

**TOWN OF WESTFORD  
DEVELOPMENT REVIEW BOARD MINUTES  
Minutes for Monday, June 25, 2018  
Approved on August 13, 2018**

**Board Members Present:** Dennis Angiono, David Baczewski, Wayne Brown and William Cleary (Vice-Chair).

**Board Members Absent:** Sara DeVico and Matt Wamsganz.

**Also Present:** Melissa Manka (Planning Coordinator), Dan Strobridge, Alan Benoit, Steve Karne, Seth Jensen, Josh Smith, Elisabeth Smith, William Allen, Angela Bellizzi and Luke Airoldi.

**Site Visit – Owners: Joshua & Elisabeth Smith (1.2 acres).**

The site visit began at 6:30 p.m.

The Development Review Board conducted a site visit of Joshua & Elisabeth Smith’s property located at 934 Osgood Hill, Westford, VT. Dennis Angiono, David Baczewski, Wayne Brown, William Cleary, Josh Smith, Elisabeth Smith and adjoining property owners were present

The meeting began at 7:15 p.m.

**Amendments to Agenda**

No amendments were proposed.

**Site Plan & Waiver Public Hearing – Owners: Joshua & Elisabeth Smith (1.2 acres).**

Josh and Elisabeth Smith were present.

Josh gave an overview of the proposal. He explained that he currently brews beer in his basement under a Home Occupation 1 permit, but the business has grown and he wishes to upsize. He noted that he has been searching for a site outside of Westford for nine months with no luck so he’s reverted to looking at his house site as a location to grow. He said he would like to increase his brewing capabilities by a factor of three, meaning multiple 90 gallon batches and one additional employee. He said a 200-300 sq. ft. retail and tasting space is proposed as the bank and investors would distribution and sales controlled in-house to increase profits and make the business plan viable. He added that bathrooms and food would not be provided to customers and events would not occur on-site. He said if the use created a neighborhood burden he would look to relocate.

Wayne asked how many times a week Josh would brew a 90 gallon batch.

Josh replied it would be quite a lot at first but then go down to once per week. He added that the operation would involve six to seven 4 ft. by 6 ft. tanks in rotation.

Bill asked if there would be additional infrastructure.

Josh said he has a rough floor plan that would include brewing, canning, public sampling and retail space.

Bill asked if that much room was necessary.

Josh said he could shrink the space but would like to make the best use of the building as possible while providing sufficient clearances for maneuvering. He said reducing the size would be inconvenient and difficult.

The DRB went through the staff report.

The DRB stated the applicant would need to request a project review sheet from the State. Furthermore, they agreed the outstanding issues would require a continuance of the hearing. Regardless, they decided to go through the staff report.

The DRB discussed parking.

Josh said he had alternative parking areas available on adjacent properties.

Bill said the parking as proposed creates an issue as it requires individuals to back onto the road and/or park on the road. Bill said the applicant will need to reduce parking impacts.

David asked if the production and retail aspects could be separated.

Josh said they could be separated but it may be a problem for funders. Josh added that he disagrees with some of staff's comments and noted there would be a limited number of delivery and customer vehicles. He noted that the Morse's Raspberry Farm receives 20-30 vehicles over the weekend and there are bike racing events that create a lot of traffic on Osgood Hill Road too.

The DRB agreed that additional parking would need to be depicted on the site plans as well as any off-site parking areas.

The DRB discussed whether the proposed use fits the definition of Home Occupation 2. David said the DRB should first agree that the proposed use meets the HO2 definition. Then, he suggested the DRB look at R10 standards, site plan and design standards and waiver requests in that order to reach a decision. He said this case would be precedent setting but he believes the DRB can entertain waiver requests for HO2s.

The DRB said they were generally fine with the setback waivers for a front porch and garage but the parking and site design and engineering issues would need to be addressed prior to making any waiver determinations.

The DRB requested formal trip end estimates for the business with a statement explaining how said number was calculated.

Bill suggested using trip end numbers of the similar businesses. Josh said using others as a benchmark would be difficult due to the fact that his proposal is smaller than other similar breweries which are in more convenient, high traffic locations.

The DRB said the total amount of 25% slopes to be impacted by development must be calculated and noted on the plans.

Bill said he has waste disposal concerns.

Josh said wastewater, yeast and biological components are collected and hauled off-site to the Pouliot Farm. He noted that if the Pouliot Farm were to close, operations would be temporarily paused until an alternative disposal site was found. He added that large breweries were not separating liquids and solids as they should which was overloading municipal systems and affecting lake quality. He expects separation of waste product will be required in the near future. He explained that he uses 600 gallon tanks to store waste which is trucked off site by him and the new building would not be connected to the on-site leach field.

