

**WATERBURY DEVELOPMENT REVIEW BOARD  
Unapproved General Minutes—April 20, 2022**

**Attending:** Board members present: David Frothingham (Chair), Tom Kinley, Bud Wilson, Patrick Farrell, Harry Shepard

Staff: Stephen Lotspeich (Planning & Zoning Director), Neal Leitner (Asst. Planning & Zoning Administrator)

Public: William Poderzay, George Pierce, Glenn Ziemke, Laura Vilalta, Mark Pomilio, Esther Lotz, Larry Noles, John Cummings

David Frothingham, Chair, opened the public meeting at 6:35 p.m. and made the following introductory remarks: Applicants should have one spokesperson. Staff will give an overview of the project. The Applicant/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. Note that the DRB is a seven-member Board, five members are present; an approval requires at least four votes in the affirmative.

1) **#020-22: William Poderzay** (owner/applicant)

Waiver and Conditional Use review for the construction of a 320 sq. ft. (16' x 20') shed within the side and rear setbacks at 1525 Blush Hill Rd. (MDR zoning district)

Present and sworn in:

William Poderzay (owner/applicant)

The hearing was opened at 6:35 p.m. William Poderzay presented the project to replace two dilapidated sheds that are very close to the house and will be demolished, with one new shed. The new shed will be charcoal or red in color and will be screened from the neighbor's view on the north and west sides of the lot by existing trees. The hearing was closed at 6:45 p.m. The Board approved the project with conditions and will issue the written decision within 45 days.

2) **#21-22: Ivy Ventures, Inc.** (owner/applicant)

Conditional Use and Site Plan Review to construct a two-story office building with an 11,000 square foot footprint, and 23,000 square feet of interior space at 2933 Waterbury-Stowe Rd. (RT100 zoning district).

Present and sworn in:

George Pierce, owner/applicant

Glenn Ziemke, abutting property owner

The hearing was opened at 6:50 p.m. George Pierce presented the project to construct an 11,000 square foot footprint, two-story office building in place of the existing theater that will be removed. The existing ranch style house that has some of the current offices for Ivy Computer will be demolished. The large pines that are in the footprint of the proposed building will be transplanted/relocated with a large tree spade to provide partial screening for the new parking area. Any of these pines that die within a specified period of time will be replaced with new 14'tall evergreen trees. A new stormwater pond may be located on the north side of the new parking lot or there may be a stormwater filtration tank located underneath the parking lot. There

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will be a total of 16 new Electric Vehicle (EV) changing stations located in the new parking lot.

The proposed 1,000 sq. ft. third floor mezzanine was discussed. This can only be for storage use and cannot be used for additional business professional offices or any other principal use. This is because buildings in the Route 100 zoning district are limited to no more than two stories. The overall height of the building of 35' was discussed in terms of being measured from the top of the proposed grade just outside of the building versus the finish floor level for the building.

Regarding exterior lighting, the 25' pole height may be reduced to approximately 20'. The pole lights will be on motion detectors and will generally be shut off when the offices are not occupied. There will be soffit lights in the roofs over the entry doors.

The neighboring property and business owner, Glenn Ziemke, provided the following comments on the proposed project: The state Act 250 process will require more architectural detail for the proposed building. The 103 +/- parking spaces that are proposed are significantly more than the minimum requirement of 74 spaces. He is concerned that the entrance on his property that is shared with the Ivy Ventures property will become congested after the new building is constructed and occupied. The shared access was originally to access only another 2-acre lot. A guarantee on the transplanted evergreen trees is needed to make sure they are replaced if some do not survive. Regarding the pole lights for the parking areas, Glenn thinks a lower height would help prevent or mitigate the loss of the dark skies that currently exist on the site. The status of the stormwater permit should be considered in terms of the impact on the proposed landscaping and screening.

The following list of additional information was requested to be submitted one week prior to the continued review:

- Photometric plan for the parking lot lights
- Landscape plan showing the recommended planted berm on the south side of the proposed building.

The review was continued to Wednesday, May 18, 2022 at 6:30 p.m.

- 3) **#022-22: Fifty-Five Consulting & Enterprises** (owner/applicant)  
Site Plan, Conditional Use, and Downtown Design review for modifications to the existing café (restaurant/bar use) and the addition of a bakery and ADA access ramp, all within the existing Railroad Station location at 1 Rotarian Place. (DWN/DDR zoning/overlay districts)

Present and sworn in:

Laura Vilalta, Black Cap owner  
Mark Pomilio, representing property owner  
Esther Lotz, agent for owner  
Larry Noles, abutting property owner  
John Cummings, abutting business owner

The hearing was opened at 7:43 p.m. Laura Vilalta and Mark Pomilio presented the project. The bakery will have convection ovens and will not require special outside venting. The railing for the handicap ramp was discussed and it was recommended to use a lighter looking railing with thinner dimensions to the painted steel components that will be on the top of the existing deck along the ramp. In terms of hours of operation, the cafe will typically be open to the public from 7:00am to 5:00pm seven days each week and may be open until 7:00pm in the summer months. No live music is planned for the café. There will be no changes to the exterior of the

building other than the handicap ramp.

The hearing was closed at 8:20 p.m. The Board approved the project with conditions and will issue the written decision within 45 days.

- 4) **#037-22: Bank Hill, LLC:** Request for exemption from Downtown Design Review for replacing the railing and stairs at 19 S. Main St., (DC/DDR zoning/overlay districts)

**MOTION:**

Harry Shepard moved and Tom Kinley seconded the motion to exempt Application #037-22, Bank Hill, LLC, from Downtown Design Review.

VOTE: The motion was approved 5-0.

- 5) **#007-22: Jean Gilpin Estate c/o Linda Gilpin** (owner/applicant)  
Final Subdivision Plat for review and signature for a 4-lot subdivision of the existing 106.7+/- acre parcel on Black Bear Hollow Rd. and Perry Hill Rd. (LDR/CNS zoning/overlay districts)

**MOTION:**

Tom Kinley moved and Bud Wilson seconded the motion to approve the final plat for Application No. #007-22: Jean Gilpin Estate c/o Linda Gilpin.

VOTE: The motion was approved 5-0.

**Agenda items to be scheduled by the Chair:**

- Public comment / Other business: There was none.
- Review prior meeting minutes and decisions (4/6/22):

**MOTION:**

Tom Kinley moved and Bud Wilson seconded the motion to approve the general meeting minutes for April 6, 2022 and the decisions for applications #131-20, #010-22, #015-22, and #018-22.

VOTE: The motion was approved 5-0.

**Adjournment:** There being no other business, the meeting was adjourned at 8:40 p.m.

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
(Chair, Vice-chair)

**Next meeting:**

Wednesday, May 4, 2022, 6:30 p.m.

- #027-22, State of Vermont, Dept. of Forests, Parks and Recreation, Site Plan Review for boat trailer parking area at 2632 Blush Hill Rd. (CNS zoning district)
- #017-22 Ted and Candice Brunell, SFHA, single-family house, 10 Lincoln St. (VR/SFHA)
- #031-22, Holli Kenyon/Gary Kenyon, WR CU, garage with ADU and home occupation office, 84 Grove Lane. (LDR)