



Planning Board Meeting
Monday, May 9, 2016 7:00 PM
Council Chambers, City Hall

MINUTES
Approved 6/13/2016

Mr. Wahrlich called the meeting to order at 7:00 PM.

I. Roll Call

Present: William Greenrose, Richard Wahrlich, Bruce Kolenda, James Short, Victor Bergeron, Marlene Jordan, David Putnam, Rois Neil Ward, Jr.

Absent: Marilyn Harris, Charlene Lovett, Nicholas Koloski

City Staff: Michael McCrory, Interim City Planner

Mr. Wahrlich asked Mr. Putnam to sit in for Ms. Harris and Mr. Ward to sit in for Mayor Lovett.

II. Review of Minutes – April 25, 2016

Motion: To accept the minutes as complete

Made by: Mr. Short **Second:** Ms. Jordan

Vote: Unanimous in favor

III. Old Business

- a. **PL 2016-00007 Jeremy Zullo, 86 Windy Hill Road:** Application for Site Plan approval to establish property maintenance and paving businesses with a 20 ft x 40 ft salt shed and a 30 ft x 60 ft maintenance garage on **Caajm Place**. Map 35, Lots 2 & 2-1. Zoning District: RR (Continued from 4/25/2016)

Mr. Wahrlich read the public notice.

Planner's Report

Mr. McCrory stated that the Zoning Board has begun their review of the application. On Monday, May 2nd the Zoning Board and several members of the Planning Board went to the property on Caajm Road to review the site with Mr. Zullo. The variance proceedings have been continued to the June 6th meeting of the Zoning Board.

Mr. Zullo asked to start the site plan review process at this meeting so that he could get a feel for what the Planning Board may be looking for. Mr. McCrory recommended against making any determination as to completeness of the application until after the Zoning Board has reached their decision. He distributed to the Board copies of the May 2nd site plan that Mr. Zullo had presented to the Zoning Board at the last Zoning Board meeting.

Mr. McCrory provided the Board with a brief recap of the application. The subject property is part of a nine-lot subdivision. Seven of the lots are owned by the applicant. The lots are on Caajm Road, which is a private road in the subdivision. Mr. Zullo is seeking two variances from the Zoning Board – (1) to allow a commercial use in the RR zone (where commercial uses are not allowed); and (2) to permit a salt shed that was built within the front setback (in violation of the setback requirements). Site plan review is being sought because of the commercial use.

The proposed project will occupy two 5-acre lots. These lots will be merged at a later date. Two major structures are proposed – a maintenance building and a salt/sand shed.

The revised (May 2nd) plan shows dedicated parking spaces for equipment and vehicles, landscaping, the edge of the excavation area, and three driveways. The most westerly driveway connects the salt/sand shed to Caajm Road and the maintenance building; the middle driveway connects the maintenance building to Caajm Road and the salt/sand shed. Two-way traffic circulation is facilitated with these two driveways. The easterly (third) driveway provides one-way traffic from the maintenance building to Caajm Road.

Mr. Putnam asked if the lots should be merged first – Mr. McCrory said it could be a condition of approval.

Mr. Greenrose asked how long the shed had been there – Mr. McCrory said the building inspectors discovered it last fall.

Applicant's Presentation

Mr. Zullo said he bought the lots at foreclosure. He lives in the neighborhood. He wants to build a 30 ft x 60 ft gambrel-roofed building that will look like a large barn so it will fit the setting (as opposed to a blatantly commercial building). He built the shed not knowing it needed a permit. The property is very steeply sloped without a lot of flat ground to work with.

Mr. Putnam asked about development of the parking area and the extent of earth work it required. He asked who oversees that type of work to ensure it is done properly. Mr. McCrory said projects are referred to the State and Federal government for wetlands and storm water runoff issues. Mr. Zullo said he is working with an engineer to develop the site and that the buildings will be anchored to the ledge to prevent failure.

Mr. Greenrose asked how much of the project is visible from Caajm Road – Mr. Zullo said all of it. He also asked about future development of the two lots that Mr. Zullo does not own. Mr. Zullo said he has spoken to the owners and they have no objections to the project.

Mr. Zullo said he will merge the other five lots he owns to build his house on so there will be no other development of his lots.

There was some discussion regarding truck traffic on the road. Mr. McCrory read a letter from Scott Sweet that said as long as there is no dramatic increase in truck traffic on Paddy Hollow Road and that the trucks stay off of Paddy Hollow during posting season (or Zullo posts a bond) he had no objections. Mr. Greenrose asked if Mr. Zullo's trucks will exceed the 6,000 lb weight limit. Mr. Zullo said yes, in the summer, but so do the log, oil and trash trucks. He said he doesn't work during posting season or only when it is very cold.

There were no further questions.

The Board spent time discussing what action to take. On the one hand, they were pleased with the site plan and wanted to approve it, but on the other hand the proposed use is not allowed and the shed is in violation. If they were to approve the plan at this meeting and the Zoning Board makes a decision that would result in a change to the plan, then Mr. Zullo would have to return to the Planning Board for a new hearing at his own expense. Mr. Zullo expressed some frustration at the process and delays.

Motion: To continue the hearing to the June 13th meeting.

Made by: Mr. Kolenda

Second: Mr. Putnam

Amendment to the Motion: add "because we like what has been presented."

Made by: Mr. Putnam

Second: Mr. Short

Vote on the amendment: Unanimous in favor

Vote on the motion: Unanimous in favor

- b. **PL 2016-00008 Gertrud Holl Revocable Trust, 28 Monument Hill Rd, Springfield, VT** – Application for site plan waiver for BJ Brickers Restaurant at **214 Washington Street**. Map 121, Lot 46. Zoning District: B2 (Continued from 4/25/2016)

Mr. Wahrlich read the public notice.

Planner's Report

Mr. McCrory said that the applicant had asked the Board to continue the hearing to the June 13th meeting. He said the Zoning Board had continued their hearing to their June 6th meeting. The Zoning Board had asked Ms. Holl to provide a professionally drawn plan to provide proof of the number of parking spaces that can be placed on the lot. At present this number is unknown, so the variance request is unspecific. Ms. Holl hand drew the spaces on a plan the next day at the Planning & Development office. Mr. McCrory distributed to the Board copies of the hand-drawn plan.

There was much discussion about the effect of the Zoning Board requesting a site plan and Ms. Holl's application to the Planning Board for site plan waiver. Claremont Plaza Associates (CPA) through their lawyer submitted a letter stating that the ZBA request renders the waiver application mute and urged the Planning

Board to deny the waiver. Mr. McCrory stated that it is still up to the Planning Board to decide whether or not Ms. Holl meets the criteria for a waiver.

Motion: To continue the hearing to the June 13th meeting.

Made by: Ms. Jordan **Second:** Mr. Kolenda

Vote: Unanimous in favor

IV. New Business

There was no new business to discuss.

V. Reports from Boards and Commissions

Mr. Bergeron announced that the Policy Committee will be presenting an updated Cemetery Ordinance to the City Council in July.

VI. Other

There was no other business.

VII. Correspondence

There was no correspondence.

VIII. Adjournment

Motion: To adjourn the meeting

Made by: Mr. Short **Second:** Ms. Jordan

Vote: Unanimous in favor

The meeting adjourned at 8:34 PM.

Respectfully submitted,
deForest Bearse