

WATERBURY DEVELOPMENT REVIEW BOARD
SPECIAL MEETING
APPROVED MINUTES, FINDINGS OF FACT & DECISIONS
Tuesday, July 17, 2012

Board Members Present: Jeff Larkin, Chair; Joel Baker; Martha Staskus; Dave Rogers; Rick Boyle

Staff Present: Steve Lotspeich, Patti Spence

The meeting was called to order by Jeff Larkin at 6:30 p.m.

The following applications were warned and presented. The minutes and decisions are documented separately:

Application #13-12-T, Marilyn Goldstein, final plat approval;

Application #41-12-T, Barbara Blauvelt, hearing continued;

Application #40-12-V, Corey & Kelley Hackett, conditional use;

Application #43-12-V, Pilgrim Partnership LLC / Green Mountain Coffee Roasters, appeal;

Application #35-12-T, State of Vermont, Dept. of Forests, Parks & Recreation, site plan and variance request;

Application #32-12-V, Thatcher Hill LLC, F.O.R.E., LLC, site plan and subdivision review.

APPLICATION #13-12-T, MARILYN GOLDSTEIN, FINAL PLAT REVIEW

The final plat for application #13-12-T, Marilyn Goldstein, for a boundary line adjustment at 319 Lonesome Trail was reviewed.

MOTION:

Martha Staskus moved and Dave Rogers seconded the motion for application #13-12-T, Marilyn Goldstein, for final plat approval for a boundary line adjustment at 319 Lonesome Trail Road, Waterbury, VT, Tax Map #13-022.100.

VOTE: The motion passed unanimously.

APPLICATION #41-12-T, BARBARA BLAUVELT

Application #41-12-T was continued to August 7 at 7:20 p.m., because the applicant did not notify the adjacent landowners.

REVIEW OF MEETING MINUTES

The minutes, findings of fact, and decisions from June 28, 2012, were reviewed for the following applications:

Application #25-12-V, Hands Off My Cheese, LLC

Application #40-12-T, Mary-Ellen and Andrew Gordon

General Minutes of June 28, 2012

MOTION:

Rick Boyle moved and Dave Rogers seconded to approve the minutes, findings of fact, and decisions from June 28, 2012 as listed above.

VOTE:

The motion passed by a vote of 4 in favor and 1 abstention.

APPLICATION #43-12-V, PILGRIM PARTNERSHIP LLC/GREEN MOUNTAIN COFFEE ROASTERS, APPEAL

The following were present and sworn in:

Joe Greene, Architect/Consultant
Michael Muscat, GMCR Plant Engineer
Diane McCarthy, Attorney for GMCR

Adjacent landowners were notified on July 3, 2012.

EXHIBITS:

Exhibit A Notice of Appeal regarding application 36-12-V dated 6-18-12
Exhibit B Letter to adjacent landowners, dated 7-3-12
Exhibit C Memorandum to DRB from Clare Rock, Zoning Administrator, dated 7-12-12

This is an appeal the Administrative Officer's referral of Application #36-12-V to the Development Review board for Site Plan Review. The Application #36-12-V is for rooftop HVAC equipment. Joe Greene, the Architect/Consultant for Green Mountain Coffee Roasters, Michael Muscat, GMCR Plant Engineer, and Diane McCarthy, Attorney for GMCR, presented the reasons that they think that installation of rooftop heating, ventilation and air conditioning (HVAC) equipment does not require a Zoning Permit. The various applicable sections of the Zoning Regulations were discussed.

The appeal hearing was closed at 7:54 pm.

CONCLUSION: Application #36-12-V does not require a zoning permit as presented pursuant to the Zoning Regulations, Sections 300, 400 and 401(a), therefore the appeal is granted.

MOTION:

Joel Baker moved and Dave Rogers seconded the motion to approve the appeal, application #43-12-V, of the Administrative Officer's referral of application #36-12-V because the application for rooftop HVAC equipment does not require a Zoning Permit.

VOTE:

The motion passed with 4 in favor and one abstention.

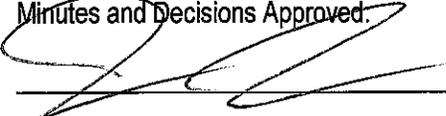
OTHER BUSINESS

The Development Review Board discussed the Amatulli commercial property located at 1024 Waterbury-Stowe Rd., where the Pizza Shoppe is located. The 3rd floor was approved for commercial use in 2009 and then for an apartment in 2011. Now they have a potential tenant that would return the use to commercial. At the next meeting it was suggested the DRB could exempt the intended use from site plan review since that use was approved in 2009 and the apartment was not constructed.

