

**DRAFT**

**Newport City Development Review Board  
September 25, 2024 – 6:30PM**

**Attendees: Agathe Coburn, Denis Chenette, Andrew Touchette, Patrick Hurley, Melissa Pettersen, Jay Walsh, Frank Cheney (Zoning Administrator)**

**Absent: Jay Gonyaw, Laurie Grimm (arrived at 7:45PM and considered absent for voting)**

1. Meeting Called to Order at 6:31PM.
2. Meeting minutes from May 15, 2024 meeting reviewed by Mr. Walsh made a motion to approve the minutes; Mr. Pettersen seconded. No objections, Denis abstained.
3. Mrs. Coburn introduced application #24079 related to the PUD/Site Plan Review & Variance Request
  - a. Mr. Cheney summarized that they were approved for a DRB in February 2023 for a conditional use approval for a 26-unit multi-family dwelling
  - b. Tonight's review is for a Planned Unit Development; this is a zoning tool that allows for large scale planned communities to be built in denser development patterns than conventionally allowed in zoning regulations. Incorporates open green space, access roads, utilities, etc. The primary reason is to allow developers to reduce or waive development density requirements to allow greater density of built-out conditions.
  - c. Phase I is going to be reviewed tonight; Phase II and III are based on a conceptual plan and are conditionally approved until further site plans are submitted for later review.
  - d. Variance approval is for setbacks and for City to take over certain portions of the services/utilities/infrastructure.
  - e. Plans have only added 1 hydrant & identified the proposed "Phased lot lines". New permit applications, ACT 250 permit, etc.
4. Patrick Shattuck (ED, Rural Edge) introduced the project as "a solution to a housing crisis and a plan to bring a property that has been underutilized and at risk of loss back into active use in the community"
  - a. Site has been vacant for more than a decade. Public water & sewer, flat, affordable, etc. but no development interest. Rural Edge spent 2 years on Corrective Action Plans for environmental issues related to underground storage tanks. Had to test 8.5 acres and spend \$150k in test wells to determine no major issues; can be resolved with \$50k cleanup. School and convent are full of asbestos. Developed plan for abatement & encapsulation. Historic status of buildings required Dept of Historic Preservation coordination & approval. Intention is for affordable "modest income housing" without rental subsidies. Rents are targeted to between \$940 (1 bed, utilities incl.) & \$1100 (2 bed, utilities incl.) for incomes from \$40-75k. Ideal for seniors looking to downsize.
  - b. Phase 1 is converting convent to (26) 1-2 bed apartments. Planned for all of the parking, private green space (private courtyard), SASH offices (support & service at home), lighting, access, elevator, providing housing opportunity that is attractive for wide range, from young professionals to elderly. PUD aspect is necessary due to plans for both condos (owner) & rentals (tenant). Bringing units online in 2025 with active waiting lists.
  - c. Phase II is for redevelopment of the high school. Will return in early 2025 for DRB review. 24 units up to 3-bed. Condos could sell for as low as \$137k up to

