

# TOWN OF WATERBURY ZONING PERMIT APPLICATION

Please provide all of the information requested in this application.

| Date: 05.0     | 3. 2021 Application #: 039-21     |
|----------------|-----------------------------------|
|                | 150. + \$15 recording fee = 165 - |
| Parcel ID #: _ | 948-,0028.V                       |
| Tax Map #:     | 19-294.000                        |

Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process of this application. Based upon the nature of the project you may need to submit additional information. For instructions on how to fill out this form please refer to the Zoning Permit Application Instructions & Fee Schedule available on the municipal website or at the municipal offices. Submit one copy of the completed application and a check payable to the Town of Waterbury according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

## CONTACT INFORMATION

| APPLICANT   |                            | PROPERTY OWNER (if different from Applicant)   |  |
|---|----------------------------|--|--|
| Name: <u>Perry Hill Partners c/o Aaron Flint &amp; Jason Wulff</u>  |                            | Name:  |  |
|   |                            | Mailing Address:   |  |
| Waterbury, VT 05676   |                            |  |  |
| Home Phone : <u>802-371-9433</u>  |                            | Home Phone :   |  |
| Work/Cell Phone:  |                            | Work/Cell Phone  | :  |
| Email: Aaron@aaronflintbuilders.com; jason  | _wulff@yahoo.com           | Email:   |  |
| <b>PROJECT DESCRIPTION</b><br>Physical location of project (E911 address  | ): <u>28 Stowe Street</u>  |  | CHECK ALL THAT APPLY:<br>NEW CONSTRUCTION<br>Single-Family Dwelling<br>Two-Family Dwelling |
| Lot size: 0.24 Ac Zoning District: DWN 60, DDR Overlay<br>Existing Use: Office/Retail Space Proposed Use: Restaurant/Retail Space<br>Brief description of project:<br>Change in use of the 1st floor from retail/office space to a 21-seat restaurant/bar<br>with 900 st of retail space. |                            | <ul> <li>Multi-Family Dwelling</li> <li>Commercial / Industrial Building</li> <li>Residential Building Addition</li> <li>Comm./ Industrial Building Addition</li> <li>Accessory Structure (garage, shed)</li> <li>Accessory Apartment</li> <li>Porch / Deck / Fence / Pool / Ramp</li> </ul> |  |
| Cost of project: \$ <u>N/A</u> Est         Water system: <u>Municipal Connection</u> Water  |                            |  | <ul> <li>Development in SFHA (including repairs and renovation)</li> <li>Other</li> </ul>  |
| EXISITING   | PROPOSED                   |  | USE  |
| Square footage: 2,085 SF_Height: N/A  | Square footage: <u>2,0</u> | 85 SF_Height: <u>N/A</u>   |  |
| Number of bedrooms/baths:   | Number of bedroo           | ms/bath:   | → Change existing use □ Expand existing use  |
| # of parking spaces:21  | # of parking space         | es: <u>23</u>  | □ Establish home occupation  |
| Setbacks: front:  | Setbacks: front:           |  | O THEIR  |
| sides:rear:   | sides:/                    | rear:  |  |
| ADDITIONAL MUNICIPAL PERMITS REQUIRED:  |                            | <ul> <li>Boundary Line Adjustment (BLA)</li> <li>Planned Unit Development (PUD)</li> </ul>   |  |

## ADDITIONAL MUNICIPAL PERMITS REQUIRE

🗆 Curb Cut / Access permit 👘 🗆 E911 Address Request ¥ Water & Sewer Allocation □ none of the above

[Additional State Permits may also be required]

□ Soil/sand/gravel/mineral extraction

□ Parking Lot

□ Other \_\_\_\_

SKETCH PLAN #039-21

Please include a sketch of your project, drawn to scale, with all required measurements - see Zoning Permit Application Instructions. You may use the space below or attach separate sheets. For plans PHP/ Flint-/ Mulff larger than 11"x17" please provide a digital copy (pdf. file format) in addition to a paper copy.

| ent f tunct or dets |          |          |  |
|---------------------|----------|----------|--|
|                     | SEE ATT/ | ACHED PL |  |
|                     |          |          |  |
|                     |          |          |  |
|                     |          |          |  |
|                     |          |          |  |
|                     |          |          |  |