ADJOURNMENT

The meeting was adjourned by the Chair at 9:46 p.m.

Minutes and Decisions Approved:


_____, Chair

Date: 8-7-12

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 August 7, 2012.

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
SPECIAL MEETING
APPROVED FINDINGS & DECISION
Date: Tuesday July 17, 2012**

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

Staff Present: Steve Lotspeich; Patti Spence

Third Order of Business: Site Plan and Conditional Use Review for childcare center.
Applicant: Corey & Kelley Hackett
Landowner: SAME
Permit Application #40-12-V

The following interested parties were present and sworn in:
Corey & Kelley Hackett, Applicants

Testimony:

EXHIBITS:

Exhibit A	Zoning Permit Application # 40-12-V
Exhibit B	Site Plan titled Kelly's Day Break Childcare
Exhibit C	Applicants response to Conditional Use Criteria
Exhibit D	15-day Warning to Waterbury Record
Exhibit E	Notice Sent to Adjacent Landowners, July 5, 2012
Exhibit F	Parking dimensional drawing

FINDING OF FACT:

PROJECT DESCRIPTION:

Applicant proposed to expand childcare business located at 11 Elm Street, Waterbury (Tax Map # 19-307.000) to include after school care. The current business was permitted under Application #33-09-V.

The childcare currently provides care for 6 children. The applicant proposes to increase care to 10 children, not including the children of the applicant. Childcare centers which provide care for 7 or more children is a Conditional Use under the Waterbury Zoning Bylaws.

The hours of operation are Monday – Friday, 7:30-5:00 p.m.

Cars usually park on-street when dropping off and picking up the children.

Pick up usually occurs anywhere between 4-5pm, and it is rare that 10 cars would be arriving at the childcare at the same time.

As stated in the applicants response to the Conditional Use Criteria (Exhibit C) "per state regulations for a registered in home childcare, granting this use would only add at most 4 cars as there is a 4 child limit added to the existing childcare program. "

SITE PLAN REVIEW:

Site plan criteria relating to the drop off and pick up of children are met.

CONDITIONAL USE REVIEW:

1. The application will not have an undue adverse impact the capacity of existing or planned community facilities.
2. The application will not have an undue adverse effect on the character of the area.
3. The application will not have an undue adverse effect on traffic and roads and highways in the vicinity.
4. The application will not have an undue adverse effect on the following bylaws currently in effect.
5. The application will not have an undue adverse effect on utilization of renewable energy resources].
6. The application will satisfy the requirements of the bylaw with respect to: [minimum lot size/distance from adjacent or nearby uses/performance standards/site plan review criteria/any other criteria required by the bylaw.]

CONCLUSION:

The Development Review board concludes that this applicaiton satisfies zoning regulations and requirements.

DECISION AND CONDITIONS:

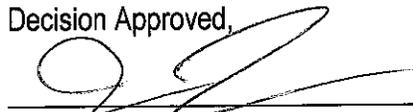
MOTION:

Dave Rogers moved and Martha Staskus seconded the motion to approve application 40-12-V, for Corey and Kelley Hackett, for 11 Elm Street for the conditional use for the daycare (7+ children) and for the expansion from 6 children to 10 children, not including the applicant's children, to operate from 7:30 a.m. to 5:00 p.m. with the following conditions:

1. *This permit is granted on the condition that the applicant completes the project consistent with the Development Review Board's findings and conclusions and the approved plans and exhibits.*

VOTE: The motion passed unanimously.

Decision Approved,


_____, Chair

Date: 8.7.12

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SPECIAL MEETING
APPROVED MINUTES, FINDINGS & DECISION
Date: July 17, 2012**

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

Staff Present: Steve Lotspeich; Clare Rock; Patti Spence

Fifth Order of Business: Site Plan Review, Variance, Findings and Decision

The hearing was opened at 8 p.m.

Permit Application #: 35-12-T
Applicant: John Medose
Landowner: VT Department of Forest, Parks and Recreation
Location of Project: 913 Little River Road, Waterbury, VT

Description of Project: Temporarily place two new campsite cabins at the farmhouse on Little River Road and then move cabins to permanent location within Little Rive State Park Campground.

