

HARTFORD ZONING BOARD OF ADJUSTMENT
November 16, 2022
Meeting Notice and Agenda

The Hartford Zoning Board of Adjustment will meet on Wednesday, November 16, 2022, beginning at 6:30 p.m. to consider the following Applications and Administrative Matters.

This meeting will be conducted in person at Hartford Town Hall, 171 Bridge Street, White River Junction, Vermont. In addition, you may join the meeting remotely as follows:

Microsoft Teams meeting
Join on your computer, mobile app, or room device
[Click here to join the meeting](#)
Meeting ID: 252 204 374 683
Passcode: WRtNfZ
[Download Teams](#) | [Join on the web](#)
Or call in (audio only)
1 (802) 377-3677
Phone Conference ID: 682 374 296#

If you cannot access this meeting notice electronically or if you are having difficulty connecting to the meeting, please email Jo-Ann Ells at jells@hartford-vt.org

A. Public Hearings, beginning at 6:30 p.m.

1. Application #19-22 by Equity Trust Company (owner) and Frank Gerardi (applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for a single-family dwelling, lot 12-0038-001, River Street, Quechee, in a R-3 zoning district.
2. Application #20-22 by CHA Butson White River Junction, LLC (owner) and Twin Pines Housing Trust (applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations to convert a Hotel to a Multi-unit Dwelling and Office, lot 14-0020-001, 102 Ballardvale Drive , White River Junction, in a GCR zoning district.

B. Administrative matters: 1. Minutes. 2. Administrative Permits. 3. Availability for the next Public Hearing. 4. Public comment.

Application materials are available at the Hartford Town Hall, Department of Planning and Development Services, 171 Bridge Street, White River Junction, Vermont (802) 295-3075. Persons wishing to appear and be heard may do so in person, or be represented by another party and/or submit written testimony.

An interested person who has **participated** in a municipal regulatory proceeding may appeal a decision rendered in that proceeding to the Vermont Environmental Court. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

Steve Lagasse, Chair

**Zoning Board of Adjustment
Administrative Agenda
November 16, 2022**

1. Minutes

October 12, 2022
October 20, 2022

2. Administrative Permits

None

3. Availability for the next Public Hearing

December 14, 2022

4. Public comment.

Application #19-22
Equity Trust

1. 19-22

**DRAFT
FINDINGS OF FACT
CONCLUSIONS OF LAW
AND
DECISION**

HARTFORD ZONING BOARD OF ADJUSTMENT

**Application #19-22 by Equity Trust Company and Frank Gerardi
for approval of a setback waiver for a single-family dwelling
lot 12-0038-001, River Street, Quechee, in a R-3 zoning district**

This decision pertains to application #19-22 by Equity Trust Company (owner) and Frank Gerardi (applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for a single-family dwelling, lot 12-0038-001, River Street, Quechee, in a R-3 zoning district.

FINDINGS OF FACT

Based upon the information contained in the exhibits for this application (see attached list) and the evidence adduced at the Zoning Board of Adjustment meeting of November 16, 2022, the Hartford Zoning Board of Adjustment makes the following Findings of Fact:

General Information

1. The owner of lot 12-0038-001 is Equity Trust Company who acquired the lot on 11-03-21. The deed is filed in vol. 694, pp. 305 of the Hartford Land Records.
2. The lot is located on River Street in Quechee.
3. The lot is undeveloped.
4. The lot is approximately 0.60 acres.
5. The lot is class one (1), municipal water and sewer.
6. The lot is in an R-3 zoning district.

2. 19-22

This Application

7. The applicant proposes to construct a single-family dwelling with an attached garage, front porch, and rear deck.
8. The proposed structure is outside of the riparian buffer of the Ottauqueche River.
9. The proposed structure is outside of the Special Flood Hazard Area (flood plain).
10. Because the proposed structure is very close to the flood plain and side setback, the applicant proposes to have the foundation staked by a Vermont Licensed Surveyor.
11. The setbacks in the R-3 zoning district for a class one lot are:

<u>Front</u>	<u>Side</u>	<u>Rear</u>
25	15	20

12. The applicant seeks a Setback Waiver to allow a portion of the dwelling and the front porch to infringe into the front setback. The structure will be 6'5" from the front property line.
13. Section 260-52 of the Zoning Regulations sets forth a process and criteria for obtaining a setback waiver. The intent of section 260-52 of the Zoning Regulations "is to provide flexibility in setback requirements for the placement of primary and accessory structures in all zoning districts while maintaining the character of the area." A setback waiver may be considered, providing that a minimum setback of 5' is maintained, if one of the following criteria is met.
 - (A) When the reduction is no greater than the front or side setbacks for existing structures on adjacent lots on the same street frontage.
 - (B) For greater fire safety as recommended by the Hartford Fire Department.
 - (C) For greater preservation of open land/agricultural land or scenic vistas.
 - (D) For greater preservation of other natural resources, such as, but not limited to surface waters, wetlands, or steep slopes.
 - (E) For increased energy conservation and renewable energy structures.
 - (F) The waiver, if authorized, will represent the minimum necessary to achieve the stated purpose of this Section."

According to the applicant, "the proposed structure will meet the 5' setback requirement, and the reduction is no greater than the front infringement by many properties in the neighborhood, as shown on the Neighborhood Exhibit plan submitted with this application.

3. 19-22

The proposed structure will be compatible with the scale and design of existing structures within the neighborhood. The development of this property will have no adverse impact on the surrounding properties. The proposed location of the structure is outside the special flood hazard area, and it is 120 feet from the Ottauquechee River. The development of a single-family home will have no adverse impacts on the site distances along River Street.” (A) and (D)

14. Section 260-27 C of the Hartford Zoning Regulations states:

Grading and drainage. The following provisions shall apply to any changes which affect drainage of water to or from a property:

- (1) Any changes in grading shall be made so that runoff is directed to established drainage courses and will not cause ponding or flooding of other properties or exceed the capacity of downstream drainage facilities.
- (2) When possible, drainage systems shall be designed so that water runoff existing prior to site development shall not be increased after development.
- (3) All changes in grade shall be controlled so as not to cause a nuisance or damage to other properties or erosion of topsoil.

According to the applicant, “The property, when developed, shall utilize a variety of features to contain the drainage on-site and toward the existing drainage patterns. The features may include gutters, closed drainage, ditches, and rain gardens to contain, direct, and treat stormwater and drainage on-site.”

15. The applicant understands it is their responsibility to obtain a Driveway Permit from the Department of Public Works.
16. The applicant understands that construction of the project must comply with the following:

Earth moving and hauling, rock drilling or crushing, jack hammer and similar excessively loud equipment shall not be operated on Sundays or between the hours of 5:30 p.m. and 7:00 a.m. except in emergency situations.
17. The applicant understands that any stockpiling of materials related to the construction of the project must be located twice the distance of the height of the stockpiled materials from any public or private right-of-way or property boundary.
18. The applicant understands that during construction erosion and sediment control measures as specified in the most current edition of the Low-Risk Site Handbook for Erosion Prevention and Sediment Control published by the Vermont Department of Environmental Conservation will be followed.

4. 19-22

19. The applicant understands that they retain the obligation to identify, apply for, and obtain any relevant State permits for this project.
20. The applicant understands that a zoning permit is required before the commencement of construction of the project. The applicant further understands that the issuance of the zoning permit only authorizes the construction of the project in compliance with the Findings, Conclusions of Law, Approved Plans, Exhibits and Conditions as specified herein.
21. The applicant understands that all activities authorized by the issuance of the zoning permit shall be started within six (6) months and completed within two (2) years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. Any activities not completed within the above permit period shall be subject to any ordinance in effect at the time of reapplication. One six (6) month extension to both time periods may be granted by the Planning Commission prior to the expiration periods noted.
22. The applicant understands that they must obtain a Certificate of Occupancy from the Zoning Administrative Officer upon completion of the project. The applicant understands that a Certificate of Occupancy will not be issued if the project is not in compliance with these Findings, Plans and any conditions placed on the decision.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Hartford Zoning Board of Adjustment concludes that the proposed development will:

- Be compatible with the scale and design of structures and overall existing development pattern of the surrounding area.
- Not impair reasonable or appropriate use of adjoining properties.
- Not result in greater impacts on natural resources.
- Not impair sight distances on public or private roads.

DECISION

The Hartford Zoning Board of Adjustment, based upon the forgoing Findings of Fact and Conclusions of Law, hereby approves application #19-22 by Equity Trust Company (owner) and Frank Gerardi (applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for a single-family dwelling, lot 12-0038-001, River Street, Quechee, in a R-3 zoning district **on the condition that:**

- 1. Before a Zoning Permit is issued, the site plan is amended to indicate the current property owner of lot 12-0043-001.**

5: 19-22

2. Before a Certificate of Occupancy is issued;

- **The applicant's Surveyor or Engineer submits written verification confirming that the project was constructed in accordance with this Decision.**
- **The applicant records and Energy Code Certificate in the Land Records.**

This decision is also subject to the condition that no modification or expansion shall be made to the project as described and limited in the above Findings of Fact and Conclusions of Law without the written approval of the Hartford Zoning Board of Adjustment and/or the Hartford Planning Commission. This decision may be revoked, and a new application or permit required if conditions and findings are violated or modified without written approval.

The applicants are responsible for insuring compliance with all applicable State and Federal regulations pertaining to this application.

Those in favor:

Those in opposition:

Those not participating:

Dated at Hartford, Vermont this ____ day of November 2022.

HARTFORD ZONING BOARD OF ADJUSTMENT

By: _____
Chairperson/Vice-Chairperson

Appeal Rights: An interested person who has participated in the proceeding related to this decision has the right to appeal this decision to the Vermont Environmental Court, pursuant to 24 V.S.A. s. 4471 and V.R.E.C.P.5, in writing, within 30 days of the date of this decision. If you fail to appeal this decision as described above, your right to challenge this decision at some future time may be lost. You will be bound by this decision, pursuant to 24 V.S.A. s. 4472 (d) (exclusivity of remedy; finality).

EXHIBIT LIST

1. Application #19-22
2. Site plan entitled "Site Plan for Equity Trust Company" prepared by Pathways Consulting received October 21, 2022

6. 19-22

3. Plan entitled "Neighborhood Exhibit for Equity Trust Company," prepared by Pathways Consulting

4. Memo from Skip Nalette dated October 28, 2022

5. Letter from Skip Nalette dated October 17, 2022

Planning Commission App. # _____
Zoning Board of Adjustment App. # _____

TOWN OF HARTFORD APPLICATIONS

(office use only)-

Map/Lot/Plot _____ Fee Pd. \$ _____ Receipt # _____
 PC: Site Plan _____ Min. Sub. _____ Maj. Sub. _____ PD _____ PD Amend. _____ Other _____
 ZBA: Conditional Use _____ Variance _____ Appeal _____ Other _____
 Zoning District(s) _____ Date Filed _____ Official Submittal Date _____

PLEASE COMPLETE ALL ITEMS APPLICABLE AND PROVIDE THE CORRECT NUMBER OF COPIES OF THIS APPLICATION AND THE SITE PLAN OR SUBDIVISION PLAT. ABUTTING LANDOWNERS WILL BE NOTIFIED BY THE PLANNING/ZONING OFFICE.

