

**Approved
Minutes
Hartford Planning Commission
July 31, 2023**

**THIS MEETING WAS CONDUCTED IN COMPLIANCE WITH
THE VERMONT OPEN MEETING LAW
IN PERSON WITH ELECTRONIC PARTICIPATION AVAILABLE**

Present: John Reid, Chair, Bruce Riddle, Vice Chair, Toby Dayman, Dillon Bianchi, John Heath, Colin Butler, Dylan Kreis, Kim Souza, Selectboard Liaison, and Jo-Ann Ells, Zoning Administrator

Absent: None

Administrative Matters

John Reid read the Hybrid Meeting Script and took a roll call.

1. Minutes

Colin Butler moved to approve the minutes of June 26, 2023. Dylan Kreis noted he had read the minutes and watched the recording of the meeting. Dillon Bianchi seconded, and the motion passed unanimously.

2. Sketch Plan Review, Bill Bittinger, Railroad Row Housing

Bill Bittinger explained that he would be seeking approval to convert the upper floors of 55 Railroad Row to dwelling units and noted that a detailed description had been submitted to the Commission prior to the meeting. He explained that the use would require less parking than the existing office space and available parking included leased spaces, all changes would be internal, and all units would be one bedroom.

John Heath asked where the leased parking spaces were located. Bill Bittinger stated that they were at the Courthouse.

John Heath asked about the percentage of affordable units that would be available. Bill Bittinger stated that this was being discussed.

Bill Bittinger stated that the original development including Federal funds for Brownfield remediation. He stated that the use of the building is not required to be office space under this funding.

Colin Butler voiced some concern with the loss of office space. Bill Bittinger noted that the majority of the buildings on Railroad Row would remain office space.

There was general support for the parking reduction.

Jo-Ann Ells noted that Bill Bittinger should contact her about application requirements.

3. Administrative Permits

Jo-Ann Ells reviewed the following projects that were granted administrative permits:

- River Roost- Changes to retaining wall material
- Growpro- exit door and walkway

4. Act 250 Applications

None

5. Town Plan Steering Committee update

Bruce Riddle noted that a meeting was currently being scheduled.

6. Regional Planning Commission update

Bruce Riddle noted that the next meeting is in September.

7. Climate Action Plan update

John Reid commented that he did not have anything to report.

8. Availability for the next Public Hearing

Jo-Ann Ells explained that no applications were submitted for the September Hearing, so the Hearing was cancelled.

Public Hearing

John Reid opened the Public Hearing, asked people to sign in, explained the Hearing process and Interested Party Rule, and administered the oath.

1. Application #23-08 by The Town of Hartford School District (owner/applicant) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for a school/educational building, lot 09-0028-001, Christian Street, Hartford, in a R-3 zoning district and Agricultural overlay district. (Continued from June 26, 2023)

Jonathan Garthwaite and Ann Kynor were present.

Jo-Ann Ells noted that the Zoning Board of Adjustment had requested that the proposed gate be moved forward 25' to allow additional room for vehicles to get off the road while waiting for the gate to be unlocked.

Jonathan Garthwaite reviewed changes to the project since the June meeting.

John Heath asked if the building would be accessible. Jonathan Garthwaite confirmed that it would. He noted that the educational activity occurring in the field would not increase, that instructors/teachers are aware of the wetland boundaries and restrictions, and that the field is mowed approximately 1-2 times a year.

Toby Dayman suggested that the number of evergreens be increase to ten.

There was a discussion regarding plantings in the 50' right-of-way benefitting adjacent property owned by the Barwoods. Ann Kynor confirmed that the applicant had spoken with the Barwoods and the Storns who own property to the south about landscaping. Judy Barwood asked if there was landscaping proposed in the right-of-way. Jonathan Garthwaite confirmed that some landscaping in the right-of-way was proposed to screen the Storn property. Judy Barwood asked if her access would be limited. Toby Dayman stated that a 24' wide access would remain.

Colin Butler asked about the questioned posed at the last meeting about an existing waterline/spring. Ann Kynor explained that it would be fully reviewed when they apply for the State Public Water Supply permit. Jonathan Garthwaite confirmed that the spring would not be impacted if it is in use.

It was noted that the proposed fence would be adjusted with the relocated gate.

There was no additional public comment.

Bruce Riddle moved to close the Public Hearing. Dillon Bianchi seconded, and the Public Hearing was closed.

Jo-Ann Ells reviewed changes to the Findings of Fact.

Bruce Riddle moved to approve the application with the noted changes. Dillon Bianchi seconded, and the motion passed unanimously.

2. Application #23-10 by The Town of Hartford (owner/applicant) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for the installation of a World War I and World War II Monument in Veterans Park, lot 46-0022-000, 12 Railroad Row, Hartford, in the White River Junction Design Review and CB zoning districts.

