

Town of Moretown Development Review Board
P.O. Box 666, Moretown, Vermont 05660

Minutes of Hearing Held September 1, 2016

Application No. 16-36: Sandra Reagan For Sale of New and Used Goods
from Existing Residence at 1326 Route 100B

The meeting was held at the newly constructed Town Office in the Village. John Riley called the meeting to order at 6:32 p.m. Present with Applicant Sandra Reagan were her two sons, Brad Reagan and Kirk Reagan. Present for the Board were Jim O'Neill, Erick Titrud, Paula Woods, John Riley, and Tom Badowski. Also present was John Weir, Zoning Administrator.

John swore in Sandy, Brad, and Kirk. Sandy's residence is located on Route 100B next to the Town Garage. She proposes to use her existing large garage which measures 28 x 32 feet for sale of new and used goods. The anticipated hours of operation are 9:00-5:00 Monday through Saturday. No changes to existing lighting are planned. There will be no employees except members of Ms. Reagan's family may help from time to time.

The application seeks approval under Section 3.7, home-based businesses, as a "Cottage Industry". Section 3.7(E)(8) states that with respect to a cottage industry "retail sales shall be limited to the sale of goods or products produced on premises and/or the sale of goods and products that are associated with and clearly incidental to the primary operation of the cottage industry." As the contemplated retail sales will not involve sale of goods or products produced on the premises the proposed use does not appear to meet the definition.

This property is in the Village District and a retail store is permitted as a conditional use in the District. In addition, a "Mixed Use Building" is allowed under Section 3.9. That Section allows more than one use within a single building subject to conditional use review if the uses meet the following:

1. Each is allowed as a permitted or conditional use in the District;
2. The combined uses meet applicable standards for the District;
3. The combined uses meet applicable dimensional standards and other general provisions including parking requirements.

There are no proposed changes at present to the existing structure. And as outlined below the Board concluded there is adequate parking available on the site. So it appears the Application can be approved as a retail store in a mixed use building.

The Board considered whether the application needed to be re-warned as the initial warning stated it would be considered as a cottage industry. Although the warning referenced that section, it specifically stated the application was for sale of new and used goods. The Board concludes this provided adequate notice to adjoining and the public as to the nature of the proposed activity such that a further warning is not necessary.

There was discussion of parking and traffic entering and leaving the property. The Reagans stated there is adequate space for up to eight cars. The Board believes a parking plan should be developed under which cars will not back out onto Route 100B. Although the speed limit is 30 miles per hour, it is a high traffic highway. The existing garage space is approximately 900 square feet. The Table in Section 4.9 requires that retail stores have one parking space for each 250 square feet of retail floor area. This equates to four 9' x 20' spaces. There should also be two available spaces for Sandy's living unit (total of 6). This is a two unit residence but there are two parking spaces on the northerly side where the tenants park.

The Board requested that the Applicant develop a parking plan showing six designated parking spaces where customers could park parallel to Vermont Route 100B and be able to enter and exit without backing into Route 100B.

The Application mentioned utilizing a sandwich style sign. This does not appear to be a permitted type of sign under the Zoning Ordinance. The Board advised the Applicant it could not provide an approval for that request. To the extent a different sign is requested that can be processed by the Zoning Administrator.

Tom moved (Erick seconds) to approve the Application as a retail store in a mixed use building (also containing a two unit residential property) on the following conditions:

1. The Applicant submit a parking plan consistent with the discussion above for review and approval by the Zoning Administrator within 30 days;
2. There be no outdoor display or storage of goods except during actual hours of operation, with goods being stored in the garage area when the retail store is not in operation. All approve.

Board Organizational Meeting

This is the first meeting of the Development Review Board since Town Meeting in March. Tom Badowski moved, (Paula seconds) that John Riley be appointed Chair. All approve.

Jim moved (John seconds) that Erick serve as Vice-Chair. All approve.

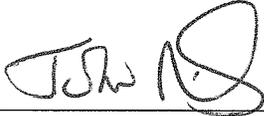
Presently the position of Board Secretary/Clerk is left open.

The Board discussed having a designated Thursday of the month for meetings. It was agreed that the established date for Board hearings will be the third Thursday of each month beginning at 6:30 p.m. John Weir does not believe this will create a hardship for applicants. The timeline for submission and time for proper warning is established and applicants will know the date by which a completed application must be submitted. If in any month there is a large volume of applications, or exigent circumstances exist, a special meeting of the Board can be scheduled.

The Board also discussed whether when there are multiple matters all can be scheduled for 6:30 p.m. In the past, when a second hearing was scheduled for a later time, if the Board completed the first hearing earlier than expected, there was a delay in moving on to the second hearing. The Board agrees that this will be the general procedure.

There being no further business, the Board adjourned at 7:40 p.m.

Respectfully submitted,



John Riley, Acting Secretary

9-2-16

Date