SIGNATURES The undersigned hereby applies for a Zoning Permit for the use described in this application to be issued on the basis of the representations made herein all of which the applicant swears to be complete and true.

| Jason D Wulff            | 5/3/2021 |
|--------------------------|----------|
| Applicant Signature      | date     |
| Jason D Wulff            | 5/3/2021 |
| Property Owner Signature | date     |

CONTACT Zoning Administrator Phone: (802) 244-1018 Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Suite 1, Waterbury, VT 05676 Municipal Website: www.waterburyvt.com

|   | (FG)   |
|---|--|
|   | ), Historic Commercial sub-diste                       |
| Zoning District/Overlay: <u>Downtown (DWN)</u> , <u>Downtown Design Review</u><br>Review type:  Administrative  DRB Public Warning Required:  Yes  No<br>DRB Referral Issued (effective 15-days later): <u>May 12, 2021</u> | Site Plan  |
| DRB Mtg Date: <u>6222</u> Decision Date:<br>Date Permit issued (effective 16-days later):   | Subdivision:<br>□ Subdv. □ BLA □ PUD<br>Overlay: (///) |
| Final Plat due (for Subdivision only): <u></u><br>Remarks & Conditions:   | Overlay: (ᢔ⊂)  |
| Authorized signature:Date:  | □ Other<br>□ n/a                                       |



| Date: 5321   | Application #: 039-21             |
|--------------|-----------------------------------|
| Fees Paid:   | (\$15 recording fee already paid) |
| Parcel ID #: |                                   |
| Тах Мар #:   |                                   |
| 28           | Stowe St.                         |

## TOWN OF WATERBURY OVERLAY DISTRICT INFORMATION

This Overlay District information sheet supplements the Zoning Permit Application. Please provide all of the information requested on both forms. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process. Submit one copy of the completed forms and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process please contact the Zoning Administrator at 244-1018.

## **PROJECT DESCRIPTION**

Brief description of project: Change in use of the 1st floor from retail/office space to a 21-seat restaurant/bar

with 900 sf of accessory retail space. No exterior building changes.

Fill out only the relevant section(s) & utilize the following checklists to ensure your plans include all the required information.

## DOWNTOWN DESIGN REVIEW OVERLAY DISTRICT (DDR)

### DESIGN STANDARDS:

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

For projects within the Historic/Commercial Sub-District:

- New building designs shall reinforce historic streetscape patterns, including orientation and setbacks.
- New buildings shall maintain overall height, size, massing, scale, and proportions compatible with those of buildings in the vicinity.
- New additions are designed to complement and be compatible with the original structure.
- Project design reinforces a pedestrian streetscape.
- On-site utilities shall be buried and utility boxes are screened from public view if the utilities along the street serving that structure are also buried.
- Buildings, or portions thereof, having eaves heights of 20feet or less above ground level incorporate moderately to steeply pitched roofs, unless the another roof type is appropriate.

## SUBMISSION REOUTREMENTS

- or projects within the Mixed-Use Sub-District:
  - Building sites, including road and pedestrian networks, are designed in a manner that is integrated and compatible with adjoining parcels and areas.
  - A proposed project located next to or facing a historic structure incorporates similar or complementary building features.
  - New buildings are oriented to front upon, and relate both functionally and visually to, primary access roads. On-site parking is situated to the rear or on the sides of
  - structures, where feasible and appropriate.
  - The primary facades of principal structures are clearly defined through the placement of one or more prominent entryways, pedestrian walkways, or landscaping features. Building facades and rooflines are designed so as to reduce the perceived mass, scale, and uniform impersonal appearance of large buildings and additions, and to provide visual interest.
  - Clearly defined pedestrian walkways are provided through parking areas, between buildings, and from public sidewalks to the site.

## \*No changes to previously approved exterior

- □ All information required under Site Plan (see Site Plan Application)
- Proposed architectural elevations (for each exterior wall) showing door and window types and placement, and other exterior details
- □ A description of all materials to be used on the exterior of building
- □ Photos of the existing building(s) on the site and adjacent and facing parcels
- □ For demolition of a structure listed on the National Register of Historic Places see additional requirements within the Regulations.





