

Town & Village of Waterbury
Development Review Board
Approved Minutes & Decision, Baker App. #05-16-T
Date: February 17, 2016

IN ATTENDANCE:

Board Members Present: David Rogers, Acting Chair; Martha Staskus; Nate Fish; David Frothingham; Mike Bard

Staff Present: Steve Lotspeich, Town Planner; Judi Byron, Secretary

The public hearing was convened by David Rogers, Vice-chair, at 6:30 pm.

Application #05-16-T, Joel & Michelle Baker, for a Zoning Permit, Site Plan and Conditional Use Review for a 2,775 sq. ft. addition to an existing commercial building located at 1930 Waterbury-Stowe Rd. in Waterbury, VT 05676 (Tax Map #13-116.000), with a combination of business professional office and retail sales/service uses.

Present and sworn in: Joel and Michelle Baker, Applicants

Steve Lotspeich, Acting Zoning Administrator introduced the project.

EXHIBIT LIST:

- Exhibit A: Application #05-16-T
- Exhibit B: Site Plan dated 1-21-2016
- Exhibit C: Building Floor Plans & Elevations dated 4-13-2015
- Exhibit D: Narrative for Conditional Use and Site Plan Review Criteria
- Exhibit E: Lighting Cut Sheets
- Exhibit F: Notice of Public Hearing, published 2-1-2016
- Exhibit G: Letter to Adjoining Landowners, dated 1-28-16

Testimony:

Joel Baker gave the history of the project. The first round permitting was in 2008 as a mixed permit. The pole barn was built and Joel made improvements to the access drive, built the parking lot for the pole building and the existing house, but didn't reconstruct the house into a commercial building. This project is bringing back the reconstruction of the house. It was permitted for an additional floor, but Joel is backing away from that design, in part because he doesn't want to put in an elevator. The current brick and concrete walls will be insulated with foam panels. He will use a mix of materials- stucco, clapboard, vertical pine and natural stone, with a standing seam roof. There is a covered entry. He will add a second story to the large one story garage.

The new parking lot will follow the existing grade, providing at grade access to the second floor of the building from the rear. The parking lot provides an additional 1000 feet (20x50) enough for turnaround of trucks. The maximum height of the building is 34 feet. The first floor height is

about is 9.6 feet. The back basement has some daylight but is not very suitable for retail use. This area will probably be used for office space, but Joel is asking for a permit for either use. He has filed for minor Act 250 and a public safety permits.

Steve Lotspeich asked if the VTrans access permit was issued after the last zoning permit was issued in 2008. Joel replied that the permit was pending in the last approval. Joel emphasized his cooperation with Vtrans with the access curb cut upgrade to accommodate large delivery trucks. The driveway was upgraded with a bank run gravel and stone with a surface of staymat crushed stone.

The screening for the parking lot will be a mix of coniferous evergreen trees that will achieve a 10 foot high screen which meets the needs of the neighbor. Steve L. asked about lighting. The wattage of the lights on the building will not to exceed 80 watts.

Findings of Fact:

1. This project is located in the Route 100 Zoning District. Both business professional offices and retail sales/service are conditional uses requiring review under the condition use and site plan review criteria. In addition to the standard criteria, the special criteria for projects in the Route 100 Zoning District in Sections 301 (g) and (h) and the Special Considerations for projects bordering Route 100 in Section 301 (j) apply.
2. The two-story building will have a maximum height of 34'. The siding will be a mix of shiplap, stucco, and vertical wood, and the roof will be standing seam metal.
3. The vehicular access to the site is via the existing curb cut on Waterbury-Stowe Rd. The access point has been reconstructed to meet the Vermont Agency of Transportation's (VTrans) B-71 standard to accommodate large delivery trucks. The existing gravel access drive into the site has been widened to accommodate two-way traffic.
4. Vehicular circulation through the site will be via the aisles in the gravel surface parking areas and the connecting drive to the upper parking area. There will be a concrete sidewalk connecting the main building to the three parking spaces on the east side. This sidewalk will extend to the upper parking area.
5. There are 23 proposed parking spaces on the site. The parking requirement for the 5,565 sq. ft. of net business professional and retail sales/service and space in the main building requires a minimum of 19 spaces. The pole barn will not have additional employees working exclusively in that space therefore the pole barn does not require additional parking spaces.
6. There are two mature cedar hedges and existing pine trees that screen the pole barn and partially screen the main building from the view from Waterbury-Stowe Rd. (Route 100). The existing trees in front of the main building will be thinned to promote tree health and maintain a limited view of the main building from Waterbury-Stowe Rd. A minimum of 18 - 5' tall coniferous trees will be planted to the south of the upper parking area to provide screening for the adjacent property to the south. The existing wooded areas on the north and east sides of the property will remain wooded as shown on Exhibit B, the Site Plan.

7. There will be one dumpster located to the rear of the pole barn in the location shown on Exhibit B, the Site Plan.
8. There will be one 10'-tall pole light for the parking areas in the location shown on Exhibit B, the Site Plan. This pole light will have one downcast and shielded Fixture A as shown in Exhibit E, the Lighting Cut Sheet. This fixture will have one 80-watt LED array and will be turned off at 10 p.m. by a timer. There is be one downcast light over the overhead door on the pole barn. There will be a total of five Fixtures B at the entrances to the main building as shown on Exhibit B, the Site Plan. These five lights will each have one 55-watt LED array.
9. The property is located in the Route 100 Zoning District and the criteria in Sections 300(g) and 300(h) apply. A minimum of 25% of the road frontage (107') along Waterbury-Stowe Rd. will remain undeveloped for a depth of 250' as shown on Exhibit B, the Site Plan. A minimum of 50% (1.9+ acres) of the entire 3.8+/- acre site, including the area described above, will remain undeveloped.

Conclusion

Based upon these findings (and subject to the conditions set forth below) the Waterbury Development Review Board concludes that application # 05-16T, Joe and Michelle Baker, for a Zoning Permit, Site Plan and Conditional Use Review for a 2,775 sq. ft. addition to an existing commercial building located at 1930 Waterbury-Stowe Rd. in Waterbury, VT 05676 (Tax Map #13-116.000), meets the standards in Sections 301(f), and the special criteria for the Route 100 Zoning District in Sections 301(g), (h), and (j).

Motion

On behalf of the Waterbury Development Review Board, David Rogers moved and Mike Bard seconded the motion to approve Application #05-16-T, Joel and Michelle Baker, 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. *All exterior lighting will be downcast and shielded.*

VOTE: The motion was approved by a unanimous vote.

REVIEW OF MINUTES

There were no minutes for the DRB's last meeting of February 3rd available.

The next meeting will be in two weeks on March 2nd with 2 reviews: one is an environmental education center on a 12 acre parcel near the corner of Gregg Hill Rd. and Route 100, and the other is for a pavilion on Route 2 where the Flea Market is located.

The meeting was adjourned at 7:38 p.m.

Approved:  _____, Chair

Date: 3-2-16

THESE MINUTES AND DECISION WAS APPROVED ON March 2, 2016

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.