- townhouses that would sell for up to \$280k. Private greenspace through creation of rooftop deck served by elevator.
- d. Phase III (abutting parcel) no connection to Raymond Ave. Cul-de-sac with multiple buildings. Through PUD, Rural Edge does not have to own & operate. Rural Edge does leg work now to reduce or eliminate the Site costs, infrastructure costs, to open up the lot for outside development opportunities.
  - e. Rural Edge pays taxes! The whole site contributes \$12k in taxes. Phase II rental buildings projected to generate \$20k annual, condo/townhomes will generate \$2.5-3.5k each annually. Phase III is unknown.
  - f. Variance is for using the current road as it exists with 33.5-ft ROW, but will be rebuilt to Town standards (drainage, water line, sewer). New roads up on the development will have 50-ft ROW for utilities.
  - g. No legal ROW through Raymond Ave; road will stop at Property Line. No construction access through Church parking lot; road will dead-end at E boundary of PUD and not allow traffic through Church lot. VTrans signed off on transportation plan through ACT250 permit.
  - h. Phase I stormwater less than 5,000 square feet
  - i. Phase II stormwater permit will be required based on new impervious surface.
5. Mrs. Coburn proposed to discuss access road variance by reviewing the conditions:
    - a. Undue hardship for meeting zoning rules were not the result of the applicant
    - b. Instead of 50ft, 30.5ft width has been approved by DPW Director given the existing infrastructure & property lines
    - c. Unnecessary hardship has not been created by the applicant
    - d. Will not change the character of the neighborhood or be detrimental to public welfare. No renewable resources involved here.
    - e. Variance authorized will be as minimally non-conforming as possible.
  6. Mrs. Pettersen moved to approved the ROW variance for the 30-foot access road ROW under Section 4-B, 404B. Mr. Hurley seconded the motion. Unanimously approved, no abstentions.
  7. Mrs. Coburn transitioned to review the formation of the PUD through Phase 1. Mrs. Coburn read through and all items under Section 709.01 to 709.07
  8. Mrs. Coburn stated to the applicant that the conditional use requirements are met but must be reviewed again with subsequent development Phases
  9. Mrs. Pettersen made a motion to approve the proposed PUD by permit #24079.
  10. Mr. Touchette seconded the motion. Unanimously approved; no abstentions.
  11. Mrs. Coburn raised the Conditional Use review under Application #23085.
    - a. The DRB reviewed and discussed the following requirements and determined that these factors will not be negatively impacted by the applicant:
      - i. General area
      - ii. Capacity of existing or planned facilities
      - iii. Character of the area affected as defined by Zoning Districts
      - iv. Traffic in the general vicinity – not likely to be impacted until full build-out
      - v. Will not violate any ordinance
      - vi. Will not affect the utilization of renewable resources
    - b. Conditions of Approval as recited by Mrs. Coburn:
      - i. Permit approval shall be subject to a 15-day public posting and appeal period.

- ii. Applicant shall obtain all applicable State of VT permits that may be required to complete the proposed development and provide a copy of such to the City of Newport prior to the commencement of use.
  - iii. The approval of Permit #24079 includes identification and specification of proposed public infrastructure. Permit #24079 is approved contingent on the applicant's successful Newport City Public Works Standards & Specifications.
  - iv. Within 60 days of approval, the applicant shall escrow \$1000 to City of Newport Clerk's Office for City legal review of any infrastructure agreements and/or Property Transfer Documents related to municipal "takeover" of privately built infrastructure
  - v. The applicant shall file a Zoning Administrator stamped and signed Plat Map of the Planned Unit Development in the Newport City Land Records within 180 days of the approval of this permit.
  - vi. The approval of Permit #24079 does not represent deemed approval of any future or conceptual development of the site. The applicant shall be required to apply for additional Newport City Zoning Permit(s) prior to any substantial change to development approved by this permit and or prior to any new development or change of use within the PUD.
  - vii. Any consideration of a new/amended permit request associated within the approved PUD by the City of Newport will be subject to all requirements that may be applicable to proposed development as identified by the Newport City Zoning Bylaws. Including but not limited to Local Act 250 approval, infrastructure, dimensional, density, use, parking, and performance standards.
  - viii. Phase I of the PUD is approved for development by Permit #24079, the approval does not prohibit the City of Newport from revising the parameters of this approval as part of any subsequent permit request. Further, the development of Phases II or III may require as part of an Administrative or DRB review an evaluation and mitigation of any municipal impacts these developments may create.
- c. Mrs. Petterson made a motion to approve the Conditions of Approval as discussed by the DRB and written in the minutes. Unanimously approved, no abstentions.
  - d. Mrs. Petterson moved to approve the Conditional Use for multi-family dwellings for permit #24079. Unanimously approved, no abstentions.
12. Mrs. Coburn shifted to the Kingdom Go gravel pit approval. At the last meeting, the DRB discussed the need to visit the site to determine if the Conditions of Approval are still applicable and relevant. Must contact John Gobeil for site access. Mr. Hurley, Mr. Chenette, & Mrs. Grimm expressed interest in performing the site visit.
  13. Mr. Chenette made a motion that Mr. Hurley, Mrs. Grimm, and Mr. Chenette shall meet with Kingdom Go representatives for a site visit to evaluate the Conditions of Approval as they were written.
  14. Mr. Hurley seconded the motion. Unanimously approved; no abstentions.
  15. Mr. Hurley made a motion to approve the minutes from April 3, 2024 as written. Mr. Chenette seconded the motion. Three "Yays", two abstained (due to not being present at the meeting). The motion passed.
  16. Mrs. Coburn asked if there was any new or old business. No new or old business from any member.

17. Mr. Chenette made a motion to adjourn. Unanimously approved.