

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, MAY 2, 2016**

Members Present: Jason Farrell-Chair, Peter Garon, Tim Cook, Jason Mullin, Don Peabody, Brent Rakowski, Steve Rapoport

Members Absent: None

Guests: Robert Feuerstein, Colin Davis

Present: Zoning Administrator Mel Hawley

1. Public Hearing - Kennedy Bros, Inc., 11 Main Street, Enclosed Manufacturing Industry, Site Plan Review, Conditional Use Review

Jason Farrell read the public hearing notice and swore in Robert Feuerstein, one of the principals of Kennedy Bros., Inc., and Colin Davis, owner of Shacksbury Cider. No abutting property owners were in attendance. Robert Feuerstein gave a brief overview of the proposal to change the use of the ground floor of the so-called “white building” portion of the former Kennedy Brothers Marketplace from what was once part of the retail store to enclosed manufacturing industry (cider brewing, bottling, shipping, office, warehouse and tasting room). Robert clarified some of the discussion at the last meeting. He said the new entrance is related to incoming freight and outgoing product and not the existing entrance. As for the two new exterior lights, one is for the existing entrance and the other is for the new freight entrance. The existing concrete sidewalk along the east side of the parking lot will be extended to the entrance and also run parallel to the new freight entrance. Colin said there will be no dumpster and no exterior chilling equipment for this phase but will be contemplated in a future expansion of the operation under a subsequent application. The cidery consists of 2,490 square feet, the tasting room is 335 square feet, and the workspace is 482 square feet. Colin said there will be six employees and there are no vehicles associated with the business. The operation will run from 8 a.m. to 8 p.m. There will be no food associated with the tasting room and the Board regarded that space as retail and not restaurant use. Colin said they would likely have special events. Zoning Administrator Hawley said since these events are not part of this application, they would be handled in accordance with the City’s public assemblage ordinance. When asked about the frequency of truck traffic associated with the business, Colin said during peak season there would be one tractor trailer per day for outgoing product and the supply of bottles and cardboard would occur sporadically. Robert reported the recently upgraded parking lot has 64 parking spaces and there is additional unpaved parking in behind the building. In reviewing prior approvals of the subject property, Zoning Administrator advised the existing offices require 22 parking spaces, the coffee shop and retail use requires 4 parking spaces, the two fitness centers require 16 parking spaces and the restaurant with capacity of 150 patrons plus 12 employees requires 50 parking spaces. Robert advised the restaurant capacity has since been

reduced to 99 patrons and just 3 employees thus reducing the required parking spaces for the restaurant to 28 parking spaces. With no further testimony, Don Peabody moved to close the public hearing and direct Zoning Administrator Hawley to draft an affirmative decision on the application. The motion was seconded by Steve Rapoport with all voting in favor.

2. **Review and accept minutes of previous meeting**

The minutes to the regular meeting of April 4, 2016 were reviewed and corrected. Tim Cook moved to approve the minutes as corrected. The motion was seconded by Brent Rakowski with all voting in favor.

Steve Rapoport advised he listened to the audiotapes of the five public hearing held on April 4, 2016 and in accordance with the rules, by listening to the audiotapes of the proceedings, regained his right to vote.

3. **Pending Decision - Estate of Ruth LaFlam (Owner), Timothy Goyette (Applicant), 67 South Water Street, Subdivision Sketch Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Peter Garon moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Jason Mullin with all voting in favor.

4. **Pending Decision - Lincoln Geronimo, LLC, 33 Green Street, Change the Use of Clock Shop (Retail) to Brewery/Bar/Restaurant, Site Plan Review, Conditional Use Review**

Jason Farrell had previously recused himself and, therefore, will continue to not participate as a board member due to having a direct or indirect personal interest as a business associate of the owner of the restaurant. Jason removed himself from the table. As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Don Peabody moved to approve the decision and authorize Vice-Chair Peter Garon to sign the decision on behalf of the Board. The motion was seconded by Jason Mullin with all voting in favor.

5. **Pending Decision - Vergennes Union Elementary School, 43 Monkton Road, Accessory Structure, Site Plan Review (see Section 311)**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Peter Garon moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Brent Rakowski with all voting in favor.

6. **Pending Decision - Mahaiwe, LLC, Norton Grist Mill and Horse Barn, 360 Main Street, Multiple-family Dwelling, Site Plan Review, Conditional Use Review**

The Development Review Board continued its deliberative sessions from the last meeting. Following lengthy discussion Don Peabody moved that the application be denied based on the findings of fact as determined by the Board and to authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion to deny was

seconded by Jason Mullin with all voting in favor of the motion to deny except Steve Rapoport opposed.

7. **Pending Decision - 3BD, LLC, 11 South Maple Street, Driveway and Off-street-Parking Space(s), Site Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Following review and modifications to the draft, Steve Rapoport moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Peter Garon with all voting in favor except Brent Rakowski opposed.

8. **Adjournment**

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary