

BARRE TOWN DEVELOPMENT REVIEW BOARD MINUTES FOR AUGUST 9, 2023

The Barre Town Development Review Board held a public meeting & hearing on **August 9, 2023**, beginning 7:00 p.m. at the Municipal Building, 149 Websterville Road, Websterville, VT.

MEMBERS

In person: Mark Reaves, Jon Valsangiacomo, Angela Valentinetti, Cedric Sanborn, Chris Neddo, Angela Labrador, and Gina Galfetti (Alt)

Remote: Gerry Otis

ABSENT:

Jim Fecteau (Alt)

STAFF PRESENT

In person: Brandon Garbacik

OTHERS PRESENT:

In-person: Deborah Lefebvre, David & Karen Marsh, Cindy Loranger, Bill & Brenda Yacavoni, John & Pam Benoit – Applicant (Benoit Properties), Terry Culver, Nathan Lafont & Hannah Phelps, Samantha Hiscock – Applicant (Rock Pile Properties) (7:06 p.m.)

Remote: Stephen Conti, Howard Cook, and Chris Violette

A. 7:00 P.M. – CALL TO ORDER

Mr. Reaves called the meeting to order at 7:00 p.m. He conducted a roll call.

B. CHANGES TO THE AGENDA

Mr. Reaves asked if there were any changes to the agenda. There were no changes to the agenda.

C. APPROVE MINUTES – July 12, 2023

On motion by Mr. Neddo, seconded by Mr. Sanborn, the Development Review Board approved the minutes of June 14, 2023 as written. Vote 7-0-0.

D. NON-AGENDA ITEMS (max 10 minutes)

No non-agenda items.

E. WARNED PRELIMINARY PUBLIC HEARINGS

No preliminary hearings scheduled.

F. WARNED FINAL PUBLIC HEARING(S)

1) APPLICANT: Rock Pile Properties LLC / Variance

***Continuation from June 14, 2023 & July 12, 2023 meetings:** Request by Rock Pile Properties LLC for a 6' **variance** of side setback (possible approval) to install an attached ramp to use both for deliveries and as an ADA-accessible entrance/exit on property located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; **V-23000003**.

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

Similarly to last month, it is still the case that we are waiting for a survey of the property at 130 Mill Street to be completed. Last month, the applicant noted that Rob Townsend of American Consulting Engineers & Surveyors has been hired to provide a survey of the property. The applicant also noted that other properties of theirs throughout Central Vermont have received significant flood damage from the recent storms, and their time has been primarily devoted to addressing those concerns.

Considering that this application has not been able to make progress due to unforeseen circumstances, and considering that the applicants have other priorities to undertake, I recommend continuing this hearing date-certain to November 8, 2023. It is my hope that two more months of preparation will allow time for the survey to be completed and for discussion to continue where it left off in June.

ADDITIONAL COMMENTS:

Mr. Reeves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Garbacik provided his staff report as stated above. Mr. Garbacik noted that the recommended date to continue the hearing to should actually say October 11th, not November 8th. Also Mr. Garbacik stated that after submitting the Staff Report, he had a conversation with Rob Townsend. Mr. Townsend affirmed that the survey would be ready by the September 13, 2023 meeting. Mr. Garbacik recommended that the Board determine whether to continue the hearing date certain to September or October's meeting.

Mr. Sanborn suggested that by continuing the hearing to October 11th, it will allow the applicant enough time to formulate a concrete plan.

On a motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board continued a request by Rock Pile Properties LLC for a 6' variance of side setback (possible approval) to install an attached ramp to use both for deliveries and as an ADA-accessible entrance/exit on property located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; V-23000003 date certain to October 11, 2023. Vote 7-0-0.

NOTE: This hearing was later re-opened to amend the above motion. See below.

2) APPLICANT: Rock Pile Properties LLC / Conditional Use

***Continuation from June 14, 2023 and July 12, 2023 meetings:** Request by Rock Pile Properties LLC for a **conditional use** (possible approval) to add the use of a restaurant to an existing three-story building with eight dwelling units and a laundromat located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; **CUP-23000004**.