May 3, 2021

#039-21 PHP 5(3(21

Dina Bookmyer-Baker Waterbury Zoning Administrator 28 North Main St, Suite 1 Waterbury, VT 05676

RE: Change in Use – 1<sup>st</sup> Floor Bell's Block Perry Hill Partners, LLC, 28 Stowe Street McCain Project No. 37052

Dear Dina,

Enclosed please find the following documents for the above referenced project:

- Fee Check in the Amount of \$165.00
- o Project Narrative and Supporting Information
- o Zoning Permit Application;
- DDR Overlay District Application;
- Fee Structure Worksheet;
- Site Plan Sheet C-1, dated December 24, 2019, last revised 05/01/21.

The enclosed application is for a proposed 21-seat restaurant/bar with 900 square feet of accessory retail space. Please see the attached project narrative and supporting information for additional details addressing the proposed use and responses to review criteria under the recently approved interim downtown zoning regulation and Site Plan review criteria per the WZR.

Feel free to reach out to us with any additional questions or comments that you may have.

Sincerely, McCain Consulting, Inc.

George N. McCain Jr. P.E. Enc.



#039.2| PHP 5|3|21

## PROJECT NARRATIVE AND SUPPORTING INFORMATION

### PERRY HILL PARTNERS

### CHANGE IN USE, 1<sup>ST</sup> FLOOR BELL'S BLOCK, 28 STOWE STREET

The project lies within the Town of Waterbury DC (Downtown Commercial) Zoning District and the Downtown Design Review (DDR) and Historic Commercial (HC) overlay/sub-districts. The project has been designed to meet the requirements of the newly approved interim zoning regulations for the Downtown Zoning District adopted by the Select Board on 4/26/2021.

The applicant proposes to change the use of the first floor from Retail store/service (>2,000sf) (<2,000sf) to a Restaurant/Bar, up to 4,000 sf and accessory retail space, both of which are identified as a permitted use under the interim zoning regulation. The existing first floor is approximately 2,085 sf.

Freak Folk Bier is a craft beer brewer that is seeking to create a 21-seat drinking establishment. Accessory to this will be a small retail area of the finished products and a production area. The retail component is allocated 900 sf and the remaining 1,185 sf to the restaurant/bar and production. No commercial kitchen or food preparation is proposed. Bar type snacks shall be served as regulated by the State of Vermont. The applicant will produce less than 2,000 barrels of alcoholic beverage on-site, and at least 25% of the beverage produced on-site will be sold on the premises. The applicant intends to have periodic live music events. Events would be during other tenant non-business hours. Live entertainment is acceptable as an accessory use under the definition of Restaurant/Bar.

Employees: The applicant plans 4 full time employees at full capacity.

Hours of operation: Bar-Tue-Thurs 3pm-11pm Fri-Sun 12pm-11pm

**Production** Mon-Fri 6am-6pm

#### Site Plan Review and Performance Standards:

#### **Odors/ Noise:**

Brew days will vary. 2-3 times per week. Smell of boiling wort will be produced during the hours of 11am-5pm. Steam from the kettle will be directed to the outside of the building facing the railroad. There will be noticeable smell during boiling but, is will be minimal. The process does not produce detectable noise outside of the building.

#### Glare:

All lighting will be downcast and shielded as per prior applications and approvals for the existing structure.

#### Vibration:

None associated with the proposed use.

#### **Electrical or Radio Interference:**

None associated with the proposed use.

#### Waste and Material Storage:

Normal refuse associated with the Restaurant/Bar will be disposed of in on-site dumpster within a screened area, as shown on the enclosed Site Plan. The applicant is working with the town on disposing of small amounts of



4039-21 Flint/ Wulff

waste associated with the brewing operation off-line of the town wastewater system, none of which will be stored in a manner that attracts insects or rodents or creates a health hazard.

#### Particulate Matter and Airborne Solids:

None associated with the proposed use.

#### Flammable, Toxic or Hazardous Substances and Wastes:

None associated with the proposed use.

#### Traffic/circulation & parking:

There will be no change to the previously-approved traffic access to and through the site, with traffic circulating one-way, entering at Stowe Street and exiting at 11 N. Main Street.

