

Planning Commission Meeting August 3, 2017 6:45 Site inspection and– 7:00 PM Meeting Minutes

In attendance P.C. Members Chuck Marian, Dawn Andrews, Rich Aronson, Jon Raynor

Karen Deasy (ZA) , Leonard Spencer, Ted Domey, Bernie Shatney, Stephanie Searles, Brad Alexander, Val Covell, Dan Richardson

1. Site inspection 6:45 PM on site at 3075 Main Street

Planning commission completed a site inspection

2. 7:00 meeting immediately after return from site inspection

Meeting called to order at 7:45 PM after site inspection.

3. Review agenda

accepted

4. Public comment

Brad Alexander - Duty to the town to review impact on services for development.

Ted Domey - questioned on need for water and wastewater application as the Selectboard has not seen an application for the additional apartments.

Everyone was reminded that this is the first step in a multi-step process tonight's application review is a site plan review and only the first step.

5. Site plan review - 3075 Main Street

Leonard Spencer sworn in to provide testimony

Existing apartment spaces exist on the upper level, there are two complete with kitchenette, the large downstairs space is office, where Harrington reality currently is and long ago Goldie had an office there. Large downstairs has been a restaurant and retail space most recently. Three different tenants have had a restaurant in that space and have failed repeatedly. Apartments have been in the building for a long time and doesn't understand current need for permits. Dan expressed that in a recent tenant related issue it was discovered that the space had not been permitted for use as apartments. The violation was noticed to the owner and that application for the correct permits is part of the process. Parking needs were discussed the main level at 1754 sf of space requires 8.77 spaces, the two additional apartments will add an additional two spaces bringing the need to 11 for onsite parking. While on site members of the Planning commission noted the location of the dumpsters to

the rear and measured the available space for parking. Dimensionally there is 43 feet from the wall to the river bank and 45 feet from the dumpster location to the edge of the drive. This allows for 5 spaces at 9' by 22' (required dimension of a parking space). Leonard testified that circulation is meant to flow around both buildings that he owns, traffic should flow one way as it is a difficult intersection to pull out of next to the red building, one way, from the right of the red building around both buildings back to the street. There is also space for two vehicles to park in the front driveway. The dumpsters are located where they are as the hardware store plows the side drive and snow is piled at the edge of the bank. The board indicated that signage should be provided. The adequacy of the spaces for parking was discussed, Dawn indicated that there is not sufficient space for the additional required parking for both the current use and the additional use. Leonard questioned perhaps he may consider converting all of the space to apartments. Stephanie Searles indicated that increased commercial use in the village would be more valuable and that as an adjacent landowner that is what they would support. The difference between a tourist room and apartment was discussed, B&B or tourist rooms do not have the impact on community facilities as apartment usage. The first is primarily for travelers who don't tend to spend significant hours at that location, they eat out and spend minimal time at that location while the needs for a residence have a higher impact on services. State water wastewater have clearly different guidelines and our town zoning also clearly indicate a clear difference in occupancy. There is a distinction between permitted used and conditional uses. Pedestrian access was questioned, Leonard would like for his tenants to use a rear entry and access the building from a different entry, It was suggested that the tree in the back be trimmed to improve site lighting and improve safety. Lighting was also discussed and the board wants to see improved parking lights and walkway lighting, motion sensor controlled with photo cells are recommended. Night sky lighting will be required for newly installed fixtures. Night sky lights are shielded and directional. Leonard indicated that a new railing and fence were installed as required by his insurance company. Leonard asked if he could fill in the bank behind the building to add additional parking area. It would not be allowed to infill

the river under our Flood Hazard ordinance beyond what is currently the bank. It was asked about the storage of vehicles preventing tenant use of parking, Leonard stated these were mainly tenant vehicles and he wishes they would go away. It was commented that as landlord he is responsible for having his tenants follow rules.

Lighting to the rear and side of the building should be shielded when added.

Stephanie indicated concern over lighting shining into their building.

Rich moved to close testimony, Dawn seconded motion carried 4-0

Karen will write up preliminary findings and circulate for review. Findings to indicate that the application was incomplete and there was lack of clarity to fully review the application as presented. The board wants wording in findings to include the applicant did not come prepared to discuss the change of use. ZBA hearing the applicant shall provide information to the board including site plan indicating current and proposed lighting, signage circulation and other improvements as indicated.

6. Flood Hazard regulations

Next meeting we will review Flood Hazard ordinance

7. other business

none, motion to adjourn Rich, Jon seconded.

