

**VILLAGE DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
June 24, 2015**

PRESENT: Jim Mills, Randy Mayhew, Benjamin Pauly
ABSENT: Jane Soule, Keri Cole
ALSO PRESENT: Ruth Schimmelpfenning, Levi Gordon, Nick DeLauri, Diane Dugan,
Peter Vollers, Chris Ambrose, Jack Rossi, Rob Wallace, Sandra Benoit,
Cyrus Benoit, Eric Nesbitt, Michael Brands

I. CALL TO ORDER

The meeting was called to order at 7:30 p.m.

II. PUBLIC HEARINGS

A. Old Business None

B. New Business

1. V-3142-15 Geoffrey Nichols / Ruth Schimmelpfenning

The application is for Conditional Use and Design Review Approval to increase restaurant seating by 10 seats. The property is located at 61 Central Street and is zoned Central Commercial / Design Review.

Ms. Schimmelpfenning, restaurant owner, presented the application.

The VDRB reviewed a Conditional Use form and a floor plan.

The owner wishes to add ten seats to interior.

Per Village zoning permit the restaurant has 25 seats. Per State waste water permit the restaurant has 20 seats.

The State Fire Marshall inspected the site and would allow up to 50 seats.

The owner feels 35 seats would be a comfortable number with the space allowed. A second bathroom has been constructed. Per State law a second bathroom is required for more than 25 seats.

Waste disposal is handled by Casella. They pick up twice a week, although the owner may request three pickups per week. Three bins, two for trash and one for recycling, are placed near the back door.

The restaurant would be open six days a week, 7 am - 2 pm. Signage would be letters placed on the door and a hanging sign in the future. The signage would be granted via an administrative permit.

The owner received approval from the Design Review Board for placement of a front patio fence and exhaust vents on the rear of the building.

Mr. Vollers, speaking for residents of the north end of High Street, noted that the neighborhood is in favor of this project.

The VDRB reviewed the Conditional Use criteria.

Testimony was voted closed.

2. V-3143-15 Arapaho Partners, LLC / West River Farm, LLC

The application is for Conditional Use, Site Plan and Design Review Approval to convert Commercial Service to Retail. The property is located at 47 Pleasant Street and is zoned Light Commercial / Design Review.

Partners, Mr. Gordon and Mr. Delauri, presented the application.

The VDRB reviewed the floor plan and site plan of the proposal to place a butcher shop in the former laundromat space located at 47 Pleasant Street.

The butcher shop would have five parking spaces. The property has a total of ten parking spaces, five of which are for use by a chiropractor and his tenant. The five parking spaces are at the rear of the building within a 60' x 60' existing hardpack surfaced area.

The butcher shop has two full time employees. There are three parking spaces on the street directly in front of the shop.

The site plan did not delineate the individual parking spaces. The applicant would like to park head-in at an angle.

The VDRB agreed there would be adequate room to park and to turn around.

Client time within the building is normally a maximum of ten minutes each.

Deliveries would take place through a rear door in the mornings, twice a week.

Compressors for the walk-in coolers would be placed within the covered 25' x 6'

screened-in porch at the rear of the building. At the back of the building is a very steep uphill bank.

On the east exterior wall, three AC units would be removed, dryer intakes and exhaust would be removed, and one would be retained for an on-site dryer.

Waste products would be kept in Casella totes in the freezer until full. Expected pickup by Casella would be twice a week. Ninety percent of the waste is approximately 100 pounds of meat/bone byproduct per week.

There would be no deli. Sandwiches and fish would not be sold from the site.

A sign would be placed as a free-standing sign and would be granted as an administrative permit.

The Design Review Board's recommendation to approve the removal of the east wall vents was read. One dryer vent to the rear of the east wall would remain as is. A dryer for the butcher shop would be installed. The east wall has T-111 siding. Areas of former vents would be resided with T-111 siding and painted to match existing wall color.

Testimony was voted closed.

3. V-3148-15 Kevin & Diane Dugan

The application is for Design Review Approval to construct pathway and irregularly-shaped fieldstone terrace with fire pit incorporated therein. The property is located at 37 Elm Street and is zoned Residential Low Density / Design Review / Riparian Buffer.

Mr. Vollers, attorney, presented the application. Ms. Dugan, applicant, was present.

The VDRB reviewed a number of photographs and a site plan of the proposed work.

An application to construct a path and stone terrace with a fire pit was approved last year. An appeal of the permit was made by the neighbors. The Environmental Court rendered a decision stating the application did not list these three items and therefore they were not approved. Applicant is resubmitting application to bring the items into compliance.

The path and stone terrace with fire pit have been constructed.

Mr. Vollers submitted a letter signed by the Dugans and two neighbors: Ms. Billings and Ms. Falvey. The Dugans agreed to remove the fire pit from the application. The neighbors dropped their opposition to the path and stone terrace within the 100' wide riparian buffer.