1. NAME & ADDRESS OF RECORD OWNER(S) Equity Trust Company
P.O. Box 1347, Quechee Vermont 05059
Deed Recorded Book 594 Page(s) 305 (Available at Town Clerk's Office)

Telephone: Work _____ Home 561-254-8886 FAX _____
Email Address: gerardi700@aol.com

2. NAME & ADDRESS OF APPLICANT(S)

Deed Recorded Book _____ Pages(s) _____
(Available at Town Clerk's Office)

Telephone: Work _____ Home _____ FAX _____
Email Address: _____

3. NAME & ADDRESS OF APPLICANT'S CONSULTANT

240 Mechanic Street, Suite 100, Lebanon, New Hampshire 03766

Telephone: Work 603-448-2200 Home FAX

Email Address: Skip.Nalette@pathwaysconsult.com

4. PROJECT LOCATION River Street, Quechee

5. PRESENT USE OF PROPERTY Vacant

6. BRIEFLY DESCRIBE PROJECT (in addition, a detailed narrative must be submitted).

This application requests a Set Back Waiver to build a single family dwelling 6.5 feet from the front boundary line.

7. PROJECT SIZE IN SQ. FT. OR ACREAGE		0.60 acres
Lot Width	140 feet	Lot Depth 190 feet

8. IS PROJECT ON TOWN WATER/SEWER? Yes X No If Yes, estimated
Water Consumption/day N/A

Amount of Sewer Flow Projected N/A
Size of Closest Lines Above (water) N/A (sewer) N/A

9. LANDSCAPING PLAN N/A

10. IF A BUSINESS – Present Employees _____ Proposed _____
Days & Hours of Operation _____
Will you use the landfill & recycling center? Yes _____ No _____
The main waste by-product of your business is _____

11. IF A RESTAURANT – Present Seating _____ Proposed _____

12. PARKING SPACES – Number to be provided _____

13. SIGNAGE – Free Standing: _____ **Attached:** _____

14. FENCING – Location _____ **Height** _____

15. NEAREST WATER SUPPLY FOR FIRE PROTECTION Fire hydrant located on in front of property.

16. ESTIMATED VALUE OF PROPOSED WORK \$0

17. IS THERE AN EXISTING DRIVEWAY no

18. IF A SUBDIVISION – Number of New Lots to be Created None
Do you request that the Town consider taking over maintenance of - Roads No
Or Park/Open Space No

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

(This certification must be signed by lot owners and applicants.)

Applicant's Signature (date)

Full Name
Lot Owner's Signature (date)

TOWN

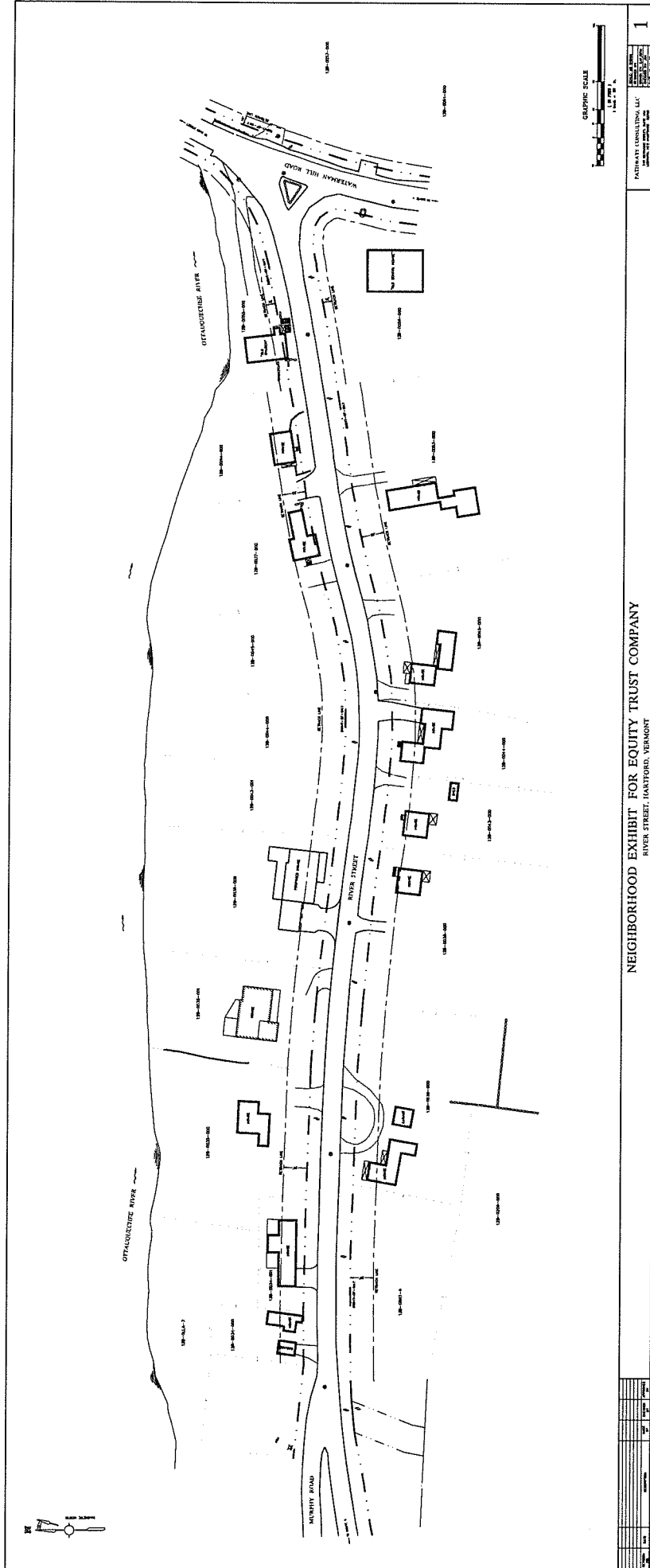
10/13/2022

Co-Applicant's Signature (date)

Co-Owner's Signature (date)

NOTE: It is the applicant's responsibility to contact the State for any permits that may be required.

(1/16/07)



NEIGHBORHOOD EXHIBIT FOR EQUITY TRUST COMPANY
RIVER STREET, DARTFORD, VERMONT

NO.	DATE	BY	REVISION
1	10/1/00	PL	PREPARED FOR EQUITY TRUST COMPANY
2	10/1/00	PL	REVISED TO SHOW LOT LINES
3	10/1/00	PL	REVISED TO SHOW BUILDING FOOTPRINTS
4	10/1/00	PL	REVISED TO SHOW STREET LINES
5	10/1/00	PL	REVISED TO SHOW LOT LINES
6	10/1/00	PL	REVISED TO SHOW BUILDING FOOTPRINTS
7	10/1/00	PL	REVISED TO SHOW STREET LINES
8	10/1/00	PL	REVISED TO SHOW LOT LINES
9	10/1/00	PL	REVISED TO SHOW BUILDING FOOTPRINTS
10	10/1/00	PL	REVISED TO SHOW STREET LINES

PROJECT NO.	100-000-000
DATE	10/1/00
BY	PL
FOR	EQUITY TRUST COMPANY
1	

PATHWAYS CONSULTING, LLC

Planning • Civil & Environmental Engineering • Surveying • Construction Assistance
240 Mechanic Street • Suite 100
Lebanon, New Hampshire 03766
(603) 448-2200 • Fax: (603) 448-1221

MEMORANDUM

TO: JO-ANN ELLS, HARTFORD ZONING ADMINISTRATOR

FROM: JOSEPH E. "SKIP" NALETTE, L.S., PROJECT MANAGER

RE: SETBACK WAIVER, LOT 12-0038-000, RIVER STREET, QUECHEE,
VERMONT (Project No. 13271)

DATE: OCTOBER 28, 2022

Our responses to the Department Heads' and Staff preliminary comments, dated October 20, 2022, are provided in *italics* below each comment.

1. Please confirm that you understand that you retain the obligation to identify, apply for, and obtain any relevant local and state permits for this project. Please call 282-6488 to speak to the Regional State Permit Specialist, Rick Oberkirch.

The applicant understands this obligation.

2. Please contact Jeremy Delisle or Chris Holzwarth at the Department of Public Works regarding the proposed driveway. (295-3622)

The applicant understands this obligation.

3. The attached supplemental information form needs to be completed and submitted.

The Application for a Setback Waiver Supplemental Information form is attached.

4. Please amend the site plan as follows:

- Change the subject lot number to 12-0038-001
- Correct the mailing address
- Remove the Planning Commission signature block

See the revised plan.

5. Can you explain what "Interpolated" in the label of the 100-year flood area limit means?

See the revised plan.

6. There is little room between the proposed structure and the flood plain and side setback. What will be done to prevent construction from occurring in these areas?

We propose a condition that a construction fence be installed along the flood plain limits prior to construction, and that the foundation is staked out by a land surveyor.

7. Please stake the corners of the proposed structure in the field.

We will stake the corners as requested for the benefit of the board members.

8. Please outline how the application conforms with section 260-27 C of the Hartford Zoning Regulations which states:

C. Grading and drainage. The following provisions shall apply to any changes which affect drainage of water to or from a property:

- (1) Any changes in grading shall be made so that runoff is directed to established drainage courses and will not cause ponding or flooding of other properties or exceed the capacity of downstream drainage facilities.
- (2) When possible, drainage systems shall be designed so that water runoff existing prior to site development shall not be increased after development.
- (3) All changes in grade shall be controlled so as not to cause a nuisance or damage to other properties or erosion of topsoil.

The property, when developed, shall utilize a variety of features to contain the drainage on-site and toward the existing drainage patterns. The features may include gutters, closed drainage, ditches, and rain gardens to contain, direct, and treat stormwater and drainage on-site.

9. Once the project is done and before a Certificate of Occupancy will be issued you will need to:
- Submit written verification from a Professional Engineer or Surveyor licensed by the State of Vermont certifying that the project was constructed in compliance with the approved plans, Findings of Fact and Zoning Permit.
 - Record an Energy Code Certificate in Hartford's Land Records.

Please acknowledge that you understand these requirements.

The applicant understands this obligation.

10. Please acknowledge that during construction of the proposed dwelling erosion and sediment control measures as specified in the most current edition of the *Low Risk Site Handbook for Erosion Prevention and Sediment Control* published by the Vermont Department of Environmental Conservation will be followed.

The applicant understands this obligation.

11. Please acknowledge that you understand that construction of the project must comply with Section 260-31 B of the Hartford Zoning Regulations, which states:

Earth moving and hauling, rock drilling or crushing, jack hammer and similar excessively loud equipment shall not be operated on Sundays or between the hours of 5:30 p.m. and 7:00 a.m. except in emergency situations.

The applicant understands this obligation.

12. Please send me a single email with all application materials attached including your response to this memo.

An email with electronic copies will be provided.

13. Please submit 6 copies of:

- Your written response to this memorandum
- Supplemental information form
- Revised site plan

And 5 copies of the “Neighborhood exhibit” plan

The requested copies are attached.

**Application for a Setback Waiver
Supplemental Information**

1. A setback waiver may be considered by the Zoning Board of Adjustment, providing that a **minimum setback of 5'** is maintained, if one of the following criteria is met.
 - (A) When the reduction is no greater than the front or side setbacks for existing structures on adjacent lots on the same street frontage.
 - (B) For greater fire safety as recommended by the Hartford Fire Department.
 - (C) For greater preservation of open land/agricultural land or scenic vistas.
 - (D) For greater preservation of other natural resources, such as, but not limited to surface waters, wetlands or steep slopes.
 - (E) For increased energy conservation and renewable energy structures.
 - (F) The waiver, if authorized, will represent the minimum necessary to achieve the stated purpose of this Section.

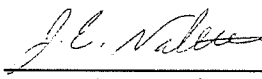
How does your application meet these criterion?

The proposed structure will meet the 5' setback requirement, and the reduction is no greater than the front infringement by many properties in the neighborhood, as shown on the Neighborhood Exhibit plan submitted with this application.

2. The Zoning Board of Adjustment determine that in issuing the setback waiver, the proposed development will:
 - (A) Be compatible with the scale and design of structures and overall existing development pattern of the surrounding area.
 - (B) Not impair reasonable or appropriate use of adjoining properties.
 - (C) Not result in greater impacts on natural resources.
 - (D) Not impair sight distances on public or private roads.

