

**Development Review Board Minutes
Town Office New Haven, Vermont
April 1, 2019**

Members Present: Kathy Barrett, Tim Bouton, Carol Charbonneau, Donald Johnston, Charlie Roy, Susan Smiley

Members Absent: Tom Fyles

Staff: Karen Gallott-Minute Taker

Guests: Rita Booska, Lonie Parker-Porky's, Alex Layn, Fred Kenney-Addison County Economic Development (ACED), Alessandra Rellini-Agricola Farm, John VanHoesen, Paul Audy, Amanda Bodell

Kathy Barrett, Chair called the Development Review Board (DRB) meeting to order at 7:00 PM.

Agenda Adjustments: Sequin subdivision.

Barrett introduced Paul Audy, as a soon to be new DRB board member.

Public Hearing

a) DRB2019-CU-01 Addison County Development Crop located 16 Campground Road, Continued from March 18, 2019.

Fred Kenney presented. There were no big changes since the last meeting. Kenney presented a clear and precise sketch plan for the site with more explanation regarding the amenities in "blue" on the sketch plan.

- Landscaping rocks
- Landscaping plantings along the split rail fence
- Outdoor seating for retail area
- Employee parking moved off the grass area – Employee parking is NOT customer parking
- Processing building is existing with downcast lighting
- Retail building now called the Producers Co-op
 - With proposed down cast lighting in front and back of building and one for the customer parking area
 - An outdoor clay oven
 - More landscaping

Hours of operation for Agricola- 7 days/week from 6 AM to 6PM

Hours of operation for Custom Cuts – 7 days/week from 6 PM to 12 AM (Midnight), with more hours expected around the holidays, within the requested hours.

Hours of operation for Retail – 7 days/week from 7 AM to 7 PM

The Producers Co-op will showcase Addison County products as well as Agricola products. Future plans would be to grow on this and offer educational services for small value agriculture companies, like meat cutting.

The sketch plan shows an area at the front (east side) of the processing building where trucks will load products for delivery from this door. This design will help meet the flow of how the meat is processing – meat is delivered at the back door of the building, the curing of meats in the front of the building, then delivery of products via truck out the front (east side) of the building.

The retail area currently has a bathroom facility.

Storage – Farms that have their products processed by the facility would have the ability to use the meat locker to store their products as well as storage for Agricola products.

Open for public comment

Alex Layn asked if the business sign meets the setbacks. DRB indicated the business sign would need to be moved back 75 feet from center line to meet zoning regulations. Agricola and ACED will move the location of the sign to meet regulations.

Public Comment closed

Bouton made the motion to approve the application of DRB2019-CU-01 as presented with the following condition:

- business sign to follow setback regulations as required

Charbonneau seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries

Johnston made a motion to close the hearing for DRB2019-CU-01

Smiley seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries

Hearing closed at 7:30 PM

b) DRB2019=SP-02 Lonie Parker, dba Porky's at 7404 Ethan Allen Highway. Continued from March 18, 2019.

Lonie Parke presented a revised sketch plan showing:

- placement of outside lighting at the pavilion and pavilion parking area
- at the main building-front, and North and South sides
- parking lot up by the main building
- changes to the pavilion location
- size of pavilion changed from 80 x 40 to 60 x 40
- install a split rail fence on the east side of the property
- build a 30 x 30 addition on the north side of the existing building with a separate entrance on the west side
- Existing deck to be enclosed as a 3-season deck
- Erect a 10' deck on the back side of the existing building and along the length of the building to allow for a walkway to the lower portion of the property

Open for Public Comment

John VanHoesen- Lives on LaDuc Road

- Currently he can see the lights from this establishment quite clearly at this residence

- He is very concerned about the projection of noise, especially band noise from the pavilion as the sound would be projected toward the east, in his direction
 - DRB indicate Zoning Regulations state a reading of 70 decibels at the property line, that the application needs to adhere to
 - VanHoesen asked who would be responsible for enforcing the 70-decibel rule?
- Extended hours on Friday and Saturday nights are a concern as this is time when people want to sit outside and enjoy the summer
- The expansion of the number of events from 8 to 16/month from May to October
- Brought up the concern of alcohol at the pavilion
 - Barrett indicated that the current permit, which the SelectBoard approved, permits alcohol served inside the restaurant only
- Use of port-a-lets is not right for events
 - DRB indicated that port-a-lets must be removed from the site on the next business day after the event
- This establishment is moving toward being an entertainment business

Rita Booska

- Existing lighting is shining in her windows
- Late night hours and would like them changed to earlier closing time
- Brought up the petition that was signed by neighbors, that she presented to the DRB at the March 18th meeting

Bob Beach not present, but presented a letter expressing his concerns

- Excessive noise
- Outside lighting issues
- Landscaping was only briefly discussed on March 18th but should be addressed in more detail
- Egress and ingress at the north border to Porky's is over the boundary line onto his property, this should be addressed and changed
 - DRB member Johnston will research the driveway issue
- Parking for staff and events appear to be in the side yard setback

Public Comment Period Closed

There was considerable discussion regarding the hours of operation and closing times for Friday and Saturday nights and for special events.

Bouton made the motion to approve application DRB2019-SP-02 with the following conditions:

- Approval of the 30 x 30 addition to north end of existing building
- Change the current deck to a 3-season deck
- Add a 10-foot deck to the length of the building as a walkway
- Add 6 down shielded lights at the event parking area
- Add 4 down shielded lights on the East of the current parking lot
- Add 4 down shielded lights on the pavilion
- The pavilion will be a 40 x 60 structure with the north and south ends enclosed and a rolldown screening on the east and west sides
- Must meet Section 820 of zoning regulations regarding noise and lighting
- 3 down shielded lights on the North and South end of current building and addition
- No more than 4 down shielded lights on the front of the current building

- Hours of operation will remain the same as the original permit, EXCEPT Friday and Saturday nights, and the 8 events per month; then closing time is 11:00 PM and everyone except staff, has left by 12:00 AM

Johnston seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries

Barrett explained the timeline. The decision will be written up for approval at the April 15th DRB meeting. Copies of the decision will be mailed out to all parties involved. These parties have 30 days to appeal the decision. If there are no appeals the applicant can begin work on the property. Building permits must be obtained 2 weeks before building commences. Applicant can apply for a building permit May 1, 2019.

Bouton made the motion to close the hearing for DRB2019-SP-02.

Smiley seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries

DRB Business

1. Minutes

Smiley made the motion to approve the DRB minutes of March 18, 2019 as presented.

Roy seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries

2. Review and sign decisions – none

3. Review decision compliance and/or sign final plats – none

4. Correspondence – none

5. Old Business – Sequin

Bouton made the motion to approve the Sequin sketch plan as a minor subdivision.

Roy seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Roy, Smiley)

No – 0

Abstention – 1 (Johnston)

Motion carries

6. New Business – begin discussion of proposed zoning district wording changes.

Discussion was begun, regarding the proposed zoning changes that Cindy Hill, Town Attorney suggested. This conversation will continue at the joint meeting with the Planning Commission, DRB and SelectBoard on April 16, 2019.

Bouton made the motion to adjourn

Smiley seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries

The meeting adjourned at 8:35 PM

Respectfully Submitted By

Karen Gallott



Kathy Barrett, Chair



Donald Johnston, Clerk

Tim Bouton



Carol Charbonneau

Charlie Roy



Susan Smiley