

NEWPORT CITY

DEVELOPMENT REVIEW BOARD

MINUTES

Public Hearing September 21, 2016

Members present:

John Harlamert, Agathe Coburn, Denise Bowen, and Harriett Hall

Members absent: Dan Ross, Dan arrived late and participated from the audience but did not participate as a Board member.

Others present:

Charles Elliott, Zoning Administrator, Doug Spates, Donald Piette, Amy Brasseur, Roland Blais, Daniel T. Barry, and Ella Barry.

The meeting was called to order at 7:05 PM.

The Chairman read the hearing warning.

1. Approve the minutes of the September 7, 2016 meeting.
Motion by Denise Bowen to approve the minutes of September 7, 2016 as written and seconded by Agathe Coburn was approved unanimously.
2. **Consider application No. 16041 by Spates Family, LLC to build a new nine (9) unit apartment building at 80 West End Avenue.**

The Chairmen read the application and verified that all supporting data was available. Doug Spates and Donald Piette described the project to the DRB members and explained why it was being done. Doug explained that the project is intended to attract a combination of mature adults who do not wish to own their own homes any longer and young professionals who need housing for a few months. In response to a question regarding possible low income tenants occupying the property, Doug explained that the rent for the units will be in the \$900.00 per month range. Whereas, the maximum allowed rent for low income is approximately \$500.00 per month. The cost of building the apartments

exceeds the amount of rent allowed for low income, therefore low income tenants will not be able to afford the monthly rent. (See attached letter dated October 12, 2016 from Douglas Spates, Spates Family, LLC.).

At this point a Conditional Use Review was performed

CONDITIONAL USE REVIEW

In considering its action, the DRB shall make findings on general and specific standards, hold hearings and attach conditions if any, as provided for in Title 24 VSA, 4414(3).

705.01 The standards shall require that the proposed conditional use shall not result in an undue adverse effect on any of the following;

1. General standards,

This project complies with all general standards of the Urban Residential Zone and the City Plan. Both city water and sewer are available at this location providing for higher density residential, commercial and other development. This type of development is specifically encouraged in the Urban Residential District.

2. The capacity of existing or planned community facilities,

This project will have no adverse impact on any planned or existing community facilities.

3. The character of the area affected, as defined by the purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan,

The area is currently residential, both single and multifamily housing is available. While larger than most this facility conforms with the City Zoning Bylaw and the City Plan which encourage higher density residential development in the Urban Residential zone.

4. Traffic on roads and highways in the vicinity,

This project will not have a significant impact upon the street network that currently exist in the vicinity.

5. Bylaws and Ordinances then in effect,

This conforms to all Bylaws and Ordinances current in effect.

6. Utilization of renewable energy resources.

There is no impact upon renewable energy resources.

Based on the foregoing findings of fact, Conditional Use approval is hereby granted.

/S/ John Harlamert

September 21, 2016

Chairman of Newport City Development Review Board

Date of Decision

Motion by Harriett Hall to grant Conditional Use approval for application number 16041 and seconded by Denise Bowen was approved unanimously.

At this point Dan Ross arrived at the hearing. As he was unprepared and late, Dan removed himself from the Board. He then pointed out that because two lots were to be merged for this project, it resulted in two structures on one lot. The Zoning Bylaw requires that a lot with more than one principal structure must be treated as a Planned Unit Development. After a discussion and review of the Bylaw it was concluded that a Planned Unit development was required.

The Planned Unit Development criteria, Bylaw section 709.02 was reviewed as follows.

709.02 The purpose of planned unit developments shall be to encourage a development, which result in:

- A. A choice in the type of environments and living units available to the public, and quality in residential land uses so that development will be a permanent and long-term asset to the city.
- B. Open space and recreation areas.
- C. A pattern of development which preserves trees, outstanding natural topographic and geologic features and prevents soil erosion.
- D. An efficient use of land resulting in a small network of utilities and streets.
- E. An environment in harmony with surrounding development.
- F. A more desirable environment than would be possible through the strict application of the other sections of this bylaw.

After review and discussion of the criteria listed above, Agathe Coburn made a motion to grant Planned Unit development status to application Number 16041. The motion was seconded by Denise Bowen and passed unanimously.

At this point Site Plan Review was performed.

SITE PLAN REVIEW – SEVEN CRITERIA

Section 708.02 E. The DRB shall conform to the requirements of Title 24 VSA section 4416 before acting upon any application. In considering its action the DRB shall consider and may impose appropriate conditions and safeguards, in a manner that is consistent with the intent of this bylaw and the City Plan, with respect to:

1. The adequacy of parking, traffic access, and circulation for pedestrians and vehicles with particular attention to safety;

The Zoning Bylaw requires 4 parking spaces for every 3 dwellings which is a total of 12 parking spaces. The project provides 9 parking spaces in the front and 9 more parking

spaces in the rear for a total of 18 parking spaces. This exceeds the bylaw requirement by 6 spaces and provides plenty of room for vehicle access and turning.

2. The adequacy of landscaping, screening, and setbacks with regard to achieving maximum compatibility and protection to adjacent properties;

Existing trees along the back property line, existing landscaping around the 102 West End Ave. building will be left as they are. New landscaping will be limited to that necessary to construct the new building, driveways and parking spaces. Drainage patterns will be left in their existing locations. Silt environmental fence, as determined by the Director of Public Works, will be installed around the new construction area and maintained until the area is stabilized. All property line setbacks meet or exceed the minimum required by the bylaw.

3. The protection of the utilization of renewable energy resources;

This project will not interfere with the utilization of renewable energy resources.

4. Exterior lighting;

Exterior lighting will be "down lighting" to provide adequate ground surface light without causing light pollution of neighboring properties.

5. Harmonious relationship between proposed uses and existing adjacent uses;

This is a residential housing development in a predominantly residential neighborhood.

6. The adequacy of drainage control;

Drainage from the property will be maintained in its existing locations. Drainage control during construction will be as specified by Director of Public Works Tom Bernier.

7. Compliance with all parts of this bylaw.

This project complies with all parts of the Zoning Bylaw

Based on the forgoing findings, Site Plan Approval is hereby Granted,

/S/ John Harlamert ,

September 21, 2016


Chair, Newport City Development Review Board

Date of Decision

Motion by Harriett Hall to grant Site Plan Review approval for application number 16041 was seconded by Agathe Coburn and approved unanimously.

Motion to adjourn by Denise Bowen and seconded by Agathe Coburn was approved unanimously.

Minutes Approved Oct. 19 . 2016

By:  Chairman of the Development Review Board