The following interested parties were present and sworn in:
John Medose, Applicant

EXHIBIT LIST:

Exhibit A Zoning Permit Application #35-12-T
Exhibit B Sketch Plan for temporary cabin location
Exhibit C Site Plan Map for permanent cabin location
Exhibit D Context Information
Exhibit E Previous Permit Approval #56-09-T (Application, Site Plan, Cabin Elevations & Decision)
Exhibit F 15-day warning to the Waterbury Record
Exhibit G Letter to adjacent landowners and certified mail receipts dated July 3, 2012

INTRODUCTION AND PROCEDURAL HISTORY:

Application #35-12-T was referred to the Development Review Board on 5/24/2012 for a Variance

Request (for the temporary cabins location at 913 Little River Road) and Site Plan Review (for the permanent cabin locations within Little River State Park Campground) Tax map #12-001.000. The permanent location for the cabins was previously approved under permit # 56-09-T.

TESTIMONY:

1. The two cabins will house 3 employees.
2. Both cabins will be moved and the farmhouse site will be returned to its original condition.
3. Both cabins will be moved to their permanent location no later than January 1, 2013.

FINDINGS OF FACT:

Vermont Department of Forest, Parks and Recreation requests approval to temporarily place two 21'x13'9" cabins, next to the existing historic Farmhouse, within the front setback of 391 Little River Road, Tax map #12-001.000.

Each cabin will be dark brown with green trim and light brown colored asphalt roofs as shown on Cabin Elevations within Exhibit E Previous zoning permit application materials. The cabins do not have lights.

The cabins will be used as temporary employee housing and then moved this fall to a permanent location within the camp ground. Employees have been housed within the farmhouse but due to recent flood damage the Farmhouse is currently not suitable for habitation due to mold.

VARIANCE REVIEW:

The property is located within the Conservation Zoning District as depicted on the Waterbury Town Zoning Map where the front setback is 100'. The project proposes the cabins will be placed 50' from the front property line. A 50' variance is requested from the front setback.

1. The following unique physical circumstances or conditions peculiar to the subject property are found [Refers to Section 308 (1) of Waterbury Zoning Bylaws]. Because of the slope and the tree line and leach fields the strict variance could not be met. These are *temporary to accommodate season help until the can be moved in the Fall 2012, but no later than January 1, 2013.*
2. Because of these unique circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Bylaw and authorization of a variance is necessary to enable the reasonable development of the property. [Refers to Section 308 (2) of Waterbury Zoning Bylaws]
3. An unnecessary hardship has *not* been created by the applicant. [Refers to Section 308 (3) of Waterbury Zoning Bylaws]
4. For the following reasons, the variance will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare. [Refers to Section 308 (4) of Waterbury Zoning Bylaws] *[Describe the character of the neighborhood, the adjacent property, etc.]*. Temporary structure located on a farmhouse property near a

- campground. To be used only for staff housing.
5. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan. [Refers to Section 308 (5) of Waterbury Zoning Bylaws]

SITE PLAN REVIEW:

At the end of camping season 2012 this fall the cabins will be moved into the Little River Campground as permitted under permit application #35-12-T. Application #35-12-T permitted a new bathroom and four new cabins. This project was not completed within two years of the issuance date of the permit; two cabins have yet to be placed within the campground.

The cabins will be permanently located at site 79 and at either site 62, 75, 76 or 77. The latter site is a change from the original permit. The cabins will meet 100' setbacks for the zoning district.

Access and circulation will be via the existing campground roads and paths. No clearing of trees will be needed for the placement of the cabins.

CONCLUSION:

The Development Review Board concludes that due to the temporary need for employee housing and the testimony that the structures will be moved by January 1, 2013, the variance criteria are met and that the previous application, 56-09-T, for approval of permanent structures, is applicable.

DECISION:

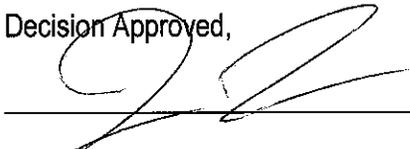
MOTION:

Joel Baker moved and Martha Staskus seconded the motion to approve Application #35-12-T, Vermont Dept. of Forest, Parks and Recreation, for the temporary placement of two cabins for seasonal employee housing, next to the Farmhouse at 913 Little River Road with a 75' variance and that the permanent placement of the cabins will occur this fall within the Little River Campground, per previously approved application 56-09-T, with the following conditions:

1. This permit is granted on the condition that the applicant complete the project consistent with the Board's findings and conclusions and the approved plans and exhibits.
2. Temporary cabins will be moved to their permanent location by January 1, 2013.

