

## MARSHFIELD DEVELOPMENT REVIEW BOARD

Meeting Minutes • Thursday, July 2, 2009 • 7:00 p.m., Old School House Common

DRAFT

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*David and Amanda Mangan, site plan/conditional use:*

DRB members present: Paul Brierre, Dina Bookmyer-Baker, Bruce Hayden, Vince Feeney, and Chuck Bohn. Bob Light, the Zoning Administrator, was present. David and Amanda Mangan, the applicants, were present.

At 7:15 p.m., Paul Brierre, DRB Chair, opened the hearing on the site plan and conditional use review for David and Amanda Mangan. The DRB members introduced themselves. Paul described the process. The parties and Mr. Light were sworn in. Applicants notified the abutters by hand-delivery, except for one.

The applications for Site Plan and Conditional Use review, submitted on June 4, 2009, included the following documents:

- a site plan showing the structures currently on the property and the parking areas;
- a narrative addressing the conditional use criteria.

The property currently includes a residence, one floor of which is being used for the home occupation of making baked goods. The goods are then delivered to retail stores. Applicants applied for a change of use to allow the entire structure to be used as a wholesale bakery. The project requires a conditional use review for a change of use from a home occupation to a commercial use. The dwelling is currently residential on the 2nd floor, with the bakery on the first floor.

The workers include three partners (the owners), including the two present tonight, plus two part-time workers (niece and aunt). The part-time workers put in approximately 30 hours per week, combined. Their delivery person does not work in the bakery, but works strictly on the road. Currently there is one full-time worker and two part-time workers in the bakery. When Applicants increase the space, production should increase, and they envision more hours, but not more employees.

Applicants will add one more truck delivery trip. Applicants like the current location of the bakery in town. Applicants intend to move their place of residence to a more rural location, which would be difficult for the bakery.

ZA visited the site and doesn't see any problems. He reported that it looks like a good use for the site, and he doesn't see a problem.

All of the abutters that Applicants spoke to when they delivered the notice were supportive of the project.

There will be no exterior changes to the structure, except, perhaps will need more vents on the roof. Currently the vent is on the side because the roof was another story above the bakery. It will be an improvement to vent through the roof.

The hours of operation will typically be from 5 a.m. to 5 p.m., Monday through Friday. On Saturdays they clean. There are two parking spaces in the yard and three in the front. A boat and a van occupy two spaces. Some of the employees walk to work. The delivery van doesn't park there; it is usually gone, and parks in Cabot. DRB proposed that the decision will include the condition that Applicants remove personal property (boat, etc.) from the premise.

No change is proposed to the signage.

Applicants proposed to make the move as soon as they find a house. DRB wants to avoid our approving the project now, and then having the Applicants continue to live there. Regarding the timing, Applicants can apply for a zoning permit within three years of the DRB approval and then must commence the use within one year or the zoning permit expires.

An informal site visit by a DRB member revealed that the dumpster to the left of the building is not screened from the public way and is not attractive. DRB suggested Applicant put up a fence to hide the dumpster, pallets, etc. from the public view and to make it more attractive. DRB consulted specific standards under conditional use review (§ 245) regarding landscaping. DRB proposed the condition that Applicants install landscaping, vegetation, screening, or fencing to hide dumpster and miscellaneous outdoor storage from view.

The property is served by Village water and sewer and has plenty of capacity for the change. DRB proposed the condition that Applicants conduct wholesale business, not retail.

Applicants do not have a renewable energy system, but recycle everything that they can. They use low-energy light bulbs. They are not an organic bakery, but use natural foods without preservatives. The products are hand-made in small batches. They produce approximately 600 pies per week.

There being no further testimony, at 7:55, Paul moved to close testimony, and all were in favor. The DRB will issue a written decision within 45 days.

*Parker Nichols, Site Plan/Conditional Use/Boundary Line Adjustment:*

DRB members present: DRB members present: Paul Brierre, Dina Bookmyer-Baker, Bruce Hayden, Vince Feeney, and Chuck Bohn. Bob Light, the Zoning Administrator, was present. Parker Nichols, the applicant, was also present. Other parties, Charles and Barbara Bickford also attended.

At 8:05 p.m., Paul opened the hearing on the site plan/conditional use/boundary line adjustment review for Parker Nichols. Paul introduced the DRB members and described the process. All parties planning to testify were sworn in.

The applications for Site Plan and Conditional Use review included the following documents:

- a site plan drawing dated June 23, 2009;
- a 3-page narrative addressing the suitability of the project, dated June 18, 2009.

Parker summarized the project: The space will be divided among storage and milling. Roughly 70% of the space will be warehouse storage of lumber. About 30% of the space will be for the planing (milling), bathroom, etc. The percentages might change over time, but for now that is the plan.

The nature of business is wholesale lumber sales. The business might include a small amount of retail sales by appointment. But it is mainly a wholesale business. His business will order lumber, often from out of state, which is shipped to him by common carrier, UPS Express, or Fed-Ex. Expect one 18-wheeler delivery about 2 times per week. Raw material comes in and out about once per month with the lumber. In addition, Applicant does general contracting in Greensboro and St. Johnsbury. Expect an 18-foot truck once per week. The only unknown is the foray into retail, which would make up about 10% of the business max, because it is a different business model.