#### Parking – currently permitted on site are:

11 N. Main Street - total 11 spaces

28 Stowe Street - 21 spaces

Total -32 required. Existing site plan shows 33 available plus a spot reserved for Green Mountain Power guy wire. This wire was not needed and not installed by GMP. Therefore 34 spaces physically exist. 11 are dedicated to 11 N. Main leaving 23 available to 28 Stowe.

Prior approval described 28 Stowe St. as 6,255 sf combined office/retail requiring 21 spaces (1/300sf).

| The proposed parking requirements based on WZR Parking Regulation 414 are calculated as follows:   |
|--|
| Retail stores or services $-1$ per 300 sf of floor area  |
| 900sf retail area3 spaces  |
| Eating and drinking establishments – 1 for every three seats, including bar stools, plus one for every person normally working on premises during any one shift. |
| 21 proposed seats  |
| 1 space per employee   |

A minimum of 13 spaces are required during peak hours. It is assumed that one of the employees listed is allocated within the Retail use. It is also reasonable to assume the retail function will be largely made up of the bar patrons.

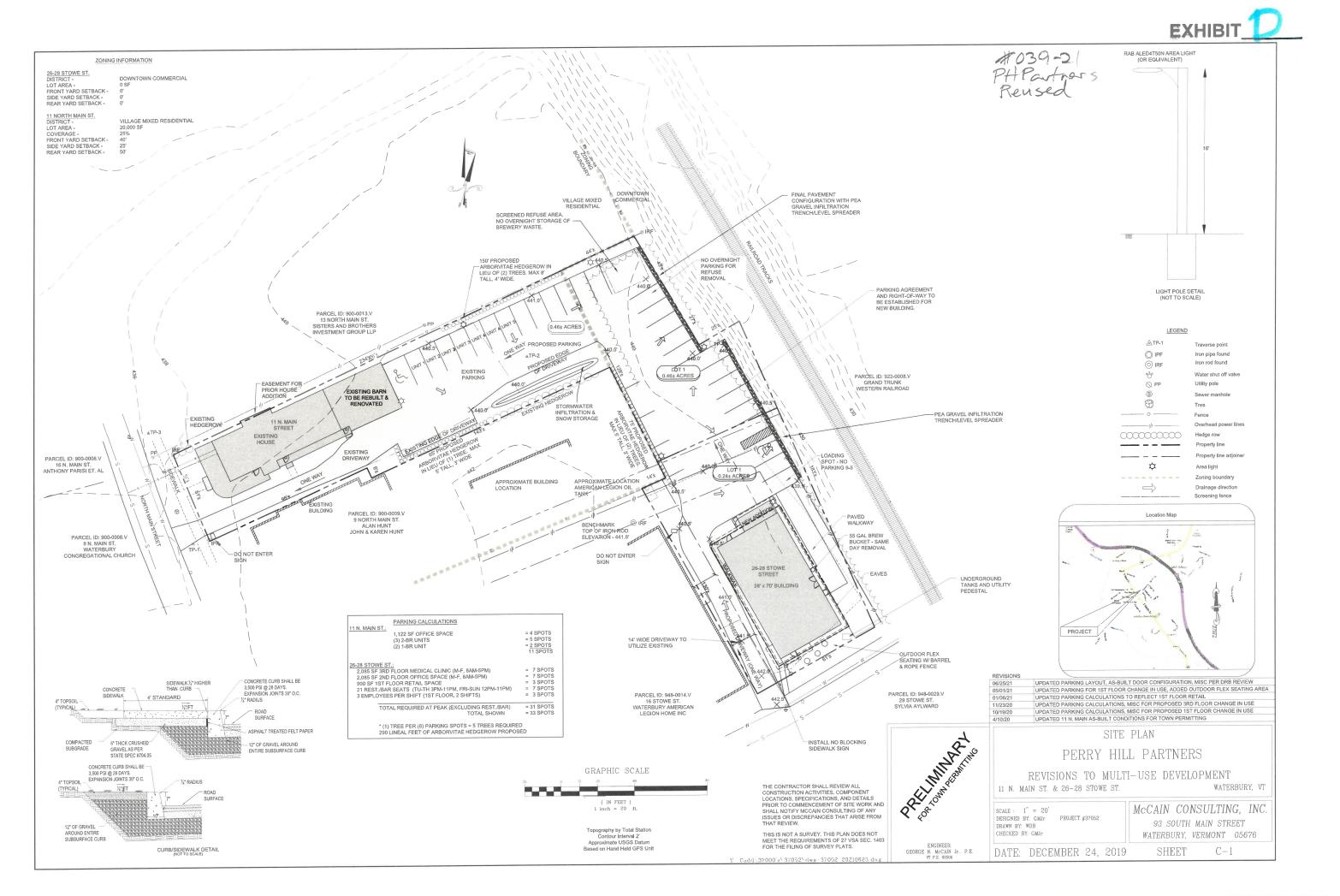
| Perry Hill Partnership expects to manage the available 23 spaces for Stowe St. as fo | llows:    |
|--|-----------|
| Office/Clinic Uses - Monday - Friday 8am - 5pm                                       |           |
| Freak Folk Bier - Monday - Friday 6am - 6pm  | 9 spaces  |
| Freak Folk Bier – Monday – Friday 6pm – 11pm   | 21 spaces |
| Freak Folk Bier – Saturday – Sunday  | 21 spaces |

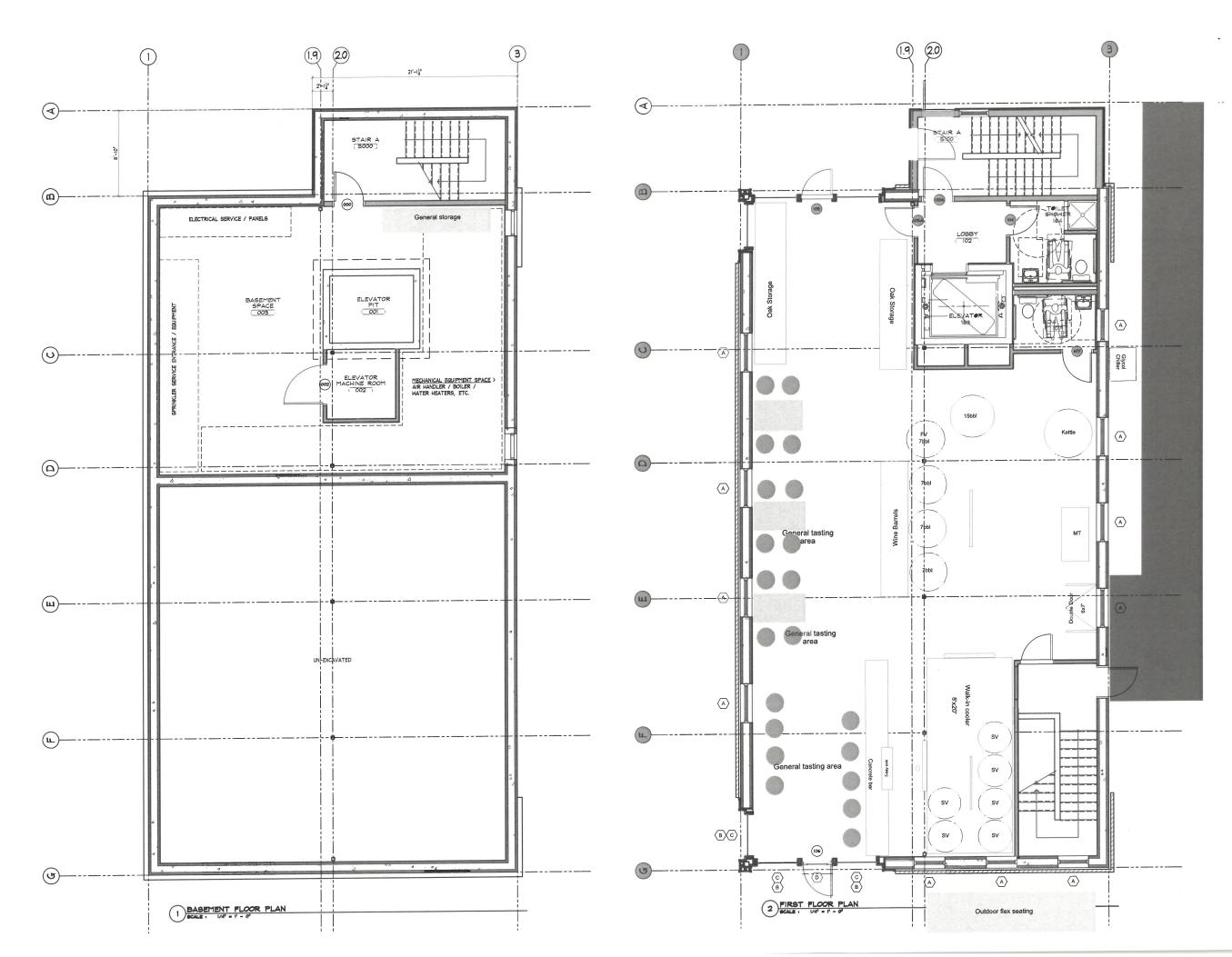
Deliveries – All deliveries are scheduled and via standard box type trucks. No tractor trailers.

