

**Development Review Board Minutes  
Town Office New Haven, Vermont  
May 18, 2015**

**Members & Alternates**

- Present:** Kathy Barrett, Tim Bouton, Donald Johnston, Susan Smiley, Mike Sweeney
- Members Absent:** Donna Blaise, Steve Dupoise, Victor Bolduc-Alternate
- Staff:** Dave Wetmore, Zoning Administrator
- Guests:** John Melanson, Rita Booska, Lanie Rodriguez, Gerardo Rodriguez, Kathleen Barrett

The Chair-Bouton called the Development Review Board (DRB) meeting to order at 7:00 PM.

**I. Adjustments to the agenda**

Susan Smiley was welcomed as a new DRB member

DRB appointments for Chair, Vice Chair & Clerk

Smiley made the motion to move this item to after the public hearing

Barrett 2<sup>nd</sup>

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

**II. Visitors Business - none****III. Public Hearing**

***α. 2015DRB-02-SP-Site Plan review for drive through coffee shop/restaurant proposed by John Melanson, located at 7404 Ethen Allen Highway (parcel #0127), fka Hilltop RV and Auto.***

Barrett recused herself from this hearing.

John Melanson owner of Carol's Hungry Mind Café in Middlebury is proposing a drive through coffee shop serving coffee, scones and muffins. The drive through would be the first stage of project. This stage would fund the second stage that would include a restaurant to serve breakfast and lunch with picnic tables for outdoor dining. Business would capture the commuter so would open early 6:00 AM and close 5:00 PM seven days a week. Melanson does not see evening hours through maybe an occasional evening during summer time. The proposed traffic flow entrance would be located at the north end of the property and exit would be at the south end of the property.

There would be no changes to the building, or to the outdoor lighting that is currently there.

DRB asked about signage. Melanson indicated he would be installing a sign on the existing hanger located over the buildings main door.

The submitted application mentioned display of retail items. Melanson indicated that request for retail space should be removed from the application.

Melanson will be renting the property from James Borne for two years with hopes of purchasing at the end of two years.

**Open for Public Comment**

Rita Booska expressed concern regarding landscaping along the front of the property that the current owner was supposed to maintain and didn't. Do the agreements for the previous site plan carry over to the new site plan? The DRB Chair indicated that this is a new site plan, so previous site plan agreements to not carry forward.

Booska indicated that she has no objection to the proposed site plan. But indicated the Melanson should get everything in writing.

Lanie and Gerardo Rodriguez own the property to the south of this lot. Lanie expressed concerns regarding:

- Water runoff and wetlands on the abutting property owned by Four Hills Farm. And how what Four Hills is doing to their land affects their property and the property Melanson is proposing to rent/purchase.
- Four Hill Farm breached their property as well as this property and suggested that a survey should be done
- Capacity of the current septic system for this property and mentioned Melanson should contact the State Wastewater Division
- Who will own the business and what are the possibilities of another person managing the business
- Who will own the property
- Concerned that this will become an overnight parking area for tractor trailers and these trucks will idle all night
- The way the ingress and egress is proposed the Rodriguez's are concerned about headlights shining on their property

Gerardo Rodriguez was supportive of the business in this location. His two biggest concerns were:

- the septic system capacity
- the topography of the land that has been changed by Four Hills Farm which resulted in a wetlands

**Public Comment Period Closed**

The DRB expressed concerns as it relates to:

Traffic flow – a major issue

Signage – the Zoning Administrator (ZA) would like the DRB to review the signage regulations

- Gerardo Rodriguez was OK with a lit sign in the south end of the building underneath the roof peak

Landscaping plan is needed

Number of road cuts approved for this property

Trucks continuously idling

No overnight parking

Sweeney made the motion to set up a site visit to the property

Johnston seconded

Discussion: June 1, 2015 at 6:00PM was decided upon for a site visit.

Vote: Yes – 5 (Barrett, Bouton, Johnston, Smiley, Sweeney

No – 0

Abstention – 0

Motion carried

Sweeney made the motion to recess this public hearing to the next DRB meeting on June 1, 2015 preceding a site visit at 6:00 PM at the property.

Johnston seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Johnston, Smiley, Sweeney)

No – 0

Abstention – 1 (Barrett)

Motion carried

### **End of Public Hearing at 8:00 PM**

#### *a) Board Appointment*

Tom Fyles submitted a letter to the SelectBoard indicating that he no longer resided in town. No action on Fyles letter was taken by the SelectBoard. The DRB indicated that would like Fyles to remain as an alternate on the DRB until the end of his term.

The DRB would like to thank Donna Blaise for her many years of service to the Town and to the DRB.

Other Appointments made and voted in:

Clerk – Donald Johnston

Vice Chair – Kathy Barrett

Chair – Tim Bouton

### **DRB Business**

#### **1. Sketch plan review – none**

#### **2. Review of Minutes**

Barrett made a motion to approve as presented and sign the April 6, 2015 minutes tonight with Gallott signing at a later date.

Johnston seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

Minutes for the April 20, 2015 DRB meeting were not signed as the required persons were not available this evening.

#### **3. Review and sign decisions – none**

#### **4. Review for compliance and sign final plats – none**

#### **5. Correspondence**

VT league of Cities & Towns – Spring Planning and Zoning Forum

#### **6. New Business – none**

#### **7. Old Business**

- ZA gave a review of the Clark decision
- ZA indicated the Environmental Court decision RE: Phoenix Feeds – they can run 24/7 until the construction of the elevators then the hours were to go to 7 days 6AM to 11PM.
- Amendments to Rules of Procedure
- Barrett sent in her suggestions. The ZA has not had time to rewrite the Rules

Barrett made the motion to adjourn

Smiley seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

Respectfully Submitted By

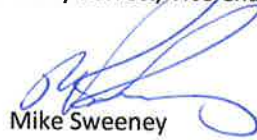
Karen Gallott

  
Tim Bouton, Chair

  
Kathy Barrett, Vice Chair

  
Donald Johnston, Clerk

Susan Smiley

  
Mike Sweeney