

DANVILLE ZONING APPLICATION

FOR ADMINISTRATIVE USE ONLY

APPLICATION# 2024-11 DATE RECEIVED: 3-12-24 FEE PAID: #65-ck#49321 3/11/24

DO NOT WRITE ABOVE THIS LINE:

Step 1: TYPE OF PERMIT REQUESTED AND FEE

*Needs to go before Development Review Board

- PERMITTED USE (\$35) SUBDIVISION (\$65) * DESIGN CONTROL (\$65) *
 CONDITIONAL USE (\$65)* VARIANCE (\$65) * WAIVER (\$65) *

Step 2: ZONING DISTRICT (choose one)

- MEDIUM DENSITY RESIDENTIAL 1 MEDIUM DENSITY RESIDENTIAL 2 VILLAGE RESIDENTIAL
 LOW DENSITY RESIDENTIAL DESIGN CONTROL OVERLAY HISTORIC NEIGHBORHOODS
 DEVELOPED SHORELAND OVERLAY ROUTE 2 CONSERVATION VILLAGE CORE

Step 3: APPLICANT/PROPERTY OWNER: (PLEASE PRINT - if more than one PROPERTY OWNER a separate sheet can be attached)

APPLICANT NAME(S): Martin J. Beattie Ent. Inc DBA Martys 1st Stop
APPLICANT'S MAILING ADDRESS: PO Box 30 Danville, VT 05828
CONTACT NUMBER: 802-535-9611 EMAIL: martys.vermont@gmail.com

Property Owner Name(s) MUST be the same as recorded on deed. If more than one, separate sheet can be added.

PROPERTY OWNER NAME(S): Martin Beattie, Catherine Beattie Trust 2003
PROPERTY OWNER'S MAILING ADDRESS: 424 Rt 2 E. Danville, VT 05828
CONTACT NUMBER: 802-535-9611 EMAIL: (same)

Step 4: PHYSICAL LOCATION OF PROJECT PROPERTY (911 ADDRESS):

421 Rt 2 Danville

Parcel ID# U1E002-018-000 DEED: BOOK# 154⁺¹⁰⁸ PAGE# 182-132

IS PROPERTY ON TOWN WATER AND/OR SEWER? YES NO

Step 5: DESCRIPTION OF PROJECT AND ESTIMATED DATE OF COMPLETION

Addition To existing bld. + added parking

Step 6: LOT SIZE & SETBACKS: (Distance from new construction and lot lines)

LOT SIZE: 3.818 (ACRES) LOT WIDTH: _____

FRONT: _____ FT. SETBACKS REAR: _____ FT.
(from center of road)

RIGHT SIDE: _____ FT. LEFT SIDE: _____ FT.

Step 7: PLEASE ATTACH ONE COPY OF ALL SITE AND PLOT PLANS

- Copy must include: Site & design of building
- Height of building and landscaping design
- If in Design Control Overlay District: exterior design & exterior materials used

Step 8: ADJOINING LAND OWNER INFORMATION. Provide NAME of ALL adjoining landowners. ONLY required if going to a DRB Hearing (Conditional Use, Variance, Subdivision, Waiver, and Design Control Applications)

NAME _____

Step 9: SIGNATURE

By signing below, I/We hereby certify that, to the best of my/our knowledge, all of the above is a true representation of the facts related to this proposed project. I/We also hereby request a Hearing before the Development Review Board if application is for a Conditional Use, Variance, Subdivision or Design Control.

Applicant Monty Beattie Date: 3/11/24

SIGNATURE OF ALL PROPERTY OWNERS REQUIRED (If additional lines required, a separate piece of paper can be added)

Property Owner Matthew Beattie Trust Catherine Beattie Date: 3/11/24

FOR ADMINISTRATIVE USE ONLY

ZONING ADMINISTRATIVE OFFICER ACTION:

APPROVED DENIED REFERRED TO DRB (DEVELOPMENT REVIEW BOARD)

*Note: All applications for CONDITIONAL USE, DESIGN CONTROL, SUBDIVISION, WAIVER and VARIANCE will automatically be DENIED pending a decision by the DRB at a hearing.

