

MARSHFIELD DEVELOPMENT REVIEW BOARD

Meeting Minutes • Thursday, October 11, 2012 • 7:00 p.m., Old School House Common

DRB members present: Paul Brierre (Chair), Dina Bookmyer-Baker, Vince Feeney, James Arisman, and Bruce Hayden. Also present: Bob Light (Zoning Administrator), Barbara Burkhalter (recording secretary), Jon Anderson, Chris Galipeau, Skip Vallee.

Application for site plan review, conditional use approval and boundary line adjustment from R.L. Vallee at the property known as Tim's Convenience Center, continued from September 13, 2012:

At 7:16 p.m., with a quorum present, Paul opened the continued hearing. All parties intending to testify were sworn in. The abutters did not need to be notified again, as the hearing was continued. James Arisman was not at the September 13th meeting, but the applicant had no objection to his participation in the continued hearing.

Documents submitted to DRB: Proposed Site Plan (C1.1) and six color architectural renderings. It was stated for the record that Jon Anderson sent a letter, dated September 20, 2012, with a quit-claim deed attached.

Chris Galipeau updated everyone with the points that were presented at the site visit on September 20, 2012, and go over the changes to the site plan:

- In preparation for the site visit he staked out proposed canopy location, edge of pavement and curb cut
- Addressed concerns of Marilyn Davis (adjacent land owner)
- Reviewed that had been revised from the original submittal: incorporates the existing contours and location of proposed retaining wall and elevations
- Five color architectural renderings (which show the proposed plan, but do not depict the existing slopes behind the building)
- Letter dated September 20th from Jon Anderson that addressed the main concerns:
 1. Signs (cigarette) in the center median have been removed and applicant would be acceptable of a sign ordinance
 2. Height of canopy will not exceed 22'
 3. It was stated at the first hearing that Town zoning requires that easements be 50' wide, while the drawings were showing a 30' easement; in reviewing that it was found that if the frontage is on a public street then that number may be reduced, and applicant asked that they be able to maintain the 30' easement as shown
 4. Lot coverage summarized in item #4 in letter is incorrect (28,062), it is actually 28,285; all other calculations and numbers provided are correct
 5. Outdoor lighting: there are several building mounted lights and a very tall mounted light that are not down-cast, which under regulations are not acceptable; these will be replaced with down-cast lights fully compliant with local and Act 250 regulations (new lights will also generate a lot less heat, so as to not affect the bug population)
 6. Plainfield historical district, townspeople concerned about aesthetics: they believe that what they have proposed, the aesthetics shown in the renderings will be greatly improved over what is there now
 7. Not proposing to do a traffic study, applicant believes that the increase as a result of the proposed plan will be minimal; VTRANS has the option to require a traffic study, but they have had a request from VTRANS to perform one
 8. Water and wastewater allocation: no proposed changes in the plan
 9. Signage: the Tim's Convenience Center signs with a Mobil sign (depicted on color renderings); per Marilyn Davis' request they will not be putting a Mobil sign on side of the canopy facing her property; Maplefield's sign on the front of the store
 10. Snowmobile access – currently goes down along the side of the Davis property, but applicant is proposing to have it cut across and come down between the proposed retaining wall and hill side drive, which would make for a smoother and safer transition
 11. Parking spaces: would like to leave them as shown on plan at the standard 9' x 18' (Town of Marshfield requires 9' x 22')

12. Property transfers: Jon Anderson to review later in meeting

- Marilyn Davis wrote a letter to the DRB because she was not able to attend tonight's (October 11th) meeting:
 1. Davis thought that there was still a 75' easement for her property across the HFI parcel, this was researched and it was found that she had given up that easement, so applicant is proposing to grant her a 30' easement so she would still have an easement across that parcel (copy of the transfer of that easement attached to Jon Anderson's letter dated September 20th)
 2. Applicant will work with Marilyn Davis on providing screening and cutting down some trees
 3. Davis worried about aesthetics of proposed fence shown on top of the retaining wall and applicant is willing to work with Davis on that
- Curb cut has been reduced in accordance with correspondence from VTRANS, applicant has not heard back from VTRANS (AOT typically does not issue a permit until the local permit has been granted)

It was stated that there were two applications being reviewed: boundary line adjustment and site plan conditional use and Paul moved to recess to discuss procedure at 7:35 p.m.

The hearing was resumed at 7:39 p.m. Put on record that the DRB discussed how to go through the process of doing the boundary line adjustment and the site plan and conditional use approval; they decided that when they issue a decision, assuming it's approved, the boundary line adjustment will have to be filed with the Town before any work starts (Mylar has to be recorded). Applicant will do no building without owning the property first.

Comments from DRB:

- Is the Maplefield's sign depicted on the renderings on an awning that sticks out? No, the structure to hold the sign will only stick out 6"-8".
- Impervious surface vs. pervious, is there any way to get more pervious surface? Yes, to reduce the lot coverage the plans propose a pervious dumpster pad, but for the parking lot and access they looked into it but came to the decision that they cannot incorporate that and have a functional site
- No enter or exit signs are needed because both openings are for both entering and exiting
- Four signs are proposed: Maplefield's sign on the front of the building, two Mobil signs on the proposed canopy (one on the front facing Route 2 and the second on the east facing Plainfield) and the existing Mobil sign showing the price
- Marilyn Davis had said that some water ran along the property during storms, is this a stream and is it the required 75' away from development? It is applicant's opinion that it is not a stream, but rather a ditch or vegetated depression where there is concentrated storm water flow. It is not on any maps. Estimate distance from development (retaining wall) to the water to be about 30'-35' (it is on the HFI property, not Davis')
- Dark patches on proposed site plan show the pavement being extended
- Is there enough space for 9'x22' parking spaces and for traffic to go along the parking area? Yes.
- All top lighting along with the unshielded lights along the perimeter will be removed and replaced with complying, downcast lights.
- Letter from Marilyn Davis, received October 3rd, with an email and picture to Otto Hanson attached, with her proposal for the retaining wall. Applicant feels that her proposal for a poured concrete retaining wall would be a huge expense, and the blocks that they are proposing are aesthetically quite similar and they would like to go with the original plan for the retaining wall
- Jon Anderson's letter, dated October 1st, stating that applicant had reached an agreement with Marilyn Davis resolving the right of way ownership issue

At 8:03 p.m., there being no further testimony or questions, Paul moved to recess. The DRB will issue a written decision within 45 days.

The DRB members reviewed and approved the minutes of meeting dated September 13, 2012.

At 8:15 p.m. Paul made a motion for the DRB to enter closed session to deliberate the pending application, James seconded the motion, and all were in favor. The DRB entered deliberative session.

At 9:05 p.m. James moved to adjourn deliberative session, Bruce seconded the motion, and all were in favor. DRB returned from deliberate session.

At 9:10 p.m. Paul moved to adjourn the meeting, Bruce seconded the motion, and all were in favor. The meeting was adjourned.

Respectfully submitted,
Barbara S. Burkhalter

Final
Approved December 13, 2012