

**DEVELOPMENT REVIEW BOARD
MINUTES FOR THE REGULAR HEARING
THURSDAY, APRIL 7, 2022
DRAFT**

A regular meeting of the Barre City Development Review Board held in person and video conference was called to order by Chair Linda Shambo (Ward I) at 7:00 pm. In attendance, participating on video or in person were Board Members Vice-Chair Jeffrey Tuper-Giles, Ward I, Ward II member David Hough, Ward III members Katrina Pelkey and James Hart III, and At-Large member Jessica Egerton, Michael Hellein and Pete Fournier. Also in attendance was Janet Shatney, Planning Director. The Chair determined a quorum was present.

Absent: Denise Ferrari, Ward II.

Adjustments to Agenda: None

Visitors and Communications: None

Old Business:

Consideration of minutes from the August 5, 2021 Hearing:

- Motion to approve the minutes made by Board Member Fournier and seconded by Board Member Egerton, *motion carried unanimously.*

Consideration of August 5, 2021, 2020 Decision:

- Motion to approve the decision made by Board Member Hart and seconded by Board Member Pelkey, *motion carried unanimously.*

Chair Shambo went through the basics of how the hearing will work. In order for an application to receive approval, there must be a minimum of five (5) affirmative votes. Because there was not a full board this evening, the Chair afforded the applicant the opportunity to table their hearing until a full board was present to receive full review. The applicant chose to proceed. The Chair also stated that anyone wishing to speak or be on record must sign in, and would be sworn in when testimony was to be given. As each person giving testimony was sworn in, their names were noted on the sign-in sheet.

New Business:

Holli-Day Care/Jeff Cochran (Applicant) and Ruben Ramirez (Property Owner), 8 Circle Street, Barre, VT seeks Conditional Use approval to replace an existing six-foot high fence with an eight-foot high fence (already built). This project is located in the R-4 Zoning District.

Mr. Cochran gave the project background, and spoke to complaints he received last year. His presentation included but was not limited to the following:

- There was a 6' high stockade fence around the yard when he started his business there

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- Dogs have been able to go through and up and over that fence
- He priced chain link fencing, and was very expensive
- Decided to go with rough-cut lumber 1x6 in size, and installed at the end of November and early December 2021
- Does not believe a dog can clear that height now, has not seen it
- The solid wood fencing will help keep the dogs from barking when both foot- and vehicular traffic drive by
- He is trying to be as helpful as he can for the neighbors
- Was concerned with snow on the existing fencing, hence he erected solid board fencing
- If the dogs cannot see foot traffic or cars, they tend to bark less at that distraction
- If the 8-foot height is not approved, he will just cut it back to a 6-foot height as what he is approved for at the moment

Board comments and/or questions were as follows:

- Board Member Hough stated it cleaned up the appearance of the area and is good
- Board Member Hellein asked if Mr. Cochran noticed any result from the intended effect? He pointed out that under the current zoning, front yard fence heights are restricted to 4 ½ feet
- Board Member Tuper-Giles said he was going to ask the same question, and hopes that the height of fencing will be cleaned up from the current jagged-topped mess

With no further comments from the Board, the hearing was opened for public comment.

- Neighbor Sarah Lanzit was sworn in, and stated she lived across Batchelder Street from the dog daycare
- She stated she appreciated the effort with the taller fence, but has not noticed any measurable reduction in sound, that it has less to do with the cars and more with the dogs
- She stated she was not happy with the increase granted last year in the number of canines allowed
- Neighbor James Darsigny was sworn in, stating he is the property owner of both 42 and 44 Batchelder, and his daughter is Sarah Lanzit resides at 44 Batchelder Street
- He stated he supports the fence because anything done is appreciated

In closing, Mr. Cochran addressed the Board with final comments:

- In addition to the fencing, he keeps the larger dogs in the yard area that faces Circle Street
- He has covered the windows of the house hoping that will help with distracted barking
- He doesn't want to be a bad neighbor, but moved the business to this location when it was zoned Industrial and was allowed at the time, from his residence on Pond Street

At this time, Chair Shambo thanked the participants and advised them that the Board would be entering into deliberations and they could contact Planning Director Shatney in the morning as to the outcome or wait for the written decision.

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Other Business: None

Executive Session: Not needed

Roundtable:

- Planning Director Shatney stated that there would be a May hearing and will bring information to those whose terms will cease at the end of June
- Chair Shambo recognized and welcomed back Pete Fournier to the Board

Deliberative Session: On a motion by Board Member Tuper-Giles and seconded by Board Member Pelkey at 7:27 pm (***on a vote, motion carried unanimously***) the board entered deliberative session. Planning Director Shatney was invited into the session.

On a motion by Board Member Hart and seconded by Board Member Tuper-Giles at 7:38 pm (***on a vote, motion carried unanimously***) the Board came out of deliberative session.

A motion was made by Board Member Tuper-Giles and seconded by Board Member Hellein to APPROVE as presented to allow an eight (8) foot tall fence the way it is with the top evened off at eight feet, and can install a gate if he desires, on ***a roll call vote, motion carried 8-0 unanimously.***

A motion was made by Board Member Hart and seconded by Board Member Pelkey to impose the double permit fee penalty when the applicant applies for the zoning permit, ***on a vote, motion carried 7 to 1 approved (Shambo, Egerton, Hellein, Tuper-Giles, Pelkey, Hart and Fournier voted in the affirmative. Member Hough voted nay).***

With no further business to be brought before the Board, a motion was made by Board Member Tuper-Giles, and seconded by Board Member Pelkey to adjourn the meeting at 7:53 pm; ***motion carried unanimously.***

An audio & video recording of the hearing is available through the City's Planning and Permitting Office.

Respectfully Submitted,

Janet Shatney, Planning Director