

## **OFFICIAL MINUTES APPROVED BY THE DUMMERSTON REVIEW BOARD 1.17.12**

Date 12.20.11

Minutes of the DRB Meeting

Members Present: Herb Rest, Chair; Lew Sorenson, Pat Jaquith, John Warren, Rick Sullivan, and Jack Lilly. All will be voting with the exception of Pat Jaquith

Also present: Mark S. Whitaker; Paul DeCarlo; Richard Marcks; Richard Holmes; Christopher Roy; Chris Garofolo; Jeff Pechulis; Michael Behn; Jim Marchionna; Bradford T. Greene; Eva F. Greene; Sam Farwell; Zeke Goodband; Charlotte Annis, Zoning Administrator.

Minutes of November 15, 2011 hearing were approved as circulated.

Herb Rest reported on communication with Maple Valley regarding not hearing from them since the June hearing. He read a letter from Christopher Dugan, Esq., counsel to MVS Associates, withdrawing application #3265. Mr. Dugan stated that MVS Associates intend to re-submit the application in the near future.

The resignation of Pat Jaquith was discussed, and the practice of moving the current alternates into full membership, giving the new members time to familiarize themselves with the Board by serving as alternates for a period of time.

Hearing of Sandri Realty, Inc. on Application #3283 continued from October opened at 7:10 p.m. Herb Rest issued the oath to those who might give testimony in the hearing.

Pat Jaquith will not participate in the vote due to her absence from the initial hearing in October. Lew Sorenson will participate as a voting member even though he, too, was not present in October. However, he testified that he has been brought up-to-date on testimony and did a site visit with Herb Rest, Chair. He was seated by consensus of those present.

Herb reviewed some of the history of the site, as to zoning permits. He then reviewed the application as submitted at the 10.18.11 hearing and concerns that were raised at that hearing.

Paul DeCarlo, Manager of Convenience Store for Sandri conducted the presentation of information from Sandri.

Jeff Pechulis with Land Development Services did an analysis of traffic operations at the site: one at current operation and a second with projected changes. The statistics he reports are based on estimates, not actual data. He reported that VTrans responded to this study, and agreed with the changes proposed. Discussion ensued, with concerns about entrance/egress of tractor trailers for diesel; the multi-uses on site, the co-mingling of pedestrian and vehicular traffic.

Signage: testified that all of the current signs, with the exception of the high Sunoco gas sign, will be removed. Nothing will be visible from I91. There will be a menu board, internally lighted, with added "wings"; entrance; no entrance. They agreed to submit a list of signs that they propose to keep.

Drive-thru: In answer to the question, 'why do they need a drive-thru vs a walk-up Dunkin Donuts?' they responded it is to meet customer demand. Discussion ensued regarding the definitions of restaurant; convenience store; drive-thru.

Products are not baked on site; they are delivered from the bakery in Westminster once a day.

They are assembled and heated on site as appropriate. Coffee is brewed on site.

They will provide a copy of the document they submitted to Act 250 addressing water source and disposal to the DRB.

Chris Roy, Atty for National Grid, and Richard Holmes, technical consultant for National Grid reported they had made requests regarding no signage to be attached to their property (poles), and provision for protection of the utility pole from contact with vehicular traffic and snowplow.

Questions from interested parties were addressed.

The Dummerston Energy Commission submitted a letter; Sam Farwell pointed out the highlights: idling is a particular concern of theirs; they also urge that the construction and operation be made as conservative of energy as possible. They interpreted the by-law as not permitting the drive-thru.

The sign plan; Vtrans permission; water/sewage information are outstanding; they agreed to get them to us within 7 days.

The public hearing was closed at 9:45 p.m.

The written decision will issue and control.

Respectfully Submitted,

Patricia Jaquith  
Clerk