Pedestrian access/landscaping/lighting and refuse – There are no proposed changes to the previously approved site plan with regard to these elements.

Conditional Use Criteria - not applicable as all proposed uses are Permitted within the Downtown Zoning District.

Downtown Design Review Overlay District – There are no proposed exterior changes except for claiming the one additional parking space, previously reserved for GMP guy wire.







#039-21 PH Partners Rovised

FREAK FOLK BIER PROPOSED LAYOUT FOR REVIEW ONLY 06/29/2021

EXHIBIT <u>6</u> Ref: 2p#039-21 PerryHill Partners

**Dina Bookmyer-Baker** 

(muni comment)

From: Sent: To: Subject: Gary Dillon Monday, May 17, 2021 9:28 PM Dina Bookmyer-Baker; Bill Woodruff; Alec Tuscany; Celia Clark RE: 28 Stowe Street, restaurant/bar/brewery application

This is fine with me. Access keys to the entire building, to include the bar need to be provided to the fire department and locked into a fire department accessible Know Box. Application for a Knox Box can be provided.

Gary

Gary Dillon, Fire Chief Waterbury Fire Department

Don't practice until you get it right. Practice until you can't get it wrong.

From: Dina Bookmyer-Baker <dbookmyerbaker@waterburyvt.com> Sent: Sunday, May 16, 2021 8:52 PM To: Bill Woodruff <bwoodruff@waterburyvt.com>; Alec Tuscany <publicworksdirector@waterburyvt.com>; Celia Clark <cclark@waterburyvt.com>; Gary Dillon <waterburyfd@waterburyvt.com> Subject: 28 Stowe Street, restaurant/bar/brewery application

Dear Woody, Celia, Gary, and Alec,

Attached is the application packet for a change of use to the first and basement floors of the new building named Bell's Block at 28 Stowe Street. It is for a Conditional Use review, and the last time it came to the Board I failed to forward it to the municipal departments in a timely manner for comment. The application is scheduled for review by the DRB on Wednesday, June 2 (Site Plan, Conditional Use, and Downtown Design Review).

It would be great to have your comments (either way, concerns or not) by 5/26 (one week prior to the meeting), if possible. Full-scale drawings are in the project folder in my office if you want to see them.

-Dina

Dina Bookmyer-Baker, Zoning Administrator Town of Waterbury 28 N. Main St., Suite 1, Waterbury, VT 05676 802-244-1018 As of 11/18/20, until further notice, the Zoning Office is closed to the public. I am working remotely 4 days/week, receiving email & voice-mail.





CIVIL ENGINEERING LAND SURVEYING LAND USE PLANNING PERMITTING

June 30, 2021



Dina Bookmyer-Baker Waterbury Zoning Administrator 28 North Main St, Suite 1 Waterbury, VT 05676

RE: Resubmission Materials for #039-21 (Bell's Block 1<sup>st</sup> Floor Change In Use) Perry Hill Partners, LLC, 28 Stowe Street McCain Project No. 37052

Dear Dina,

Enclosed please find the following documents for the above referenced project:

- Site Plan, Sheet C-1, Last Revised 6/25/21 including the following edits per the DRB:
  - Updated parking layout with one parking spot designated as a loading zone, no parking 9-5, relocated ADA spot, and general layout revisions to the parking configuration;
  - Outdoor flex seating on the front side of the building with barrel & rope fence;
  - Paved walkway from the loading spot to side doors;
  - Door & swing locations accurately portrayed;
  - No blocking sidewalk sign to be installed.
- Updated first floor plan showing potential layout with door locations.
- Example photos of materials to be used for outdoor flex seating and approximate sketch of locations per DDR requirements.
- Waste management plan outlining disposal of materials, including scheduling pickup with Grow Compost or a local farmer prior to commencing brewing. Outdoor storage while waiting for pickup will be in a sealed, watertight, and pest-resistant refuse container. No outdoor overnight storage of spent grains or other brewery waste will be allowed.
- Events are anticipated to be a maximum of one per month, and will be limited to capacity defined by the Fire Marshall. Events will not be large scale weddings or parties, but will be akin to promotional releases of new beer varieties that may draw a slightly larger than normal crowd.

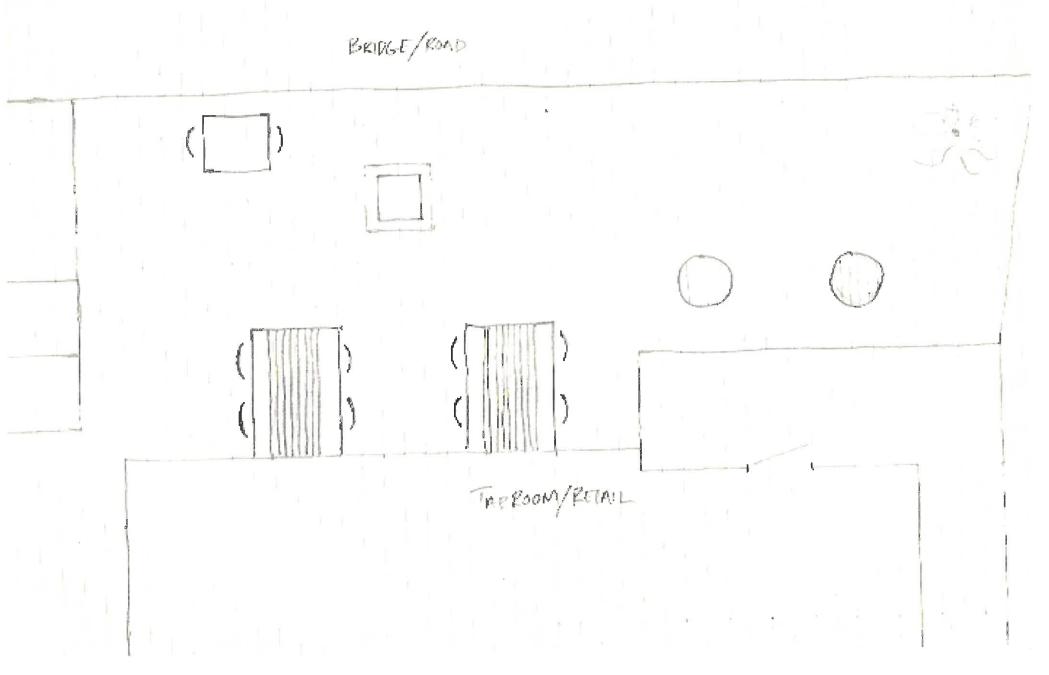
Feel free to reach out to us with any additional questions or comments that you may have.

Sincerely, McCain Consulting Inc.

George N. McCain Jr. P.E. Enc.

93 SOUTH MAIN ST., SUITE 1 · WATERBURY, VT 05676 · (802) 244-5093 · WWW.MCCAINCONSULTING.COM













Waste Management Plan Freak Folk Bier 28 Stowe Street Waterbury, VT

The following information is to explain best practices and planned implementation of waste management for a proposed brewpub operation for Freak Folk Bier at 28 Stowe Street in Waterbury, Vermont.

The proposed operation is a 7bbl brewery with 3 7bbl fermenters, one 14bbl fermenter and several oak barrels for conditioning. Expected yearly production is between 700-1000 bbl per year with a maximum possible production of 1500 bbl. Beer will be served in the pub from serving tanks, with some hand packaged for small bottle/can releases.

Below we have detailed methods for side streaming high strength waste from every part of our process, and for ensuring our chemical wastewater is properly treated before being sent to the drain.

