

**TOWN OF READSBORO
DEVELOPMENT REVIEW BOARD
PUBLIC HEARING MINUTES**

(Draft until Signed)

May 19, 2021

6:30 PM

Applicant/Owner: Wesley Tate

Case No: 2021-01

ATTENDANCE:

DRB Members: Karen Boisvert, Rhonda Smith, Amber Holland, Raymond Eilers, Joseph Berard

Applicant: Wesley Tate

Others: Ari Spalding, Richard Tate, Susan Bailey

Introduction and Procedural Hearing: This proceeding involves review of an application for a request to add a coffee bar and retail space at 7029 Main Street submitted by applicant Wesley Tate in accordance with 2.1.6 (Coordination with Development Review Board) Change of Use to a Conditional Use under the Town of Readsboro Zoning Bylaw.

The application was received by the Zoning Administrator on March 19, 2021. Also, on March 19, 2021 the Zoning Administrator submitted the application to the Development Review Board Clerk. The Development Review Board scheduled the hearing for May 19, 2021.

On April 29, 2021 notice of public hearing was published in the Deerfield Valley News and posted in the following places: Town of Readsboro Municipal Clerks Office/Website, Readsboro Post Office, and the Readsboro General Store.

On April 27, 2021, a copy of the notice of the public hearing was mailed to the applicant/owner Wesley Tate and to the abutting property owners, Joe Walsh, and The First Baptist Church.

The subject property can be found in Tax Map Book 15, Lot 11. The property is more fully described in a deed recorded in book #84 pages 66-69 of the Town of Readsboro's land records. The property is located in the Village District with Water & Sewer.

At the outset of the hearing, Smith afforded those persons wishing to achieve status as interested person an opportunity under 24 V.S.A. 4461 (b) to demonstrate that the criteria set forth in that statute could be met. Boisvert handed out a sign-up sheet for record of the name and address of persons wishing status as an interested person. Holland swore in all parties who would give testimony at this proceeding.

During the course of the hearing the following exhibits were submitted to the Development Review Board.

1. Zoning Permit Application # 2021-01 (A1)

Findings of Facts

Mr. Tate explained his intentions to turn the existing structure into a coffee bar with onsite roasting with a small retail space. He plans on having his business open during the week from 7am- 12pm with extended hours on the weekends of 7am- 3pm. He estimates that there would be 30 people as maximum capacity. This number would include utilizing the upstairs as office space, reading area, gallery space or extra seating for customers. There is also an apartment located on the second floor. If office space were to be utilized this too would be for daytime operation.

Rhonda asked Mr. Tate how many employees he was planning on having and he responded by telling her to start there would not be any employees hired.

Rhonda asked what his plans for parking would be. Mr. Tate stated that he would utilize the same parking that the Inn uses as they would have non conflicting hours of operation.

Mr. Tate was asked about his proposed bike repair station. He informed the board he would only be setting out a bench with tools for self-serve repairs to anyone who needed them.

Mr. Tate was asked how far the property extended on the left side of building. Mr. Tate is unsure of the exact boundary line.

No further questions were asked, and Rhonda informed Mr. Tate that the DRB would go into deliberative Session privately and a decision would be made before the 45-day limit.

Hearing ended at 6:51pm

Deliberative Session started at 6:52pm

Deliberative Session ended at 7:17pm

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board **GRANTS WITH CONDITIONS** the Zoning Application #2021-01 for a Change of Use to a Dwelling, Mixed Use as described in the Readsboro Zoning Bylaw; *A single structure wholly containing within the structure a separate single-family residence and a separate permitted commercial operation.*

1. The proposed Change of Use meet the requirements of Article 2 Section 2.1.6 of the Readsboro Zoning Bylaw (Coordination with Development Review Board and Article 2 Section 2.4.4 (Site Plan Review) identified in findings.
2. The proposed Change of Use meet the requirements of Article3 Section 3.4.1 of the Readsboro Zoning Bylaw (Off-Street Parking and Loading Space) were waived with conditions. Conditions are as follows:
 1. "The No Parking" winter hours, that is established by the Town of Readsboro, will continue to be in effect.
 2. If scope of operation changes applicant will be required to reapply for another Change of Use permit.
 3. Any change of the footprint will require an additional permit as well as a request for a sign. Any structure within the Towns Right-of-Way will require a dimensional waiver permit.
3. If an appeal is filed, the Zoning Permit shall take effect after the final adjudication of the appeal.

Under article 2 Section 2.2 of Bylaw, no land or building development may commence, nor shall any land or structure be used, extended in any way unless a Zoning Permit shall have been duly issued by the Zoning Administrative Officer. No Zoning Permit shall be issued except in conformance with the provisions of the Bylaw and the submission of all required approvals.

Under Article 2 Section 2.2.4 of the Bylaw a Zoning Permit is in force for 2 years from the date issuance. If the permitted activities have not been substantially completed within this period, re-application must be made for a new Zoning Permit, unless an extension is granted by the Development Review Board.

Note: Under the issuance of this permit the change of use from Commercial to Dwelling, Mixed Use will be permanent unless another permitted change of use is applied for under the zoning bylaws, however if construction and/or substantial completion of the residential dwelling is not completed within two years as defined under Article 2 Section 2.2.4 of the Bylaw a new zoning permit must be completed for the construction only.

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A § 4471 and rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

Dated at Readsboro Vermont, the 20th of May 2021

Respectfully Submitted,

Karen Boisvert, Clerk
Town of Readsboro
Development Review Board