

**WEST WINDSOR DEVELOPMENT REVIEW BOARD**  
**Tuesday June 26, 2018**  
**Draft Minutes**

Members Present: Jane Hoisington, Shannon Harrington, Barbara Truex and alternate Courtney McKaig. Requesting interested person status: Peter Varkonyi, Chris Nesbitt, Jeffery Hermanson, Roger Klene, Cynthia Tucker, Tom Kenyon, Win Johnson, John Broker-Campbell VT ANR, Others: Al Keiller, Elvin Kaplin, Lee Monro, Bill Ley, Mike Dudley, Nancy Nesbitt, Jo Keiller, BJ Harrington and Deb Shearer (DRB Clerk).

- 1) Site Visit- 871 Rte. 44
- 2) Reconvene at Town Hall Call to Order – DRB Chair, Shannon Harrington called the meeting to order at 6:41 PM
- 3) Changes or Addition to Agenda – None
- 4) Hearing-Application # 2679 Friends of the Brownsville General Store for Flood Hazard and Conditional Use Review. Deb read the hearing warning. As part of disclosing possible conflict of interest, Shannon stated her son part of the Friends Group, however, she believes she can review the application without bias. The rest of the DRB agreed. Interested persons were sworn in. Chris Nesbitt gave an overview: Friends of Brownsville General Store, LLC came together officially in March, they have raised approx. \$300,00 of which they purchased the BGS for \$100,00 and will use the balance for renovations. They would like to renovate and get the store running asap. The operators, partners Peter Varkonyi and Lauren Stevens will lease building and run the business as a mercantile/café, serving 3 meals a day and have beer and wine for sale and on-premises consumption. Peter added in operating the store they would embrace community needs, offer accommodating hours of operation and provide 12-15 jobs. Shannon requested questions from the board. Barbara wanted to confirm that in this finalized plan there would be no deck as had been considered in an earlier DRB meeting. Correct, no deck. Shannon asked if they have received a revised state water/wastewater permit? Peter said they are in the process of applying. Shannon asked about parking spaces regarding the 25 seats. Peter said they used the table 3.10 of the West Windsor Zoning Bylaws and what was recommended by the paving company. They will include a handicapped space next to the entrance. They figured 6 employees at the busiest shift, 1 space for every 4 seats and figured in the retail square footage as well. Business hours? Peter stated 6:30am-8pm seven days per week. It was suggested to allow for possible summer/weekend hours that they could stay open not later than 10PM. Fencing: they are requesting up to a 6-foot stockade style fence, to obscure the dumpster area from the neighbors. It would have the appropriate setback from the property line and Chris has been in contact with Leland's. Flood Hazard Review: Peter stated the mechanicals will be raised 3.5 feet from basement floor. Shannon wanted to make sure that Chris and Peter had seen John Broker-Campbell's letter with comments on their plan, they had. The letter outlined three conditions appropriate for the DRB to consider. Shannon questioned the condition of requiring a new elevation certification. John explained, raising the mechanicals and installing flood vents the building brings the building into compliance with the FEMA's Flood Hazard Regulations, this would raise the lowest floor to 8.5 feet above BFE. The current flood elevation certification states the lowest floor is 2 feet below BFE. Updating the elevation

certification would create a dramatic decrease in flood insurance rates. Chris agreed an updated elevation certification after the renovation would be beneficial. Shannon asked if the non-conversions agreement could be written directly as a condition. Future development of the walk out enclosure will not become non-compliant, i.e. no uses below the lowest floor besides parking, building access and storage as per the West Windsor Flood Hazard Bylaws. John said he suggests the agreement, but the DRB could write it directly into the conditions. Barbara asked about an exterior lighting. Peter said they haven't figured out their lighting plan yet, but they would use goose neck style light for signage or minimal downcast lighting in the parking lot, as for necessary safety. Shannon called it full cut off lights. Signage? Peter agreed to limit signage as to what has been previously permitted. Win said the conservation commission is currently considering river corridor regulations, he asked John Broker-Campbell if those regulations would affect the store. John said it would have no bearing on this application if they were doing a new project in 5 years that application would simply be evaluated under the new regulations.

As there was no written statement submitted, Shannon suggest to in walk through Section 5.2 D General Standards for Conditional use review in narrative for the findings. #1. The capacity of existing or planned community facilities or services. The store will create employment. School-Peter is working with the school to provide school lunches. Peter stated they would stay with-in the current permitted water/wastewater flows. FD- No new impact. The DRB found no adverse effects of the capacity of planned community facilities or services. #2. Character of neighborhood, area or district affected—store renovation will enhance the character of the neighborhood. As recommended in the Town Plan, the store is in the newly state designated Village Center. This state designation specifically encourages renovation in this area. The board found no undue adverse impact. #3. Traffic on roads and highways in the vicinity. While no site plan was submitted for parking, Peter agreed the total number of seats number of seats will be limited by the water/wastewater permit and parking as prescribed by the West Windsor By-laws. With assurances that there would be a clearly delineated traffic flow. The board found no creation unsafe conditions. Tom added that during emergency the FD has often used the parking lot. #4. By laws now in effect: The parcel is currently approved under conditional use, they are changing use by adding consumption of beer and wine on premises and potentially increasing seats by the removal of the gas pumps but not increasing current water/wastewater flows. They will be bringing the building up to current standards in the West Windsor Flood Hazard Area Bylaws for non-residential development in the SFHA. There will be no increase in current signage previously permitted. #5 Utilization of Renewable energy resources: Peter said they will be sourcing as locally as possible and implementing zero sort recycling as well as composting. In the future, they hope to install solar panels on the roofline. The DRB found no interference with the sustainable use of renewable energy resources. 5.2 E Specific standards: The proposed fence, while protecting the neighbors from the sight of the dumpster, will not interfere with their enjoyment or block light or access of their property. Public utilities will not be affected. DRB agreed the project meets the specific standards. Shannon asked for clarification the deck and patio out front. Peter said to meet ADA compliance they are moving the orientation of the entrance to face east. The entrance will connect a ramp system to an 8-foot wide deck system that connects to the current ice-cream widow. There will be with bench seating or Adirondack chairs on the deck, but the ramp system will have a 60-inch diameter landing area without occupied seating to accommodate wheelchair access to the entrance and handicapped parking space. Handicapped spot will be on an angle on the front of the

building. On the other side of the building, there will be a solid beam pergola system with landscape fabric and crushed stone below as a part of the garden center. Shannon asked if there were any other questions? Chris requested to the extent possible, the board make a decision tonight. **Shannon Moved to close public hearing 2679 at Barb seconded, motion carried, and the hearing closed at 7:23.** The DRB made their deliberations in public. Barb recommended the permit conditions as stated in John Broker Campbell's letter, but condition the current walk out will not become non-compliant in the future instead of in a written agreement. Also, reiterate the DRB finds that any redevelopment of the property represents additional investment in an area that is hazardous and flood vents must be installed not more than one foot above grade. Jane moved application #2679 be approved with the following conditions:

1. If additional outdoor lighting is installed, it will be full cut off fixtures.
2. A site inspection following construction by an appropriate town official.
3. An updated FEMA Elevation Certification stamped by a licensed land surveyor or professional engineer.
4. Future development will in no way render the current walk out enclosure as non-compliant.

The DRB voted and unanimously approved the application

- 5) Approve Minutes of June 12, 2018. **Jane moved to approve June 12<sup>th</sup> minutes as written. Shannon seconded the motion and it passed.**
- 6) Other Business
- 7) Adjourn: Meeting adjourned at 7:40 PM

Respectfully Submitted,  
Deb Shearer