How does your application meet these criterion?

The proposed structure will be compatible with the scale and design of existing structures within the neighborhood. The development of this property will have no adverse impact on the surrounding properties. The proposed location of the structure is outside the special flood hazard area and it is 120 feet from the Ottauquechee River. The development of a single family home will have no adverse impacts on the site distances along River Street.

 October 28, 2022
Prepared By _____ Date _____

Application #20-22
CHA Butson White River Junction
Twin Pines Housing Trust

**DRAFT
FINDINGS OF FACT
CONCLUSIONS OF LAW
AND DECISION**

HARTFORD ZONING BOARD OF ADJUSTMENT

**Application #20-22 by CHA Butson White River Junction, LLC and
Twin Pines Housing Trust
for Conditional Use Approval to convert a Hotel to a Multi-unit Dwelling and Office
lot 14-0020-001, 102 Ballardvale Drive
White River Junction, in a GCR zoning district**

This decision pertains to application #20-22 by CHA Butson White River Junction, LLC (owner) and Twin Pines Housing Trust (applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations to convert a Hotel to a Multi-unit Dwelling and Office, lot 14-0020-001, 102 Ballardvale Drive , White River Junction, in a GCR zoning district.

FINDINGS OF FACT

Based upon the information contained in the exhibits for this application (see attached list) and the evidence adduced at the Zoning Board of Adjustment meeting of November 16, 2022, the Zoning Board of Adjustment makes the following Findings of Fact:

General Information

1. The owner of record of lot 14-0020-001 is CHA Butson White River Junction, LLC who acquired the lot on 06-16-03. The deed is recorded in volume 353, page 264 of the Hartford Land Records.
2. The lot is 1.58 acres/68,824 square feet.
3. The lot is developed with a 67-room hotel.
4. The lot is class one (1), municipal water and wastewater.

This Application

6. The applicant seeks approval to convert the hotel to a multi-unit dwelling with 40 dwelling units (31 one-bedroom units and 9 studio units), and 1,597 square feet of first floor office space.

7. According to the applicant, “The one bedroom units are created by combing two hotel bays and converting one bathroom into a kitchen. The studios will be located in the larger room bays with a kitchenette added next to the existing bath.

The current breakfast area will serve as common space/community room. The reception area and office space will be transformed into offices for resident service staff and meeting space for counseling residents. An existing laundry room will be converted into tenant storage area.

Existing mechanical and utility space will remain in current locations. The conference room will remain and be used for meetings, Twin Pines board meetings, resident events, and will be available to other community groups. The conference room (1,053 s.f.), meeting room (307 s.f.), and two offices (237 s.f. combined) will result in 1,597 square feet of office space for the project.”

8. According to the applicant, “The Veterans Administration has committed 4 VASH (Veterans Affairs Supportive Housing) vouchers to the project and Twin Pines has applied to the state for 8 project based vouchers for homeless individuals and families coming off of the Coordinated Entry List. The remaining units will be rented to residents earning 60% of less of Area Median Income.”
9. Allowable residential density in the GCR zoning district is 1 FAR. (FAR is the residential floor area on a lot divided by the total lot size.)

Given this, 68,824 square feet of residential floor area could be created.

The entire building is 36,364 square feet, including the 1,597 square feet of first floor office space which results in an FAR of less than 0.53.

10. The applicant proposes to create a landscaped outdoor park in the area under the existing portico and on its adjacent drives, and on a portion of the adjacent parking lot. The park area will contain a play area and garden beds, and will serve as green space for the tenants. (See exhibit #2, sheet LS)
11. The exterior lighting will not change as part of the project. (See exhibit #2, Sheet 5)
12. Access will remain via Ballardvale Drive and the existing drive over adjacent lot 14-0020-000 that is owned by Butson White River Junction II, LLC (an affiliate of property owner).

When the property transfers ownership, the deed will include an access easement over the adjacent lot.

13. The Town has plans to install sidewalk in two phases along Route 5. The first phase will be from Arboretum Lane to Ballardvale Drive and the second phase will extend the

sidewalk to the traffic circle at Sykes Mountain Avenue.

The Arboretum Lane to Ballardvale Drive sidewalk section is expected to be constructed in 2024 or 2025. The timing of the Ballardvale Drive to the Sykes Mountain Avenue section is uncertain at this time.

The applicant will contact VTrans to determine if the applicant can install a pathway in phase #2 of the sidewalk project connecting their project and the public sidewalk over VTrans' right-of-way.

14. There are 67 existing parking spaces for the hotel.

The applicant proposes to eliminate five parking spaces to make room for the park area and for a dumpster pad.

15. The Zoning Regulations require two parking spaces per dwelling unit and 1 parking spaces per 300 sq. ft. of office space which results in a requirement of 85 parking spaces for the project.

$$(40 \times 2 = 80) \quad (1,597/300 = 5.3)$$

The applicant requests a permanent reduction in the required parking spaces for the project, from 85 to 62.

16. Section 260-24(9)(e) allows for modifications in the number of required parking spaces as follows to be approved by the Planning Commission as follows:

If, in site plan approval proceedings or at any time in the future after a duly warned hearing, the Planning Commission determines that unique usage or special conditions exist which warrant increasing or reducing the need for parking, it may require the provision of off-street parking spaces up to 50% more or less than the requirements in Subsection C(9)(a) above. In the Central Business District, the parking may be reduced beyond 50%. When approving an increase or reduction in any zoning district, the Planning Commission shall consider the following:

- [a] Is the site located on or within 1,000 feet of a transit route?
- [b] Are there shared parking facilities with abutting businesses which are sufficient to meet parking demand?
- [c] For mixed-use projects, do the proposed uses have staggered business hours with minimal overlap?
- [d] Does the type of business proposed generate substantial pedestrian traffic and are adequate pedestrian facilities present?
- [e] Does an employer-sponsored "transit pass" program, or vanpool, carpool or rideshare program exist, or can one be established (as a

condition of the approval) to substantially reduce the need for on-site parking?

[f] Is safe and adequate on-street parking available?

[g] Is parking in municipal parking lots available?

[h] Does the Institute of Traffic Engineers, American Planning Association or other professional source show parking demand requirements for the proposed use(s) that are different than the standards specified in these regulations?

[i] Is there other information that justifies a change in the parking requirements?

According to the applicant, “The reduction request is based on the following considerations (labeled alphabetically to correspond to the 260-24(9)(e) criteria): (a) the project is on a public transit route; (d) Subject to receipt of approval from VTrans, the project will also eventually connect the on-site walkways to a planned sidewalk along Route 5 to allow residents without vehicles to access area businesses and services when Advance Transit is not running (on nights and weekends); (i) Based on Applicant’s experience at it’s Wentworth project on Sykes Mountain Avenue (a project with a similar mix of voucher and non-voucher affordable housing), car ownership among tenants is likely to be no more than 1 car/unit.

In addition, the office space will primarily be used to support the residents of the project. On most days only one to two staff will be present on the property, and the conference room and meeting room will be used for tenant events, tenant meetings, and deliver counseling services to tenants. Occasionally, the office space will be used for Twin Pines board meetings and possibly by outside community groups.”

17. According to the applicant, “The building was built in accordance with ADA accessibility requirements, and the project renovations will be ADA compliant as well.”
18. The applicant proposes covered bike racks near the entrance to the building.
19. Snow will be stored on site and will be removed as needed. Snow will not be stored in such a manner as to create a hazard.
20. The applicant proposes to install a screened dumpster pad area.
21. During construction of the proposed project erosion and sediment control measures as specified in the most current edition of the *Low-Risk Site Handbook for Erosion Prevention and Sediment Control* published by the Vermont Department of Environmental Conservation will be followed.
22. According to the applicant, the building will meet applicable energy code standards.
23. Stockpiling of materials related to the construction of the project will be located twice the distance of the height of the stockpiled materials from any public or private right-of-way

or property boundary.

24. Construction trailers may be used on the condition that they are placed a minimum of ten feet from any property line, are placed only when there is an effective zoning permit for the project, and are removed before a Certificate of Occupancy is requested. No construction trailer may be placed in such a way that it obstructs sight distance along the traveled way, at any intersection or driveway. Any construction trailer found to obstruct sight distance will be required to be relocated immediately.
25. The applicant understands that no structure, signage, parking spaces or plantings may be placed in such a way that obstructs sight distance along the traveled way, at any intersection or driveway. Any signs, parking spaces or plantings found to obstruct sight distance will be required to be relocated.
26. Construction of the project will comply with Section 260-31 B of the Hartford Zoning Regulations, which states:

Earth moving and hauling, rock drilling or crushing, jack hammer and similar excessively loud equipment shall not be operated on Sundays or between the hours of 5:30 p.m. and 7:00 a.m. except in emergency situations.
27. The applicant understands that they retain the obligation to identify, apply for, and obtain any relevant local and state permits for this project.
28. The applicant understands that a zoning permit is required before the commencement of construction of the project. The applicant further understands that the issuance of the zoning permit only authorizes the construction of the project in compliance with the Findings, Conclusions of Law, Approved Plans, Exhibits and Conditions as specified herein.
30. The applicant understands that all activities authorized by the issuance of the zoning permit shall be started within six (6) months and completed within two (2) years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. Any activities not completed within the above permit period shall be subject to any ordinance in effect at the time of reapplication. One six (6) month extension to both time periods may be granted by the Planning Commission.
31. The applicant understands that they must obtain a Certificate of Occupancy from the Zoning Administrative Officer upon completion of the project and before the building is occupied. The applicant understands that a Certificate of Occupancy will not be issued if the project is not in compliance with these Findings, Plans and any conditions placed on the decision.

CONCLUSIONS OF LAW

The Hartford Zoning Board of Adjustment, based upon the forgoing Findings of Fact, concludes that the proposed project will not adversely affect:

260-16A (1) Community facilities.

(a) The capacity of planned or existing **community facilities**, including, but not limited to:

[1] Emergency services.

[2] Municipal water or sewer system.

[3] Recreational facilities.

[4] The school system.

[5] Solid waste disposal facilities.

260-16A (2) The **character** of the area, as defined by the objectives of the zoning district within which the project is located and specifically stated policies and standards of the municipal plan, including, but not limited to:

(a) Scenic or natural beauty, historic sites, or rare and irreplaceable natural areas.

(b) Compatibility with scale and design of structures existing in that area.

260-16A (3) The capacity of **roads and highways** in the vicinity to safely accommodate expected traffic flows. In making this determination, the Board may require submission of a traffic impact study made by a professional traffic engineer.

260-16A (4) Any Town of Hartford **bylaws** in effect.

260-16A (5) Utilization of **renewable energy resources**.

DECISION

The Hartford Zoning Board of Adjustment, based upon the forgoing Findings of Fact and Conclusions of Law, hereby approves application #20-22 by CHA Butson White River Junction, LLC (owner) and Twin Pines Housing Trust (applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations to convert a Hotel to a Multi-unit Dwelling and Office, lot 14-0020-001, 102 Ballardvale Drive, White River Junction, in a GCR zoning district **on the condition that:**

- 1. Before a zoning permit is issued, the applicant submits a signed copy of the sewer/water allocation to the DPW.**

2. Before a Certificate of Occupancy is issued the applicant:

- **Submits written verification from a Professional Engineer licensed by the State of Vermont certifying that the project was constructed in compliance with the approved plans and Findings of Fact.**
- **Submits an electronic copy of the record drawing to the Zoning Administrator.**
- **Records an Energy Code Certificate in Hartford's Land Records.**

This decision is also subject to the condition that no modification or expansion shall be made to the project as described and limited in the above Findings of Fact and Conclusions of Law without the written approval of the Hartford Zoning Board of Adjustment and/or the Hartford Planning Commission. This decision may be revoked, and a new application or permit required if conditions and findings are violated or modified without written approval.

