

**WATERBURY DEVELOPMENT REVIEW BOARD
APPROVED MINUTES
Thursday, November 15, 2012**

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

Staff Present: Steve Lotspeich, Clare Rock, Patti Spence

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

APPLICATION 62-12-V, Hands Off My Cheese, This application was reviewed and the minutes and decision for this meeting are separate.

REVIEW & APPROVAL OF MINUTES

Martha Staskus moved and Jeff Whalen seconded the motion to approve the general minutes for 11-01-12 and to approve the findings and decisions for applications 60-12-V, 58-12-T, 59-12-T, 54-12-T and 52-12-V all heard on 11-01-12.

Vote: The motion passed, with one abstention.

Joel Baker moved and Jeff Whalen seconded the motion to approve the minutes and decision for Application 62-12-V, Hands Off My Cheese.

PLANNER'S REPORT

Steve presented a request from the byway project committee for signage at the Green Mountain Club on Route 100. As part of the Byway project there is a kiosk at this site which requires permitting for informational signage of this nature.

ZONING ADMINISTRATOR'S REPORT

Clare asked for administrative direction on an upcoming application. Clare was given the go ahead to make a decision on this application.

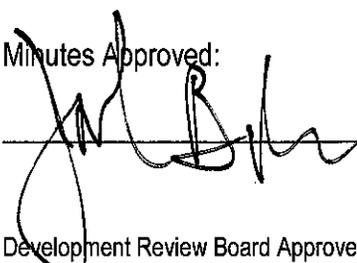
OTHER BUSINESS

Rick Boyle announced his resignation from the Development Review Board due to a new job and other commitments.

ADJOURNMENT

The meeting was adjourned by the Chair at 8:15 p.m.

Minutes Approved:


_____, Chair

Date: 12/20/2012

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 December 20, 2012.

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
APPROVED MINUTES, FINDINGS & DECISION
November 15, 2012**

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

Staff Present: Clare Rock, Steve Lotspeich, Patti Spence

First Order of Business: Site Plan Review (amendment) and Downtown Design Review for 1 South Main Street, Waterbury.

Permit Application:	#62-12-V
Applicant:	Hands Off My Cheese, LLC
Landowner:	SAME
Location of Project:	1 South Main St.

The following interested parties were present and sworn in:
Chad Fry, Representing the applicant

TESTIMONY:

1. The addition will be constructed on an existing concrete slab.
2. Exterior lighting on the side of the proposed addition is to provide adequate lighting for staff trying to access the area in the evening hours.
3. The goal is to improve the lighting for customer safety when entering/exiting during the evening hours, particularly identified as the front stairs and the corner of the building.
4. The type of lighting was discussed - fluorescent lighting with wattage suggested in the 60 watt equivalent range. It was agreed to use a fluorescent light with a maximum 100 watt incandescent or CFL/LED equivalent.
5. The quantity of lights was discussed and moving the proposed locations of the lights. It was agreed that 3 lights on the front and 3 lights on the south-east side would be acceptable.
6. The lights on the back would be 2 of the same wattage as in #4.
7. The siding on the back will match the T-111 siding currently on that area of the building.
8. The spotlight on the rear of the building will be removed.

EXHIBITS:

Exhibit A	Zoning Permit Application
Exhibit B	Photo of Building with proposed light locations – Front
Exhibit C	Photo of Building with proposed light locations – Side
Exhibit D	Lighting Cut Sheet – Metal Gooseneck
Exhibit E	Property Survey (Rein Ltd)
Exhibit F	Building Addition Floor Plan / Site Plan
Exhibit G	NW Elevation
Exhibit H	Note from John Vincent, dated 11/5/12
Exhibit I	Notice Sent to Adjacent Landowners dated November 2, 2012

FINDINGS OF FACT

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

This project requires Site Plan Review and Downtown Design Review for the installation of 6 (plus 2 in the rear) exterior lighting fixtures and a 795.5 sq. ft. building addition at 1 South Main Street, Tax Map # 19-303.000.

1. The property is located on a 0.22 acre parcel in the Downtown Commercial Zoning District and within the Downtown Design Review Overlay District.
2. The applicant proposes to install three black metal gooseneck light fixtures to the front façade of the building and three similar fixtures to the south-east side of the building, all as shown on Exhibit B, Photo of Building with proposed light locations – Front, Exhibit C, Photo of Building with proposed light locations – Side, and Exhibit D, Lighting Cut Sheet – Metal Gooseneck.
3. Each fixture shall include one bulb with a maximum 100-watt incandescent or CFL/LED equivalent.
4. All fixtures will be on either a switch or timer that will shut off at 3:00 a.m.
5. The proposed building addition will be constructed at the rear of the building with T-111 wooden siding and trim to match the existing rear addition on the building.
6. Within the Downtown Commercial Zoning District no building setbacks apply.
7. The proposed single-story building addition will total 795.5 sq. ft. and be used for restaurant storage. The addition will incorporate the existing cooler.
8. In addition to one existing exterior light that will be removed, two new exterior lights will be added to the northwest side of the storage room addition. All three fixtures will be the metal gooseneck to match the other fixtures.
9. The storage area will be accessed by an exterior door on the northwest side, and from the restaurant kitchen and rear bar area. The addition will include a handicap accessible ramp into the building.
10. The spotlight on the rear of the building will be removed.
11. In addition to the Site Plan Review Criteria (listed below) the property is also located within the Downtown Design Review Overlay District, Historic/Commercial Sub-District where the following applies:

ARTICLE XI DOWNTOWN DESIGN REVIEW OVERLAY DISTRICT

Section 1108 Design Review Standards

(a) Prior to granting design approval, the Planning Commission shall find that the proposed development meets the following standards, where applicable:

(1) Historic Structures (applying to all structures listed on the National Register of Historic Places):
(A) Original materials or materials typical of the architectural style of the structures shall be preserved or replaced with like materials to the extent feasible and appropriate.

(B) Historic building features shall be preserved or replicated to the extent feasible and appropriate.

(2) Historic/Commercial Sub-District:

(A) New building designs shall reinforce historic streetscape patterns, including orientation and setbacks. Building sites, including road and pedestrian networks, shall be designed in a manner that is integrated and compatible with adjoining parcels and areas.

(B) New buildings shall maintain overall height, size, massing, scale, and proportions compatible with those of buildings in the vicinity. New buildings shall incorporate building forms, lines, roof shapes, features, and materials compatible with those of buildings in the vicinity, but are not required to conform to a particular architectural style.

(C) New additions should be designed to complement and be compatible with, rather than detract from or obscure, the original structure.

Section 301 Site Plan Review and Approval

(3) Adequacy of landscaping and screening. Considerations shall include:

(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.

CONCLUSION

The Development Review Board concludes that the application meets the applicable zoning bylaws including the downtown design review overlay district requirements and is acceptable to the board with a total of three lights on the front, three lights on the south-east side and two lights on the side of the rear addition.

DECISION AND CONDITIONS

MOTION:

Jeff Whalen moved and Dave Rogers seconded the motion to approve Application No. 62-12-V, Hands Off My Cheese LLC, for six exterior lights, three each on the front and south-east side of the building and for a 795.5 sq. ft. building addition with two exterior lights, at 1 South Main Street, 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;
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.

VOTE:

The motion was approved unanimously.

Decision approved,

 _____, Chair

Date: 11-15-12

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THESE MINUTES WERE APPROVED ON 11-15-12