#### Mash Lauter

Our vessel for this first step in our brewing operation will be a 250 gallon dairy tank outfitted with a false bottom. We will mash in this vessel with water recaptured from the heat exchanger from the previous brew heated in the kettle, or with water heated through an on demand heater. After mash and runoff to the kettle, any residual liquid from the spent grain will be sent to our liquid waste container. When dry, spent grain will be scooped out of the open top vessel with a shovel and transferred to 44 gallon plastic buckets. These will be placed outside the door for immediate pickup by a local farmer. We will maintain relationships with several local farmers to ensure that one will pick up grain if another is ill or otherwise indisposed. We have spoken with three farmers that are interested in our grain. We will always make arrangements for each grain pickup prior to commencing a brew.

Our local partners for grain pick up are Bill Woodruff of Waterbury, John Laplatte of Hinesburg, and Adam Chaquette of Enosburg.

#### Kettle

After the wort is boiled and sent through the heat exchanger to the kettle, we will have approximately 10 gallons of trub (hop particulate and coagulated proteins) in the dish of the kettle. This trub will be transferred with a centrifugal pump to the liquid waste container. Rinse water used to get the last bit out of the kettle will be pumped to the liquid waste container as well. Grow Compost of Vermont will pump out the liquid waste weekly or monthly depending on our needs. Our liquid waste container will be a 200 gallon plastic cone bottom tank with a top port and dump valve on the bottom. Grow Compost will pump liquid waste out through a valve on the bottom of the vessel and haul away.



#### Fermenter/Brite Tank

After fermentation of wort is complete, beer will be transferred to another vessel leaving 5 to 10 gallons of yeast behind. This yeast will be reused for 10+ generations by directly transferring it from the cone of one fermenter that has completed fermentation to the next tank awaiting fresh wort.

When yeast is ready for disposal, it will be transferred to the liquid waste container with a centrifugal pump, followed by water used to rinse the cone clean.

Hops added after fermentation will also be removed from the cone of the tank after the finished product is transferred to the serving tank. This will be pumped to the liquid waste container, along with water used to rinse.

If trub is removed prior to the transfer of yeast, it will be collected in a small bucket and dumped into the liquid waste container.

#### Cleaning

After emptying any vessel, The first rinse of the tank will be sent to the liquid waste tank through a 1 inch hose via centrifugal pump. A sightglass placed in line will allow us to determine when the tank has been rinsed clean. After the first rinse, the vessel will be cleaned via CIP. We will clean vessels with a 10 gallon solution of lerapur 284 from Loeffler Chemical at a dilution rate of 1 to 1.5 oz per gallon. Spent cleaning solution will be transferred with the CIP pump directly to the equalization tank or to 20 gallon buckets in the cellar for reuse to clean or sanitize stainless parts. If reused, this liquid will be dumped afterward into the top of the equalization tank. The equalization tank will be a 90 gallon stainless tank (grundy) outfitted with a sampling valve on the side, a drain valve on the bottom, and a 24 inch hatch door on the top and 2 sight glasses. Markings on the inside of the vessel facilitate volume measurements as seen through a sightglass.

Tanks will be sanitized with peracetic acid from Loeffler Chemical. 10 gallons of solution at a dilution rate of 1-1.5 oz per gallon will be circulated through each tank via CIP. Sanitizer will be collected in buckets after CIP and reused for blowoff buckets or sanitizing stainless parts. After reuse, peracetic acid solution will be dumped into the top port of the equalization tank. We will occasionally use a nitric/phosphoric acid blend for passivating steel vessels. This is Leracid KMS from Loeffler Chemical. It will be diluted in 10 gallons of water at a rate of 1 -1.5 oz/gal and circulated via CIP. After CIP, this will be sent to the equalization tank via a centrifugal pump.

At the end of the day, or when the equalization tank is nearly full, the pH of the solution within will be tested by drawing some off of the sample valve into a beaker and tested with pH strips. If the pH of solution is within the acceptable range of 5-9.5 SU, It will be slowly emptied to the drain. If pH is too low or too high, sodium hydroxide or peracetic acid will be added for adjustment until the ph is within the acceptable range before being sent to the drain



# #039-21 Perry Hill Partners, 28 Stowe Street