The applicant is responsible for insuring compliance with all applicable State and Federal regulations pertaining to this application.

Those in favor:

Those in opposition:

Those not participating:

Dated at Hartford, Vermont this ____ day of November 2022.

HARTFORD ZONING BOARD OF ADJUSTMENT

By: _____
Chairperson/Vice-Chairperson

Appeal Rights: An interested person who has participated in the proceeding related to this decision has the right to appeal this decision to the Vermont Environmental Court, pursuant to 24 V.S.A. s. 4471 and V.R.E.C.P.5, in writing, within 30 days of the date of this decision. If you fail to appeal this decision, your right to challenge this decision at some future time may be lost because you waited too long. You will be bound by this decision, pursuant to 24 V.S.A. s. 4472 (d) (exclusivity of remedy; finality).

EXHIBIT LIST

1. Application #20-22
2. Set of plans received October 27, 2022 including:
C0.0 Legend and Notes

8. 20-22

- C0.1 Existing Conditions and Demo Plan
- C2.0 Site Grading and Drainage Plan
- C2.1 Hartford Ladder Truck Turning Plan
- C2.2 Garbage Truck Turning Plan
- C3.0 Site Details
- C3.1 Site Details (2)
- LS Landscape Plan
- 5 Lighting Intensity Plan

3. Response to Jo-Ann Ells October 21, 2022 memo received October 27, 2022
4. Letter from Nate Stearns dated October 27, 2022
5. Memo from Jo-Ann Ells dated October 21, 2022

Planning Commission App. # _____
Zoning Board of Adjustment App. # _____

TOWN OF HARTFORD APPLICATIONS

(For office use only)

Map/Lot/Plot # _____ Fee Pd. \$ _____ Receipt # _____
PC: Site Plan _____ Min. Sub. _____ Maj. Sub. _____ PD _____ PD Amend. _____ Other _____
ZBA: Conditional Use _____ Variance _____ Appeal _____ Other _____
Zoning District(s) _____ Date Filed _____ Official Submittal Date _____
////////////////////////////////////

PLEASE COMPLETE ALL ITEMS APPLICABLE AND PROVIDE THE CORRECT NUMBER OF COPIES OF THIS APPLICATION AND THE SITE PLAN OR SUBDIVISION PLAT. ABUTTING LANDOWNERS WILL BE NOTIFIED BY THE PLANNING/ZONING OFFICE.

1. **NAME & ADDRESS OF RECORD OWNER(S)** CHA Butson White River Junction, LLC
1015 Gatewood DR, Suite 103, Lakewood Ranch, FL 34211
Deed Recorded Book 353 Page 264 (Available at Town Clerk's Office)
Telephone: Work 352 348 4099 Home _____ Fax _____
Email Address: chuck.butson@butsonhotels.com Cell _____
2. **NAME & ADDRESS OF APPLICANT(S)** Twin Pines Housing Trust
226 Holiday Drive, Suite 20, White River Junction, VT 05001
Telephone: Work 802 698 0581 Home _____ Fax _____
Email Address: Andrew.winter@tphtrust.org Cell _____
3. **NAME & ADDRESS OF APPLICANT'S CONSULTANT** Sheehey Furlong & Behm, P.C.
PO Box 909, Norwich, VT 05055
Telephone: Work 802 353 3356 Home _____ Fax _____
Email Address: nstearns@sheeheyvt.com Cell _____
4. **PROJECT LOCATION** 102 Ballardvale Drive
5. **PRESENT USE OF PROPERTY** Hotel - Fairfield Inn & Suites
6. **BRIEFLY DESCRIBE PROJECT** (in addition, a detailed narrative must be submitted). Convert 67 room hotel with 67 parking spaces, to a 40 unit multifamily building with 62 parking spaces.
7. **PROJECT SIZE IN SQ. FT OR ACREAGE** 1.58 acres
Lot Width _____ Lot Depth _____
8. **IS PROJECT ON TOWN WATER/SEWER?** Yes x No _____ If Yes, estimated
Water Consumption/day _____
Amount of Sewer Flow Projected _____
Size of Closest Lines Above (water) _____ (sewer) _____

9. **DESCRIBE LANDSCAPING PLAN** Minimal changes to existing landscaping, limited to addition of dumpster and addition of small park area.

10. **IF A BUSINESS** - Present Employees _____ Proposed NA
Days & Hours of Operation _____
Will you use the landfill & recycling center? Yes _____ No _____
The main waste by-product of your business is _____

11. **IF A RESTAURANT** - Present seating _____ Proposed NA

12. **PARKING SPACES** - Number to be provided : 62

13. **SIGNAGE** - Free Standing _____ Attached _____

14. **FENCING** - Location _____ Height _____

15. **NEAREST WATER SUPPLY FOR FIRE PROTECTION** At property

16. **ESTIMATED VALUE OF PROPOSED WORK** Approx. \$2,900,000

17. **IS THERE AN EXISTING DRIVEWAY?** Yes

18. **IF A SUBDIVISION** - Number of New Lots to be Created NA
Do you request that the Town consider taking over maintenance of - Roads _____
Or Park/Open Space _____

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

(This certification must be signed by lot owners and applicants).

Twin Pines Housing
By: Andrew B. Winter
Applicant's Signature (date) Andrew Winter, ED 10/13/22

CHA Butson White River Junction, LLC
By: Charles T. Butson
Lot Owner's Signature (date)

10/13/2022

Co-Applicant's Signature (date)

Co-Owner's Signature (date)

NOTE: It is the applicant's responsibility to contact the State for any permits that may be required.

PROPOSED PLACES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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PROPOSED FEATURES

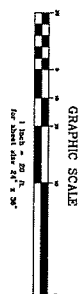
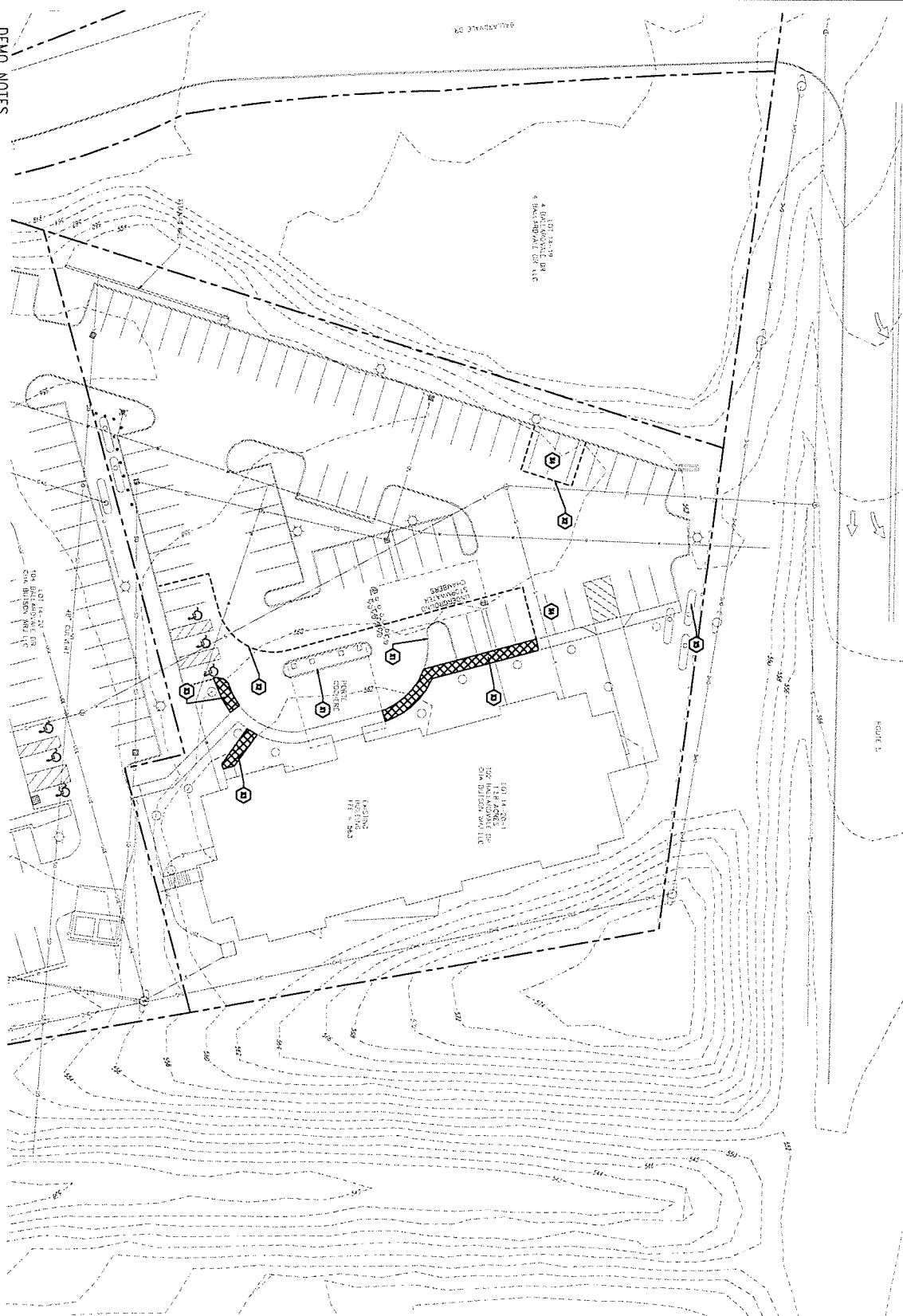
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1. FIRST ORDER LOCATION AND

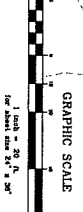
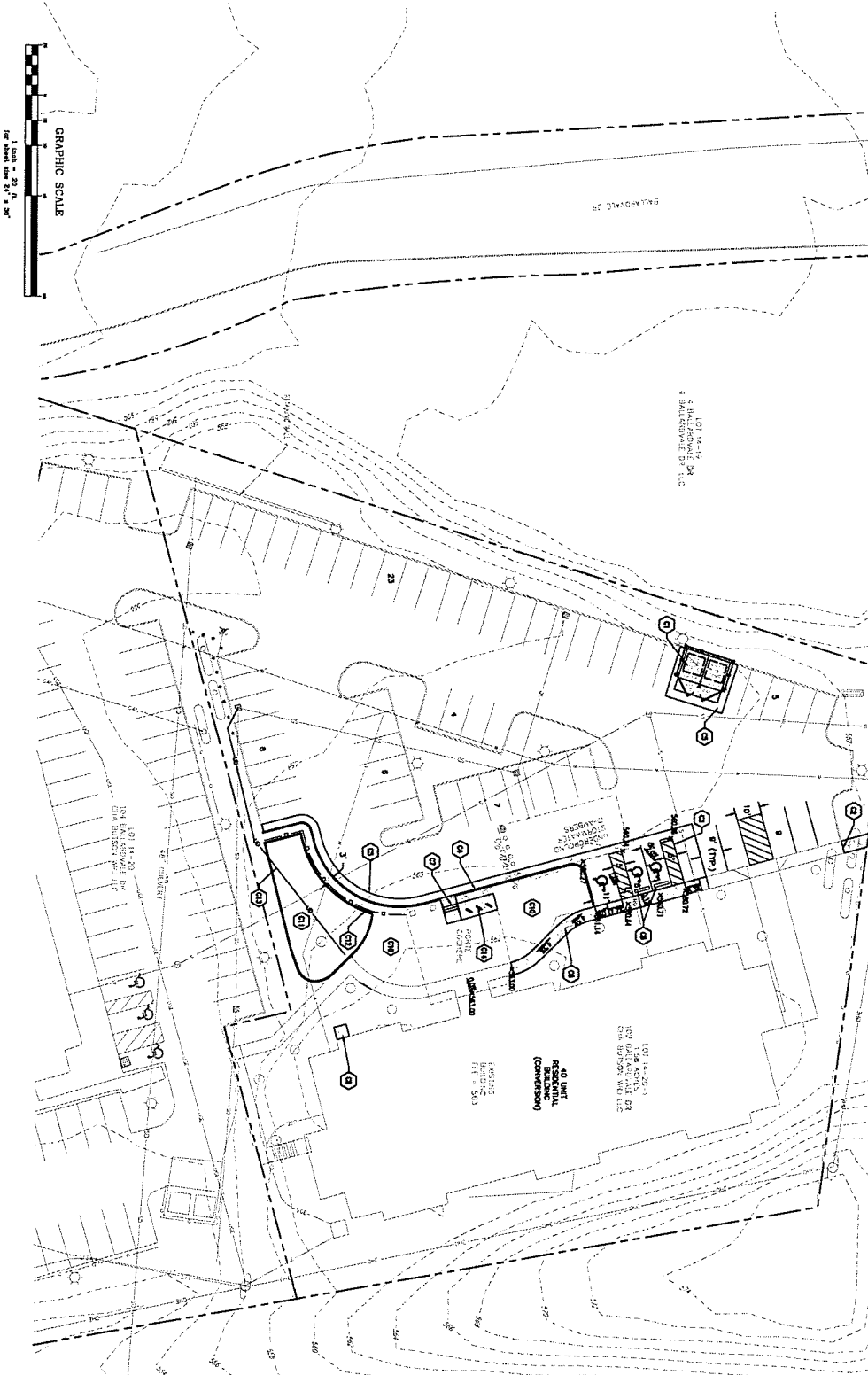
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- 11 RNDG CDS
- 12 SWRT AND RNDG PRDCTN
- 13 RNDG SEGMNT
- 14 RNDG STRNG
- 15 RNDG UNDERNG IN CRT