Alvin King ADMINISTRATIVE OFFICER'S SIGNATURE DATE: 3/19/24

DATE OF APPROVAL OR DENIAL BY DEVELOPMENT REVIEW BOARD: _____

DATE POSTED: _____ DATE WARNED: _____

HEARING DATE: _____ FINAL APPEAL DATE: _____

Danville's Required Form for Application/Waiver:

FOR ADMINISTRATIVE USE ONLY

APPLICATION# 2024-11 DATE RECEIVED: 3/2/24 FEE PAID: \$65

DO NOT WRITE ABOVE THIS LINE:

Step 1: TYPE OF PERMIT REQUESTED AND FEE *Needs to go before Development Review Board

PERMITTED USE (\$35) SUBDIVISION (\$65) * DESIGN CONTROL (\$65) *

CONDITIONAL USE (\$65)* VARIANCE (\$65) * X **WAIVER (\$65) ***

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LOW DENSITY RESIDENTIAL DESIGN CONTROL OVERLAY HISTORIC NEIGHBORHOODS

DEVELOPED SHORELAND OVERLAY **ROUTE 2** CONSERVATION VILLAGE CORE

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APPLICANT NAME(S): Martin J. Beattie Ent. Inc., DBA Marty's 1st Stop

APPLICANT'S MAILING ADDRESS: _PO Box 30 Danville, VT 05828

CONTACT NUMBER: _802.535.9611 _____

EMAIL: martys.vermont@gmail.com _____

Property Owner Name(s) MUST be the same as recorded on deed. If more than one, separate sheet can be added.

PROPERTY OWNER NAME(S): Martin Beattie, Catherine Beattie Trust 2003

PROPERTY OWNER'S MAILING ADDRESS: 424 Route 2 E Danville VT 05828

CONTACT NUMBER: 802.535.9611 _____

EMAIL: martys.vermont@gmail.com _____

Step 4: PHYSICAL LOCATION OF PROJECT PROPERTY (911 ADDRESS):

421 Route 2 East Danville VT 05828

Parcel ID# UE002-018-000 ____ DEED: BOOK# _154 and 108 PAGE#182 and 132

IS PROPERTY ON TOWN WATER AND/OR SEWER? YES

Step 5: DESCRIPTION OF PROJECT AND ESTIMATED DATE OF COMPLETION - *End of year*

_Expansion of existing grocery store from 12,585 sq. ft. to 22,927 sq. ft.

2025

FOR ADMINISTRATIVE USE ONLY

APPLICATION# _____ DATE RECEIVED: _____ FEE PAID: _____

Step 6: LOT SIZE & SETBACKS: (Distance from new construction and lot lines)

LOT SIZE: _____ (ACRES) LOT WIDTH: _____

SETBACKS

FRONT: _____ FT. REAR: _____ FT.

(from center of road)

RIGHT SIDE: _____ FT. LEFT SIDE: _____ FT.

Step 7: PLEASE ATTACH ONE COPY OF ALL SITE AND PLOT PLANS

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required if going to a DRB Hearing (Conditional Use, Variance, Subdivision, Waiver, and Design Control Applications)

NAME _____

Step 9: SIGNATURE

By signing below, I/We hereby certify that, to the best of my/our knowledge, all of the above is a true

representation of the facts related to this proposed project. I/We also hereby request a Hearing before the

Development Review Board if application is for a Conditional Use, Variance, Subdivision or Design Control.

Applicant MARTIN BEATTIE TRUST & CATHERINE BEATTIE TRUST Date: 3/11/24

SIGNATURE OF ALL PROPERTY OWNERS REQUIRED (If additional lines required, a separate piece of paper can be added)

Property Owner Marty Beattie Date: 3/11/24

FOR ADMINISTRATIVE USE ONLY

ZONING ADMINISTRATIVE OFFICER ACTION:

APPROVED DENIED REFERRED TO DRB (DEVELOPMENT REVIEW BOARD)

*Note. All applications for ~~CONDITIONAL USE, DESIGN CONTROL, SUBDIVISION, WAIVER~~ and

VARIANCE will automatically be DENIED pending a decision by the DRB at a hearing.