Applicant is considering rotating the building 90-degrees and the proposed building envelope. He plans to do a lot-line adjustment to accommodate this so it will meet the setbacks. The change will not affect the right of way access to Lot 3. Applicant doesn't own the lot(s), but has an option to buy. The lots are currently owned by the O'Rourke's (Alfred and Betty). Applicant intends to buy both lots, put this building on one, and rent or sell the other one.

The impetus behind the project is to combine the business, which is being done in three locations now, into one. Will stack lumber outside of the building.

DRB is welcome to go to the Country Club Road facility in Plainfield to see the existing operation there, with lumber stacked outside.

Regarding power, Applicant found it would be too expensive to run a high power line like Carter (Carter machine shop on Patty's Crossing) has. Applicant intends to use a three-phase generator to supply extra power when needed. It will only be running when doing custom run batches. The business doesn't have a 9-to-5 shift. Applicant anticipates it will be on for 2-3 hours/day, up to 2-3 times/week, eventually. It will be running about once a week to start, until the business gets up and running. Applicant plans to build a generator house with noise dampening. Imagines a 4'x10' building, separate from the main building, would be large enough to accommodate the generator. It will be located either right next to the building or within 40' of it, oriented either parallel or 90-degrees to it. It will be a 100 kW generator. Applicant did not bring figures on the noise level (decibel level) of the generator. Applicant did not bring data on the generator emissions, particulate output, if can/will use clean diesel. Applicant is considering producing own fuel, might use bio-diesel from waste oil from restaurants, such as Cate farm does.

The heat source for the kiln is electric. It uses a closed system with a de-humidifier. It will use propane to get it up to temperature. The building will use single-phase electricity for the lights, etc., which is what the kiln will run off of.

Applicant has an enclosed dust collection system that is in its own enclosed structure, like a silo. (Not shown on the site plan.) The dust is collected about once per month.

DRB advised Applicant that we can only approve what is on the site plan before us. The application/site plan must include the proposed generator building and dust silo, to apply for it now. DRB requested figures on the noise level of the generator and the location and direction of the exhaust to address nuisance fumes and odors. DRB requested Applicant outline the steps taken to assure that the business noise, fumes, odors won't be disruptive to the neighboring residences.

Regarding parking and loading, there will be no loading dock on the building. Workers will load from outside. The proposed parking and loading area is planned according to the budget for business levels today. The parcel has the area to make more room, has the area to expand the parking and the business 100%. Applicant would like to make a larger area in which to store the lumber outside. A paved area would be best for the stickered lumber. The stacked lumber will be about 12'-14' tall.

The lots require a new curb cut. Applicant has a meeting set with the AOT next week.

The proposed hours of operation are 7:30 a.m. to 5:30 p.m. Monday through Friday, Retail appointments will be no more than 2 days/week, (custom milling). Applicant does/will advertise kiln-dried wood for Tuesdays and Wednesdays. But days could go by when no one is there, as the main office is across the street, at Wellspring Farm.

To address concerns about the noise from the planing machine, Applicant plans to use closed-cell spray foam to dampen noise, and insulate the building, where the machines are housed.

Applicant originally wanted to do a wooden building, but it turns out to be a lot less expensive to put up a metal building. To address concerns about the rural character and strip development, Applicant plans to soften the building with trees between it and route 2. The building and the parking are set far back from the road, leaving lots of room to put in landscaping between the road and the building. Applicant wants to put in some hardwood trees so that the leaves will drop and in the winter the building can absorb the passive solar. Applicant has budgeted a \$3,000-\$4,000 for landscaping so that can start with trees of a decent size.

This business will be good for Marshfield. Applicant counted 5 or 6 mini storage businesses between here and Montpelier. Applicant changed the original roof line so that the building doesn't look like a monstrous eye-sore sitting on the hill side. Applicant intends to use natural colors to blend in with the character of the area. (Applicant likes what Steve Farnstein, the Blacksmith, has done with his barn, it looks old-timey.)

The business will have two employees plus laborers, plus a couple of more employees (4 total), but not before 12 months. Only two will work in the building, as one is an office manager.

Applicant will install motion lights for security. They will not be all-night spot lights.

The site plan does not show the setback from the road to the building.

Regarding timing: Wants to build this year, has the contractors lined up. Want to be done before it snows.

The DRB requires more information as was outlined for the Applicant during the review. At 9:15, Paul made a motion to recess the hearing to continue on Thursday,

July 9 at 7:15 p.m. Motion was seconded by Vince. All were in favor.

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*Walk-in: Christiansen/Dumouchelle:*

Alan Christiansen, on behalf of Mark Dumouchelle, had some questions regarding subdivision options and procedure. DRB Clerk will schedule a subdivision hearing for first Thursday, August 6, @ 7:15 p.m.

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*Review Minutes: 6-4-09*

Approved.

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*Deliberative session and Actions:*

At 9:30 p.m. the DRB went into closed session to deliberate the pending application.

At 9:45 p.m. DRB returned to the public meeting to take the following actions:

- Mangan site plan/conditional use—Motion: Vince, to approve with the conditions that landscaping or fencing is installed to hide the dumpster from view, and remove personal property (boat, etc) from the property, and continue as wholesale business, not retail. Second: Paul. All in favor, motion passed 5-0.

At 9:50 p.m. Bruce moved to adjourn, which was seconded by Vince, and all were in favor. The meeting was adjourned.

Respectfully submitted,  
Dina Bookmyer-Baker