DEMO NOTES



100 Building Drive Site Grading and Drainage Regulations			
Item #	Existing	Proposed	Regulated
1. Slope	1:1	1:1	1:1
2. Erosion Control	1:1	1:1	1:1
3. Area of Disturbance	1:1	1:1	1:1
4. Buffer Zone	1:1	1:1	1:1
5. Retention Time	1:1	1:1	1:1
6. Retention Time	1:1	1:1	1:1
7. Retention Time	1:1	1:1	1:1
8. Retention Time	1:1	1:1	1:1
9. Retention Time	1:1	1:1	1:1
10. Retention Time	1:1	1:1	1:1
11. Retention Time	1:1	1:1	1:1
12. Retention Time	1:1	1:1	1:1
13. Retention Time	1:1	1:1	1:1
14. Retention Time	1:1	1:1	1:1
15. Retention Time	1:1	1:1	1:1
16. Retention Time	1:1	1:1	1:1
17. Retention Time	1:1	1:1	1:1
18. Retention Time	1:1	1:1	1:1
19. Retention Time	1:1	1:1	1:1
20. Retention Time	1:1	1:1	1:1



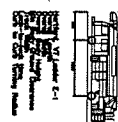
SITE NOTES

1. DRAINAGE AND EROSION CONTROL
2. DRAINAGE AND EROSION CONTROL
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19. DRAINAGE AND EROSION CONTROL
20. DRAINAGE AND EROSION CONTROL

C2.0		Site Grading and Drainage Plan	Twin Pines Housing Trust Hotel Conversion Hartford, Windsor County, Vermont	GBA Architecture and Planning 85 Granite Street Ln. Montpelier, VT 05602-229-1604	ENGINEERING VENTURES PC 208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-493-4225 85 Mechanics Drive, Suite 103, Lamoille, VT 05765 • 802-454-6333 411 Union Street, Colchester, VT 05445 • 802-454-6333	No. _____ Date _____
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VEHICLE TURNING NOTES

[illegible]

GBA Architecture and Planning
85 Granite Shed Ln.
Montpelier, VT
802-229-1684

**E ENGINEERING
VENTURES PC**

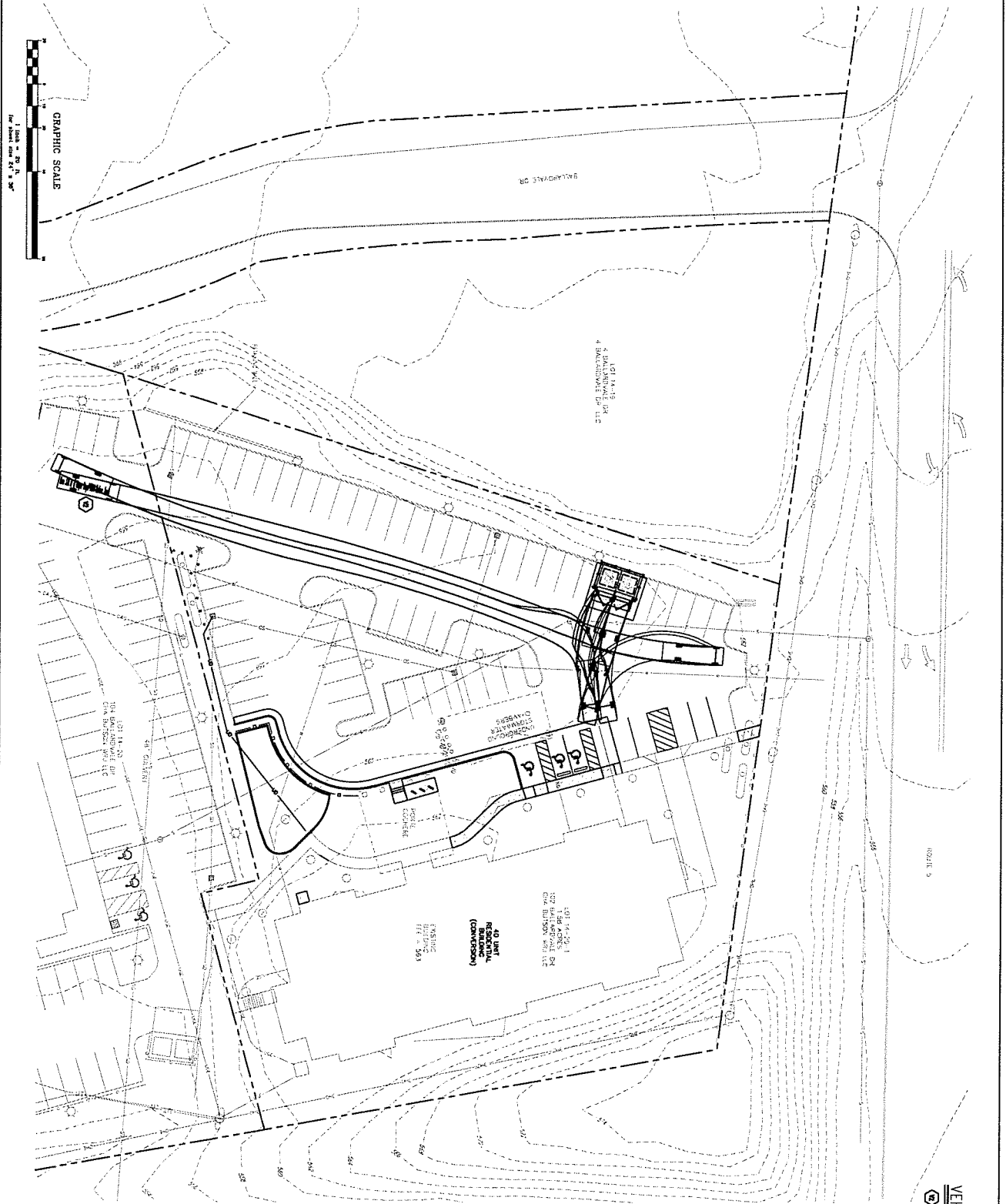
208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-675-6225
61 Mechanics Street, Suite E3-3, Lebanon, NH 03766 • 603-442-8033
414 Union Street, Schenectady, NY 12305 • 518-604-9611

www.enrventures.com

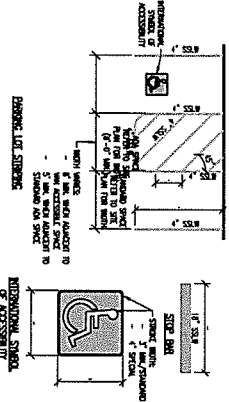
Hartford Ladder Truck Turning Plan

Street Title:	Hartford Ladder Truck Turning
Project Title:	Twin Pines Housing Trust Hotel Conversion Hartford, Windsor County, Vermont

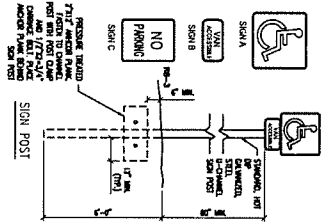
C2.1



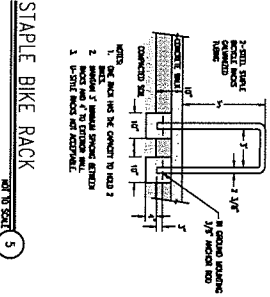
C2.2	Sheet Title: Garbage Truck Turning Plan	GBA Architecture and Planning 85 Granite Street Ln. Montpelier, VT 802-229-1664	ENGINEERING VENTURES PC 208 Flynn Avenue, Suite 2A, Burlington, VT 05401 • 802-493-4225 85 Mechanics Street, Suite E2-B, Lebanon, NH 03756 • 603-442-9333 411 Union Street, Schenectady, NY 12305 • 518-450-9611 www.engineeringventures.com	No. Description Date	
	Project Title: Twin Pines Housing Trust Hotel Conversion Hartford Windsor County, Vermont			Author: [] Checked By: [] Drawn By: [] Date: []	



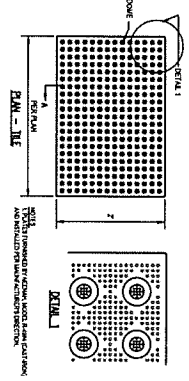
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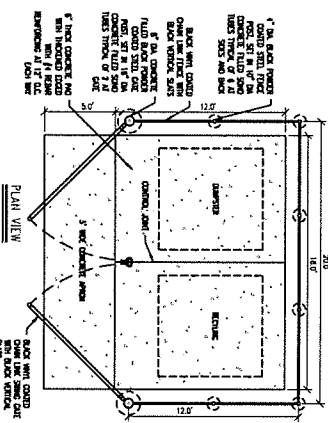
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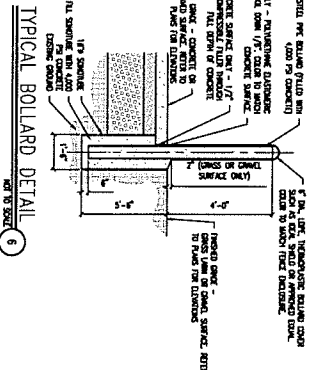
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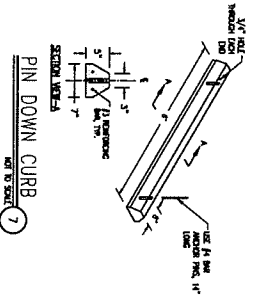
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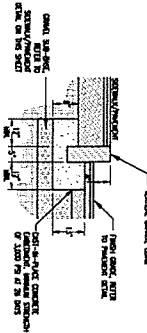
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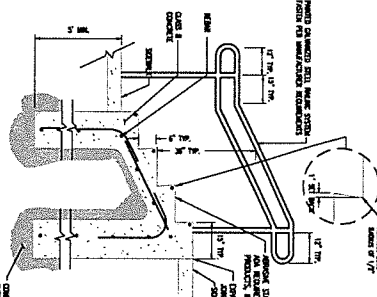
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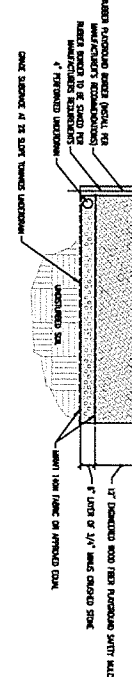
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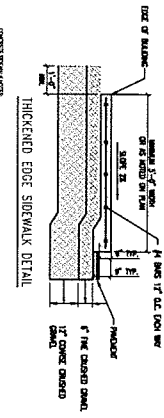
VERTICAL GRANITE CURB
 SEE TO SCALE 1