VOTE: The motion passed unanimously.

Decision Approved,



_____, Chair

Date: _____

8-7-12

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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 August 7, 2012.

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
SPECIAL MEETING
APPROVED FINDINGS & DECISION
Tuesday, July 17, 2012**

Board Members Present: Jeff Larkin, Chair; Joel Baker, Vice-Chair; David Rogers, Martha Staskus, Rick Boyle

Staff Present: Patti Spence, Steve Lotspeich

Public present:

Deborah Sherman, Applicant Party

Bill Nedde, Civil Engineer

Joe Larkin, Applicant Party

Joe Greene, Adjoining Landowner

Lynne Clawson, Neighbor

Ron Clausen, Neighbor

Everett Coffey, Village Resident

Sixth Order of Business: Thatcher Hill, LLC, Site Plan Review and Subdivision Review

Permit #: 32-12-V

Applicant: F.O.R.E. LLC

Landowner: Thatcher Hill LLC

Location of Project: 1017 – 1019 Waterbury-Stowe Rd.

The following interested parties were present and sworn in:
(as listed as public present)

EXHIBIT LIST:

Exhibit A Zoning Permit Application

Exhibit B Existing Conditions Plan dated 5-11-12

Exhibit C Site Plan dated 5-11-12

Exhibit D Site Lighting Plan dated 5-11-12

Exhibit E Building Elevations dated 3-29-12

Exhibit F Landscaping Plan dated 7-2-12

Exhibit G Rendering of Existing and Proposed Buildings

Exhibit H Lighting Cut Sheets with cover letter from William Nedde dated
12-15-11

Exhibit I Draft Boundary Line and Easement Agreement with F.O.R.E., LLC

Exhibit J Notice sent to Adjacent Property Owners dated 7-6-12

Exhibit K Traffic Impact Assessment by Lamoureaux & Dickinson dated 11-3-11
Exhibit L Act 250 drawings

TESTIMONY:

1. Public space in the building needed to expand due to franchise requirements.
2. Underground parking was determined to not be viable with the additional public space in the building.
3. Parking agreement was reached with neighboring property owner.
4. To allow for parking needs, five room units were removed from the original plan.
5. 73 units are in the new plan, with 74 parking spaces and 9 additional shared parking spaces on the adjacent property.
6. A final site plan is still needed to adjust the grading to meet the maximum height requirement.
7. Snow removal has been acknowledged to be a challenge and it was stated that if necessary snow will be removed from the site.
8. The DRB requested that some evergreen trees be added to the currently proposed area of deciduous trees in the landscaping plan between the parking area and Route 100.

Testimony was closed at 9:34 p.m.

FINDINGS OF FACT:

Based on the application, testimony, exhibits, and other evidence the Waterbury Development Review Board makes the following findings:

This project is the Site Plan and Subdivision Review for a proposed 73-room hotel including preservation of the two existing historic buildings at the current Thatcher Brook Inn site at 1100 Waterbury-Stowe Rd., Tax Map No. 13-090.000. The project also involves a boundary line adjustment with the neighboring property to the north owned by F.O.R.E. LLC. The project includes re-construction of the parking lot on the F.O.R.E. LLC property.

1. The applicant seeks approval for a revised site plan to expand the Motel/Inn use on the site. A total of 73 rooms will be created in a new five-story building and the existing historic portion of the Thatcher Brook Inn located on the southwestern part of the site. The two existing buildings will be retained with the exception of the non-historic wings on the north, west, and south sides of the building in the southwestern portion of the site. The existing building on the northeast end of the site will be used for offices, laundry, and other maintenance facilities for the Inn. Other than the removal of the non-historic wings, these two buildings will retain their current appearance. The proposed five-story building will have a lobby/reception area and a great room/dining room to serve the guests.
2. The building is located on a 1.65-acre parcel in the Village Commercial Zoning District as described on the Village of Waterbury Zoning Map.
3. There will be a total of eight employees working in the inn at the maximum shift. The typical hours of operation will be seven days per week and 24 hours per day.

