

**Town & Village of Waterbury
Development Review Board
Approved General Meeting Minutes
Date: February 18, 2015**

IN ATTENDANCE:

Board Members Present: Dave Rogers, Chair; Tom Kinley, Dave Frothingham, Nat Fish, Mike Bard

Staff Present: Ryan Morrison, Zoning Administrator; Patti Spence, Secretary

- 6:30 p.m.** Meeting convenes on the second floor of the Main Street Fire Station located at 43 S. Main St.
- 6:30p.m.** **Application #02-15-V, Nicole Grenier**, for a Zoning Permit and Site Plan Review to convert the existing upholstery shop into a 20 seat cafe at 29 Stowe Street, Waterbury, VT 05676 (Tax Map #19-295.000).
This application was approved under separate meeting minutes.
- 7:15 p.m.** **Application #02-15-T, Robert Aughey**, for a Zoning Permit, Site Plan Review, and Conditional Use Permit for the construction of 5 mini-storage buildings (44 self-storage units total) at 3595 Waterbury-Stowe Road, Waterbury Center, VT 05677 (Tax Map #09-284.000).
This hearing was continued to March 4, 2015 at 7 pm.

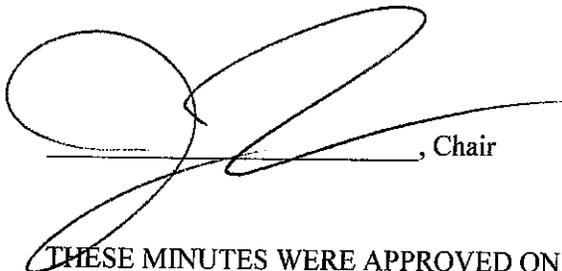
APPROVAL OF MINUTES:

MOTION:

Tom Kinley moved and Mike Bard seconded the motion to approve the DRB minutes of Feb. 4, 2015.

Vote: Passed unanimously.

The meeting was adjourned at 08:07 pm.


_____, Chair

Date: 3.4.15

THESE MINUTES WERE APPROVED ON

**Town & Village of Waterbury
Development Review Board
Approved Hearing Minutes #02-15-V
Date: February 18, 2015**

IN ATTENDANCE:

Board Members Present: Dave Rogers, Chair; Tom Kinley, Dave Frothingham, Nat Fish

Staff Present:: Ryan Morrison, Zoning Administrator; Patti Spence, Secretary

Application #02-15-V, Nicole Grenier (owner Sylvia Aylward) for a site plan review to convert the existing upholstery shop into a 20-seat café at 29 Stowe Street, Waterbury, VT 05676 (Tax Map # 19-295.000) located within the Downtown Commercial Zoning District.

Permit Application #02-15-V
Applicant: Nicole Grenier
Property Owner: Sylvia Aylward
Tax Map #19-295.000
Location of Project: 29 Stowe Street

PRESENT AND SWORN IN:

Nicole Grenier, Applicant
John Grenier, Consultant
Chris Austin, Consultant

EXHIBITS

Exhibit A: Application # 02-15-V
Exhibit B: Site Plan, dated January 20, 2015
Exhibit C: Letter from Chris Austin, dated January 20, 2015
Exhibit D: Water & Sewer Allocation sheet
Exhibit E: Email from Alec Tuscany, Public Works Director, dated January 26, 2015
Exhibit F: Email from Gary Dillon, Fire Chief, dated January 25, 2015
Exhibit G: Referral Notice, dated January 22, 2015
Exhibit H: ANR Atlas Map of Property
Exhibit I: Village Trustees minutes of January 22, 2015
Exhibit J: Letter to Adjoining landowners, dated February 6, 2015
Exhibit K: Letter regarding water allocation from Alex Tuscany, dated Jan. 28th

TESTIMONY

1. The intensification of use criteria was discussed. The property has previously been a gym which had consistent use by groups.
2. Hours of operation Tuesday - Saturday, 10am - 6pm.

FINDINGS OF FACT

The applicant seeks to convert an existing upholstery shop into a 20-seat café that will serve lunch and afternoon meals. The café will occupy approximately 1,100 sq ft of area, adjacent to the existing retail bookstore within the building at 29 Stowe Street, Waterbury, VT (Tax Map # 19-295.000). The building also contains two 1-bedroom apartments.

1. The existing 0.10 acre property is located at 29 Stowe Street and lies within the Downtown Commercial (DC) Zoning District, and is also within the Historic/Commercial Downtown Design Review Overlay District.
2. The property also has frontage along Bidwell Lane.
3. The existing 3,300+/- sq ft building currently supports a retail bookstore and two 1-bedroom apartments.
4. The proposed café will occupy approximately 1,100 sq ft of area that is currently used for an upholstery shop. The café will have an open access to the adjacent bookstore.
5. "Restaurant/bar <= 2,000 sf" is a permitted use within the DC Zoning District.
6. The property lies within the Downtown Design Review Overlay District (Historic/Commercial sub-district). Section 1104 exempts the proposed change of use because it does not involve any intensification or expansion of use, alteration to the exterior of the building, or parking lot or driveway construction.
7. Section 414 requires 1 parking space per 3 seats plus one space for each employee working during any one shift. The applicant states that there will be up to 2 employees on a shift. Based on 20 seats and up to 2 employees, 9 parking spaces will be required.
8. One parking space is already available for café use along Bidwell Lane. On January 22, 2015, the Village Trustees approved the applicant's request for up to 9 public parking spaces behind Stowe Emporium and Stowe Street to serve the proposed café (Exhibit I).
9. The property is currently served by Waterbury municipal sewer and water. An allocation application for additional water and sewer for the proposed change of use has been submitted to the Municipal Manager (see allocation chart – Exhibit D).
10. The applicant states that only interior renovations will occur as a result of this project. No exterior changes will occur.
11. Neither the Waterbury Public Works Director, nor the Waterbury Fire Chief, have issues with the project. (Exhibits E & F)
12. Below are excerpts of the Site Plan Review criteria and Downtown Design Review Overlay District.

Section 301 Site Plan Review and Approval

(f) The Development Review Board will take into consideration the following objectives prior to approval or denial:

(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.

Section 1104 Exemptions

(a) The following activities shall not be subject to review under this section:

(1) A change in use or type of occupancy that does not involve any of the following: any intensification or expansion of use, any alteration to the exterior of a building, or any parking lot or driveway construction;

CONCLUSION:

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that Application 02-15-V for a site plan review to convert the existing upholstery shop into a 20-seat café at 29 Stowe Street, Waterbury, VT 05676 (Tax Map # 19-295.000) located within the Downtown Commercial Zoning District meets the criteria in Section 301 and 1104.

MOTION:

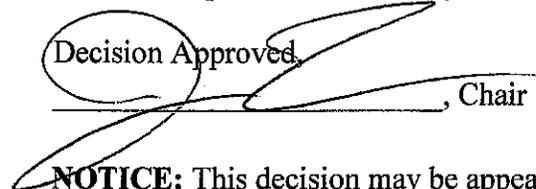
On behalf of the Waterbury Development Review Board, Dave Frothingham moved and Tom Kinley seconded the motion to approve Application #02-15-V, with the following conditions.

1. The applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits;
2. Exterior lights will be downcast and shielded.

VOTE:

The motion passed unanimously.

Decision Approved,

 , Chair

Date: 3-4-15

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.

THIS DECISION WAS APPROVED ON