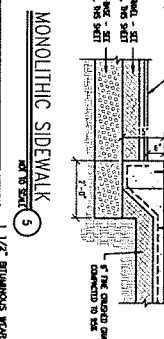
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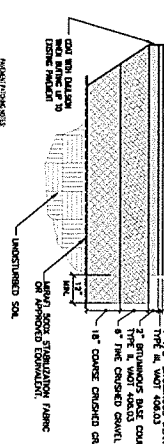
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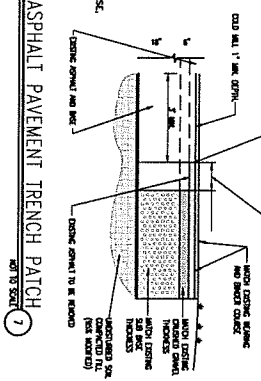
CONCRETE SIDEWALK
 SEE TO SCALE 2



MONOLITHIC SIDEWALK
 SEE TO SCALE 5



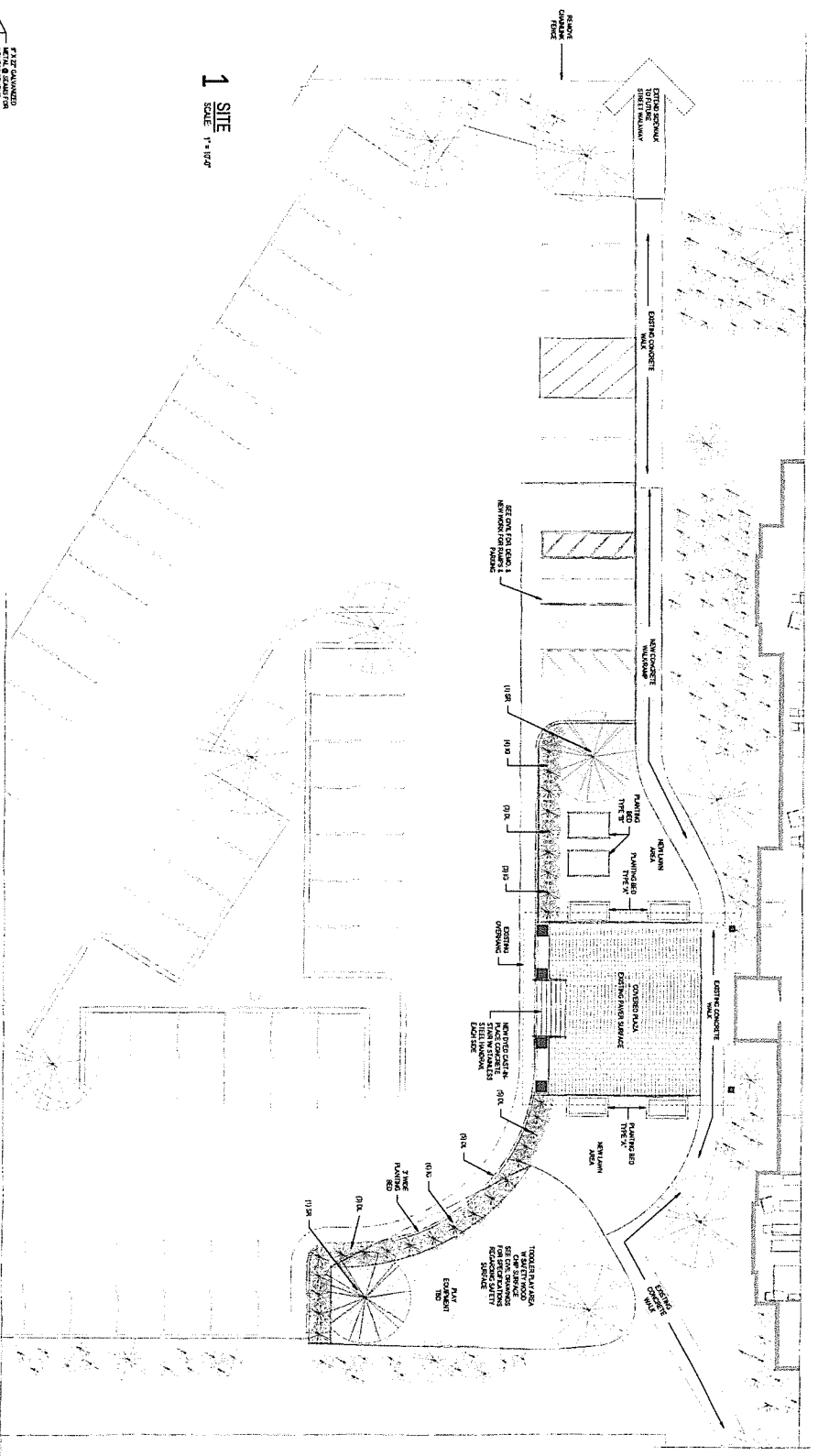
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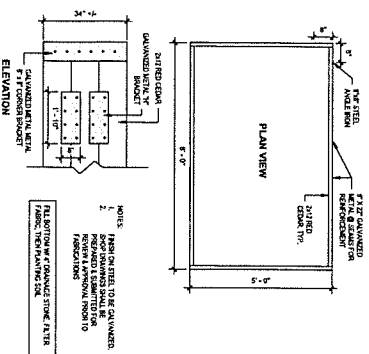
ASPHALT PAVEMENT TRENCH PATCH
 SEE TO SCALE 7

EARTHWORK NOTES

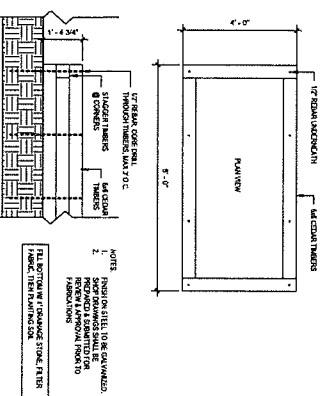
1. PRIOR TO THE START OF WORK, A PRE-CONSTRUCTION MEETING SHALL BE HELD WITH THE CONSTRUCTION, ARCHITECT, AND ALL NEARBY PROPERTY OWNERS. THE MEETING SHALL BE HELD AT THE PROJECT OFFICE, 85 GRANITE STREET, MONTPELIER, VT 05602. THE MEETING SHALL BE HELD AT THE PROJECT OFFICE, 85 GRANITE STREET, MONTPELIER, VT 05602. THE MEETING SHALL BE HELD AT THE PROJECT OFFICE, 85 GRANITE STREET, MONTPELIER, VT 05602.
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1
SITE
SCALE: 1" = 100'



2 RAISED PLANTING BED "B" - STANDING HEIGHT
SCALE: 1/2" = 1'-0"



3 RAISED PLANTING BED "A" - SITTING HEIGHT

GENERAL NOTES:
UNLESS OTHERWISE NOTED PLANTINGS
ARE EXISTING.

NOTES:
FENCING -
36" HIGH, ALUMINUM FENCE, BLACK POWDER COATED,
FLAT TOP RAIL, 2 HORIZONTAL RAILS, 54" SQUARE
PICKETS @ 4" O.C. MAX SPACING, 2-1/2" SQUARE POSTS
SPACING AS RECOMMENDED BY MANUFACTURERS
PHOTO.
LAWN SEED -

ALUMINUM FENCE



ARCHITECTURE & PLANNING
65 granite shd lane
monopeller, vermont 05602
802.229.1654 • 802.229.4522 FAX
www.gbaarchitecture.com

1. Please respond to the following comments from the Department of Public Works:

The calculations desire to dedicate the unused flows created by this project as unassigned flows. As the project utilizes the entire complex and there are no other spaces within it for rent as other uses the allocations cannot be provided to the property.

Therefore, the applicant needs to provide an application for allocation which will reduce the amounts allocated to the property. The applicant shall further, be required to notify us when the change of use is complete so that future billings can be adjusted to reflect the lower equivalent EDU's in their base fees. The application can be found at:

https://cms5.revize.com/revize/hartfordvt/Document_center/Services/Public%20works/Wastewater/HVT%20Application%20For%20Allocation_1.pdf

Calculations have been updated to include first floor office space. No reservations are included in the new calculations.

2. Please complete item #1 on the application form.

Completed.

3. Please include a discussion on density in the project narrative.

Included in project narrative.

4. Please update the section meeting space and parking sections of the project narrative regarding the use per my conversation with Nate Stearns.

This section has been updated. The first floor meeting space is now counted as 1,597 square feet of office space.

5. Please consider providing a bike rack(s).

Revised plans include provision for bike racks.

6. I believe there are 59 parking spaces available not 62. (I count 4 and 22 parking spaces on the west side of the lot opposed to 5 and 23 shown on the plan, and 7 parking spaces on the south side of the lot opposed to 8 shown on the plan.) Please clarify.

There are 62 parking spaces. The plans show shading in 3 parking spaces that looks like a walkway or raised curb, but it is just new pavement to repave pavement that is getting cut out for other improvements. The new pavement will be level with the existing pavement.

7. Please contact VTrans to discuss the possibility of creating a walkway between the project and public sidewalk (once it is installed).

A message was left for Kevin Gadapee, the interim District Transportation Administrator for VTrans District 4, on October 26, 2022. Additional information will be provided when a response is obtained.

8. Please send me a single email with all application materials including your response to this memorandum.

Application materials will be emailed.

9. Please submit 14 copies of all application materials including your written response to this memorandum.

14 copies will be delivered.

October 27, 2022

Jo-Ann Ells, Zoning Administrator
Hartford Planning & Zoning
Hartford Municipal Building
2nd Floor Room 201 171 Bridge Street
White River Junction, VT 05001

Re: Conditional Use and Site Plan Review, 102 Ballardvale Drive—Parcel 014-0020-001
Landowner: CHA Butson White River Junction, LLC
Applicant: Twin Pines Housing

Dear Jo-Ann:

Please find enclosed herewith an application for Conditional Use and Site Plan Review for conversion of a 67 room hotel building to a multifamily building with 40 dwelling units (31 one-bedroom units and 9 studio units), and 1,597 square feet of first floor office space, on Lot 14-20-1, 102 Ballardvale Drive.

General Information:

1. The owner of record of lot 14-20-1 is CHA Butson White River Junction, LLC, which acquired the lot on 6/16/2003. The deed is filed in volume 353, page 264 of the Hartford Land Records.
2. The Applicant seeks Conditional Use approval and Site Plan Review Approval to convert of a 67 room hotel building to a multifamily building with 40 dwelling units (31 one bedroom units, and 9 studio units), with 1,597 square feet of first floor office space.
3. Lot 14-20-1 contains approximately 1.58 acres. The Lot is currently developed with the Fairfield Inn and Suites hotel and associated parking, driveways, landscaping, lighting, and infrastructure. The lot is bordered by Bob's Service Center to the west, Route 5 to the north, I-91 to the east, and the Hampton Inn hotel to the south. The existing property received site development plan approval in application #03-22.
4. Lot 14-20-1 is in the General Commercial/Residential zoning district.
5. Lot 14-20-1 is not located in any overlay district.
6. 14-20-1 is a class one (1) lot.

