

**Town of Middlebury
Development Review Board (DRB)
Town Office Large Conference Room
Minutes of September 24, 2018
Approved 11/5/2018**

Members Present: Kevin Newton, Gary Baker, Rick Emilo, Don Keeler, John MacIntyre and Anne Taylor

Members Absent: None

Staff Present: Jennifer Murray, Dave Wetmore, Katherine Wheatley (videographer)

Others Present: Josh Provost, Rick Viens, Peter Garren

MEETING AGENDA

1. An application (file #2018-04:064.100) request by C&P Brick and Mortar dba Champlain Valley Equipment for amended conditional use approval to construct a new 45-ft by 100-ft detached 4 bay maintenance facility to accommodate larger equipment. The maintenance facility will be located north west of the existing business building. The property is located at 453 Exchange Street in the General Commercial District, parcel ID# 004064.100

I. Call to Order

Kevin Newton called the meeting to order at 7:00 pm, reviewed tonight's agenda, reminded guests to sign the attendance sheet and asked if there were any non-agenda or public communications.

II. Approval of 8/27/2018 Minutes-

Motion by Rick Emilo- moved to approve the 8/27/2018 minutes as corrected (line 93- remove the word "all"), Gary Baker 2nds. **Motion passed, 6-yes, 0-no**

III. DRB public hearing:

Application (file #2018-04:064.100) request by C&P Brick and Mortar dba Champlain Valley Equipment for amended conditional use approval to construct a new 45-ft by 100-ft detached 4 bay maintenance facility to accommodate larger equipment. The maintenance facility will be located north west of the existing business building. The property is located at 453 Exchange Street in the General Commercial District, parcel ID# 004064.100

Kevin Newton – read the warning, administered the oath to Josh Provost and Rick Viens and then asked if any Board member had any conflict or ex-parte communication regarding this application. None was offered.

Kevin- asked the applicant to introduce themselves and present a summary overview of their application request.

Josh Provost- is an owner of record for C&P Brick and Mortar, LLC and Rick Viens is Service Manager for Champlain Valley Equipment (CVE).

Rick- explained that CVE currently has 10 service technicians. Usually ½ of them are on the road during the growing season, servicing agricultural equipment on farm locations. The rest of the year the technicians are at the CVE facilities. Servicing the larger agricultural equipment (sometimes as wide as 30-ft.) means repair space is at a premium. The existing service facilities do not allow space for 10 technicians to work. To that end, CVE is proposing to build a 45-ft by 100-ft. shop/repair facility that will allow them to manage/allocate space and their technician resources effectively during the off season. This expansion would improve worker safety and relations. The

42 new building will be located west and north of the existing building. Trailer storage would be
43 removed.

44 DRB Questions-

45 What is the rear setback from proposed building to property line? Josh thought it was 70-80-ft.

46 Is there any exterior lighting? Josh expressed that there will be down-lit motion detected lighting
47 above the doors.

48 Are there wetlands identified on the property. Yes, and they will comply with the required 50-ft
49 buffer.

50 Will the new building have floor drains? No, equipment washing will not take place inside. Fluids
51 are carefully removed and recycled where possible. Wash water is run through an existing on-site
52 oil/grit separator before being discharged into the sewer system.

53 Building materials? Metal frame and siding. Construction and color (off white with gray roof) to
54 be similar to the existing building.

55 Storage trailers on east side of proposed building? These will be removed.

56 Abutter communications? Josh and Rick expressed that none of their neighbors had expressed any
57 comments/concerns.

58 What is behind the proposed building presently? Josh stated that their loading dock is located back
59 there and newly assembled equipment is stored there as well.

60 Staff Questions-

61 Dave- asked if they were working w/Otter Creek Engineering to ensure compliance w/stormwater
62 and wastewater as well as wetlands. Josh stated yes and State permits are being sought.

63 Kevin- asked if there were any other questions? None expressed

64 **Motion by Rick Emilo-** I **move** that the Middlebury Development Review Board, having
65 reviewed the application submitted and having heard and duly considered the testimony
66 presented at the public hearing of September 24, 2018 **approve** this request for amended
67 conditional use approval to add the proposed maintenance facility located on parcel #
68 04:064.100, 453 Exchange Street pending compliance with VT stormwater, wastewater and
69 wetlands permits.

70 John MacIntrye 2nds. **Motion passed- 6-yes and 0-no**

71 Hearing concluded- 7:20 PM

72

73 **Other business**

74 No meeting on October 8. Next possible meeting is 10/22/2018 but nothing is scheduled presently.
75 Kevin will not be available 10/22. Rick will chair if needed.

76

77 11/5/2018 is scheduled. This will be the Blue Spruce Motel review on “abandonment” pursuant to
78 Section 753.II

79

80 Dave introduced Peter Garron, Vergennes ZA. Peter attended tonight’s meeting to observe the
81 DRB. Peter asked briefly about the Board’s practice regarding assisting applicant’s w/site plan
82 development.

83

84 DRB asked for staff updates on

- 85
- Habitat for Humanity- Applicants are looking to acquire additional land.

- 86 • Greg's Market- Tony is working w/his engineer and looking for tenant.
- 87 • Jen and John commented on Triangle and Printers Alley Park public meeting. Plan
- 88 options were limited. DRB expressed that they would like to review as a conditional
- 89 use.
- 90 • Left turn lane for Tractor Supply off Rte. 7 South at Foote Street intersection is planned
- 91 to be constructed on Columbus Day
- 92 • Denecker Chevrolet- It appears some additional landscaping has been completed and
- 93 the number of cars displayed in front has been recently reduced. Still no word on an
- 94 application for approval of the use of the back lot that where vehicles are being parked.
- 95

96 **IV. Adjournment**

97 **Motion by Rick Emilo-** moved the DRB to adjourn at 7:45 PM, 2nd by Anne Taylor. **Motion**
98 **passed, 6-yes -0-no**

99 Meeting adjourned at 9:25 PM

100

101 Minutes Submitted by Dave Wetmore