

## NORWICH DEVELOPMENT REVIEW BOARD

### DRAFT MINUTES

March 15, 2012

Tracy Hall Meeting Room

**Members present:** John Lawe, Stanley Teeter, George Loveland, Arline Rotman, Nancy Dean, and Folger Tuggle (on speaker phone)

**Members not present:** Ernie Ciccotelli

**Alternates present:** Bill Lyons      **Alternates not present:** Don McCabe

**Clerk:** Phil Dechert      **Others:**

1. The meeting was called to order by the Chair, John Lawe, at 7:15 PM.

2. **Minutes** – March 1, 2012 approved without changes.

### 3. Administrative Issues:

- Future Schedule & Agendas
  - April 5, 2012 – No hearings scheduled yet
  - April 19, 2012 – No hearings scheduled yet
  - May 5, 2012 – Brown SD
- Board members will be notified when a “balloon test” for a proposed municipal communications tower is scheduled. The test will aid in determining the visual impact of the tower which is to be sited on the Public Works parcel.

### 4. Public Hearings:

#1BCU12 – Conditional Use Review Application by ABC Dairy, Applicant and Landowner, to make site improvements and expand the existing building on Lot 16-017.000 at 198 Church Street under a non-conforming pre-existing use in the Village Residential District II.

**Members Participating:** Teeter, Lawe, Loveland, Dean, Lyons, Rotman, Tuggle (by speaker phone)

**Applicant/Landowner:** John Billings – ABC Dairy, Jack Candon – Attorney for ABC Dairy.

**Interested Persons:** Jeffery and Anne Goodrich – 228 Church Street

The Chair opened the hearing at 7:30 PM.

The record in this case includes the following documents:

#### Submitted by Applicant

- A-1 Application #1BCU12, dated 1/19/12.
- A-2 Narrative of project by ABC Dairy including photos of existing conditions, dated 1/19/12.
- A-4 Plan for Agway (existing conditions in 2007), Figure 1, by Pathways Consulting, LLC, dated 7/12/07.
- A-5 Site Plan (A0.1), by Dan Winny, Architect, dated 1/19/12.
- A-6 First Floor Plans (A1), by Dan Winny, Architect, dated 1/19/12.
- A-7 Elevation Plans (A2), by Dan Winny, Architect, dated 1/19/12.

A-8 Correspondence between Applicant, David Clem, and Norwich Zoning Administrator, Phil Dechert, relating to pre-existing non-conforming uses at 198 Church Street.

- a. Clem to Dechert – List of pre-existing uses – September 13, 2007
- b. Dechert to Clem – Acknowledgement of list and request for list of which uses will be continued – October 4, 2007
- c. Clem to Dechert – Description of uses to be continued – February 29, 2008
- d. Dechert to Clem – Acknowledgement and confirmation of uses proposed – March 3, 2008

Submitted by Zoning Administrator

ZA-1 Document and Interested Parties List, dated 3/13/12.

ZA-2 ZA Memo – Relevant Sections of the Norwich Zoning Regulations, 3/13/12

Note: Exhibits A-8a, b, c, d, were distributed at start of hearing.

Jack Candon explained that the applicant's request is to build a conforming addition to the existing conforming structure along with site improvements. The pre-existing non-conforming uses that were outside including storage of containers and vehicles will either be discontinued or relocated within the new enlarged building. Pictures of these uses are included in the narrative (Exhibit A-2).

Four letters between the applicant and the zoning administrator in 2007 and 2008 confirming the pre-existing non-conforming uses were submitted by Candon (Exhibits A-8 a, b, c, d.)

The proposed site plan included parking, ADA compliant pedestrian paths and entryways, landscaping, and screening. Existing trees will be maintained between the site, road, and adjacent properties. Exterior lighting will comply with Norwich and Act 250 standards, and will be on timers. The applicant agreed to submit the final lighting plan to the zoning administrator for review before installation.

Jeffrey Goodrich, owner of an abutting property at 228 Church Street, requested that the applicant be allowed to remove trees between the site and the Goodrich property to allow for access to solar gain at his house.

The total number of employees at the site will be limited no more than 11 employees based on the agreed upon number in Exhibit A-8 c. Wastewater capacity and the Act 250 permit will also limit the number of employees on the site.

The narrative submitted by the applicant (Exhibit A-2) outlines compliance with the Conditional Use and Site Plan Review criteria. It was agreed that outdoor parking will be limited to vehicles of employees and short term visitors, but not equipment related to the businesses in the building. Warehouse space will be used by tenants or the owner, but not as individual retail storage units.

Dean moved to close the Conditional Use Review hearing. The motion was seconded by Rotman and was approved 7-0. The hearing was closed at 8:49 PM.

The meeting was adjourned at 8:53 PM.

A Deliberative Session followed the regular meeting.

Phil Dechert, Clerk