Dennis and Mary Kay Brown and Tim Schaal were present.

Jo-Ann Ells suggested an edit to the Findings of Fact regarding the floodplain.

Mary Kay Brown reviewed the application.

It was noted that the proposed lights would be low wattage, coordinated with the Parks and Recreation Department who maintain the park, would likely be on a photocell, and would be aimed to highlight the monument.

Colin Butler asked if there was space for additional monuments. Tim Schall confirmed this was considered in the design.

There was a discussion regarding how the names on the monument would be chosen.

Jeff Goodrich of Norwich VT voiced support for the project.

Colin Butler thanked the applicant for their work.

There was no additional public comment.

Colin Butler moved to close the Public Hearing. Bruce Riddle seconded, and the Public Hearing was closed.

Bruce Riddle moved to approve the application as proposed. Dillon Bianchi seconded, and the motion passed unanimously.

3. Application #23-11 by Amanda, Gordon, and Marian Pero, and Marcia Gauvin (owners/applicants) for approval of a boundary line adjustment between lots 42-0072-000 and 42-0073-000, 8 and 24 Hazen Street, Hartford, in a R1-M zoning district.

Amanda Pero, Marcia Gauvin, Barry Schuster, and Nate Stearns were present.

Jo-Ann Ells noted that applicants propose to:

- Annex 553 sq. ft. from lot 42-0073-000 to lot 42-0072-000
- Annex 0.8 sq. ft. from lot 42-0072-000 to lot 42-0073-000

Barry Schuster added that the new property line will follow an existing fence.

There was no public comment.

Bruce Riddle moved to close the Public Hearing. Dillon Bianchi seconded, and the Public Hearing was closed.

Bruce Riddle moved to approve the application as proposed. Colin Butler seconded, and the motion passed unanimously

4. Application #23-07 by Michael and Debra Devins (owners/applicants) for approval of the subdivision of lot 13-0038-000 into four lots, 242 Hathaway Road, Hartford, in RL-1 and FC zoning districts and Rural Lands overlay district.

Michael and Debra Devins, and Mark Bannon were present.

Mark Bannon gave an overview of the application.

Dylan Kreis noted that he believed the application was in line with the Town Plan and that the applicant had addressed the question about shared access and impact on FC lands.

Toby Dayman noted that the graphic scale needed to be corrected on the survey.

Colin Butler voiced concern with the shared septic system and future maintenance. It was noted that the septic system had been approved by the State.

Andrew Winter asked about the timeframe for development. Mark Bannon explained that it was his understanding that the lots would be transferred to the applicants' children and that construction could commence next year.

There was no additional public comment.

Colin Butler moved to close the Public Hearing. Dillon Bianchi seconded, and the Public Hearing was closed.

Bruce Riddle moved to approve the application as proposed. Colin Butler seconded, and the motion passed unanimously

5. Application #23-12 by DEW Prospect Street, LLC and DEW Braverman, LLC (owners/applicants) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for site plan amendments, lot 46-0009-000, 34 Prospect Street, White River Junction, in a CB-2 zoning district.

Ken Braverman, Adam Morse, Robert Wells, Kevin Worden, and Andrew Winter were present.

Adam Morse reviewed changes to the project since it was approved in 2022. Ken Braverman noted that the extended portion of the retaining wall is directly in front of a foundation wall.

The renderings showing the wall as approved and as proposed were reviewed.

Robert Wells noted the applicant had worked with a Landscape Architect to design the proposed plantings.

Toby Dayman suggested that the applicant make sure the soil is suitable for the proposed plantings and suggested they consider staining the wall.

Bruce Riddle commented that he thought the extended wall was an improvement.

Colin Butler expressed frustration that it took the applicant so long to apply for the change.

There was a discussion regarding a fence at the top of the wall and safety. Ken Braverman distributed an elevation plan with a fence.

Colin Butler noted he liked the look of the proposed wall better than the approved wall.

Dillon Bianchi agreed and asked the applicant to consider staining the wall. Colin Butler questioned if this was fair to require as the original wall was not required to be stained.

There was no public comment.

Bruce Riddle moved to close the Public Hearing. Colin Butler seconded, and the Public Hearing was closed.

Jo-Ann Ells reviewed changes to the Findings of Fact.

Bruce Riddle moved to approve the application with the noted changes. Dillon Bianchi seconded, and the motion passed unanimously.

6. Application #23-09 by White River Investment Properties, LLC (owner/applicant) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for a new commercial building and site plan amendments, 9 Harrison Avenue, lot 49-0020-000, White River Junction, in an IC zoning district.

Dan Nash was present.

Dan Nash noted that several buildings were lost in a fire in 2017 and reviewed the application and noted that the applicant is working with the Fire Marshal.

