

DORSET ZONING BOARD OF ADJUSTMENT

P. O Box 715
East Dorset, VT 05253-07145

802-362-4571
Fax: 802-362-5156

Date: October 16, 2017
Hearing: #17-04
Applicant: Billy Brownlee (HN Williams)
Location: 2731 Vermont Route 30, Dorset
Request: Review for proposed expansion of pre-existing, nonconforming use (general store)

Board Members Present: J. LaVecchia (Chairman), T. Rawls, D. Wilson, R. Stewart, B. Bridges, K. O'Toole, Ed Tanenhaus
Board Members Absent: S. Jones
Also, Present: Jane Bridges, Nancy Faesy, Tyler Yandow (Zoning Administrator), Austin Chinn, Bob Allen, Karen Allen, Gay Squire, Brooks Addington, Bo Thörn, Jim Salsgiver, Elisabeth Johnson, Malcolm Cooper, Ellen Maloney, Richard Latour, Dick McDonough and Billy Brownlee (Cephas Kent, LLC).

John LaVecchia, Chairperson, opened the meeting at 7:08 p.m.

John LaVecchia opened by stating that the meeting was called to consider the application of Cephas Kent, LLC (HN Williams Store) for a pre-existing/non-conforming use permit.

B. Brownlee explained that Cephas Kent is the owner of the parcel and H.N. Williams rents from them. Last year Cephas Kent purchased three parcels surrounding the H.N. Williams store and three out of the four parcels will be merged to make one more conforming lot through boundary line adjustments once Town permit is approved. They plan to build a post and beam barn, attaching it to the current building and the size is approximately 3,200'. There will be new retail space and they will be installing three gas pumps with a total of 46 parking spaces.

B. Brownlee then explained that he had met with the Planning Commission and had gone through Site Development Plan Review (28 points ~ ZBL Sections 3.8.2 & 3.8.3) and all were approved.

K. O'Toole gave full exposure as he represents Ruth & Dennis Brownlee, Jim Deyo and Fred Dieffenbach and feels there is no conflict. He then asked about parking previously approved for the Farmer's Market. J. LaVecchia spoke and felt that permit had expired.

K. O'Toole then spoke of the proposed island and the 50' right of way, asking if the right of way would be impacted by the island and gas pumps. B. Brownlee explained that both J. Deyo and F. Dieffenbach were okay with the plan. K. O'Toole feels that written consent should be obtained from them for the shared access of Awesome View Drive and knowing the 50' right of way will be affected by gas pumps and overhang.

R. Stewart asked if electric charge stations were included in the plan. B. Brownlee stated yes. R. Stewart then asked if diesel fuel was going to be available. B. Brownlee stated that diesel would be available in one of the three pumps.

K. O'Toole then asked about the hours of operation. B. Brownlee answered that he thought they would close at 8 p.m. but there may be times where they are open until 9 p.m.

E. Tanenhaus asked about the letter received from Vermont Agency of Transportation, regarding access to the highway. B. Brownlee explained that the AOT permit was required, however, due to the cost of the project, he felt it necessary to get the Town's approval prior to getting the other permits.

G. Squire making it transparent that she is on the Planning Commission, however, speaking on her own behalf, believes it's very important to support our local businesses and was in favor of the project.

N. Faesy as a member of the Energy Committee, stated that she thought it would be terrific not to have to drive to Manchester for gas and the electric car charging spots was a great idea from the energy spectrum.

J. LaVecchia asked what other permits are needed. B. Brownlee stated that there are five more: Underground Storage Tank permit, Fire & Safety Approval, AOT permit, Waste Water permit and Well approval.

R. Stewart asked what the time frame was. B. Brownlee said that they hoped to start in the spring of 2018.

J. LaVecchia asked for public comment.

R. Latour spoke in support of the store for two reasons. One is the convenience of gas and secondly that the Brownlee's and William's are Dorset! He feels we need to support those who have been in Dorset for centuries, not just decades.

B. Addington then stated that when the Planning Commission had done the town survey, a large part of the responses mentioned lack of gas availability in Dorset. He also stated that Dorset was the first town in the State to have an Energy Plan. A. Chinn complimented B. Brownlee and family for taking a great leap of faith and strongly supports the project even though the aesthetics are diminished a little.

D. McDonough welcomes more rest rooms in town and is quite often asked where one can get gas or sandwiches in town and also supports the project.

M. Cooper stated that he also supports the project.

B. Allen thanked them for making an investment into the community and supports the project.

E. Maloney supported the project and stated how great it will be to have adequate gas tanks that have promise not to damage soil in the future.

With no further public comment, K. O'Toole motioned to close the hearing. Ruth Stewart seconded the motion, motion carried.

K. O'Toole then motioned to approve the application with the conditions that the Waste Water permit, AOT permit, Underground Storage Tank permit, Fire & Safety permit, well permit and a letter from Jim Deyo and Fred Dieffenbach noting obstruction of 50' ROW be received. Seconded by R. Stewart. Motion carried unanimously.

Meeting adjourned at 8:05.

Respectfully submitted,
Sandra Pinsonault, MMC
Dorset Town Clerk