Project narrative

The project encompasses converting an existing hotel into affordable housing. The existing hotel is a 67 room, nationally flagged hotel, with 67 parking spaces and landscaped grounds. The approximately 20 year old building is a steel and concrete 3 story structure with approximately 37,000 sf on a 1.58 acre site located near the I-91/89 interchange in White River Junction, VT. Hotel rooms occupy half of the first floor and all of the second and third floors on a double-loaded corridor. The remaining half of the first floor is public space – lobby, breakfast area along with a large conference room and office and utility/mechanical space. All floors are serviced by an existing, centrally located elevator and stair access / egress is at both ends of the building.

The site is across the street from the VA Hospital, adjacent to an Advance Transit bus stop and within 1.5 miles of downtown White River Junction. The town has plans to extend the side walk, currently terminating at the traffic circle at Sykes Mountain Ave, past the property to the Upper Valley Aquatic Center.

The conversion plan generates 40 apartment units - 31 one bedroom units and 9 studios. The one bedroom units are created by combining two hotel bays and converting one bathroom into a kitchen. The studios will be located in the larger room bays with a kitchenette added next to the existing bath. Unit density in the GCR district is calculated based on floor area ratio, with an allowed FAR of 1.0. The lot is 1.58 acres, or 68,824 square feet. The entire building is 36,364 square feet, including the 1,597 square feet of first floor office space described in the next paragraph, which results in an FAR of less than 0.53.

The current breakfast area will serve as common space / community room. The reception area and office space will be transformed into offices for resident service staff and meeting space for counseling residents. An existing laundry room will be converted into tenant storage area. Existing mechanical and utility space will remain in current locations. The conference room will remain and be used for meetings, Twin Pines board meetings, resident events, and will be available to other community groups. The conference room (1,053 s.f.), meeting room (307 s.f.), and two offices (157 s.f. combined) will result in 1,597 square feet of office space for the project.

The scope of work includes energy efficiency upgrades suggested by Efficiency Vermont. This includes: increased attic insulation, new energy efficient propane boilers for heat and domestic hot water, new heat pump for non-heating season domestic hot water and improved fresh air supply to the units.

The vast majority of the renovation will be interior, no work on the building exterior is contemplated (although window replacement is possible). Exterior site work includes creating a park area at the front of building and a walkway extension to the street. Five parking spaces will be eliminated to make room for the park area and for a dumpster pad, resulting in 62 parking spaces remaining for the project.

The Veterans Administration has committed 4 VASH vouchers to the project and Twin Pines has applied to the state for 8 project based vouchers for individuals coming off of the Consolidated Entry List. The remaining units will be rented to residents earning 60% of less of Area Median Income.

This Application

7. Submitted herewith are copies of following items:

- 02 – Signed Application
- 03 – Water and Sewer flow calculations
- 04 – Responses to J. Ells Comments of 10/21/2022
- 05 – Site Plans
- 06 – Landscaping Plan
- 07 – Lighting Intensity Plan for existing exterior lighting submitted in connection with Hotel site plan approval, application #03-22
- A check was previously submitted in the amount of \$310.00 (\$155 for Conditional Use Review and \$155 for Site Plan Review.)

8. Construction Staging. The property will be vacant during construction. Construction materials will be staged in the existing parking lot.

9. Easements. The project will require an easement from Butson White River Junction II, LLC (an affiliate of property owner) for access over the existing driveway.

Conditional Use

10. The Zoning Regulations allow “dwelling, multi-unit” as a conditional use in the General Commercial/Residential district. Office use is permitted by right in the GCR district.

The project is a 40-unit multi-unit dwelling, with 31 one-bedroom units and 9 studio units and 1,597 square feet of office space.

11. The requirements for Conditional Use approval set forth in Section 260-16, and Applicant’s responses, are as follows:

In order for the permit to be granted, the applicant shall be required to present evidence that the proposed use shall not result in an undue adverse effect on any of the following such that an impact cannot be reasonably mitigated:

(1) Community facilities.

(a) The capacity of planned or existing community facilities, including, but not limited to:

[1] Emergency services.

[2] Municipal water or sewer system.

[3] Recreational facilities.

[4] The school system.

[5] Solid waste disposal facilities.

(b) The Board may seek or require input from the Town Manager and other municipal officials regarding relevant facilities. The Board shall also take into account sections of the Municipal Plan and any duly adopted Capital Plan which specify anticipated growth, service standards, and facility construction plans.

The project will redevelop a currently developed property that is located in an area surrounded by other existing development and that is served by public transit. No new community facilities are required to serve the project. The project will convert a 67 unit hotel to 40 dwelling units (31 one-bedroom units and 9 studio units) and 1,597 square feet of office space. The individual units are not intended for occupancy by large numbers of people. Accordingly, the project will not overburden the use of community facilities, such as to have an undue adverse effect.

(2) The character of the area, as defined by the objectives of the zoning district within which the project is located and specifically stated policies and standards of the municipal plan, including, but not limited to:

(a) Scenic or natural beauty, historic sites, or rare and irreplaceable natural areas.

(b) Compatibility with scale and design of structures existing in that area.

The objective of the General Commercial/Residential district is as follows:

To maintain its role and function as a local and regional service center along an important Town gateway while encouraging a transition towards more compact commercial, mixed-use and

multi-unit residential development. New development and redevelopment shall focus on the following elements that create a sense of place including:

- *Enhance the aesthetic character of this corridor with well-designed buildings, landscaping, signage, and lighting.*
- *Recognize the visual importance of the mass and scale of buildings including elements such as clearly delineated doors and windows, roof lines, variations in building footprint, materials and architectural features.*
- *Ensure compatibility of different uses.*
- *Provide improved walkability with connections to existing sidewalks and adjacent properties.*
- *Provide parking on the sides and rear of the lot, while avoiding parking in the front of buildings.*
- *Use landscaped islands to break up expanses of pavement.*
- *Provide a suitable buffer from adjoining wetlands and streams.*

The project will meet the objectives of the General Commercial/Residential district: The project will provide multi-unit residential development within an existing building that will not adversely impact aesthetics of the area. The project will be located on a public transportation route and will provide housing within walking distance to area businesses. The Town has plans to extend a sidewalk from the traffic circle by McDonald's all the way past the project site to the aquatic center. Subject to receiving approval from VTrans, the existing walkways on the project property will be extended to connect to the future sidewalk along Route 5.

The Town Plan identifies the project area as "General Industrial/Commercial". Although the Town Plan does not mention multi-family residential use in this area, the area of the project was recently rezoned after several public hearings and zoning now accommodates multi-family residential use as a conditional use.

The project is also compatible with the scale and design of structures existing in the area, and is a re-use of an existing building.

(3) The capacity of roads and highways in the vicinity to safely accommodate expected traffic flows. In making this determination, the Board may require submission of a traffic impact study made by a professional traffic engineer.

The expected traffic flows of the project will not create an undue adverse effect on the capacity of roads and highways in the vicinity. The project will consist of 40 dwelling units (31 one bedroom units and 9 studio units) and 1,597 square feet of office space. The project will provide affordable housing, and based on Applicant's experience with other similar projects Applicant expects that residents will have less than one car per unit. The project is also located on the Advance Transit route, and is within walking distance of area businesses and services.

The Town has planned a new sidewalk along Route 5 in front of the project, and project residents will have access to that sidewalk when it is built (subject to receipt of VTrans approval).

(4) Any Town of Hartford bylaws in effect.

The project will not violate Town of Hartford bylaws.

(5) Utilization of renewable energy resources.

The project will not interfere with the utilization of renewable energy resources. The project has been designed in consultation with Efficiency Vermont, and the project will meet applicable building energy standards. The project includes upgrading building systems and adding insulation to improve energy efficiency and lower carbon footprint of property. The project will use efficient lighting and low flow plumbing fixtures.

12. Pursuant to Section 260-16.C, Applicant understands that, if the project is approved, any enlargement or alteration of the project that is not exempt as a minor change will require conditional use review by the Zoning Board of Adjustment.

Site Plan Review

13. Applicant has submitted a site development plan drawing showing the features required in Section 260-45.B. Applicant understands that, if the project is approved, any change to the site development plan that is not exempt as a minor change will require site plan review by the Planning Commission.
14. The standards for Site Plan Review approval set forth in Section 260-45.C, and Applicant's responses, are as follows:

Review standards. *The Planning Commission shall conform to the requirements of Section 4416 of the Act before acting upon any application. The Planning Commission shall consider and may impose conditions in relation to the following objectives:*

(1) Maximum safety of traffic circulation between the site and the street network and integration with the overall traffic pattern, including provisions for auxiliary roadways connecting with adjacent properties where appropriate. Included in this evaluation shall be the location, number and width of access points, curve radii at access points, acceleration or deceleration lanes on adjacent public streets, sight distances, lighting, location of sidewalks and other walkways, and the overall relationship of the proposed development with existing traffic conditions in the

area. All modes of transportation shall be taken into account, including pedestrian, bicycle, handicapped, delivery and emergency vehicles and public transportation.

Site traffic will access the surrounding road network via the existing access onto Ballardvale Drive. The existing access has operated for many years without any safety concerns. Public transportation serves the property, and the property is within walking distance to area businesses and services. The project will eventually be connected to a planned sidewalk to be constructed along Route 5.

(2) Adequacy of on-site circulation, parking, and loading facilities, with particular attention to safety. Included in this evaluation shall be traffic movement patterns, drive and aisle widths, directional signs, location of loading docks and parking areas, number and size of parking spaces, and provision for lighting, drainage, snow removal and access for emergency vehicles and public transportation.

On site circulation, parking and loading facilities are shown on the Site Development Plan. Site circulation will remain largely as it currently exists. Five parking spaces will be eliminated to provide a location for a dumpster and for a small park. The renovations have been designed to maintain existing fire truck and emergency vehicle access. The building is, and will continue to be, sprinklered.

Per Section 260-24, the base zoning regulations requirement for the multifamily project is 2 spaces per unit, which results in a requirement of 80 spaces. The base zoning requirement for office space is 1 space per 300 square feet, which results in 5 spaces. The project will provide 62 spaces.

Section 260-24(9)(e) allows for modifications in the number of required parking spaces as follows:

If, in site plan approval proceedings or at any time in the future after a duly warned hearing, the Planning Commission determines that unique usage or special conditions exist which warrant increasing or reducing the need for parking, it may require the provision of off-street parking spaces up to 50% more or less than the requirements in Subsection C(9)(a) above. In the Central Business District, the parking may be reduced beyond 50%. When approving an increase or reduction in any zoning district, the Planning Commission shall consider the following:

[a] Is the site located on or within 1,000 feet of a transit route?

[b] Are there shared parking facilities with abutting businesses which are sufficient to meet parking demand?

[c] For mixed-use projects, do the proposed uses have staggered business hours with minimal overlap?

[d] Does the type of business proposed generate substantial pedestrian traffic and are adequate pedestrian facilities present?

[e] Does an employer-sponsored "transit pass" program, or vanpool, carpool or rideshare program exist or can one be established (as a condition of the approval) to substantially reduce the need for on-site parking?

[f] Is safe and adequate on-street parking available?

[g] Is parking in municipal parking lots available?

[h] Does the Institute of Traffic Engineers, American Planning Association or other professional source show parking demand requirements for the proposed use(s) that are different than the standards specified in these regulations?

[i] Is there other information that justifies a change in the parking requirements?

Applicant requests a permanent reduction in the required parking spaces for the project, from 85 to 62. The reduction request is based on the following considerations (labeled alphabetically to correspond to the 260-24(9)(e) criteria): (a) the project is on a public transit route; (d) Subject to receipt of approval from VTrans, the project will also eventually connect the on-site walkways to a planned sidewalk along Route 5 to allow residents without vehicles to access area businesses and services when Advance Transit is not running (on nights and weekends); (i) Based on Applicant's experience at it's Wentworth project on Sykes Mountain Avenue (a project with a similar mix of voucher and non-voucher affordable housing), car ownership among tenants is likely to be no more than 1 car/unit.

