

**TOWN OF CASTLETON
DEVELOPMENT REVIEW BOARD MEETING
MINUTES OF FEBRUARY 5, 2015
TOWN OFFICES**

MEMBERS PRESENT: J. Mark, J. Hale, G. Chader, R. Day

MEMBERS ABSENT: G. Pritchard

OTHERS PRESENT: J. Biasuzzi, Zoning Administrator, see attached list

The meeting was called to order at 7:00 pm by acting Chairman, G. Chader

All parties for both applicants were sworn in by G. Chader.

NEW BUSINESS

APPLICANT: Donald Billings ("The Bakery") agent of owner, Lee Lodge #30.

Request for Bakery/Café on vacant first floor of Lee Lodge #30, east half open lounge for eatery, west half café with counters, max seating 57 and 19 off street parking spaces.

J. Biasuzzi explained that the plan was to take the former insurance office and create a café serving area and an area to prepare the food. The former laundry mat would be future additional seating for patrons.

D. Billings addressed the meeting by stating that he opened "Roots" in Rutland about 4 years ago and recently "The Bakery" in Rutland and has purchased the Baba Louie Bakery. There will be household grill within fire regulations for sandwiches and the such, they will make smoothies, Cappuccinos and coffee etc. The bathroom will be moved to the back of the building. There will be no in depth food preparations done at this location. There is also ample parking.

G. Chader asked about the parking spaces and hours of operation. J. Biasuzzi explained that 1 parking space equaled 3 patrons.

D. Billings replied that he foresees the hours of operations as 6:00 am to 3:00pm and/or 6:00 pm, depending on the day.

D. Tucker, Treasurer for Lee Lodge stated that their meetings were held from about 6:00 pm and if we serve dinner meetings start at 7:00 pm and about around 10:00 pm, some may run longer.

G. Chader asked if the Lee Lodge owned the property and was in agreement with the new plan.

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D. Tucker replied the Lee Lodge was very happy with the new plans.

J. Hale asked if anyone had spoken to the Fire Dept. regarding the parking. C. Smith replied that the Fire Dept. meetings were on Wednesday nights and it really is a non-issue as the Fire Dept. would be moving to the new building in March.

J. Biasuzzi stated that the parking vs seating arrangement was within parameters of zoning rules. Also, the the ADA was being met with existing handicap accessibility on the back side of "The Bakery" (south side of building).

J. Rehlen stated that his business abuts this building on 5 sides. He has a potential concern about delivery access which is on the SE corner. He has used 3 parking spaces for his tenants and other spaces for his employees. He has spoken to D. Billings regarding these spots.

G. Chader asked what times of day does he feel these parking spaces are used. J. Rehlen replied all day.

J. Mark asked J. Rehlen if this parking was an agreement that he had with Lee Lodge.

J. Rehlen replied that it is the way it has been done for 41 years. He has never had it surveyed.

C. Chader asked who owned the parking. D. Tucker states everything that is on the plan in front of you is owned by Lee Lodge. It has been that way since 1910. J. Rehlen has used some parking spaces when he rented the property. The Lodge has received letters from the town asking us to have Mr. Rehlen move the cars as they were in the way of snow removal. It is a community area and Mr. Rehlen uses it for his business.

G. Chader asked if the issue was that Mr. Rehlen had rights to the parking spots. D. Tucker replied that Mr. Rehlen does not have rights to those parking spots. S. Tucker had approached Mr. Rehlen with the possibility of leasing those spots (the alleyway) and help maintain the Lee Lodge parking area. The Lee Lodge supports local scholarships, sends children to the Conservation Camp and helps out in many other ways. The Lodge does not have a huge financial reserve.

G. Kupferer stated he represents Pam and John Rehlen. I do not understand the breakdown, 43 seats on the East side, and 14 seats on Café side. Are these seats?

D. Billings replied that they were not seats, it was just a depiction of different possible seating arrangements within the allowed capacity.

G. Kupferer had a concern about the Fire Lane signs. D. Tucker replied that the signs were placed there as to keep drivers safe. There was a fuel oil tank there that had some damage,

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that it was not presently safe to park there, and tank is being removed.

