

BARRE TOWN PLANNING COMMISSION MINUTES

The Town of Barre Planning Commission held their regular meeting on **Wednesday, September 20, 2017** beginning at **7:00** p.m. at the **Municipal Building**, Lower Websterville.

Members Present:

Cedric Sanborn Charlie Thygesen Sr.
Chris Violette Claire Duke
George Clain Debra Pierce

Members Absent:

Staff Present:

Emily Marineau

Others Present:

Andrew Neddo
Chris Neddo

1) CHANGES TO THE AGENDA

None.

2) APPROVAL OF MINUTES:

A motion to approve the August 16, 2017 meeting minutes by Clain, second by Thygesen. Meeting minutes approved unanimously at 7:02pm.

3) ALLOWED USE DETERMINATION (PUBLIC HEARING)

Request by Andrew Neddo (Christopher Neddo LO) for an allowed use request for a small craft distillery on property located at 77 Neddo Rd; Parcel ID: 010/035.00; Zoned Low density residential; AU-17000005

Staff Comments of Chris Violette

This is a warned public hearing for the purpose of allowed use determination in accordance with Article 2, section 2.4 (c) of the Barre Town Zoning Bylaw. The applicant is proposing a use that is not specifically allowed by permitted or conditional use in a low density residential zone.

Andrew Neddo is proposing to create a small craft distillery on land owned by his parents on the Neddo Farm. This is the same location that Chris Neddo (Andrew's father) received an allowed

use determination to operate a winery two years ago. The two uses would ultimately be somewhat related as waste from the winery will be used as part of the distillery.

Mr. Neddo states that at most up to 1,000 cases of sprits would be create at full output. He further states that most of the product will be sold offsite so that there will be no significant increase in traffic.

I would like to hear about other State and Federal permitting requirements.

The Planning Commission must use the criteria below to determine the following before the use can be allowed:

The proposed use will not alter the characteristics of the area and will not cause an undue burden on the community.

I have provided brief comments of my own based on my understanding of the proposal and knowledge of the area.

1. Emergency services:

Negligible impact expected

2. Water, sewer, or other municipal utility systems:

No impact on the municipal system this property is not connected to municipal services

3. The character of the area affected as defined by the purpose(s) of the zone within which the project is located, and specifically stated policies and standards of the municipal plan:

Character of the immediate area is farm use. The surrounding area is residential on mostly large lots. Most all residential uses not associated with the farm use are no in close proximity.

4. Traffic on roads and highways in the vicinity:

The applicant indicates that sales of the product will take place offsite so there should be little traffic generated from the proposed use other than transporting the product. He does indicate a few vehicles a month may come and go as a result of the proposed use.

5. Zoning bylaws and bylaws then in effect:

As previously mentioned, the current Zoning Bylaw has this area zoned very high density residential. Distillery's are not allowed as a permitted or

conditional use. If the Commission approves the allowed use determination, the use as proposed would be allowed to receive a change of use permit.

6. The impact on neighboring uses;

Given the location of the proposed distillery being located on the farm, it is unlikely that neighboring use will even be aware of the use. Impact is expected to be minimal.

7. Minimum lot size; The minimum lot size for this zone is 1/3 of an acre when municipal services are available.

The minimum lot size in the very high density residential zone is 2.0 acres. The subject parcel is 186 acres.

8. Off-street parking requirements in accordance with standards outlined in Article 3, Sec. 3.9 of this bylaw;

Given the limited number of expected customers, it is expected that there will be ample parking for the proposed use.

9. Loading/unloading facilities;

The applicant indicates that there are no special needs for loading and unloading.

ADDITIONAL COMMENTS:

Andrew Neddo states that he would like to start a small craft distillery to go along with the winery that is currently there. He can make grappa from the left-over grapes that they would normally put in the compost pile. He is able to grow the other ingredients on the farm that they would need to make grain spirits. Neddo states that he would hope to make 1,000 cases but that probably wouldn't happen for at least 5 years. He states that he would be selling the spirits through the liquor stores that are already regulated by the State of Vermont, he would not be selling the liquor from his location on the farm.

