

Town of Highgate Development Review Board

February 13, 2025 @ 6:00pm
APPROVED MINUTES

NOTE: All actions taken are unanimous unless otherwise stated.

Join Zoom Meeting: <https://us02web.zoom.us/j/88388274176>

I. **CALL TO ORDER**

The meeting was called to order by Richard Trombley, Chair @ 6:00pm noting a quorum of the board was present (two in the building / two on Zoom). This meeting was a hybrid of in-person and Zoom. All participants in this meeting were in-person, unless otherwise noted.

Present at this meeting:

DRB Members: Richard Trombley, Chair; Woody Rouse; Robyn Klein (via Zoom); Michael Kravetz (via Zoom) *absent – Tim Reynolds, Vice Chair*

Staff: Wendi Dusablon- Town Clerk / Public Meetings Clerk; Carolyn Towsley – Zoning Administrator

Public / Other: Hector Hill; Dan Brosseau; Mark Day; Charles Christolini

II. **APPROVAL OF MINUTES**

Motion by Woody Rouse to approve the minutes from January 9, 2025, as written. The motion was seconded by Rick Trombley – **APPROVED**.

III. **PUBLIC HEARINGS**

The Tyler Place, Inc.

175 Tyler Road

Conditional Use Review + Site Plan Review

Shoreline District

File # DRB-002-25

Hector Hill was present and was sworn in by Rick Trombley. Hector explained the project. A while back a CU permit was issued for a massage building and a structure was placed on the property, close to the Inn. It is used as office space for meetings and for massages. They would like to place a new structure there, slightly larger 16' x 58'. Photos of the current structure are in the packet. No water or septic will be connected to this new structure. The plan is to make it more aesthetically fit in with the other buildings on the property. Traffic patterns will not be affected, and the building will not offer any overnight accommodations. The office space will be used by the front office staff and children's program director, as well as others. Their current office / meeting space at the Inn is very tight so this will be helpful. The space will be split up into four rooms total. Massages will be by appointment for Tyler Place guests. Rick read through the criteria from the development regulations with regard to a Conditional Use Review and then for a Site Plan Review. The board asked if the new structure would be on a slab. That is a question for Chad that can be clarified through the building permit process. Motion by Rick Trombley to **close** the hearing. The motion was seconded by Woody Rouse – **APPROVED**. A written decision will be issued within 45-days. Hector is familiar with the process from here.

**Christolini, Charles & Darlene
Darlene Drive**

**Conversion of 6 existing lots to a Planned Unit Development (PUD)
for the creation of 12 footprint lots
Medium Density Residential District
File # DRB-003-25**

Charles Christolini, Mark Day (Day Land Surveying) and Dan Brosseau (abutting property owner) were present for this hearing, and all were sworn in by Rick Trombly. Mark explained the project, existing conditions and their goals. Right now Charlie has six separate residential lots, each has a duplex on it, and all are deeded separately and stand on their own. There is no common land associated with the lots and no association. The goal is to be able to sell each unit of each duplex – so 12 units total. Mark explained ways to do so. Their goal is to create some unit specific areas within the lots designated to their own private space. They are calling them “footprint lots” and these are recognized in other communities, not necessarily in Highgate. They have been communicating with Carolyn, Highgate Zoning Administrator, and this might have to be done through PUD regulations. These lots will basically define limited common elements within each lot. Working with his attorney, Charlie had examples of deeds and covenants used in the past, for example: in St. Albans. Newer projects are viewed under PUD regulations, back when he created these lots that didn’t exist. Charlie and Mark shared more information on their request and experience in other communities, like Georgia and Williston. Charlie likes footprint lots, financing is easier, and taxation is done differently. No association is needed. All details are covered within the deeds and covenants. This is an excellent situation for the town and for the people purchasing the units. All towns are different with regard to zoning, so they are here to find the best way to do this and achieve what they wish to do. No changes are proposed to the units themselves or the perimeters of the lots. They are working within a 7-lot subdivision previously done around 1983. Darlene Drive is a paved town road. All lots under this discussion are at the end of Darlene Drive, all owned by Charlie and Darlene Christolini. A76 standards were discussed briefly, it has been a town road for about 25 years. 911 numbering was discussed, each unit already has it’s own 911 number. Currently all units are occupied by renters. Charlie and Mark need direction from the DRB if footprint lots will be allowed, or if the town will consider this a PUD or something else, according to our new bylaws, just adopted in September 2024. Each lot would have it’s own declaration associated with it, no master document is being proposed. Charlie does own other units on Charles Circle, but those are not being discussed as part of this proposal. Woody stated that new owners of the units would own the footprint of the house and limited commonality as far as the land. Title 27A was discussed with regard to common elements and limited common elements. Mark clarified questions that the board had about the maps. Rick asked about common land. This proposal does not include common land where everyone can gather. Sections from our bylaws were read aloud, noting the DRB may require up to 25% for common space. Mark pointed out “may require” and other wording that allows the board the ability to modify in any way they wish, which is what Charlie and Mark are hanging their hats on being here tonight. Charlie shared information about water systems and septic systems associated with the lots, as well as how the current common land lot came to be. They are here looking for guidance and how to navigate our bylaws to accomplish their goal. Rick asked about fire walls – all the units have them, that is all done through the State. Michael asked about the 25% common space and if they would rather not do this – correct, they would rather not. Dan Brosseau, abutting property owner, was present in-person. Dan asked about the condition of the units, being 40 years old. All are in good shape and getting new metal roofs in the near future. Dan has heard differently about their condition and thinks the DRB should take a look at them. Dan asked about ACT250. That application has