[Signature] 3/12/24

ADMINISTRATIVE OFFICER'S SIGNATURE DATE

DATE OF APPROVAL OR DENIAL BY DEVELOPMENT REVIEW BOARD: _____

DATE POSTED: _____ DATE WARNED: _____

HEARING DATE: _____ FINAL APPEAL DATE: _____

Marty's 1st Stop Conditional Use Criteria Addressed:

Capacity of existing or planned community facilities and services:

- The proposed project will not have any undue adverse impact on existing or planned community facilities and services.
- The project is a facility expansion and not a new project/development. As such, impacts on community facilities and services are already being accommodated within the community services network. We do not anticipate such a significant increase in our demand for services such that they cannot continue to be accommodated by the town.

Character of the area affected:

- Marty's was originally designed, and has once been redesigned, to "fit in" with and "not alter" the essential character of the area. Our design goals for this proposed expansion remain the same.
- Further, we believe this proposed expansion will remain consistent with the "long-range intent of our zoning district's stated mission to attract a critical mass of local businesses and community facilities that, together, establish Danville Village as a "full service" village that provides for the daily needs of its residents within easy walking distance of most of the village's residential neighborhoods." This is our goal too.
- Attached are elevations and perspectives that provide a visual sense of the building addition. There is no expansion of the existing developed area as the addition sits to the rear of the property on existing loading/storage/operations area.

Traffic on roads and highways in the vicinity:

- We will not proceed with construction without a project “sign off” from VTrans. Should VTrans request that we provide an updated trip generation analysis, a copy of that analysis will be provided to the town.
- Our Route 2 access, site distances and traffic volume are all in good shape. Route 2, by all measures, can absorb the increase in traffic resulting from the increase in building square footage.
- Pedestrian access from Village to Marty’s continues via existing sidewalk.

Bylaws and ordinances then in effect:

- The proposed project is in keeping with the Town Bylaws and Ordinances except for the Waiver Request (presented herein) for the increase in our building footprint.
- Our waiver request covers this point in more detail.

Utilization of renewable energy resources:

- The proposed project will not inhibit the use of, or access to, the utilization of renewable energy resources.

Additional Considerations under Section 806 of the Bylaws:

a) Maximum safety of vehicular circulation between the site and public roads,

- We have worked with our architects and engineers to make sure our building addition fits the site. It occupies areas previously developed for a loading area and other uses, to the rear of our existing building. The parking lot and existing impervious areas were able to accommodate the required 70 parking spaces with room for more if required. The

circulation plan seems well suited to the site, and we expect it will provide a safe parking and access experience similar to the present one. We worked with our service trucking companies to make sure that the delivery truck patterns, based upon actual truck length, continue to work well and safely. The existing ingress and egress are working smoothly and can accommodate the anticipated growth in traffic. We don't anticipate triggering the need for a new traffic study. Our safety record is good, site distances are very good, and ingress and egress continue to operate well. We will have VTrans review and "sign off" on plan changes. We do not anticipate the need for a new traffic study but are happy to provide such if required.

b) Adequacy of circulation, parking and loading facilities with particular attention to safety,

- As the site plan illustrates, the new building fits, the parking count works, and the delivery truck patterns work. We have received information from our suppliers on anticipated truck size and the interface between truck loading, truck ingress and egress and vehicular parking and circulation works well without expanding impervious surfaces.

c) Adequacy of landscaping, screening, and setbacks regarding achieving maximum compatibility and protection of adjacent property,

- Existing landscaping and screening will remain unchanged as our addition will occur to the rear of the existing building on existing developed surfaces. The elevation and perspectives of the proposed addition and addition parking reflect that the visual impact of Marty's will remain much as it is today.

d) Exterior lighting:

- Exterior lighting will stay, essentially, unchanged. We don't yet have building signs finalized but they will be much like that shown in our renderings and will not be internally lit.

e) Size and location of signs,

- The size and location of signs will remain the same. As mentioned above, we don't have the final design for building signs, but they will not be internally lit.

f) Erosion and sedimentation control,

- As part of our contract with any/all future site developers/contractors we will require that appropriate erosion control plans be prepared and implemented in accordance with State regulations/requirements. Our site is flat and will not pose unusual erosion control challenges.

g) Snow removal,

- Snow removal will continue to be handled as it has been. There will be no expansion of impervious surface areas and we will continue to be enough room to plow and store snow on-site.

h) Trash and Dumpster location,

- As shown on the project site plan, trash and dumpster location will be to the rear of the new addition and away from view of the public and Route 2.