John Reid suggested an edit to Findings #9.

Bruce Riddle asked for an explanation of a “elevation certificate.” Dan Nash responded.

Toby Dayman asked about the material proposed for the ramp. Dan Nash stated that it would be paved.

Dan Nash clarified that the use of the proposed building would be a maintenance facility used mostly by the owner of the property/Eustis Cable.

There was no public comment.

Bruce Riddle moved to close the Public Hearing. Dillon Bianchi seconded, and the Public Hearing was closed.

Jo-Ann Ells reviewed changes to the Findings of Fact.

Bruce Riddle moved to approve the application with the noted changes. Colin Butler seconded, and the motion passed unanimously.

7. Application #23-13 by Janice, Raymond, Joshua, and Sean Jasmin (owners/applicants) for approval of a boundary line adjustment between lots 14-0016-000 and 14-0017-000, 60 and 98 Jasmin Lane, Hartford, in a GCR zoning district.

Nate Stearns and Jeff Goodrich were present.

Jo-Ann Ells noted that the applicants were proposing to annex 0.05 acres from lot 14-0016-000 to lot 14-0017-000.

Nate Stearns reviewed the background of the application including pending applications #23-14 and #23-15.

Colin Butler asked what "TOB" meant. Jeff Goodrich stated that it referred to the "Top of Bank".

There was a discussion about the wetlands delineation.

There was no public comment.

Dillon Bianchi moved to close the Public Hearing. Colin Butler seconded, and the Public Hearing was closed.

Bruce Riddle moved to approve the application as proposed. Dillon Bianchi seconded, and the motion passed unanimously

8. Application #23-14 by Janice, Raymond, Joshua, and Sean Jasmin (owners/applicants) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for an addition to an accessory structure and site plan amendments, 60 Jasmin Lane, lot 14-0016-000, Hartford, in the GCR zoning district.

Nate Stearns and Jeff Goodrich were present.

Nate Stearns reviewed the application.

Dylan Kreis asked if the hashed lines represented the former Fountain of Youth Club (FOY) foundation. Nate Stearns confirmed.

Nate Stearns reviewed the location of the parking spaces that would require an easement.

Colin Butler asked if the building addition was the same as proposed in 2022. Nate Stearns confirmed.

Nate Stearns asked for a minor change to proposed Finding of Fact #24.

There was no public comment.

Bruce Riddle moved to close the Public Hearing. Dylan Kreis seconded, and the Public Hearing was closed.

Dillon Bianchi moved to approve the application with the change as noted. Colin Butler seconded, and the motion passed unanimously

9. Application #23-15 by Janice, Raymond, Joshua, and Sean Jasmin, and Eromeno, LLC (owners/applicants) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for a Parking Facility, 98 Jasmin Lane, lot 14-0017-000, Hartford, in the GCR zoning district.

Nate Stearns and Jeff Goodrich were present.

Nate Stearns reviewed the application and requested two changes to the draft Findings of Fact.

Dylan Kreis expressed concern with adding traffic to an already congested area. Nate Stearns commented that based on the proposed hours and fact that the applicant is already operating in the area, the project would not cause unsafe conditions or unreasonable congestion.

Dylan Kreis noted he continued to have a concern with traffic. Colin Butler stated that the newly adopted zoning district allows mixed use and agreed that daytime traffic could be a problem.

Dylan Kreis suggested that the applicant provide a traffic study.

Jeff Goodrich explained that his firm had done the permitting for Dunkin' Donuts on the corner of Jasmin Lane and the threshold for requiring a traffic study is typically 100 trips and would not be warranted by the application. He added that the former FOY generated a lot of traffic.

Dylan Kreis noted that his concerns included that this application would add traffic from tractor trailers.

Bruce Riddle noted that he did not think a traffic study was warranted.

Nate Stearns added that Act 250 was requiring the applicant to contribute to a traffic impact fee.

Dillon Bianchi noted that VTrans would be doing improvements to Route 5 in the near future.

There was no public comment.

Bruce Riddle moved to close the Public Hearing. Colin Butler seconded, and the Public Hearing was closed.

Bruce Riddle moved to approve the application with the noted changes. Colin Butler seconded, and the motion passed 6-1 with Dylan Kreis opposed. Dylan Kreis noted that he did not believe the application met the requirements of 260-45 C 1.

Adjournment

At 9:16 p.m., Bruce Riddle moved to adjourn. Dillon Bianchi seconded, and the Hearing was adjourned.

Respectively Submitted,

Toby Dayman, Clerk

Planning Commission

John Reid 01-11-24

John Heath 03-22-24

Toby Dayman 06-28-24

Colin Butler 07-12-24

Bruce Riddle 02-07-25

Dillon Bianchi 09-05-25

Dylan Kreis 6/26/2026