

**Town of Middlebury
Development Review Board (DRB)
Meeting/Hearing conducted in-person and online via Zoom
Minutes of July 12, 2021**

Approved 7/26/2021

Members Present: David Hamilton, Chair, Gary Baker, Rick Emilo, Jason Larocque, John MacIntyre, Kevin Newton, Anne Taylor and Mark Wilch

Members Absent:

Staff Present: Jennifer Murray, Dave Wetmore

Others Present:

MEETING AGENDA

1. An application (file #2021-23:008.000-PUD Amendment) request by Middlebury College for an amendment to their existing Planned Unit Development (PUD) for a proposed four-story residence hall building to be located at the north end of the lawn area known as the “Battell Beach” opposite Forest Hall in the INS district on parcels ID# 023008.000 and 027130.000. The residential hall will provide 154 residential units containing 284 beds.

I. Call to Order- David Hamilton, DRB Chair, called the meeting to order at 7:05 pm. Staff acknowledged that there is technical problems and the “owl” is not working properly.

David reviewed the agenda and announced that Middlebury College is not prepared to meet tonight. Chat feature on Zoom is set to allow participants to chat with host only (Jennifer Murray).

II. Approval of minutes-

Motion by Gary Baker- Gary moved to approve the minutes of June 28, 2021 as presented, 2nd by Kevin Newton. No further discussion, **Motion to approve minutes passed, 6 yes, 0-no.** Rick and John abstained as they did not attend the June 28 meeting.

III. Hearing Review

1. Application (file #2021-23:008.000-PUD Amendment) request by Middlebury College for an amendment to their existing Planned Unit Development (PUD) for a proposed four-story residence hall building to be located at the north end of the lawn area known as the “Battell Beach” opposite Forest Hall in the INS district on parcels ID# 023008.000 and 027130.000. The residential hall will provide 154 residential units containing 284 beds.

David Hamilton – Opened the hearing, reviewed the warning and asked if there were any conflicts of interest or ex-parte communications that need to be disclosed.

Jason Larocque- disclosed that his firm (OCE) are consultants for the College and has prepared the application under review. Jason recused himself from this application review.

David Hamilton- acknowledged that the architect for the project is a friend whom had contacted Dave early on. Once David learned about the project, he did not discuss further and does not feel that he has any conflict.

Dave Hamilton- asked staff to update the Board on the project.

Dave Wetmore- he was notified late last week that due to scheduling conflicts Middlebury College has asked for a continuance. Dave noted the next available date is August 9th. Dave expressed that staff would like the DRB to discuss whether DAC review will be required? Staff feels that the project is not located near any neighborhood and that DAC review regarding neighborhood character, aesthetics and landscaping is not really applicable.

DRB- discussed the DAC review and members generally felt DAC review would not be required. Gary observed that most projects are better because of the DAC review, but would defer to the majority of Board members opinion. The DRB decided that DAC review would not be required for this project.

DRB- asked staff about extent of notification practices and if preliminary site work will require zoning approval.

Dave W- shared that over 80 abutters had been notified including the Towns of Cornwall and Weybridge. Anyone who abuts property of Middlebury College north of College Street was notified. Dave has expressed to applicant that zoning approval would be required for the site work scheduled to begin late summer which includes moving the steam lines, sewer, water and stormwater infrastructure. The applicant has indicated that blasting, rock drilling and/or jack hammering may be required. It will be important to ensure that this work complies with Middlebury's Performance Standards as well as State and Federal requirements.

Motion by Rick Emilo- Rick moved to continue the Middlebury College application review on August 9, 2021, Gary Baker 2nds. No discussion. Approved 7-yes, 0-no

IV. Other Business- July 26th, DRB will begin review of the Satori Investments project on the former Conner Homes/Standard Register property, for the change of use described as indoor hemp growing, propagation, storage, drying, processing and wholesale distribution. In addition to the Satori application, the DRB is scheduled to continue the Parker review.

Rick-observed that work is being to the 55 Middle Road project recently approved. Staff noted that work is being done to the building and the Dog daycare business hopes to occupy the space sometime this fall.

Staff- provided an update on the Parker project. Bill Kernan has prepared a draft access permit based on his engineering review and in consultation with emergency services for the access to the property from Washington Street. The Selectboard will review Parkers request to use a portion of the Town Trail right-of-way on July 13th. If the Selectboard agrees to allow use of the Towns right-of-way, he will issue the access permit.

V. Adjournment

Motion by Jason Larocque- Jason moved the DRB to adjourn at 7:20 PM, 2nd by Mark Wilch. **Motion passed, 7-yes, 0-no.** Meeting adjourned at 7:20PM.

Minutes Submitted by Dave Wetmore