

**VILLAGE DEVELOPMENT REVIEW BOARD  
DRAFT MINUTES  
January 11, 2017**

**PRESENT:** Jim Mills, Randy Mayhew, Jane Soule, Keri Cole  
**ABSENT:** Wendy Spector  
**ALSO PRESENT:** Joe DiNatale, Sam DiNatale, Anna DiNatale, Don Gilbert, Susan Ford, Peter Vollers, Kim Vollers, 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-3288-16**                      **D.A.L., LLC / Mon Vert Café**

The application is for Conditional Use / Design Review Approval to convert retail use to restaurant. The property is located at 28 Central Street and is zoned Central Commercial / Design Review district.

Ms. Sam DiNatale, restaurant owner, and Mr. DiNatale, father, presented the application.

Numerous photographs and floor plans were presented.

The VDRB reviewed the Design Review Board's recommendation to approve the kitchen vent which also noted concerns with the placement of trash dumpsters.

A kitchen vent is proposed for the northwest elevation of the building. The applicant presented the catalogue cut sheet on the vent. The vent is aluminum and protrudes 23" from the building which would be approximately even with the roof overhang. It was noted that the vent is on the northwest elevation of the building and cannot be viewed from Central Street or the abutters.

There would be no other exterior changes to the building. There would be no change in exterior lighting.

The applicant noted that a salesperson from Cassella, the rubbish/recycling contractor, visited the site but was unable to determine whether or not a truck could provide service at the intended locations. A company truck driver will visit at a later date to provide this information. Therefore, the applicant would like to proceed with the current application and then submit an application later to deal with the rubbish service.

The Mon Vert Café, currently located at 67 Central Street, would be moved to 28 Central Street.

The restaurant would include two floors with a total of 49 seats. There would be 30 seats on the first floor and up to 19 seats on the second floor. A kitchen would be placed in the rear ell of the building. Dry goods would be stored in the attached barn.

The State Fire Marshall has inspected the premises. The applicant would install a hardwired alarm system, which would be connected directly to the Fire House. An ADA access ramp is already in place.

Mr. Willis, engineer, is working on the State Waste Water permit. The Town has been contacted for the sewer connection fee which is based on number of seats.

Mr. Wegner, the Woodstock Aqueduct Company, has been contacted concerning water use.

The applicant would submit a separate application for outdoor dining at a later date.

A discussion of the driveway took place. The property line runs down the middle of the 35' wide driveway which is shared with Woodstock Sports.

Off-street parking is not required in the Central Commercial district. However, the owner would like to be able to park a vehicle on-site from time to time. A site plan would require the location of the parking space.

Deliveries would take place on the street as this is current practice. Deliveries would not take place in the driveway. There are numerous restaurants downtown and they all use the same food delivery services. The main purveyor is Black River Produce and their delivery schedule is 5:30 am to 6:00 am.

Mr. Vollers noted that when the building was a bike/ski shop, he would park a van and trailer in front on the street with the flashers on to load bikes and riders. The space is not a designated parking or loading zone but the pavement is wide enough at this point so cars can pass by without hindrance.

There is no on-street parking on the north side of Central Street from Tribou Park to the Post Office.

To start, the restaurant would serve just breakfast and lunch with a few evening events, such as a Sustainable Woodstock meeting. The applicant noted on the Conditional Use form that they plan on opening at 7:00 am and closing at 10:00 pm seven days a week.

The VDRB questioned the lack of a detailed site plan. A number of photographs were submitted but did not include dimensions. The VDRB requested that the location of the dumpster, potential parking and the driveway be placed on the site plan with dimensions.

Testimony was voted closed.

### III. OTHER BUSINESS

#### A. Administrative Officer's Report

In connection with the requirements of the Gerrish Stone House Act 250 permit, a \$50,000 payment to the State Historic Preservation Office has been made in full. Therefore, this will allow an earlier start on an enhanced historical survey of the Village. The current survey was completed 40 years ago and needs a major rewrite.

#### B. Don Gilbert

Mr. Gilbert, owner of 6 River Street, and Ms. Ford, attorney, asked the VDRB for clarification in the wording of the conditions set for zoning permit V-3170-15. Condition #2 states the standard requirement that the permitted activity must begin within 12 months of issuance. However, the request is a variance based on the demolition of a building. The conditions #5, #6 and #7 all refer to the fact that the variance becomes applicable only with demolition of the building. Therefore, the 12 month period has no bearing on this permit.