G. Kupferer had a last question regarding handicap parking and the back entrance. He asked if the back entrance would be used as an entrance. Zoning states you cannot park in front of an entrance, so he is questioning those parking spots.

D. Billings replied yes, it will be used for handicap accessibility.

T. Boutwell, Grand Master, Lee Lodge, addressed the "Fire Lane" issue, he stated that signs were placed there on recommendation of their insurance company, as to keep a fire lane open 360 degrees coverage in case of a fire. Mr. Rehlen was a tenant of ours for 28 years he had a right to park on our property. Mr. Rehlen is no longer a tenant, so does not have access to those spots.

J. Rehlen had one last concern regarding cooking being done at The Bakery. He does not want it vented into the alleyway.

G. Kupferer inquired about the sewer allocation.

J. Biasuzzi replied that it was still in place from the insurance company. The laundry mat does not have one and that will need to be addressed when they want to open that side up.

G. Kupferer asked if D. Billings had applied for a state waste water permit. D. Billings replied that he had not, but was waiting on outcome of this hearing.

J. Rehlen again states his concern about access for his deliveries. D. Billings replied that the delivery personnel work for the business owners. He has deliveries that need to be made up 3 sometimes a week and up 4 flights of stairs. If they want your business they will do whatever it takes to get the products to you.

H. Smith commented that Mr. Rehlen and his lawyer have some concerns over their existing business. These new constraints may require that they come up with a new plan for Mr. Rehlen's businesses. J. Freeman submitted testimony in support of the application.

J. Biasuzzi asked if there are plans to serve alcohol beverages. D. Billings replied there will be no alcohol served. There might be some acoustic music from college students while having a coffee.

B. Day replied that he heard Lee Lodge offered Mr. Rehlen different options to possibly use the alleyway. If there is an option on the table it should be worked out between Mr. Rehlen and Lee Lodge.

G. Kupferer stated that the property has not been surveyed.

D. Tucker states that the Lodge's intentions are to create harmony downtown. The new tenant will bring something positive to the downtown area. I have expressed to Mr. Rehlen that they could still possibly work something out. I left because Mr. Kupferer became involved and there was no reasoning with him. The Lodge does not want to involve lawyers which would incur additional costs. They are a non-profit organization. The Lodge just wants to help out the community.

MOTION:

MOTION made by J. Mark to close the hearing. Seconded by B. Day. All in favor. Motion carried.

APPLICANT: J. Rehlen, owner, of 629 Main Street, Castleton, Vt. To convert existing garage (storage) to an automotive service station, 2 employees, 3 parking spaces.

J. Biasuzzi presented to the Board that Mr. Rehlen is looking to rent out the existing Texaco Station with no gasoline sales involved. The grey area in question is automotive sales.

J. Rehlen stated that it will be just repairs no sales of automobiles. There will be vehicles coming and going into the area. There will be vehicles parked there overnight. There will be retail sales of car supplies and tires.

J. Hale asked if it would be a repair shop which would require a quantity of vehicles parked in the lot waiting for attention. J. Rehlen answered yes.

J. Hale asked if he would put a limit on the number of vehicles allowed. J. Rehlen replied he would not do that.

B. Day had a concern regarding the weekly farmers market and the ability to move the vehicles out of the way.

D. Tucker commented that he hoped that the flavor of the downtown would be kept intact as some repair shops tend to find it hard to stay looking nice.

J. Mark expressed concern about vehicle painting and the paint going into the ground water supply.

J. Biasuzzi commented that the building might be considered as a Historical Building. Also, that when we become a Village Destination it may be able to receive some grant money.

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MOTION:

J. Mark made a motion to close the hearing. J. Hale seconded. All in favor. Motion carried.

MOTION:

J. Mark made a motion to accept the minutes of January 8, 2015. B. Day seconded. All in favor. Motion carried.

DELIBERATIVE SESSION

MOTION: J. Hale made a motion to enter Deliberative Session. B. Day seconded. All in favor. Motion carried.

MOTION: J. Mark made a motion to exit Deliberative Session. B. Day seconded. All in favor. Motion carried.

ADJOURN:

B. Day made a motion to adjourn at 8:00 pm. J. Mark seconded. All in favor. Motion carried.

Respectfully

Valerie Waldron
Recording Secretary

Date of Approval