Sanborn asked if he would be able to sell the liquor with the wine in the same part of the building. Neddo states the winery is in the carriage house and the proposed distillery would be about 100 feet away in an old farm shed, in the future he would like to have them in the same building but separated due to States law. Neddo states that he spoke with the DLC and because he is part of both businesses he can sell both products out of the tasting room but his father wouldn't be able to because he is only an owner of the winery.

Clair questioned the States and federal regulations and permitting needed. Neddo states that he has his federal permit (TTB permit) approval in July. Chris Neddo states that the TTB controls all the alcohol. Andrew states that he put his application into the States which is pending and he came to the Planning Commission for approval. He states that it takes anywhere from 2-6 weeks to get an approval from the State and he submitted his application a week ago. Violette asked Neddo if there was any other permitting needed. Neddo states that after his State approval he will be all set.

Pierce asked if they needed to contact the Agency of Agriculture because it is a change in use from the farm. Neddo states that is a gray area because they still have the dairy farm. Neddo states that he is now licensed to be a dairy farmer but where the location of the distillery is, it is located within the 2 acres that is buildings, that is not agriculture land. Andrew Neddo states that some states are making it easier on farmers switching over to making alcohol.

Neddo states that once he starts operations he has to send a letter to the federal government and TTB. Then every month he has file reports covering his inventory; everything he has made, all materials use, all the percentages, everything he has in storage.

Clain questioned if there is a tax seal. Neddo states that the liquor goes to the ware house in Montpelier before it goes out to sale. Clain questioned how they account for the alcohol that is sold out of the distillery. Neddo states that they have to keep a record of all alcohol that is made and sold, right down to the tenth amount and the Department of Liquor Control can show up at any time to do an inspection. They will still have to pay tax on the alcohol that is sold from the distillery. Neddo states that there are 3 different forms that have to be filled out monthly.

Duke questioned how he knows how to make the alcohol. Neddo states that he has been studying, watching videos and reading books on how to make it. He explained the process on how the alcohol is made. Neddo states that the State of Vermont will come to inspect the location before he starts making the alcohol.

Clain questions what materials will be brought to the farm to help make the alcohol. Neddo states he can grow a lot of the materials right there on the farm and what he cannot grow will be brought to the farm. The farm is used to having delivery trucks come to the farm but will not be on the scale it is for the dairy.

A motion was made by Clain and seconded by Pierce to close the public hearing.

After a brief discussion amongst the board members they made a motion to approve the small craft distillery.

MOTION:

A motion was made by Duke, seconded by Clain, the Planning Commission voted unanimously to approve request by Andrew Neddo (Christopher Neddo LO) for an allowed use request for a

small craft distillery on property located at 77 Neddo Rd; Parcel ID: 010/035.00; Zoned Low density residential; AU-17000005

4) ENHANCED TECHNICAL ASSISTANCE:

The Planning Commission reviewed a few concerns they had about solar panels and how they should be decommissioned and disposed. The Planning Commission is going to be reviewing all the material over the next few months and working on the energy plan.

Sanborn also would like to ask Jim Fecteau to come in and talk about the cost of building an energy efficient house and having to meet all the requirements by Act 250. They will ask Jim to come in within the next few months to review codes and the cost of housing.

MOTION:

No motion was made by The Planning Commission. The Planning Commission will start to review the material that was provided by CVRPC and work on incorporating it into the Town Plan.

5) MISCELLANEOUS:

Sanborn states that he received a letter from Velco regarding the substation being rebuild. They will be holding a public information meeting on October 11, 2017 at 6pm.

6) FOLLOW-UP

7) CORRESPONDENCE:

8) ROUND TABLE:

9) ADJOURN:

On a motion by George Clain, seconded by Chris Violette , the Planning Commission voted unanimously to adjourn the meeting of September 20, 2017 at 8:30pm.

Respectfully Submitted,

Emily Marineau

Cedric Sanborn, Chair

Chris Violette

Charlie Thygesen Sr.

Claire Duke

George Clain

Debra Pierce

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