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

Similarly to last month, it is still the case that we are waiting for a survey of the property at 130 Mill Street to be completed. Last month, the applicant noted that Rob Townsend of American Consulting Engineers & Surveyors has been hired to provide a survey of the property. The applicant also noted that other properties of theirs throughout Central Vermont have received significant flood damage from the recent storms, and their time has been primarily devoted to addressing those concerns.

Considering that this application has not been able to make progress due to unforeseen circumstances, and considering that the applicants have other priorities to undertake, I recommend continuing this hearing date-certain to November 8, 2023. It is my hope that two more months of preparation will allow time for the survey to be completed and for discussion to continue where it left off in June.

ADDITIONAL COMMENTS:

Mr. Reeves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Mr. Garbacik provided his staff report as stated above. It was determined that everything mentioned in this applicant's variance request also applied to the applicant's conditional use request.

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board continued a request by Rock Pile Properties LLC for a conditional use (possible approval) to add the use of a restaurant to an existing three-story building with eight dwelling units and a laundromat located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; CUP-23000004, date certain to October 11, 2023. Vote 7-0-0.

NOTE: *This hearing was later re-opened to amend the above motion. See below.*

3) APPLICANT: Benoit / Conditional Use

Request by John & Pam Benoit for a **conditional use** (possible approval) for the conversion of an existing barn into a community center/recreation facility on property located at 241 School Road (owned by Benoit Properties Inc.); Parcel ID: 008/015.00; Zoned Low Density Residential; **CUP-23000005**.

**STAFF REPORT/REVIEW COMMENTS FROM BRANDON GARBACIK,
ZONING ADMINISTRATOR/PLANNING OFFICER**

This is a warned public hearing continued date-certain from July 12, 2023.

Since last month's meeting, Mrs. Benoit has provided additional information to further explain the proposed use of the barn at 241 School Road. New updates/clarifications since last month's meeting include: insulating the walls of the barn to help mitigate sound; additional parking plans; approximately 20 events per year from May 15th – October 15th on Fridays, Saturdays, and Sundays,

unless a special request is made to have it on a different day of the week; all liquor for events will be supplied by a Vermont licensed/insured bartender; dress rehearsals may take place the day prior to an event with no amplified music; and outdoor areas may be utilized for wedding ceremonies, tents, grills/food trucks, a fire pit, and games/activities, but not for amplified music.

The biggest concern brought up in last month's meeting was about noise. The applicants had already mentioned that they were in the works of updating the single-paned windows to double-paned windows. They also mentioned upgrading their doors and replacing the barn's siding and roof. Now, they are also planning to add insulation to the walls to further mitigate the sound inside the barn.

The next biggest concern mentioned last month was about alcohol consumption and, more importantly, who provided the alcohol. The applicants have decided that all liquor for events will be supplied by a Vermont licensed and insured bartender. This means they have also decided not to allow the venue to host BYOB events.

Some of the other concerns that were raised last month do not fall into the purview of local zoning. For example, one of the issues raised was about total capacity at events. That would be something to be determined by the State of Vermont Division of Fire Safety. They would also enforce the building codes and ADA compliance.

Another concern that was brought up was regarding traffic concerns. Though one of the conditional use criteria involves traffic on roads in the vicinity, the Development Review Board does not administer regulations on traffic or enforce how traffic functions. They rely on input from experts. The town's expert on issues involving traffic safety concerns is the Town Engineer, Josh Martineau. Mr. Martineau has stated that he does not anticipate any concerns about traffic safety in the vicinity due to the proposed project.

I believe that the new information brought forth by the applicants supplements what they provided last month for what is now a more comprehensive proposal. However, there are still a few issues that I believe can all be addressed in this meeting that will help solidify this proposal as a complete plan. These issues include the following:

- **Outdoor areas:** Where are they located on the property? How far away are they from abutting properties?
- **Upstairs:** Is the upstairs section of the barn being planned to be used? If so, how much of the ceiling will need to be cut out in order to make that happen? How much remaining floor space will be utilized?
- **Wastewater disposal:** How will wastewater used for cleaning purposes be disposed of?
- **"Special request":** If events were to be held on Fridays, Saturdays, or Sundays unless a special request is made, how would that be enforced? Could a special request be made for any day of the week? Will abutting property owners be notified if a special request is made?
- **Liquor:** Though the issue of how alcohol will be provided has been addressed, will this allow for all types of alcohol to be sold/consumed on the premises, or just beer/wine and no spirits?
- **Fire Pit:** Is a fire pit a good idea at events where there will be a large group and alcohol will be present, or will it be too much of a liability?
- **Management:** Will someone be on-site during events on behalf of the applicants to manage/supervise events to ensure safety and security?

