

**WATERBURY DEVELOPMENT REVIEW BOARD**  
**Approved Minutes**  
**Thursday, March 1, 2012**

Board Members Present: Jeff Larkin, Chair; Rick Boyle; Jeff Whalen,  
Martha Staskus; David Rogers

Staff Present: Steve Lotspeich, Patti Spence

**APPLICATION NO. 55-11-T JODI GROUT, PETER O'BRIEN**

The Final Plat Review for the transfer of 0.60 acres between adjoining landowners at 264 & 226  
Howard Ave. was continued to April 5, 2012 at 7:00 p.m.

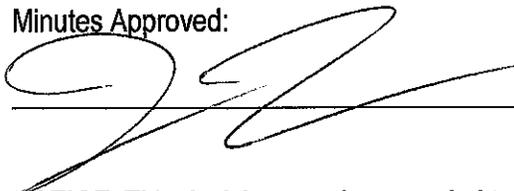
**MINUTES**

The minutes of February 16, 2012 were reviewed.

Martha Staskus moved and Rick Boyle seconded the motion to approve the minutes and the  
decision for App. 03-12-T from 2/12/12, as amended.

The motion passed unanimously.

Minutes Approved:

  
\_\_\_\_\_, Chair

Date: 3-15-12

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested  
person who participated in the proceeding(s) before the Development Review Board. An appeal  
must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule  
5(b) of the Vermont Rules for Environmental Court Proceedings.

THESE MINUTES WERE APPROVED ON 3-15-12

**TOWN OF WATERBURY  
DEVELOPMENT REVIEW BOARD  
SITE PLAN REVIEW  
APPROVED FINDINGS AND DECISION**

**Date: March 1, 2012**

Board Members Present: Jeff Larkin, Chair; Rick Boyle; Jeff Whalen, Martha Staskus, David Rogers

Staff Present: Steve Lotspeich, Patti Spence

The first order of business was opened at 6:30 pm.

Applicant: Thomas Amatulli

Landowner: Clock Tower Building LLC

Permit Application #05-12-V:

The following interested parties were present and sworn in:

Phil Amatulli

**TESTIMONY:**

The board suggested the applicant seek approval from the state Department of Public Safety to resolve any egress issues.

**EXHIBITS:**

- |           |   |
|-----------|---|
| Exhibit A | Zoning Permit Application #05-12-V                            |
| Exhibit B | Site Plan dated 7/17/2007                                     |
| Exhibit C | Proposed Apartment Floor Plan                                 |
| Exhibit D | Copy of Application for Water & Sewer Allocation & Connection |
| Exhibit E | Notice to adjacent landowners dated February 14, 2012         |

**FINDINGS OF FACT:**

**PROJECT DESCRIPTION:**

The applicant (Amatulli) seeks a permit to change the use of the 3rd floor of the multi-use commercial building from business professional to residential use. The 0.51 acre property is located within the Village Commercial Zoning District at 1024 Waterbury Stowe Road, Tax Map # 13-089.000.

The property was originally permitted in 2006 for a 3-story multi-use commercial building. The following provides an overview of previously approved zoning permit applications for the above referenced property:

- 24-06-V: Site Plan Review for mixed use commercial building with 1<sup>st</sup> floor restaurant.
- 27-07-V: Site Plan Amendment (parking and landscaping). Eighteen approved parking spaces, including 2 handicapped spaces: 8 spaces for restaurant (including 3 for employees), 10 spaces for remaining 2,940 sq. ft. of commercial use.

- 31-08-V: Site Plan Review for revisions (landscaping)
- 48-08-V: Site Plan Review for Change of Use from 900 sq. ft. retail/business professional to nail/beauty salon (2<sup>nd</sup> floor)
- 46-08-V: New Sign
- 02-09-V: Site Plan Revision for establishment of new use (500 sq. ft. barber shop) & sign addition. The Planning Commission Decision included the following statement within the conclusion "In the event that the use of the 2,400 sq ft of commercial space, excluding the restaurant, changes in the future, any combination of business professional offices, retail sales and service, or medical office uses will not require a revision to the approved site plan."
- 06-09-V: New Building Sign
- 11-10-V: Site Plan Review for the addition of outdoor bistro seating at the restaurant.

The applicant proposes to convert the 3rd floor, 900 sq. ft. office/commercial space to one apartment. This change of use proposal is subject to Site Plan Review by the Development Review Board.

The parking requirements for the various uses in the building will be as follows: 15-seat restaurant, eight spaces; barber shop, two spaces; 900 sq. ft. nail/beauty salon, three spaces; 900 sq. ft. of commercial space, three spaces; one apartment, two spaces. This is a total requirement of 18 spaces which matches the available parking spaces on the site.

There are no other changes to the building or site. There are also no additional changes to all the approvals and permits for the site, including those listed above.

The applicant has applied for a *Water & Sewer Allocation & Connection* for construction of a kitchen within the proposed residential unit.

**CONCLUSION:** The Development Review Board finds that all applicable site plan review criteria for the change in use have been met.

**DECISION AND CONDITIONS:**

**MOTION:**

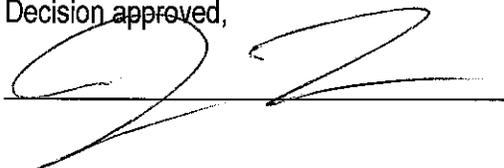
Rick Boyle moved and Jeff Whalen seconded the motion to approve application # 05-12-V for a change in use of the 3rd floor of a multi-use commercial building from business professional to one apartment. The 0.51 acre property is located within the Village Commercial Zoning District at 1024 Waterbury Stowe Road, Tax Map # 13-089.000, subject to the following conditions:

1. This permit is granted on the condition that the applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits.
2. Any lights on the interior of the building that are designed or directed so as to increase the amount of light outside of the building require a revision to the site plan.

**VOTE:**

The motion passed unanimously.

Decision approved,

 , Chair

Date: 3.15.12

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

THESE MINUTES WERE APPROVED ON 3.15.12