

TOWN OF MARLBORO
DEVELOPMENT REVIEW BOARD MEETING

Tuesday, September 17, 2019

Marlboro Town Office

In attendance: Steven John, DRB Chair; Jean Boardman, DRB Vice Chair; Mary Sargent, Zoning Administrator; Gail MacArthur, DRB Member; John Nevins, DRB Member; Brent Seabrook, DRB Member; Lauren MacArthur, DRB Administrative Assistant; Kelley Tutless, Applicant; William Kent Taylor, Applicant; Beth Bennett, Interested Party; Richard Bennett, Interested Party

Call to Order: Steven John, Chair, called the hearing to order at 7:04pm.

The DRB convened the hearing for Application #19-12 CU, an application for a conditional use request to re-open the market and deli at 1796 Vermont Route 9.

Steven explained that this is a quasi-judicial hearing and that the applicant has the right to appeal the decision of the Board. Steven swore in Kelley Tutless and William Kent Taylor.

Kelley stated that they would like to reopen what was formerly Sweeties' Market. They are currently licensed for commercial catering. Kelley and Kent previously owned a restaurant in Wilmington. The health inspector has come once and the fire inspector has come twice. (They need an Exit sign, but are otherwise cleared to open by both the health and fire inspectors). Kelley and Kent hope to use the space to display local art and to respond to community needs and ideas as well. They are not planning to have any seating because it will not be a restaurant. There will be no gas for sale or public bathroom. Gail asked if the barbeque is inside or outside. They will be cooking outdoors, on the side of the building. The barbeque is at least 10 feet from the building.

Steven John read a note from John McKay, written on 9/11/19, who said that Kelley and Kent could sign anything on his behalf as he was not able to make it to this meeting. John stated that he plans to pull the tanks by spring 2020.

Gail asked about parking and Kelley shared a map of 18 spaces, 9x18' each with 30+ ft. turnaround between spaces and Route 9 (once the pump island is removed.. if not, there will be three less spaces). If not

Mary looked up the regulations. Spaces need to be 9 x 22'

John asked if the removal of tanks was a condition of sale.

Jean wondering about the road frontage, wondering if there needs to be defined entrance and exit, believes it was a highway department requirement. Believed that this is not an issue because the State did not ask about this in permits.

crawl space under the restaurant, basement under living space, walk-in cooler, 9-door cooler with compressor on metal platform underneath,

Kelley stated that they might consider putting in a public bathroom later.

Neighbors Beth and Richard Bennett spoke, requesting that a handicapped parking spot be included in the plans for the new deli and market. They also asked Kelley and Ken to consider having a public restroom available.

Brent put forward a motion to go into Executive Session at 7:25pm. The motion was seconded by Jean.

The DRB came out of Executive Session at 8:40pm.

Brent moved to approve Application #19-12 CU with the adoption of the following conditions. The motion was seconded by Jean.

- 1) Parking spaces shall be 9'x 22'.
- 2) Traffic calming elements shall be employed, in consultation with the State, including two access driveways from the street. The maximum width of each access driveway shall be forty feet. (To be completed before June 30, 2020)
- 3) Removal of empty gas tanks, in compliance with State standards for gasoline tank removal. (To be completed before June 30, 2020)

There was no discussion and unanimous approval.

The hearing on Application #19-12CU was suspended at 8:45pm

It is not certain whether or not there will be an October DRB meeting.

Brent moved to adjourn, Jean seconded.

The meeting closed at 8:32pm.

Respectfully submitted,
Lauren B. MacArthur,
DRB Administrative Assistant