- Solid Waste Disposal: What is the plan regarding the disposal of trash, recycling, and compost?

As part of the conditional use application, the applicant provided responses to the Development Review Board's conditional use criteria. The applicant's responses are provided in italics, and my comments are in regular font. New information is underlined:

1) The impact on the capacity of existing or planned community facilities, to include but not limited to:

a. Emergency services:

We believe there would be minor impact on Emergency services

Barre Town has a full-time, 24-hour a day Police Department as well as a full-time 24-hour a day paramedic level Emergency Medical Service. Fire protection is provided by a call-paid Fire Department, which is not a career or full-time department. It is not anticipated that any of these agencies could not serve this location, especially since it will only be used periodically throughout the year and not during winter.

b. Educational facilities:

No impact on educational facilities

The use of this facility will not impact educational facilities.

c. Water, sewer, or other municipal utility systems:

No municipal water and sewer on site

No municipal utilities will be affected by the proposed use at this location. The applicants are planning on drilling a well for cleaning purposes. Bottled water will be provided for drinking. The applicants also mentioned that PortaLets will be used for events.

The applicants have now stated that they are in the process of working on a design to tie the barn into the Town's sewer lines, though they have mentioned that this will be a long process. They have also clarified that the PortaLets used for events will not be the type commonly found at construction sites.

d. Recreational facilities:

No impact on recreational facilities

This will not impact existing recreational facilities.

e. Conservation or other designated natural areas:

No impact on conservation or other designated natural areas

There is no known conservation or designated natural areas impacted by this parcel or the proposed project. The parcel is not located in a FEMA-declared special flood hazard area or zone. There is, however, an argument to be made that this adaptive re-use of the historic Martineau Barn promotes historic conservation.

f. Solid waste disposal facilities:

Negligible impact

Solid waste is managed via local haulers and is disposed of at approved landfills. The applicant will have to provide receptacles/dumpsters to accommodate for the trash, recycling, and composting needs of each event. The applicant may contact Central Vermont Solid Waste Management District for further assistance with compliance with state regulations.

2) The character of the area affected as defined by the purpose(s) of the zone within which the project is located, and specifically stated policies and standards of the municipal plan;

The old Martineau Barn is situated on 53 acres on School Road, it is a residential area. The look and character of the area will remain the same.

In Article 2, Section 2.2 of the Barre Town Zoning Bylaw, low density residential zones are described as follows: "This district is limited to non-intensive land uses. The purpose of this district is to prevent premature development of land, retain certain areas for non-intensive uses, prevent development where it would be a burden on the community, and retain areas for open space. Since the rural character of these lands depends on open space and natural areas, protection of these features should be considered when evaluating proposed conditional uses. Municipal water and sewer may or may not be available."

The location of the proposed use features a barn and 53 acres of land. Most of the land will remain untouched. Plus, the Town Plan promotes historic preservation of historic buildings. Though commercial activities are uncommon in this area, the proposed use will be in character of the area as the land use will be minimal and non-intensive.

3) Traffic on roads and highways in the vicinity;

Traffic will increase for the events but for just brief periods of time. No long term traffic impacts.

The project site is located on School Road, a Town class 3 road served primarily by Beckley Hill Road and Richardson Road. This road features both a small, paved section (off Beckley Hill Road) and a larger, unpaved section. The property at 241 School Road is at the end of the paved section. Traffic on this road is light. The stretch of School Road that would be traveled on the most is short in distance. The roads that will serve as the primary access to School Road are already moderately traveled on. Overall, I believe that traffic on the roads in the vicinity can accommodate the proposed use.