In addition, the office space will primarily be used to support the residents of the project. On most days only one to two staff will be present on the property, and the conference room and meeting room will be used for tenant events, tenant meetings, and deliver counseling services to tenants. Occasionally, the office space will be used for Twin Pines board meetings and possibly by outside community groups.

*(3) Adequacy of **landscaping, screening, and setbacks** in achieving maximum compatibility with and protection of adjacent properties by screening from them any glare produced by interior or exterior lights and unsightly areas such as storage areas, and parking lots; assurance that landscape materials will not interfere with visibility or safety and that they are of a type that can survive and be maintained as proposed.*

The project will create an outdoor park in the area under the existing portico and on its adjacent drives, and on a portion of the adjacent parking lot. The park area will contain a play area and garden beds, and will serve as green space for the tenants. The exterior lighting will not change as part of the project. See attached Landscaping Plan and the Lighting Intensity Plan that was approved in connection with the site plan review for the existing hotel.

(4) Adequacy of provision for safety and convenience of pedestrians, bicyclists, and handicapped persons. Included in this evaluation shall be lighting of walks and entrances, design and placement of walks and crosswalks, pick-up points for public transportation and provision of bicycle racks.

The building was built in accordance with ADA accessibility requirements, and the project renovations will be ADA compliant as well. Accessible parking spaces are shown on the Site Plan (Sheet C2.0). Walkways and crosswalks for pedestrians are also shown on the Site Plan. Subject to receipt of approval from VTrans, the project will eventually connect on-site walkways to a planned sidewalk along Route 5. The property is also served by Advance Transit.

(5) Protection of renewable energy resources, including a finding that the proposed development does not adversely affect the ability of adjacent properties to use this form of energy.

The project will not interfere with the utilization of renewable energy resources. The project has been designed in consultation with EfficiencyVT, and the project will meet applicable building energy standards. The project includes upgrading building systems and adding insulation to improve energy efficiency and lower carbon footprint of property through the use of efficient lighting and low flow plumbing fixtures. Given that this project is a re-use of an existing building without changing the exterior dimensions of the building, it will not adversely affect the ability of adjacent properties to use renewable energy resources.

(6) Compliance with other provisions of these regulations including § 260-27, Landscaping, and § 260-31, Land use performance standards.

Review of Sections §260-27 and §260-31 is provided below.

15. Applicant's response to the requirements of Section § 260-24 (Access and Parking), are as follows:

A. Required access to public roads

The project will utilize the existing access to Ballardvale Drive.

B. Location of Curb cuts in relation to intersections

No changes are proposed to the existing curb cuts.

C. Off street Parking

See discussion above regarding off street parking. Parking spaces are a minimum of 18'x9'. Accessible parking is provided as shown on the Site Plan.

16. Applicant's response to the requirements of Section 260-25 (Protection of surface waters), are as follows:

There are no mapped wetlands or streams within the project area.

17. Applicant's response to the requirements of Section 260-27 (Landscaping), are as follows:

A. Open space requirements.

The project will result in a slight decrease in existing lot coverage with the addition of a park area on part of the parking lot near the front entrance.

B. Plantings.

(1) Plant materials included in landscape plans may be trees, shrubs, lawns, flower gardens, ground covers, cropland, pasture, meadows, wetlands and forests.

Please refer to the Landscaping Plan.

(2) Natural cover shall be retained on a site to the extent possible and reasonable. Site clearing shall be kept to the minimum required for the construction of buildings and improvements.

The project entails redevelopment of a currently developed lot and will not involve any site clearing.

(3) Plantings included in landscape plans receiving site development plan approval shall be maintained in a healthy, growing condition. Where forest, cropland and "natural" areas are included, provision shall be made for their ongoing maintenance.

The owner understands that landscaping requires maintenance and will maintain the landscaping.

(4) The choice and placement of plantings in parking areas shall take into account the special hazards of salt, vehicles and maintenance equipment, and include provision for adequate and safe snow removal.

Snow removal will be conducted along the access drive and parking areas, to be stored on site in the parking lot islands. Snow will be removed off lot as needed.

(5) Any landscape plan submitted for site development plan approval shall show the locations and types of plants to be removed as well as the species, sizes, quantities and locations of all new plants to be installed. Additional information may be required by the Planning Commission under the provisions of §260-45 below.

Please refer to the Landscaping Plan.

C. Grading and drainage. The following provisions shall apply to any changes which affect drainage of water to or from a property:

The project does not involve any changes to the existing grading other than the addition of the park area, which will result in a decrease in impervious surface area.

18. Applicant's response to the requirements of Section 260-28 (Fences, Hedges, and retaining walls), are as follows:

The project will remove the existing fence along Route 5. No new fences are proposed.

19. Applicant's response to the requirements of Section 260-31 (Land Use Performance Standards), are as follows:

A. Noise volume shall be limited to 70 decibels or less at or beyond the property line. Noise levels or frequencies which are not customary in the district or neighborhood or which represent a repeated disturbance to others shall not be permitted.

The project is a residential use and will produce noise consistent with other residential uses in town.

B. Earth moving and hauling, rock drilling or crushing, jack hammer and similar excessively loud equipment shall not be operated on Sundays or between the hours of 5:30 p.m. and 7:00 a.m. except in emergency situations.

The Applicant understands this Condition. Any such equipment will not operate on Sundays or between the hours of 5:30 p.m. and 7:00 a.m., except in emergency situations. Applicant does not anticipate the need for rock drilling or jack hammering within the property limits.

C. No use shall emit dust, noxious odors or odors which are considered offensive that are detectable beyond property lines. However, where agriculture is a permitted use, customary agricultural activities shall not be restricted under this subsection.

The Applicant understands this Condition. The use is residential and does not anticipate any such emissions from the project different than other residential uses in the area.

D. No use shall, as part of normal operations, produce vibrations which are detectable without instruments at the property line.

The Applicant understands this Condition and does not anticipate that the residential project will produce any such vibrations.

E. Illumination from lighting fixtures or other light sources shall be shielded or of such low intensity as not to cause undue glare, reflected glare, sky glow, or a nuisance to traffic or abutting properties. Lights used to illuminate parking areas and drives shall be so arranged and designed as to deflect light downward and away from adjacent residential areas and public highways. Lights shall be of a "downshield luminaire" type where the light source is not visible from any public highway or from adjacent properties. Only fixtures which are shielded to not expose a light source, and which do not allow light to "flood" the property, are permitted to be attached to buildings. Searchlights are not permitted.

The Applicant understands this Condition and is not proposing any changes to the existing exterior lighting.

F. Fire, explosive and similar safety hazards which would substantially increase the risk to an abutting property, or which would place an unreasonable burden on the Fire Department, shall be prohibited.

Applicant understands this condition and does not anticipate any such hazards from this residential project.

G. No use shall result in burying or seepage into the ground of material which endangers the health, comfort, safety or welfare of any person, or which has a tendency to cause injury or damage to property, plants or animals. Commercial, industrial or institutional facilities having underground fuel storage shall maintain all tanks and related equipment with leak detection and spill control systems incorporating the best available safety practices and technology, consistent with government and industry standards.

Applicant understands this condition and does not anticipate any such conditions from this residential project.

20. The Applicant understands that it retains the obligation to identify, apply for, and obtain any relevant local and state permits for this project.
21. The Applicant understands that a zoning permit is required before the commencement of construction of the project. The Applicant further understands that the issuance of the zoning permit only authorizes the construction of the project in compliance with the project as presented and approved.
22. The Applicant understands that all activities authorized by the issuance of the zoning permit shall be started within six (6) months and completed within two (2) years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. Any activities not completed within the above permit period shall be subject to any ordinance in effect at the time of reapplication. The Planning Commission may grant one six (6) month extension to both time periods.
23. The Applicant understands that it must obtain a Certificate of Occupancy from the Zoning Administrative Officer upon completion of the project and before the building is occupied. The Applicant understands that a Certificate of Occupancy will not be issued if the project is not in compliance with these Findings, Plans and any conditions placed on the decision.

Jo-Ann Ells, Hartford Zoning Administrator
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24. Applicant understands that any approval will include a requirement that no structure, including construction/office trailers, signage, parking spaces or plantings may be placed in such a way that obstructs sight distance along the traveled way, at any intersection or driveway. Any signs, parking spaces or plantings found to obstruct sight distance will be required to be relocated.
25. Applicant understands that once the project is done and before a Certificate of Occupancy will be issued it will need to:
 - Submit written verification from a Professional Engineer licensed by the State of Vermont certifying that the project was constructed in compliance with the approved plans and Findings of Fact.
 - Submit an electronic copy of the record drawing to the Zoning Administrator.
 - Record an Energy Code Certificate in Hartford's Land Records.
26. Applicant understands that any stockpiling of materials related to the construction of the project must be located twice the distance of the height of the stockpiled materials from any public or private right-of-way or property boundary.
27. Applicant understands the following: The Hartford Zoning Regulations provide that "Construction trailers may be used at construction sites for office and laboratory use on the condition that they are placed a minimum of ten feet from any property line, are used for a project with a valid zoning permit and are removed before a certificate of occupancy is requested. No construction trailer may be placed in such a way that obstructs sight distance along the traveled way, at any intersection or driveway. Any construction trailer found to obstruct sight distance will be required to be relocated immediately.

Please let me know if you need any additional information.

Sincerely,

SHEEHEY FURLONG & BEHM P.C.

/s/ Nathan H. Stearns

Nathan H. Stearns

Enclosures
cc (by email):
Andrew Winter

Jo-Ann Ells, Hartford Zoning Administrator

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Bill Kelsey

Gregg Gossens

Kevin Worden

Adam Morse

Memorandum

To: Andrew Winter, Twin Pines Housing Trust (via email)
Cc: Nate Stearns, Sheehey, Furlong, and Behm, and Chris Holzwarth, Hartford
Project Manager (via email)
From: Jo-Ann Ells, Zoning Administrator
Date: October 21, 2022
Re: Hotel Conversion to Multi-Unit /Lot 14-20-1/102 Ballardvale Drive

Following are comments on your application. Please submit your response to my office before **9:00 a.m., Friday, October 28, 2022**. If you are unable to meet this deadline, please contact me as soon as possible to discuss the deadline to have your application considered at the next round of Public Hearings.

Prior to the Planning Commission and Zoning Board of Adjustment Public Hearings, you will receive an agenda, draft Findings of Fact, and additional staff comments if there are any. Please feel free to contact me at any time during this process.

1. Please respond to the following comments from the Department of Public Works:

The calculations desire to dedicate the unused flows created by this project as unassigned flows. As the project utilizes the entire complex and there are no other spaces within it for rent as other uses the allocations cannot be provided to the property.

Therefore, the applicant needs to provide an application for allocation which will reduce the amounts allocated to the property. The applicant shall further, be required to notify us when the change of use is complete so that future billings can be adjusted to reflect the lower equivalent EDU's in their base fees. The application can be found at:

https://cms5.revize.com/revize/hartfordvt/Document_center/Services/Public%20works/Wastewater/HVT%20Application%20For%20Allocation_1.pdf

2. Please complete item #1 on the application form.
3. Please include a discussion on density in the project narrative.
4. Please update the section meeting space and parking sections of the project narrative regarding the use per my conversation with Nate Stearns.
5. Please consider providing a bike rack(s).
6. I believe there are 59 parking spaces available not 62. (I count 4 and 22 parking spaces on the west side of the lot opposed to 5 and 23 shown on the plan, and 7 parking spaces on the south side of the lot opposed to 8 shown on the plan.) Please clarify.
7. Please contact VTrans to discuss the possibility of creating a walkway between the project and public sidewalk (once it is installed).
8. Please send me a single email with all application materials including your response to this memorandum.
9. Please submit 14 copies of all application materials including your written response to this memorandum.