

## WATERBURY DEVELOPMENT REVIEW BOARD General Minutes—October 7, 2020

**Attending:** Board members present: David Frothingham (Chair), Tom Kinley (co-Vice Chair), David Rogers (co-Vice Chair), Bud Wilson, Andrew Strniste, Patrick Farrell, and Harry Shepard (Alternate). Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Martin (Secretary). Public present: George Lester.

David Frothingham, Chair, opened the public meeting at 6:30 p.m. Staff members Dina Bookmyer-Baker and Steve Lotspeich were present in the Municipal Center, 28 North Main Street, Waterbury, VT, while all other parties participated in the meeting via ZOOM. The meeting was video recorded. The agenda was approved and followed as presented.

The following introduction was offered by the Chair, David Frothingham: Applicants and consultants will be given the option to be contacted once their hearing is ready to commence. The applicants should try to have one spokesperson. Staff will give an overview of the application. The applicant or spokesperson will present any new information to the Board. The DRB members will ask questions, followed by staff questions and comments. The hearing will then be opened to the public for comments and questions. Attendees were advised that the DRB is a seven-member board and that any approval will require four votes in the affirmative.

- 1) **#102-20: Mark Frier** (applicant), **Forty Foundry LLC** (owner)  
Conditional Use, Site Plan, and Downtown Design review for a change of use from an auto parts retail store to a brewery with retail and tasting room at 40 Foundry Street. (IND/DDR zoning and overlay districts)

Present and sworn in:

Mark Frier (Applicant/Landowner)  
Alyssa Johnson (Economic Development Director)  
Ryan Miller (potential business owner at 40 Foundry Street)

Testimony:

- The meeting notices went out on 9/22/20.
- The property is in the Industrial (IND) zoning district. The application is for restaurant/bar.
- Onsite parking will be available for evening hours as the other businesses are daytime businesses.
- There is additional public parking on Bidwell Lane.
- This is a tasting room, but there is no intention to serve meals. With the specified seating capacity of 21 seats, the use is considered to be a restaurant/bar.
- “Pop-up” events will be developed for the release of their special edition brews. Events may include music, which will require a town entertainment permit to be issued by the Select Board at the requested time of the events.
- The public will be able to purchase the products at the on-site retail store.
- Beer production will include bottling, which is a small batch in corked bottles.
- Applicant proposes a 7-barrel brew house, which is smaller than what the Alchemist started.
- The building has a loading dock.
- Ryan Miller, potential tenant, stated that the intended use is for standing and seated tasting of the product.
- Hours of operation for retail and tasting: Wednesday to Sunday, 3 p.m. to 11 p.m.
- Brewing will be two times per week.

- The application is for up to four employees.
- The storage room in the building is used for dry storage, by a tenant.

The Chair continued the hearing to October 21st at 6 p.m.

2) **#080-20: Tekla Van Hoven (appellant), Judy Foregger, Trustee for the Russell Foregger Revocable Trust (appellee)**

Appeal of zoning permit #071-20 issued to Russell Foregger Revocable Trust for a 3-lot subdivision of remaining lands and a boundary-line adjustment of Lot 3 off of Loomis Hill Road. (MDR zoning district) was continued from 9/2/20, without review.

Appellant and Appellee respectfully requested in writing for the Board to continue this Appeal hearing, without review, to November 4, 2020, to afford the parties additional time to resolve issues in the appeal.

The Board granted the request and the review was continued to November 4, 2020 at 6:30 p.m. However, the Board requested Staff to convey to the parties that it is prepared to hear the merits of the Appeal on Nov. 4, without further delay, based on the materials submitted, unless the appeal is withdrawn prior to that date.

3) **Agenda items as scheduled by the Chair:**

- Final plat review: #056-20, Felix & Geraldine Callan Revoc. Trust (owner/applicant), three-lot subdivision of existing 164-acre parcel at 261 Dundalk Road. (MDR/CNS/RHS). DRB hearing: 7/1/20; decision approved: 7/15/20; final plat due (180 days): 1/11/21.

Motion: Tom Kinley moved and Dave Rogers seconded the motion to approve the final plat for #056-20 and for the Chair of the DRB to sign it.

**Vote:** The motion was approved: 7-0.

- Consultation with ZA re: #112-20: Brian Waxler, W.S.C. LLC (owner/applicant), change of use from beauty salon to beauty salon and physical therapy office in the Waterbury Shopping Center, 80 S. Main St., in the DC/DDR zoning/overlay districts. Owner requests an exemption from Site Plan review as per Section 301(a)(5), for an internal change of use from one permitted use to include another permitted use.

The Board deemed the project to be minor in nature and not subject to Site Plan review.

- Review prior meeting minutes and decisions:

Motion: Tom Kinley moved and Bud Wilson seconded the motion, to approve the general meeting minutes September 23, 2020, and the decisions for applications #085-20 (Powell) and #097-20 (Thompson), as amended.

**Vote:** Motion approved: 7-0.

**Adjournment:** There being no other business, the meeting was adjourned at 8:30 p.m.

  
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 (Chair) (Vice-Chair) (Acting Chair)

Approved: October 21, 2020