As I mentioned during last month's meeting, I did reach out to Town Engineer Josh Martineau to ask him if he had any concerns with traffic in this area if the proposed use were to be approved. He responded that he does not have any such concerns.

4) Zoning Bylaws and bylaws then in effect;

After a conversation with Brandon Garacik, zoning administrator, we believe it would require conditional use for a community center recreation and facility.

The Barre Town Zoning Bylaw allows community centers/recreational facilities in a low density residential zone by conditional use permit, especially in an existing building (Article 2, Sec 2.5, Table 2.1). As such, the proposed use conforms.

I want to further expound upon why this conditional use request is being considered a Community Center/Recreational Facility as opposed to any of the other uses defined in the Zoning Bylaw. In Article 8 of the Bylaw, Community Center or Recreational Facility is defined as, "A building, together with accessory buildings and uses, used for recreational and cultural activities operated for profit for benefit of the community; shall only have an outdoor public address system or any type of amplified music device by conditional use permit." The primary use of this building would be to host cultural activities such as weddings or birthday parties, and it would also be for profit. It is also for the benefit of the community as it allows a venue for such types of cultural events to take place, and it is not exclusionary as to who can lease the venue or who can attend events.

Similar types of uses that do not meet the definition of this proposed use as closely as Community Center/Recreational Facility include Conference Center/Meeting Hall or Clubs, Lodge and/or Union Hall. The definition of a Conference Center/Meeting Hall is, "A facility which provides meeting halls, trade centers, merchandise marts, or convention centers for training and other gatherings for large numbers of people for similar functions; may be developed separately or in combination with another permitted use." This does not match the type of events explained by the Benois as what this venue is being geared toward. The definition of Clubs, Lodge and/or Union Hall would match the type of non-profit association such as the American Legion, the VFW, or the Elks Club that promotes a common objective and generally contains a pub/tavern within its structure. It should be noted that, like Community Centers/Recreational Facilities, the use of either Conference Centers/Meeting Halls or Clubs, Lodges and/or Union Halls are allowed through conditional use review in low density residential districts.

5) Utilization of renewable energy resources:

No renewable resources to be used.

The applicant does not intend to utilize renewable energy resources at this time. Nothing prevents that from occurring at a later time if desired in accordance with local and state regulations.

6) Minimum lot size:

Current bylaws for low density residential requires a minimum of 2 acres lot and the parcel is 53 acres.

The parcel conforms to the minimum lot size requirements.

7) Distance from adjacent or nearby uses;

A few residential houses are nearby to the barn, the closest house is approximately 200 feet.

This location is near some residences. From the barn, there is one house across the road about 200 feet away, one house down the road about 350 feet away, and approximately 10 more houses between 500-1000 feet away. The location of this property is across the street from a high density residential zone. However, other similar projects exist adjacent to a high/very high density residential zone.

8) Site Plan Review:

N/A. Looking for conditional use, not changing site.

The proposed project will not require a site plan review, as there is no land being developed on to accommodate the use.

9) Any other standards and factors (as needed) that the bylaw may require.

N/A

In Article 8 of the Bylaw, under the definition of *Community Center or Recreational Facility*, it states that that a building used as a community center/recreational facility "...shall only have...any type of amplified music device by conditional use permit." The applicants do plan on amplified music to play at this location, but they will require that all amplified music ends by 10:00 PM. Any approval of amplified music must be included as a condition of a conditional use permit.

Besides that, unless determined necessary by the Development Review Board, it is not anticipated that any other standards are applicable in this instance.

10. Off-street parking requirements in accordance with standards outlined in Article 3, Sec. 3.9 of this bylaw;

There is plenty of gravel and grassy areas to park cars. Parking will be mostly to the right as you enter the existing driveway. No additional curb parking will be required.