expired but Dan questioned the number of lots and if that triggers ACT250. He asked about septic and wells. Mark explained that there is one septic field per unit and each lot has a shared well, with the exception of one lot, since day one. Dan asked about replacement systems. Woody spoke about other developments in town that have shared septic systems. Dan feels that because they are not pumps, they are all gravity systems, that they should have back up systems. Charlie said they do have back ups, Charlie and Dan disagreed on this. Dan expressed concerns about the pipes going into the wetland area. His brother Butch (Philip Brosseau) has a right of way to cross through there to access his land. Charlie said he has already spoken to Butch. Mark would like to stay on task for what they are here for. Dan disagrees that this is not a subdivision, and he doesn't believe his brother is aware he can't get to his land. The wells and septic systems were again pointed out on the plans. Upkeep of the wells would be part of the deed language. Dan asked for copies of the maps. Charlie stated they are not finalized, and he would rather that he did not take them. Mark stated that there is information yet to be added to the plans. There may be language that attorneys recommend, which usually comes after any covenants have been created. The DRB will want to see all of that. Rick read aloud from an email from Allison Lowry, State of VT Department of Environmental Conservation, dated 2/12/25. That email stated that an updated wastewater permit may be necessary, and the state may consider this to be a subdivision. This email is in the DRB file. They will reach out to Allison directly. Rick would like to seek legal advice and continue this hearing. Charlie said from his standpoint they are bagging the PUD option. Rick asked Charlie about considering a portion of the common land he has to remain common land. He needs to think about that and hates to just give it away. Charlie feels footprint lots are good for the town, good for him, and good for potential buyers. Dan asked about city/town sewer vs. conventional septic systems. That is up to the state, not the town, and that will come up as we get more into this. Carolyn pointed out the definitions in our bylaws concerning subdivisions. She reads this to be a subdivision and the only way our bylaws allow this is through a PUD because of the lot sizes. Mark read aloud from the PUD section, noting that this allows for flexibility and they are asking for flexibility (no designated open space). Motion by Rick Trombley to continue the hearing. The motion was seconded by Woody – **APPROVED**.

IV. OTHER BUSINESS / UPDATES

- There were a few mylars for signature and one decision letter for signature.
- We have a few hearings already for March – a small subdivision and a waiver of setback application. The boundary line adjustment on the Village Core property will also be coming to the DRB when that is ready to move ahead.

V. DELIBERATIVE SESSION

Motion by Rick Trombley to enter into deliberative session @ 7:05pm. The motion was seconded by Woody Rouse – **APPROVED**. Motion by Woody Rouse to exit deliberative session @ 7:26pm. The motion was seconded by Rick Trombley – **APPROVED**.

This is Michael's last meeting with the Highgate DRB. We thank him for his years of service to the board and our town - he will be missed. Thank you, Michael!

VI. ADJOURNMENT

Motion by Woody Rouse to adjourn the meeting @ 7:26pm. The motion was seconded by Michael Kravetz – **APPROVED**.

Minutes respectfully submitted by:

Wendy Dusablon Town Clerk &
Wendi Dusablon Public Meetings Clerk

3/13/25
Date

Minutes approved by:

Richard Trombley DRB Chair
Richard Trombley

3.13.25
Date