8. Next meeting date September 7th, 2017

Submitted by Karen Deasy

Cabot Planning Commission

Site Plan Review Decision Document - Preliminary Review

Applicant: Leonard Spencer

Name of Applicant: Same

Project Location: 3075 Main Street, Cabot, VT

Project Type: Change of use - Conditional Use Application, site plan review – § 2.8 of Cabot Zoning Regulations

Findings

At the Public meeting August 3, 2017, Mr. Spencer did not provide a site plan document to indicate proposed plans and as required under Cabot Zoning Bylaw 2.4. Prior to the August 3rd meeting, the Zoning Administrator sent Mr. Spencer the following request:

The Planning Commission will require the following information to review your request:

Two sets of maps to scale clearly indicating existing features, structures, easements, property lines proposed structure locations and land use areas, streets, driveway circulation, parking loading spaces and pedestrian walks, landscaping including site grading and screening.

The Board completed a site inspection of the exterior of the property and took testimony from those in attendance. A clear indication of the plan was not presented.

Decision and Conditions

The Planning commission does not support the application as currently presented. Current zoning requirements are not met with respect to the increased parking. A lack of information on circulation and lighting did not allow for a proper review to determine if these portions of the application are adequate.

A site plan indicating circulation, signage, lighting and parking shall be submitted to the Planning commission and is required prior to the Zoning Board of Adjustment hearing on August 21st. This document shall also be presented to the ZBA as part of a complete application and submitted to the planning commission for review prior to their next meeting September 7th 2017 for approval.

Site Plan Review Conditions

Adequacy of parking, traffic access and circulation for pedestrians and vehicles:

Findings

As a general note, the following findings and recommendations are based on Applicant's incomplete documentation and representations, the Planning Commission strongly recommends that the ZBA require Applicant to submit the required documentation to

clarify several of these issues prior to conducting a hearing on the specific details of this Application.

Parking

Calculated usage based on current permitted use is 8.77 spaces, which is rounded up to 9 spaces for the office/retail/restaurant area. In reviewing the permit history, it appears that only 8 spaces were required. An additional 2 spaces are required for the two residential-apartment uses sought to be added.

Since the Applicant did not submit a site map or proposal showing his existing or proposed parking, the Planning Commission conducted a review of existing spaces. Based on the Zoning Administrator's measurements of the parking areas indicated by Applicant, there are only 5 available spaces behind the building and room for two spaces to the front of the building. Additional parking to the rear of the building cannot be expanded due to the proposed circulation and the river at the rear of the property.

Additionally, a collection of miscellaneous vehicles in various states of disrepair are currently located on site and within the proposed parking area. In addition to providing the necessary parking spaces, the Commission recommends that any zoning approval be conditioned on the immediate clearance of these vehicles to make the potential parking spaces accessible.

Circulation

Applicant provided testimony that he had adopted a one-way circulation pattern around the building for vehicles. Under this plan, vehicles will enter through the narrow right-of-way west of Applicant's red building, located at 3065 Main Street, travel behind both the 3065 building and the yellow building at 3075 Main street, and then exit along the shared right-of-way east of 3075.

It was unclear if this circulation pattern is intended for just the tenants at 3065 or for occupants of 3075 as well. When inspected, vehicles were parked in the center of this proposed circulation lane both at the street entry and behind the 3065 building. There was no signage indicating the one-way circulation pattern, and there did not appear to be any consensus of circulation by the current users. The right-of-way showed signs of erosion and was not clearly defined at several points.

The Commission recommends that improvements to the driveway and signage be installed to improve circulation and traffic access. A 20-foot clear driveway will be necessary to provide for circulation at all times. The Commission also recommends that winter snow removal plans and dumpster locations be indicated on any site map submitted and that the placement of these items be consistent with the circulation plan and all Town and State regulations on flood plains.

It was also unclear what impact the proposed circulation will have on the required parking for 3065 Main Street. To the extent that the circulation at 3065 is intended for the units at 3075, Applicant must clearly indicate all Parking spaces for 3065 on the site plan. The three residential units at 3065 require a minimum of 4 off-site parking spaces

Pedestrian Circulation

The Applicant indicated he intends to improve pedestrian circulation and install a walkway to the side of the building allowing those that park their car behind the property

to avoid walking along the right-of-way between 3075 and the neighboring hardware store..

The Commission recommends that the ZBA require tree pruning and additional lighting to make this proposed circulation safe and visible.

Landscaping and Screening:

Findings

Current landscaping is to be maintained, tree on corner of building should be trimmed to improve site lines or removed. Lawn areas to be maintained. Dumpster locations in rear of building to be secure and accessible for pickup.

The protection and the utilization of renewable energy resources:

Findings

Not applicable

Exterior Lighting:

Findings

Parking area and pedestrian circulation to have new lighting installed, an updated lighting plan should be filed with the site plan indicating location of existing lights and locations of new, proposed lighting. All new lighting shall be dark sky certified, and it is also recommended they meet Efficiency Vermont energy star standards.

Appeal

Any interested person, including the applicant, may appeal this decision within thirty days of the date of this decision to the Vermont Environmental Court.

By the Cabot Planning Commission



Chuck Marian, Chair

8-11-2017

Date