

**Development Review Board
Town Offices, New Haven, Vermont
September 13, 2010**

Members Present: George Apgar, Kathy Barrett, Donna Blaise, Tim Bouton, Jim Gallott, Donald Johnston, Mike Sweeney

Alternates Present: Steve Dupoise

Alternates Absent: Andy Dykstra

Guests: Zoning Administrator-Cris Messerle; Assistant Zoning Administrator-Jill DeVoe

Public Present: Michael McGrath

Tim Bouton, Chair, called the meeting of the Development Review Board (DRB) to order at 7:00 PM. As all of the DRB members are present, the alternate (Dupoise) will not be a voting member.

Public Hearing

1) Michael McGrath requests a conditional use permit and a site plan review to operate a motor vehicle sales and service business at 2877 Ethan Allen Hwy., parcel #0515.

McGrath would like to sell and service used cars at this site. A site plan for the southern most parcel owned by McGrath was presented to the DRB this evening. McGrath would like to have 100 cars for sale to be parked on site. To meet the 200 foot set back (from center line of Route 7) the cars would be parked toward the rear of the lot on the south side of the existing warehouse as well as parked toward the rear of the lot on the north side between the warehouse and the storage units. McGrath would like to add additional gravel in the areas where the cars for sale are parked.

McGrath would also like to add:

- a security camera
- two security lights, one on the north side of the building and one on the south side of the building
- signage with lights to hang below the existing sign

The DRB indicated that the sales and servicing of motor vehicles was a conditional use for this lot, as the lot is located in the Highway Commercial zone.

The Chair asked McGrath about the cars currently parked out front of the carpet building. McGrath indicated that these cars were personal cars for sale. The Chair indicated that those cars are a Conditional Use and to ask for a Conditional Use Permit is why McGrath has come to the DRB tonight. The Chair mentioned that the current cars for sale parked in front of the carpet store are in violation.

Discussion on lighting, McGrath indicated he would like to install lights that come on when it's dark and go off when it's light. The DRB indicated the lights should be down shielded and recommend that McGrath follow the policy on lighting in the regulations.

As for signage, the sign size would be 6 x 4 feet with one light on the north side and one light on the south side directed on the sign. The DRB suggested that McGrath come back to the Zoning Administrator (ZA) for a sign permit.

The hours of operation for the business of sales and servicing of cars would be Monday through Saturday 8:00am to 5:00pm. This business is not expected to show a significant increase of traffic on Route 7 or to the business. McGrath indicated that the service portion of the business will be minimal (oil changes). Major repairs would be done at his Middlebury location.

The DRB suggested issuing the conditional use permit for both lots owned by McGrath. Regarding the northern lot owned by McGrath (the lot with the storage buildings), if there are any amendments to this lot it may affect ACT 250 so McGrath should check with the State.

Barrett made the motion to approve the Conditional Use of the property for the sales and service of motor vehicles.
Johnston seconded

Discussion – none

Vote: Yes – 6 (Barrett, Blaise, Bouton, Gallott, Johnston, Sweeney)

No – 1 (Apgar)

Abstention – 0

Motion carries.

Various members of the DRB expressed their concerns with the Site Plan as presented. Site Plan was muddled, not to scale and did not show specifics like:

- Where the outside lighting would be located
- Where the gravel areas would be locate
- The dimensions of the gravel areas
- Identify parking spaces for the cars to give impression on how the lot would look

McGrath reworked the Site Plan, on September 13, 2010 to show the following:

- Location of the two security lights located on the building – these lights will be down shielded and not to shine on Route 7. (Applicant is required to meet the lighting standards in the regulations.)
- Areas designated for the motor vehicle sales and services and to be enhanced by additional gravel, were identified
- The location of signage is as depicted on the site plan. (Applicant is to meet with the ZA for signage permit.)
- Hours of operation for the motor sales and service business will be Monday through Saturday, 8:00am to 5:00 pm
- The areas on the site plan marked for the motor sales and service business fall within the setbacks on all sides (200 foot setback in front, 30 foot setback in the rear and 20 foot setback on both the north and south boundary lines)
- There will be a maximum of 100 cars
- The existing driveways will remain unchanged from the current configuration
- Additional screening is not required as this is a commercial business and is located 200 feet back from the centerline of Route 7.

Barrett made the motion to approve the site plan for Michael McGrath for the sales and service of vehicles as presented on the site plan dated September 13, 2010.

Gallott seconded

Discussion – none

Vote: Yes – 6 (Barrett, Blaise, Bouton, Gallott, Johnston, Sweeney)

No – 1 (Apgar)

Abstention – 0

Motion carries.

The Chair indicated to McGrath that approval of the Conditional Use Permit and the Site Plan does not go into effect until the DRB approves the minutes of tonight's meeting and after a public 30 day appeal period. After that 30 day public appeal period, if there are no appeal(s), than the Conditional Use Permit and Site Plan become effective at that time.

Visitors Business

a) Cris Messerle and Jill DeVoe - review of Job description.

Cris outlined the duties of the Assistant Zoning Administrator (AZA) that Jill DeVoe has been hired for. The AZA will be trained in the duties of the ZA in order to fill in when the ZA is unavailable. The AZA's main duty will be clerking for the DRB. The DRB should work with Jill to identify items that would be beneficial to the DRB. The position of the AZA will be under the direct supervision of the ZA.

Minutes

Sweeney made the motion to approve the August 16, 2010, DRB minutes as presented.

Blaise seconded

Discussion – none

Vote: Yes - 7 (Apgar, Barrett, Blaise, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

Correspondence

- Jamie Simpson – Green Mountain Engineering a letter of response to the letter sent by the Select Board outlining the DRB’s concerns for the operation of a gravel pit off Plank Road. The DRB did not feel Green Mountain Engineering’s letter addressed the DRB’s concerns.
- RL Vallee – Notice of Appeal De Novo – RL Vallee is appealing the decision of the Natural Resource
- Letter from the State concerning replacement of a failed septic system for Goodman’s; 4491 Ethan Allen Highway
- Letter from the State regarding the Wastewater permit for Evarts’ property located on Green Street in New Haven and Waltham.
- Memo from the Select Board regarding budget preparation for 2011. Requests to be submitted by October 5, 2010

New Business – none

Old Business – none

Gallott made the motion to adjourn

Barrett seconded

Discussion – none

Vote: Yes - 7 (Apgar, Barrett, Blaise, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 9:50 PM

Respectfully Submitted By
Karen Gallott

Tim Bouton, Chair

George Apgar

Kathy Barrett

Donna Blaise

Steve Dupoise

Jim Gallott

Donald Johnston

Mike Sweeney