Community centers/recreational facilities are classified in Article 2, Section 2.5, Table 2.1 as a Place of Assembly. According to Article 3, Section 3.9(G) of the Bylaw, the parking requirements for Places of Assembly are, "One parking space for every 175 sq. ft. of floor space (not counting storage areas and other misc. areas) ...". According to Barre Town's Assessing Records, the barn consists of two stories of 36'x115' (4,140 sq ft) of floor space. Mrs. Benoit stated to me that she hopes to host weddings on the second story. If this happens, the plan would be to cut a hole in the ceiling of the first floor to gain access to the second floor, leaving the second story with approximately 2,000 sq ft of floor space. If the total floor space used for events were to be 6,140 sq ft, that would equate to 36 required parking spaces.

Mrs. Benoit provided a rough parking plan for the property. This parking plan shows that there are currently 22 parking spaces available, with an additional 24 parking spaces planned to be made available in the future.

I am confident that there is enough space to accommodate parking, but that space needs to be made available. Plus, I believe that the parking area(s) should be clearly defined. Since this proposed use will classify this building as a public building, ADA parking requirements will also need to be adhered to.

The applicants have provided an updated parking plan that appears to expand on the original parking plan. In addition to the 46 parking spaces already available, they have added potential for an additional 24 parking spaces for a total of 70 parking spaces.

11. Loading/unloading facilities.

N/A

Deliveries will likely need to be made to the location prior to events, especially if the event is a wedding. Potential deliveries include food catering, decorations/floral arrangements, and music equipment. Loading areas must be distinct from parking spaces. However, these deliveries will be small and limited. I do not see this becoming an issue, as there is plenty of space available on the property.

SUMMARY, RECOMMENDATIONS:

As I mentioned last month, community centers/recreational facilities are allowed through conditional use in all residential districts (as well as the Highway Commercial district). There is nothing in the proposed plan that would be in violation of the Zoning Bylaw. The applicants have listened to the concerns brought forward by the neighboring property owners, and they have come back with a more constructive plan to help mitigate concerns. This includes adding insulation, clarifying that alcohol shall be provided by a caterer, and expanding on their parking plans.

One of the biggest concerns that the owners of nearby properties had involved the consumption of alcohol. The applicants have agreed to have all alcohol be provided through a licensed/insured bartender, and BYOB events will not be allowed. However, given the proximity of the venue to a residential neighborhood, I am recommending that hard liquor/spirits not be allowed on the premises. Though prohibiting spirits is not going to prevent people from becoming intoxicated from beer or wine, it will diminish the potential for harm.

Something that has been suggested as an idea is to hold events only on certain days of the week, such as weekends only, unless a “special request” is made. If a special request is made, an event may be held on a different day of the week. To be honest, I do not understand how the idea of a “special request” may be implemented. Who would the special request be directed to, and who would approve of it? Would the abutting property owners be notified? And how would it be any different than approving to hold events on any day of the week? Personally, I believe that events can either be open to any day *or* limited to specific days. The idea of a special request does not compute with me. Therefore, I am recommending a compromise: I propose that events can be held on Fridays, Saturdays, and Sundays (as the applicants have suggested), but also on the day before or on a state/federal holiday. This ensures that throughout most weeks during the seasonal operation, the neighboring property owners will not have to worry about events happening on weekdays.

Any requests to address potential concerns involving traffic in the vicinity, such as the addition of a “No Parking” sign on School Road, should be directed to the Traffic Safety Advisory Committee (TSAC). Town Engineer Josh Martineau is the staff member to contact regarding concerns for TSAC.

As I mentioned last month, when conditions are strictly complied with, these venues operate smoothly and the neighboring impact is minimal. I do have minor concerns which I addressed before that I believe should be resolved prior to any decision being made, such as wastewater disposal and trash/recycling disposal. However, provided that these issues are worked out and a satisfactorily complete plan has been presented, I recommend approval of this request with the following conditions:

PROPOSED CONDITIONS:

- 1) The applicant is hereby notified that State of Vermont Permits may be necessary (*e.g.* Division of Fire Safety, Department of Environmental Conservation, etc). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval.
- 2) All events/functions shall be held on Fridays, Saturdays, Sundays, or the day of or before a State of Vermont/US federal holidays between May 15th – October 15th. (As of August 2023, the state/federal holidays that fall between May 15th and October 15th include Memorial Day, Juneteenth, Independence Day, Battle of Bennington Day, Labor Day, and Columbus/ Indigenous Peoples’ Day.) All events on Fridays or Saturdays shall end by 11:00 PM. All events on the day before a holiday that do not land on Friday or Saturday shall end by 9:00 PM. All events on Sundays or on holidays that do not land on Friday or Saturday shall end by 6:00 PM.
- 3) All amplified music shall be played indoors. No amplified music shall be played at any event before 11:00 AM. All amplified music on Fridays or Saturdays shall end by 10:00 PM. All amplified music on the day before a holiday that does not land on Friday or Saturday shall end by 8:00 PM. All amplified music on Sundays or holidays that do not land on Friday or Saturday shall end by 5:00 PM.
- 4) All alcohol on the premises shall be provided only by a licensed/insured caterer with a State of Vermont First Class License (beer & wine only) through the Division of Liquor Control. Liquor covered by a Third Class License (spirits) through the Division of Liquor Control shall not be provided.
- 5) Dress rehearsals prior to an event may occur during any day of the week. Dress rehearsals shall not include the presence of amplified music or alcohol consumption of any type unless they take place on a Friday, Saturday, or are on the day of or before a state/federal holiday. Dress rehearsals shall have the same time constraints as other events with regards to when they shall end and when amplified music may be played.
- 6) At least one worker employed by or contracted by the applicants shall be located on-site during all events and dress rehearsals for their full duration to supervise for safety/security purposes.
- 7) All outdoor lighting shall be LED and downcast.

- 8) Prior to operations commencing, the property must have proper sewage/septage disposal in place.
- 9) All on-site porta-lets shall be serviced within one week of an event(s) occurring.
- 10) The proposed parking plan submitted by the applicants to include a total of 70 parking spaces, or an expansion of said plan, shall be implemented.
- 11) Any conditions the Board wishes to add.

ADDITIONAL COMMENTS:

Chairman Reaves asked members if any had a conflict or Ex-parte communications with the applicant, there were none. Prior to the reading of the staff report, Mrs. Hiscock, owner of Rock Pile Properties, LLC, entered the meeting room. Mr. Sanborn acknowledged Mrs. Hiscock's presence, and Chairman Reaves notified Mrs. Hiscock that the Board voted to continue her hearings date certain to the October meeting. Mrs. Hiscock stated that since the survey will be ready by the September meeting, she would be prepared for the hearings to be continued to September's meeting. Chairman Reaves informed the audience that since a new hearing has opened, the Board cannot change the date of Rock Pile Properties' hearings until after the open hearing has been closed. After this hearing has closed, the Board could reopen Rock Pile Properties' hearings and vote on a motion to move the hearings date certain to the September meeting.

Mr. Garbacik then provided his staff report as stated above.

Highlights of concerns from abutting neighbors: Yacavoni, Loranger, Marsh

- Classification of proposed use and how it relates to the Barre Town Zoning Bylaw
- Traffic safety concerns
- Ability to use their own property with sense of privacy

Mr. Valsangiacomo had concerns about many of the proposed conditions, as he was worried that they exceeded the scope of the Development Review Board's authority. These sentiments were echoed by Mr. Sanborn, Ms. Valentinetti, and Ms. Labrador.

The Benoits confirmed that they were willing to commit to mandating that a licensed/insured bartender or caterer provide all alcohol at events. They also stated that they wish to have an employee on site in order to maintain control of the venue during operations.

Mr. Sanborn suggested the Board go into deliberative session to discuss how to proceed further.

At 7:58 PM, on a motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board moved to enter into deliberative session. Vote 7-0-0.

At 8:45 PM, on a motion by Mr. Valsangiacomo, seconded by Mr. Otis, the Development Review Board moved to return to open session. Vote 7-0-0.

Mr. Valsangiacomo asked the Benoits if they would be open to screening the on-site dumpster, as this is usually something included in the conditions of any request involving a proposed commercial business. The Benoits had no objections to screening the dumpster.

A discussion took place on how parking would be laid out, including where it should be located and how much the parking area should be screened. The Benois stated that their proposed location for the parking area makes the most sense, as it would use the existing curb-cut and is next to the overhang doors of the barn. Some of the neighbors expressed that they were against the idea of the Benois screening the parking area, as that would block their view of the mountaintops in the distance.