4. There will be no changes to the location of the two access drives into the site off Waterbury-Stowe Rd. and Crossroad. The sight distance at the main entrance on Waterbury-Stowe Rd., to both the north and south, exceeds the recommended intersection sight distance for left turning vehicles of 390'. Tour buses would access the site via a third access through the F.O.R.E. LLC parking area on Crossroad. This access will be one-way only into the Thatcher Brook LLC property from the F.O.R.E. LLC property.

5. The proposed on-site parking includes 74 outside spaces on the Thatcher Brook LLC property and nine spaces on the F.O.R.E. LLC property, to be shared with that adjacent property owner, for a total of 83 spaces. The use of the nine spaces on the F.O.R.E. LLC property will be governed by Exhibit I, the Draft Boundary Line and Easement Agreement with F.O.R.E., LLC. The minimum parking requirement in the Zoning Regulations for this project is one space for each of the 73 rooms plus one space for each of the eight employees at the maximum shift for a total of 81 spaces.

6. Proposed landscaping for the site will be as shown on Exhibit F, the Landscaping Plan. The planting includes a street tree and shrubbery planting between the parking lot and Waterbury-Stowe Rd. Screening is also provided in between the 9-vehicle parking area on the F.O.R.E. LLC property and the reconstructed 11 space parking area off Crossroad on the Thatcher Brook LLC property. The existing wooded area at the south-west end of the site will remain undisturbed as shown on Exhibit C, the Site Plan, and Exhibit F, the Landscaping Plan. There will be two dumpsters in the corner of the 23 space parking lot southwest of the buildings as shown on Exhibit F, the Landscaping Plan, that will be screened by a 6' tall solid and lattice white PVC privacy fence with a double gate of the same material. The retaining walls will be in the locations shown on Exhibit C, the Site Plan, and will be either dry-laid Panton stone or concrete walls faced in Panton stone, depending on the height of the wall.

7. Exterior lighting will include ten pole mounted fixtures. The pole lights will be a total of 14' to the top of the fixture. Each pole will have one Barcelona LED Series fixture with a 50-watt LED array, as shown on Exhibit L, the Lighting Cut Sheets. Each fixture will be downcast and shielded with the lighting pattern and lighting levels as shown on Exhibit K, the Lighting Photometric Plan. The fixtures on the Waterbury-Stowe Rd. (Route 100) side of the front parking area will have back-light control to prevent any significant amount of light from shining into Waterbury-Stowe Rd. There will be a total of eight pole lights in the front parking area and two for the 11-space parking lot in the northern corner of the site and the nine-space on the F.O.R.E. LLC property. Based on Exhibit D, the Site Lighting Plan, the range of the lighting level is in the 0.2 to 3.0 ft. candle range.

There will be 6 wall-mounted 26-47 watt LED Wall Pack lights for the doors on the ends of the building. There will be four up/down 37-watt LED cutoff lights with a top cap so they will only shine down, on the front façade of the lobby portion of the building. There will be five Ruud Lighting 50-watt high pressure sodium 8" Square Up/Down Lights that will be cutoff fixtures located on the front of the main part of the building and the rear of the building as shown on Exhibit E, the Building Elevations.

There will be four recessed can fixtures in the ceiling of the front canopy that will be Cooper, All-

Pro 15-watt LEDs. The exterior lighting will be controlled by central timer/processor. Non-security lighting such as the decorative fixtures on the front of the main building will be turned off at 11:00 p.m.

The Dimensional requirements are addressed at follows:

1. As proposed the new building is located 67' from the right-of-way (street line) for Waterbury-Stowe Rd. and 57' from the right-of-way for Crossroad which meets the minimum front setback of 50'. The proposed building is located 20' from the rear property line and approximately 170' from the side (southwestern) property line which meets the minimum rear and side yard setbacks. Regarding side yard setbacks, the new building is connected to the existing building located in the southwestern portion of the site. The new building is also located approximately 67' from the existing "Wheeler House" building located in the northeastern portion of the site. Section 403 of the Waterbury Zoning Regulations applies to this situation and is included in these findings as follows:

Section 403 More than One Building or Use on a Lot

More than one principal use or structure on the same lot may be permitted provided that each of the principal uses or structures meets all of the dimensional and other requirements of this bylaw, including minimum lot size and setbacks, as if it were on a separate lot. Accessory dwelling units, as defined in Article X of this bylaw, are not considered principal uses or structures under this bylaw.