After discussion, the VDRB agreed the original intent is that the variance is not time sensitive and is dependent on the demolition of the building.

**Mr. Mayhew moved with a second by Ms. Cole that condition #2: "all work must begin within 12 months" is not valid due to the permitted variance and to place a copy of the clarification in the applicant's file. The motion passed with a 4-0 vote.**

#### C. Peter Vollers

Mr. Vollers, owner of One High Street, is selling his property. The new owner wishes to convert the former Vollers Law Office space to a second residential unit. There is currently an apartment on the second floor. A problem results as two parking spaces per unit are required which would be a total of four spaces. Mr. Vollers has filed a petition asking for a waiver of the regulations as allowed per Section 517 Off-Street Parking G.1.

The VDRB noted that the proposed use would have much less impact than the previous use, the law office. Mr. Vollers stated that one parking space would be assigned to each apartment. If additional parking is required, winter night time parking is allowed on

Mechanic Street and around The Green on a first-come, first-serve basis. Otherwise the additional vehicles would park along the street as they have for the former law office.

**After additional discussion, Mr. Mayhew motioned with a second by Ms. Cole to grant the waiver and allow one parking space per unit based on the fact the proposed use would require less parking than the previous non-conforming use. The motion passed with a 4-0 vote.**

#### IV. DELIBERATIONS

##### A. V-3288-16 D.A.L., LLC / Mon Vert Café

*After discussion the following findings of fact were established:*

1. Numerous photographs and floor plans were presented.
2. The Mon Vert Café, currently located at 67 Central Street, would be moved to 28 Central Street.
3. The VDRB reviewed the Design Review Board's recommendation to approve the kitchen vent which also noted concerns with the placement of trash dumpsters.
4. A kitchen vent is proposed for the northwest elevation of the building. The applicant presented the catalogue cut sheet on the vent. The vent is aluminum and protrudes 23" from the building which would be approximately even with the roof overhang. It was noted that the vent is on the northwest elevation of the building and cannot be viewed from Central Street or the abutters.
5. There would be no other exterior changes to the building. There would be no change in exterior lighting.
6. The applicant met with Cassella, the rubbish/recycling contractor, but was unable to finalize a dumpster location. Therefore, the applicant asked to proceed with the current application and then submit an application at a later date to deal with the rubbish service.
7. The restaurant would include two floors with a total of 49 seats. There would be 30 seats on the first floor and up to 19 seats on the second floor. A kitchen would be placed in the rear ell of the building. Dry goods would be stored in the attached barn.
8. The State Fire Marshall has inspected the premises. The applicant would install a hardwired alarm system, which would be connected directly to the Fire House. An ADA access ramp is already in place.
9. Mr. Willis, engineer, is working on the State Waste Water permit. The Town has been contacted for the sewer connection fee which is based on number of seats.
10. Mr. Wegner, the Woodstock Aqueduct Company, has been contacted concerning water use.
11. A discussion of the driveway took place. The property line runs down the middle of the 35' wide driveway which is shared with Woodstock Sports.
12. Off-street parking is not required in the Central Commercial district. However, the owner would like to be able to park a vehicle on-site from time to time. A site plan would require the location of the parking space.

13. Deliveries would take place on the street which is the current practice. Deliveries would not take place in the driveway. There are numerous restaurants downtown and they all use the same food delivery services. The main purveyor is Black River Produce and their delivery schedule is 5:30 am to 6:00 am.
14. There is no on-street parking on the north side of Central Street from Tribou Park to the Post Office.
15. To start, the restaurant would serve just breakfast and lunch with a few evening events, such as a Sustainable Woodstock meeting. The applicant noted on the Conditional Use form that they plan on opening at 7:00 am and closing at 10:00 pm seven days a week.
16. The VDRB questioned the lack of a detailed site plan. A number of photographs were submitted but did not include dimensions. The VDRB requested the location of the dumpster, potential parking and the driveway be placed on the site plan with dimensions.

**After additional discussion, Mr. Mayhew moved, with a second by Ms. Cole to approve the application with the following conditions:**

1. **A site plan shall be submitted for review with dimensions.**
2. **The rubbish/recycling issues are not resolved and will require additional review.**

**The motion passed with a 4-0 vote.**

**V. APPROVAL OF MINUTES**

The minutes of November 29, 2016 were approved as submitted.

**VI. ADJOURNMENT**

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

Respectfully submitted,

Michael E. Brands, AICP  
Town/Village Planner