Although the fire pit would not be used, there is no plan to fill in the area. The applicant noted the pit would be used as a planter.

The terrace would be used to enjoy the brook. An unpaved path is constructed through the riparian buffer area. The buffer area, not including the terrace and path, would be allowed to regrow thus replacing the riparian vegetation in a natural way.

The impact on the riparian buffer was reviewed and recommended for approval by the Conservation Commission at their June 17, 2015 meeting. The decision was read by the VDRB.

The Design Review Board reviewed the terrace as well. Visually they had no problem as the terrace is flush to the ground, and is not visible from the street. There is abundant vegetation providing a strong screen in the summer months. The decision was read by the VDRB.

Testimony was voted close.

4. V-3150-15 Thomas & Susan McCaughey

The application is for Design Review Approval to place a 39 linear foot fence and flagstone walkway. The property is located at 26 Pleasant Street and is zoned Residential High Density / Design Review.

Mr. Benoit, contractor, presented the application.

The VDRB reviewed a number of photographs and a site plan of the proposed work in the front yard.

The initial application contained two options for a picket fence and a front gate. The vinyl material was dropped after discussion with the Design Review Board.

Option Two is a wood picket fence, 3.5' tall that would match the neighbor to the west's fence. The spindles would be 1" x 1", 3' tall. The posts would be 4.5" square. The fence would be painted white. It would be constructed by a local contractor.

A 4' wide stone pathway would connect the sidewalk with the front steps. Goshen stone in random sizes would be used. The path would be flush to ground.

The VDRB read the Design Review Board's recommendation to approve the application with Option Two, the wood fence.

Testimony was voted closed.

5. V-3151-15 Eric Nesbitt

The application is for Design Review Approval to replace asphalt shingle roof with a metal enamel panel roof. The property is located at 33 Pleasant Street and is zoned Residential High Density / Design Review.

Mr. Nesbitt presented the application.

The VDRB reviewed a number of photographs of the house and the proposed roof material.

The owner's roof is starting to leak and is in need of replacement.

The current roof material is asphalt shingle. The applicant prefers a metal roof as a replacement material. The metal roof would shed snow more readily than an asphalt shingled roof, thus negating the need to rake off the snow during winter months.

An enamel panel roof is proposed. A cutsheet of the Tuff-Rib / Classic Rib Metal Roofing panel was presented.

This is the same roof as placed on the Specter's new addition at the corner of South Street and South Park Street.

The owner's home has the gable end facing the street. During summer months, the roof is barely visible due to heavy foliage.

The owner prefers a dark colored roof such as a dark green.

The application also requested relocation of a post and attached lamp rearward to the southwest corner of the house. It would maintain the same distance from the home.

The VDRB read the Design Review Board's recommendation to approve the application as presented.

Testimony was voted closed.

III. OTHER BUSINESS

A. Administrative Officer's Report

The report was issued and discussed.

IV. DELIBERATIONS

A. V-3146-15 Geoffrey Nichols / Ruth Schimmelpfenning

After discussion the following findings of fact were established:

1. The VDRB reviewed a Conditional Use form and a floor plan.
2. The owner wishes to add ten seats to the restaurant. Per Village zoning permit the restaurant has 25 seats. Per State waste water permit the restaurant has 20 seats.
3. The State Fire Marshall inspected the site and would allow up to 50 seats.
4. The owner feels 35 seats would be a comfortable number with the space allowed. A second bathroom has been constructed. Per State law a second bathroom is required for more than 25 seats.

5. Waste disposal is handled by Casella. They pick up twice a week, although the owner may request three pickups per week. Three bins, two for trash and one for recycling, are placed near the back door.
6. The restaurant would be open six days a week, 7 am - 2 pm. Signage would be letters placed on the door and a hanging sign in the future. The signage would be granted via an administrative permit.
7. The owner received approval from the Design Review Board for placement of a front patio fence and exhaust vents on the rear of the building.
8. The VDRB reviewed the Conditional Use criteria.

After additional discussion, Mr. Mayhew moved with a second by Mr. Pauly to approve the application as presented.

The motion passed with a 3-0 vote.

B. V-3143-15 Arapaho Partners, LLC / West River Farm, LLC

After discussion the following findings of fact were established:

