

Zoning Board of Adjustment Meeting

April 29, 2020 6:00 pm

Via Zoom Webmeeting

In attendance:

Board members: Morgan Wade, Gail Fisher, Julie Nadeau, Julie Giroux, Renee Marchesseault, Fern Brown

Zoning Administrator: Cheryl Cote

Additional: Franki Sawicki, Canaan Selectboard; Terrie Herr; David and Wanita Begin; Sarah Kirk; Bob Lee; Odette Crawford

Meeting called to order at 6:05

Introductions made

Chair Morgan Wade outlined the procedure for the meeting. There were two permit applications to be reviewed, one from Frank Ounan, represented by Sarah Kirk, and one from RM Enterprises/Richard Marchesseault. The permits would be introduced by Cheryl Cote, the applicants could explain further, then the Zoning Bylaw sections would be reviewed to see if the permits met the criteria for a conditional use, and an opportunity for public comment.

The Ounan Permit Application

The proposed use is for an ice cream shop, arcade, and arcade unit sales. Cheryl explained that the property is next to another building owned by Mr. Ounan, but that they are actually one property. The proposal includes putting a deck between the proposed ice cream location and the next door building and although they are close together, since they are part of the same property, it will not affect the setbacks. The driveway will be on the other side of the apartment building, that will probably stay as the exit with the entrance on the other side of the corner gas station, also owned by Mr. Ounan. Sarah Kirk explained that the driveway access and parking will be shared. It will be well marked with signs to make sure that people know the entrance and exit and where to park. Cheryl reiterated that the parking cannot be all on the street and several people discussed possible signage to make it clear. Cheryl suggested that maybe a handicapped place in front would work – and Sarah Kirk said there will be one place by the back of the building where the ramp to the deck comes down. They are contemplating putting a pergola over the deck at some point as a decorative feature, but not a full roof.

Morgan then proceeded to go through the applicable bylaw provisions. The property is in the RC district and is grandfathered in as to the footprint. The setbacks do not apply to the deck as it is not on the edge of the property, except towards the front which will not extend past the front of the building. Next, Morgan read through section 207, Site Plan Review, and section 208, Conditional Uses.

Noise was discussed, that it should not disrupt the neighborhood. Sarah Kirk said that although the hours had not been firmly set, they anticipate closing by sunset.

Traffic flow was discussed again and the importance of making sure people were clear of where to park and how to access the location.

Odette Crawford asked if only ice cream would be sold. Sarah Kirk stated that there will be scoop ice cream and shakes, possible creemees, and bottled water and canned soda from a cooler. With Quechee Farms right there, they don't intend to overlap, but only to sell ice cream.

Renee M. made a motion to approve the permit. Julie G. seconded. All were in favor and the motion was passed.

The Marchesseault Permit Application

Cheryl present the application, that there were two parts to it. First an addition on the front and rear of the building and second a storage shed. Richard Marchesseault described that it would be two container units connected by a roof. It would be set towards the back of the property, with a setback of 30 to 40 feet from the back and 15 feet from the side property line.

Representing neighbor Annette, Terrie Herr stated that they had been good neighbors, but wanted to be aware that some cars had been parking on the side of the building at night and making noise, so maybe a camera around the building would help.

Richard Marchesseault explained that the additions to the building would basically be squaring up the two sides to provide more space for machines inside.

Odette asked if there would be more employees. He answered not at this time.

Morgan then proceeded to go through the applicable bylaw provisions. The property is in the R 1/2 district. The proposed additions and storage shed met the setbacks. Next, Morgan read through section 207, Site Plan Review, and section 208, Conditional Uses. The project did not raise any concerns about noise or disturbance.

Fern made a motion to approve the permit. Julie G. seconded. Renee M. abstained. The others voted in favor and the motion was passed.