

**TOWN OF NORTHFIELD, VERMONT**  
**DEVELOPMENT REVIEW BOARD**  
**Minutes of August 24, 2023**

The meeting was called to order at 7:01 pm by Chair Bill Smith.

**Roll Call:** Present for the meeting were DRB members William Smith, Tim Donahue, Steve Davis, Larry Garland, and Joel DeLary. Also present were ZA & DRB Clerk Mitch Osiecki; Michael Babyak (applicant); Hugh McLaughlin (applicant); Tom Davis (Northfield Economic Development Director); Jess Langlois (applicant); and Nancy Peck (abutting property owner of Reiss Watters/Jeff Drown). Jess Langlois participated remotely; all others attended in person.

**Approval of Minutes:** Tim Donahue moved to approve the minutes of July 27, 2023. Steve Davis seconded. **Vote to approve: 5-0.**

**Subdivision for Jeff Drown & Jess Langlois (property of Reiss Watters)**

Jess Langlois represented applicant Jeff Drown. The request is to create a 5-acre lot with road frontage on Little Northfield Road from lands owned by Reiss Watters.

Abutting property owner Nancy Peck asked for clarification of the applicants. Bill Smith responded, explaining that both Jeff Drown (applicant) and Reiss Watters (property owner) are listed on the application. Often, an applicant other than the property owner submits the application, as in this case.

Bill provided some brief background: this subdivision was originally requested several years ago (as a three-acre subdivision) but the permit application was never formally acted on. Reiss Watters and Jeff Drown recently revived the subdivision request and were informed that the town's zoning regulations had changed in the intervening years. The formerly three-acre minimum lot size is now a five-acre minimum, so they had to work with a surveyor to find a way to create a five-acre lot. The revised subdivision request (a five-acre lot) is the subject of this hearing.

Mitch noted that the sketch plan submitted with the application denotes a Lot A (3 acres) and a Lot B (2 acres). Mitch asked Rob Townsend (the surveyor) to ensure that the final survey plat refers to these as Lots 3A & 3B, since Lot 2 was previously used to label the Farrington subdivision on Clark Road.

There were no further questions from the DRB or any abutting property owners.

**Motion:** Steve Davis moved to approve the application as presented; Larry Garland seconded. **Vote to approve: 5-0.**

*Jess Langlois left the meeting.*

Mitch noted that approval of a subdivision requires that a final survey plat be recorded in town land records within 180 days. There has been confusion about this requirement in the past -- Mitch will ensure that Reiss Watters and Jeff Drown understand the necessity of completing this step on time.

## **Conditional Use and Site Plan Review for 70 Depot Northfield, LLC**

Hugh McLaughlin and Michael Babyak introduced themselves as the partners behind 70 Depot Northfield, LLC. They are applying for Conditional Use and Site Plan approval for renovation of the property at 70 Depot Square.

Mitch explained that because there are different review criteria for Conditional Use and Site Plan approval, and because the Board may wish to impose different conditions on various aspects of the project, he required the applicants to separate the zoning requests as individual applications. The requests before the Board are:

- Permit #2023-61: Conditional Use for the First Floor (Commercial/Retail)
- Permit #2023-62: Conditional Use for the Second Floor (apartments)
- Permit #2023-63: Site Plan Review for the Second Floor (apartments)

Mitch advised that to ensure meeting minutes are clear with respect to approval and conditions, it would be best to take these matters up one at a time, in whichever order seems appropriate.

### **Permit #2023-62: Conditional Use for four apartments on the second floor of 70 Depot Square**

The applicants explained that the plans are four apartments; Apt 201 is a 2-BR unit, and the others will be studio units.

Tom Davis, Northfield Economic Development Director addressed the DRB. Tom has been working with Michael & Hugh on several potential projects in town. He noted that they've had the Regional Fire Marshall in to review the project (fire suppression systems & electrical codes).

There were no further questions from the DRB or abutting property owners.

**Motion:** Tim Donahue moved to approve the application as presented; Joel DeLary seconded. **Vote to approve: 5-0.**

### **Permit #2023-63: Site Plan Review for 70 Depot Square**

Steve Davis asked about parking. Five spaces of designated tenant parking are available in the parking lot to the north side of the building. Tom Davis noted that in recent years Fernandez Hardware has been using this parking lot for outdoor storage, with the permission of the previous owners or tenants of the building. Tom has talked to the owners of the hardware store about the changes afoot, and they understand that the parking spaces will soon be needed by tenants. The hardware store has already begun clearing the parking lot.

These parking spaces are indicated on schematic diagrams submitted in support of the Site Plan application.

There was further discussion of additional parking that might be needed by restaurant patrons. Bill Smith noted that when the Farmer's Market is taking place on the Common, parking spaces are hard to come by. But other than during the Farmer's Market, parking tends to be plentiful.

Mitch noted that the current zoning regulations are a little vague on situations in which a building owner would need a specific zoning permit. As a rule, however, certain uses such as bars, restaurants, or retail stores are generally understood to be permitted in a Village Center or Downtown. Typically, an owner wouldn't need to apply for a permit to renovate an existing structure when changing from one permitted use to another permitted use.

There are some notable exceptions, such as a cannabis operation, which requires specific approval from the state.

There were no further questions for the DRB or any abutting property owners.

**Motion:** Steve Davis moved to approve the application as presented; Tim Donahue seconded. **Vote to approve: 5-0.**

Steve Davis noted that he has concerns about potential parking issues but recognizes that the advantages of new business in town likely outweigh potential problems.

**Permit #2023-61: Conditional Use for a commercial/retail/restaurant on the first floor of 70 Depot Square**

Michael and Hugh reiterated that they do not have a tenant for the first floor space at this time. Their initial thought was that a restaurant would be of great benefit to the town, but they are open to other ideas as well.

There were no further questions from the DRB or any abutting property owners.

**Motion:** Steve Davis moved to approve the build-out of a restaurant, commercial, or retail space on the first floor of 70 Depot Square. Tim Donahue seconded. **Vote to approve: 5-0.**

**Other Business**

Mitch provided the DRB with a summary of the likely timeline for review and approval of updated zoning regulations. If all goes well, the Select Board is likely to approve zoning regulation updates some time in October. The regulations will take effect 21 days after approval by the Select Board.

Mitch also stated that he plans to start providing the DRB with a summary of zoning approvals he grants administratively. He generally provides a summary to the Select Board once a quarter, and it seems reasonable to provide similar updates to the DRB.

**Next Meeting:** September 28, 2023, at 7:00 pm.

**Adjournment:** Steve Davis moved to adjourn; Bill Smith seconded.

Meeting adjourned at 7:52 pm.