1. The VDRB reviewed the floor plan and site plan of the proposal to place a butcher shop in the former laundromat space located at 47 Pleasant Street.
2. The butcher shop would have five parking spaces. The property has a total of ten parking spaces, five of which are for use by a chiropractor and his tenant. The five parking spaces are at the rear of the building within a 60' x 60' existing hardpack surfaced area.
3. The butcher shop has two full time employees. There are also three parking spaces on the street directly in front of the shop.
4. The site plan did not delineate the individual parking spaces. The applicant would like to park head-in at an angle. The VDRB agreed there would be adequate room to park and to turn around.
5. Deliveries would take place through a rear door in the mornings, twice a week.
6. Compressors for the walk-in coolers would be placed within the covered 25' x 6' screened-in porch at the rear of the building. At the back of the building is a very steep up hill bank.
7. On the east exterior wall, three AC units would be removed, dryer intakes and exhaust would be removed, and one would be retained for an on site dryer.
8. Waste product would be kept in Casella totes in the freezer until full. Expected pickup by Casella would be twice a week. Ninety percent of the waste is approximately 100 pounds of meat/bone byproduct per week.
9. There would be no deli. Sandwiches and fish would not be sold from the site.
10. A sign would be placed as a free standing sign and would be granted as an administrative permit.
11. The Design Review Board's recommendation to approve removal of the east wall vents was read. One dryer vent to the rear of the east wall would remain as is. A dryer for the butcher shop be would installed. The east wall has T-111 siding.

Areas of former vents would be resided with T-111 siding and painted to match existing wall color.

12. The VDRB reviewed the Conditional Use, Site Plan Review and Design Review criteria.

After additional discussion, Mr. Mayhew moved with a second by Mr. Pauly to approve the application as presented.

The motion passed with a 3-0 vote.

C. V-3148-15 Kevin & Diane Dugan

After discussion the following findings of fact were established:

1. The VDRB reviewed a number of photographs and a site plan of the proposed work.
2. An application to construct a path and stone terrace with a fire pit was approved last year. An appeal of the permit was made by the neighbors. The Environmental Court rendered a decision stating the application did not list these three items and therefore they were not approved. Applicant is resubmitting application to bring the items into compliance.
3. The path and stone terrace with fire pit have been constructed.
4. A letter signed by the Dugans and two neighbors: Ms. Billings and Ms. Falvey was read. The Dugans agreed to remove the fire pit from the application. The neighbors dropped their opposition to the path and stone terrace within the 100' wide Riparian Buffer.
5. Although the fire pit would not be used, there is no plan to fill in the area. The applicant noted the pit would be used as a planter.
6. The terrace would be used to enjoy the brook. An unpaved path is constructed through the Riparian Buffer area. The buffer area, not including the terrace and path, would be allowed to regrow thus replacing the riparian vegetation in a natural way.
7. The impact on the Riparian Buffer was reviewed and recommended for approval by the Conservation Commission at their June 17, 2015 meeting. The decision was read by the VDRB.
8. The Design Review Board reviewed the terrace as well. Visually, they had no problem with the application as the terrace is flush to the ground, and is not visible from the street during the summer months due to the heavy vegetation. The decision was read by the VDRB.

After additional discussion, Mr. Mayhew moved with a second by Mr. Pauly to approve the application as presented.

The motion passed with a 3-0 vote.

D. V-3150-15 Thomas & Susan McCaughey

After discussion the following findings of fact were established:

1. The VDRB reviewed a number of photographs and a site plan of the proposed work in the front yard.
2. The initial application contained two options for a picket fence and a front gate. The vinyl material was dropped after discussion with the Design Review Board.
3. Option Two is a wood picket fence, 3.5' tall that would match the neighbor to the west's fence. The spindles would be 1" x 1", 3' tall. The posts would be 4.5" square. The fence would be painted white. It would be constructed by a local contractor.
4. A 4' wide stone pathway would connect the sidewalk with the front steps. Goshen stone in random sizes would be used. The path would be flush to ground.
5. The VDRB read the Design Review Board's recommendation to approve the application with Option Two, the wood fence.

After additional discussion, Mr. Pauly moved with a second by Mr. Mayhew to approve the application as presented.

The motion passed with a 3-0 vote.

E. V-3151-15 Eric Nesbitt

After discussion the following findings of fact were established:

1. The VDRB reviewed a number of photographs of the house and the proposed roof material.
2. The owner's roof is starting to leak and is in need of replacement.
3. The current roof material is an asphalt shingle. The applicant prefers a metal roof as a replacement material. The metal roof would shed snow more readily than an asphalt shingled roof, thus negating the need to rake off the snow during winter months.
4. An enamel panel roof is proposed. A cutsheet of the Tuff-Rib / Classic Rib Metal Roofing panel was presented.
5. This is the same roof as placed on the Specter's new addition at the corner of South Street and South Park Street.
6. The owner's home has the gable end facing the street. During summer months, the roof is barely visible due to heavy foliage.
7. The owner prefers a dark colored roof such as a dark green.
8. The application also requested relocation of a post and attached lamp rearward to the southwest corner of the house. It would maintain the same distance from the home.
9. The VDRB read the Design Review Board's recommendation to approve the application as presented.

After additional discussion, Mr. Pauly moved with a second by Mr. Mayhew to approve the application as presented.

The motion passed with a 3-0 vote.

V. APPROVAL OF MINUTES

Approval of the June 10, 2015 minutes was continued to the next meeting.

VI. ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Michael E. Brands, AICP
Town/Village Planner