can handle 220. Native Energy will contract out the maintenance of the system locally. Matt will have his own role as “eyes on the ground”. Matt will be there for anything immediate. Brian shared the basic layout of how the system works. The board had questions related to the manure stream, organic material, producing bedding, more information about the pump, extra heat waste, where the parts come from, how long would the system be down, methane gas and CO₂, among other questions. There are securities built into the system to alarm when necessary. The covers have a modest expansion capacity to take on pressure differences. There will always be a pressure release valve to vent if the flare can’t handle it. As part of commissioning the project, all these things will be tested. The life expectancy of the roof is 10-12 years and Brian is happy to provide all the specs from the vendor. The farmer will be trained and notifications sent directly to his cell phone as needed. There is an emergency shut off on the outside of the unit. Alarms are also sent to maintenance personnel and the unit can be controlled remotely. Safety is a top priority with real time monitoring. This project is too small to justify a separator at this point. Matt will continue to use sawdust for bedding. These projects are regulated in Vermont through the certificate of public good process because it is an electric project. Permitting is done through the State and all affected agencies as well as municipalities are noticed and welcome to comment. Abutting properties and other parties are involved as well. The State will confirm that emissions are below the thresholds. Our local fire department will need to be involved, educated and trained. They were hoping to start this fall, but given lead times on having equipment built and shipped it will likely be the second quarter of 2020. If they do not receive the grant from USDA they will have to rethink how to make this happen. The farmer has no benefits on the electric side of this. But, if he wanted to buy the project out, the benefits would revert to him (electricity revenues). Brian further explained how the power goes out to the grid and how they are paid. Any questions about wetland issues will be addressed during the permitting process. The DRB appreciates Brian being here to address their questions and concerns. He is always available if other questions come up. Michael pointed out that this is a biochemical plant going into a barnyard, so having knowledge on the project is a benefit to everyone. HVFD will be more involved in the process as it gets closer.

IV. **OTHER BUSINESS**

Adam Locke and Russell Stanley were present. They recently completed a four lot subdivision review and wanted to discuss the decision letter with the board. Mr. Locke was not pleased that the board was requiring him to move the cul-de-sac to the end of lot #4 when he has no plans to develop that lot for many years, if ever. Tim advised Mr. Locke to attend the Aug. 8th meeting so this discussion can be properly warned to the public and abutters.

V. **APPROVAL OF MINUTES**

Motion by Woody Rouse to accept the minutes from *June 13, 2019*, as written. The motion was seconded by Rick Trombley – **APPROVED**.

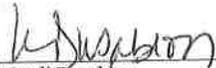
VI. **DELIBERATIVE SESSION**

Motion by Rick Trombley to enter into deliberative session @ 8:07pm. The motion was seconded by Woody Rouse – **APPROVED**. Motion by Tim Reynolds to exit deliberative session @ 8:40pm. The motion was seconded by Woody Rouse – **APPROVED**.

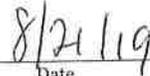
VII. ADJOURNMENT

Motion by Tim Reynolds to adjourn the meeting @ 8:41pm. The motion was seconded by Woody Rouse – **APPROVED.**

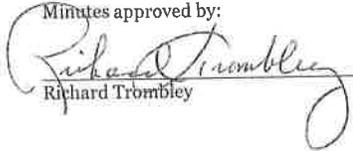
Minutes respectfully submitted by:


Wendi Busabon

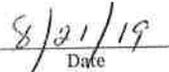
Town Clerk &
Public Meetings Clerk


Date

Minutes approved by:


Richard Trombley

DRB, Chair


Date