The public hearing was opened to the public.

Steve Karne said there was a frustrating lack of business in town and he was happy about the proposal.

Alan Beniot said the proposal was great.

William Allen and Angela Bellizzi said they live directly across the street from the proposed parking area. They said they were okay with the building, but had concerns about the retail use and parking area. Angela explained she has spent two years remodeling her home in order to get the maximum sale price and this proposal has devalued her property.

Dennis noted that the DRB is waiting for more information in order to determine whether the proposal is appropriate in this location.

Angela said the Smith's existing lights already point directly into her bedroom window even though the Smith's home is downslope of her house. Angela said she didn't understand the scale of the proposal previously and now that she does she believes it's too big and inappropriate for the surrounding area. She said people will park in the road. She added even if the Smith's don't hold events on-site they will surely need to promote the business. She added that in winter vehicles cannot manage the driveway so all vehicles on the Smith property are parked in the upper parking lot near the road. She said headlights in that area already shine directly onto her house and, if approved, would create more of an impact. She said this is of especial concern since the business will be open to the public on nights and weekends rather than regular business hours. Angela further asked how a box truck would get in and out of the parking area if the required screening and landscaping were installed.

Josh said deliveries would be bi-weekly for 1 hour a day.

Angela said currently there were a lot of deliveries. She added that they occur on a daily basis. She also noted that her perimeter drain was damaged and/or buried when his house was built and she fears further expansion of the parking area will exacerbate the problem.

Josh noted that there wasn't a deeded easement for drainage but he could use some excavation time to try to help.

William said the drainage pipe is located in the gully between Josh and Steve's property where the additional parking is proposed.

Angela added that the operation is not comparable to Morse's Berry Farm as that is a seasonal use on a very large plot of land with adequate parking set well back from the road or the dirt biking events which occur a couple of times a year. She stated again that all lights from the Smith property and its parking area shine directly onto her house and she has a lot of concerns as the immediate neighbor. She restated that she would be fine with the brewery aspect but she is not okay with the retail portion of the proposal. She said the area is rural and residential and, if approved, her house would be next to the only commercial business in the R10.

Will stated that the walkway from the parking area to the building would need to be separate from the driveway and would require a lot of lighting.

William said the proposed use is not appropriate in a residential subdivision, the site cannot support the use, and there is no future growth potential. William added that in the short-term the use could cascade off-site based on factors Mr. Smith cannot control.

Seth Jensen said he was speaking as an individual, not a Planning Commissioner. He then stated that Osgood Hill Road is in better condition than it was thirty five years ago. He also noted that he has seen a lot of change in town and residential development has increased dra-

matically. He added that the town has not seen non-residential development increase, but rather the opposite has occurred. He said this is placing a strain on the town. He asked that the DRB work with the applicant and application to get it to a place where it meets the intent of the regulations while addressing the concerns of abutters. He noted that better lighting and landscaping will help. He ended by stating Westford should do more to help young entrepreneurs and business owners.

Angela noted that every aspect of this proposal requires waivers and cautioned the town at setting that kind of precedent.

Angela said the area is zoned R10 and the reason it requires so many waivers is because the use is not appropriate in the R10.

William commented that the regulations state "shall not" in many places. Therefore, the regulations are not gray and asked that the DRB uphold the regulations as written.

Melissa stated that she received written testimony from Elizabeth Drake and read it to the group. A summary of the comments/questions and answers are as follows: 1) can the proposed building be located outside of the setback? Josh responded no; 2) how will visual impacts be mitigated? Josh said there wasn't an issue with the building but the parking area will need to be addressed; 3) can the existing well meet the demands of the use? Josh said yes and he has a state permit allowing it; 5) the commitments with the Pouliot Farm and South Burlington Waste Treatment Plant should be documented; 6) will waste deliveries be made year round? Josh said he would haul waste from the site on a weekly basis with six trips per week. He added that the use would require one delivery of product per week, one delivery of ingredients per week and ten random deliveries per month.

Bill MOVED to continue the public hearing until July 30, 2018 at 7:15 p.m.

Dennis SECONDED the motion.

The motion PASSED: 4 – 0.

### **Other Business, Citizens to be Heard & Announcements**

None to be heard.

### **Minutes of the May 14, 2018 Meeting**

The DRB will review minutes at their next meeting.

The meeting adjourned at approximately 10:24 p.m.

Submitted by,  
Melissa Manka, Planning Coordinator