Then, a proposed compromise introduced by Mr. Benoit was discussed. Mr. Benoit stated that in order to realistically keep the doors of the barn shut during a summertime event featuring amplified music, they would need to install an air conditioning system in the barn, which would cost a lot of money. His proposed compromise was that if he were to put in air conditioning in the barn, he would also like to put a heating system in the barn so that it can be used to host events year-round. Many of the abutting property owners expressed their support for the proposed compromise. They would rather ensure that the noise from amplified music is mitigated over worrying about events taking place year-round.

Because of the new developments that took place following the deliberative session, the Board discussed going into yet another deliberative session to work out the conditions of this proposal.

On a motion by Ms. Valentinetti, seconded by Ms. Labrador, the Development Review Board closed the public hearing. Vote 7-0-0.

At 9:20 PM, on a motion by Ms. Valentinetti, seconded by Ms. Labrador, the Development Review Board moved to enter into deliberative session. Vote 7-0-0. Town Manager Chris Violette and Planning/Zoning Administrator Brandon Garbacik were invited by the Chair to join the session.

At 9:43 PM, on a motion by Ms. Valentinetti, seconded by Mr. Valsangiacomo, the Development Review Board moved to exit deliberative session. Vote 7-0-0.

On a motion by Ms. Labrador, seconded by Mr. Valsangiacomo, the Development Review Board moved to approve a request by John & Pam Benoit for a conditional use (possible approval) for the conversion of an existing barn into a community center/recreational facility on property located at 241 School Road; Parcel ID: 008/015.00; Zoned Low Density Residential; CUP-23000005, contingent on conditions 1-9: 1) The applicant is hereby notified that State of Vermont permits may be necessary (e.g. Division of Fire Safety, Department of Environmental Conservation, etc.). If permits are required, they shall be obtained and complied with in accordance with any requirements or conditions of approval. 2) The venue shall be permitted to operate year-round with the following hours of operation: Sun–Thurs 11 AM–7 PM; Fri–Sat 11 AM–11 PM. 3) Doors shall be closed during the use of amplified music. 4) All liquor for events shall be supplied and served by a Vermont licensed and insured bartender or caterer. 5) At least one worker employed by or contracted by the applicants shall be located on-site during all events for their full duration. 6) All permanent outdoor lighting shall be LED and downcast. 7) Applicant must provide and maintain adequate sanitary facilities. 8) Applicant must provide off-street parking in accordance with Town regulations. 9) Applicant shall screen dumpsters. Vote 7-0-0.

Rock Pile Properties LLC / Variance

On a motion by Ms. Valentinetti, seconded by Mr. Otis, the Development Review Board continued a request by Rock Pile Properties LLC for a 6' variance of side setback (possible approval) to install an attached ramp to use both for deliveries and as an ADA-accessible entrance/exit on property located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; V-23000003 date certain to September 13, 2023. Vote 7-0-0.

Rock Pile Properties LLC / Conditional Use

On motion by Mr. Sanborn, seconded by Mr. Neddo, the Development Review Board continued a request by Rock Pile Properties LLC for a conditional use (possible approval) to add the use of a restaurant to an existing three-story building with eight dwelling units and a laundromat located at 130 Mill Street; Parcel ID: 025/066.00; Zoned East Barre Commercial District; CUP-23000004, date certain to October 11, 2023. Vote 7-0-0.

G. OTHER

There was none.

H. FOLLOW-UPS

The Rules of Procedure were not discussed, as there were no questions about any of its contents. There were no other follow-ups.

I. ROUNDTABLE

There were none.

J. ADJOURN!

On motion by Mr. Valentinetti, seconded by Mr. Sanborn, the Development Review Board adjourned at 9:51 p.m. Vote: 7-0-0.

Respectfully submitted,
Brandon Garbacik, Planning/Zoning Administrator

Mark Reaves, Chair

Jon Valsangiacomo

Angela Valentinetti

Chris Neddo

Cedric Sanborn

Angela Labrador

Gerald Otis

Jim Fecteau (alternate)

Gina Galfetti (alternate)