Note on Parking:

- Parking will be increased from 44 spaces to 70. 33 of those existing spaces will be saved and 37 new spaces added. 1 parking space for every 300 sq feet of retail (grocery store) space is required. No new impervious surface is being added to the site to accommodate additional parking.

Note on proposed building design:

- Our general view in designing the proposed addition was simply to follow the lines and style of the existing Marty's. However, working with our architects we found that adding a second story and breaking up a longer one-story roofline yielded the visual appearance we wanted. We get the benefit of more space without the visual impact of a larger building.
- The design follows the characteristics of the existing building and is sited toward the rear (north end) of the property. The existing landmark porch has been continued in the existing building face which lowers the scale and maintains a consistent appearance. The two-story portion of the building is the connection point between the existing store and the new addition. It serves as a visual marker for the main entrance to the facility. The upper-level office oversees the checkout aisles, as well as the new and existing sales areas. Exterior materials are anticipated to be clapboard siding and trim consistent with the neighboring buildings and the existing store.

Marty's 1st Stop Facility Expansion Request Narrative

Application for Zoning Waiver:

Marty's 1st Stop is applying to the Town of Danville for a zoning permit that would, if granted, allow expansion to both the size of the present facility and the area dedicated to parking. Our application includes a waiver request to Section 513.3(c) for "maximum allowed building footprint" for a "grocery store" (15,000 sq ft). Our proposed project seeks to expand our existing store to better meet customer, employee and community needs. The project also proposes an increase in parking. All the proposed improvements are planned to be accommodated on the same lot that hosts our existing business and within the limits of existing developed areas (no increase in impervious surfaces).

Compliance with Waiver Requirements outlined in Zoning Bylaws:

Section 304: Waivers 304.1 A waiver is a request to deviate from a specific dimensional requirement. A single permit application may contain one or more waiver requests.

304.2 General Conditions for a Waiver. The applicant must demonstrate for each requested waiver:

- a) that the waiver, if authorized, shall not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the lawful use or development of adjacent property, reduce access to renewable energy sources, or be detrimental to the environment or public safety; and
- b) that the waiver, if authorized, will represent the minimum waiver necessary to afford relief and will represent the least deviation possible

from these bylaws and the goals and recommendations of the Danville Town Plan.

Compatibility with subsection (a) Conditions for granting a waiver:

Applicants submit this request for a waiver, believing that our proposed facility expansion will not alter the “essential character of the neighborhood or district” in which we will continue to do business.

While precisely articulating “the essential character” of an area can be difficult, Danville’s zoning ordinance offers guidance stating that the Route 2 District includes “development along the eastern and western gateways to Danville Village (that) is compatible with the historic character and scale of the village and enhances the viability of existing village businesses.” The ordinance also encourages that development within the Route 2 District should be “sited and designed so as to complement and enhance the visual character of the village core, to create a pedestrian-friendly environment that encourages walking from one business (and district) to the next, and to extend and replicate the efficient patterns of land use that are typical of the historic Village Core.”

Marty’s was originally designed, and has once been redesigned, to “fit in” with and “not alter” the essential character of the area. Our design goals for this proposed expansion remain the same.

Further, we believe this proposed expansion will remain consistent with the “long-range intent of our zoning district’s stated mission to attract a critical mass of local businesses and community facilities that, together, establish Danville Village as a “full service” village that provides for the daily needs of its residents within easy walking distance of most of the village’s residential neighborhoods.” This is our goal too.

We are aware of the role we play in our community. We are about as “local” and “home grown” a business as one can be. And, perhaps because of that, there is a synergy that exists between Marty’s and the community that is unique. We are looking to the future too. We know we are a meaningful part of that “critical mass of local businesses and community facilities” that will continue to well and better meet evolving community needs. We believe our proposed expansion is designed with the “long-range” interests of the community in mind. We hope and expect this expansion will promote appropriate expansion from the core village area to the east along Route 2, in keeping with the Town goals.