2. The maximum height limit in the Village Commercial Zoning District is 40'. The elevation of the peak of the roof is 639.45'. The average finish grade elevation at the center of the four elevations of the proposed building is 597.4'. The difference between these two elevations is 42.05' which exceeds the 40' height limit by 2.05'. The application agreed to submit a revised grading plan demonstrating compliance with the 40' building height limit.

3. The boundary line adjustment will result in an addition of 97 sq. ft. to the lot area of the F.O.R.E. LLC property and a reduction of 97 sq. ft. in the lot size for the Thatcher Hill LLC property as described in Exhibit I, Draft Boundary Line and Easement Agreement with F.O.R.E., LLC.

SITE PLAN REVIEW:

The Development Review Board finds that the application addresses the Site Plan Review Criteria in Section 301 of the Waterbury Zoning Regulations as follows:

(1) Adequacy of traffic access. Considerations shall include:

(A) Traffic flows at the intersection of driveways or access roads with public roads and at other affected streets and intersections.

(B) Location of driveway entrances and exits so as to have sufficient sight distances.

(C) The need for turning lanes, traffic-control devices, or special provisions for emergency vehicles.

(D) Pedestrian safety and convenience.

- (2) Adequacy of circulation and parking. Considerations shall include:
 - (A) Assurance that the criteria of Section 414 of this bylaw are met.
 - (B) The need for additional off-street spaces beyond the number required in Section 414.
 - (C) The adequacy of surfacing and provisions for the runoff and discharge of stormwater.
 - (D) The provision of appropriate buffer space and landscaping to insulate parking areas from adjoining properties and public streets.
 - (E) Placement of trees and shrubs around the periphery of parking lots and in the interior so as to break up large parking areas. Large parking lots of 20 or more spaces shall include at least 1 tree for every 8 spaces.
 - (F) The adequacy of parking, loading, refuse, and service areas.
 - (G) Provisions for clearing snow for maintaining parking areas.

- (3) Adequacy of landscaping and screening. Considerations shall include:
 - (A) Adequacy of landscaping, screening, and setbacks with regard to achieving maximum compatibility with and protection for adjacent properties and public roads.
 - (B) Preservation of attractive or functional existing vegetation.
 - (C) The adequacy of landscaping materials to meet seasonal, soil, and topographical conditions.
 - (D) Reduction of lighting and glare to the necessary minimum, including provision of appropriate landscaping to reduce the impact of lighting and glare on adjacent properties.
 - (E) Screening of unloading zones, trash bins, storage, and other service areas.
 - (F) The need for landscaping buffers, fences, or berms to reduce noise.

CONCLUSION

The Development Review Board concludes that the application satisfies the regulations, and Section 414(e)(2) regarding parking spaces that may be used for more than one use, with the following requirements pending:

1. Submission of a final site plan for the grading to meet the 40' height regulation;
2. Submission of the fully executed shared parking easement agreement;
3. Submission of the revised landscaping include some evergreen trees as noted in the Findings of Fact.

DECISION AND CONDITIONS

MOTION:

Martha Staskus moved and Rick Boyle seconded the motion to approve App. No. 32-12-V, Thatcher Hill LLC, F.O.R.E. LLC for Site Plan Review and Subdivision Review for a boundary line adjustment for a proposed 73-room hotel, including preservation of the two existing historic buildings at the current Thatcher Brook Inn site at 1100 Waterbury-Stowe Rd., Tax Map No. 13-090.000.

This approval is subject to the following conditions:

1. This permit is granted on the condition that the applicant complete 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. All exterior lights shall be downcast and shielded.
3. A signed Boundary Line and Easement Agreement between Thatcher Hill LLC, and F.O.R.E. LLC, for the off-site parking shall be provided prior to the issuance of the zoning permit for this application.
4. The applicant brings a copy of the Final Plat to Zoning Administrator within 150 days so that the Development Review Board can sign off on the Final Plat and meet the 180 day timeline required by 24 V.S.A., Section 4463.
5. A final grading plan showing the final 40 height requirement being met shall be provided prior to the issuance of the zoning permit for this application.

VOTE:

The motion passed unanimously.

Decision approved:

 _____, Chair Date: 8-7-12

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THESE MINUTES WERE APPROVED ON August 7, 2012.