

Town of Moretown Development Review Board
79 School Street, Moretown, Vermont 05660

Minutes for Hearing Held July 19, 2018

Application of Top Notch Properties, LLC to Convert a Three Bedroom Residence to a Mixed Use In The Commercial Zone at 80 Commercial Drive

The meeting was called to order at 6:30 PM. Present for the Board were David Russo, Paula Woods, Greg Nagurney, Erick Titrud and John Riley. Present for the Applicant was John Grenier and Kristin Darby of Grenier Engineering. Also present was Paul Stewart of Juniper's Fare, the prospective tenant, and Zoning Administrator John Weir.

Kristin Darby summarized the proposal for the Applicant. Top Notch previously subdivided the multi-building commercial development on the northerly side of Route 2 at the Route 100 intersection into five separate lots. The current application involved Lot "B" which consists of 1.16 acres and has an existing three bedroom residence.

The prospective tenant of the building and property is Juniper's Fare which plans to open a catering business inside the structure, and operate a seasonal food truck to the rear of the building. Mr. Stewart in his presentation clarified that "Juniper's Fare" is a tradename of the Vermont corporation CCO Missions Inc. The tenant already owns the food truck which is parked in the location that will be used when operating. A permit is requested to operate the food service business during the warmer months between the hours of 4:00 PM and 8:00 PM. It is expected the food truck will offer sandwiches and deli-type offerings and have four sit down tables.

A State Health Department permit is in place for the food truck operation. A separate permit is required for the catering business and may require some degree of modification and equipment to obtain the permit. It is not intended as an indoor "restaurant". Rather, food will be prepared in the kitchen, and either picked up by the customer for events off premises, or delivered by Juniper's Fare. The catering business would be a year round operation if permits are secured.

The Wastewater Permit and Zoning Application contemplate a two bedroom residence use would be retained though Juniper's Fare does not intend to use the building as such.

There was discussion whether adjoining Lot "A" which contains the former Feedbag Restaurant, and presently contains a bike shop, is still owned by Top Notch Properties. During the course of the hearing Zoning Administrator John Weir was able to access the

land record data base and confirmed Top Notch is still owner. The discussion was in the context of whether notice to all abutting landowners was provided. Paula questioned whether the ordinance should require that abutters of other Top Notch owned lots should also receive notice. Paul Stewart indicated that the owner of the bike shop is familiar with their project and supports it as an amenity to bike shop patrons parking and bicycling from the shop's location.

The State Wastewater Permit does not contemplate that customers of the food truck have access to bathroom facilities inside the building. Mr. Stewart indicated that the State Health Department Permit did not require an on-site bathroom facility.

During the course of the hearing Kristin Darby submitted a copy of the State Wastewater Permit permitting the conversion which was accepted as an exhibit for the file.

At approximately 7:30 PM the Board closed the evidence and entered into deliberative session. These Minutes contain the narrative of the proceedings before the Board, as well as the Board's decision which is as follows:

The application as submitted is approved with the following conditions:

1. That the exterior food truck be operated only between the periods April 15 through October 15 of each year, and between the hours of 3:00 PM and 9:00 PM.
2. That separate receptacles be offered and maintained in an orderly condition for trash and recyclable items associated with the food truck business in a manner which complies with any applicable State laws and regulations.
3. That at least one portable toilet be available to patrons when the business is in operation.
4. The application did not include a request for a sign. Any signage must be separately applied for and approved consisting with the Moretown Zoning Ordinance.
5. That no more than the four stated tables for patron use be utilized for the business.
6. With respect to the catering operation, the prepared food is only to be for delivery off site, or for pickup by the intended customer.

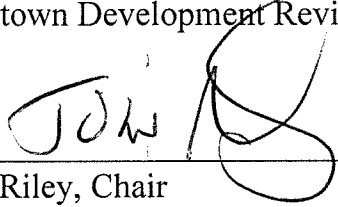
7. All required State permits necessary for the catering operation be in place before inception of operation.
8. That Applicant Top Notch Properties provide a copy of these Minutes and the Board's Decision to the prospective Tenant and any future Tenants.

The motion with conditions was adopted unanimously.

There being no further business the meeting adjourned at approximately 8:00 PM.

Respectfully submitted,

Moretown Development Review Board

A handwritten signature in black ink, appearing to read "John Riley", is written over a horizontal line. The signature is stylized and cursive.

John Riley, Chair