We do not envision any impairment to the lawful use or development of adjacent property that might be caused by our proposed facility expansion. The project as proposed will not impact or reduce access to renewable energy sources, be detrimental to the environment or to public safety.

We have worked with our engineering and design consultants to minimize the impact of our project on the environment. To the best of our ability, any potential impacts will be fully addressed through this and other state permitting processes.

While our building roof area will increase, it will be expanded within an area of existing improvements, and we have been able to add new parking (total of 70 spaces) within existing developed or existing impervious areas. We have also avoided the need to increase the square footage of existing, at-grade impervious surfaces (1.93 acres total).

The design follows the characteristics of the existing building and is sited toward the rear (north end) of the property. The existing landmark porch has been continued in the existing building face which lowers the scale and maintains a consistent appearance. The two-story portion of the building is

the connection point between the existing store and the new addition. It serves as a visual marker for the main entrance to the facility. The upper-level office oversees the checkout aisles, as well as the new and existing sales areas.

Exterior materials are anticipated to be clapboard siding and trim consistent with the neighboring buildings and the existing store.

Regarding public safety, we have sufficient room to accommodate safe and efficient parking, we have no need for any additional curb cuts along Route 2 and we will continue to enjoy the same traffic/site-distance, visibility, turn lanes and “good” traffic flow that Route 2 has always afforded. A project “sign-off” will be received from VTrans.

In terms of environmental and energy usage impacts, all the store’s heating/cooling and refrigeration systems will be upgraded to meet advanced standards. From an energy usage and environmental standard perspective, all the system upgrades will meet or exceed updated code and standards.

The addition will be constructed to meet or exceed the Vermont Commercial Energy code. The exterior building envelope will include air barriers, air sealing and insulation to provide a thermally tight and energy efficient structure.

The project will not have any new impacts on the environment as we will not expand the current existing developed area. Further, stormwater management and treatment practices will be introduced for the areas to be redeveloped, in accordance with State regulations. Increases in water use will be accommodated via the drilled well water supply and increases in sewer use is planned to be accommodated by the Town’s wastewater treatment system.

Along with this application narrative, we are submitting copies of our draft site plan providing details on the proposed facility expansion, parking, and

impervious surfaces and related calculations. We are available to meet and fully discuss our plans and answer other questions you may have.

Compatibility with subsection (b) Conditions for granting a waiver.

Regarding subsection (b), applicants respectfully submit that our request for a waiver as presented represents the minimum waiver necessary to afford relief and will represent the least deviation possible from the bylaws and the goals and recommendations of the Danville Town Plan.

Genesis and background on request for a waiver:

Customer demand for the services Marty's 1st Stop provides grows every year. In our busiest moments, it is not unusual to feel like we can't fit another person in the store. Among owners and staff who share tight quarters in all our workstations, there has been a growing awareness that we have been on the verge of "busting at the seams".

When we began weighing options as to how best to keep pace with growing demand, we first explored reconfiguration of the existing footprint that could accommodate upgrades to heating/cooling and refrigeration systems. In considering the need to create more efficient work areas for staff, as well as a better shopping experience for customers, it was difficult to see how fixing one problem did not create another.

Accomplishing all our goals within the existing footprint felt like wishful thinking. At the suggestion of our Associated Grocers of New England advisors, we hired a market analysis group (WGS Consulting LLC) to help quantify where we are in terms of demand and delivery of services. The significant finding of the WGS Analysis confirmed what we were feeling. We are, in fact, "busting at the seams".

The principal measure of operational strain considers the "weekly sales per square foot average". According to Bill Snow who conducted and published the market study, brick and mortar grocery stores with average weekly sales of

around \$10.00 per square foot should start considering operational/layout/footprint adjustments, particularly in cases where the strain on customers and employees is already apparent.

The study determined that Marty's 1st Stop is already over a weekly sales average of \$15.00 per square foot. Even if Marty's stopped growing today and our only challenge was to adequately accommodate the demand for services we face today, we would need to expand. However, we know that demand for the services we provide to Danville and our expanding region will grow and planning for continued growth seems prudent. There is a growing awareness of the economic, environmental, lifestyle and recreational advantages of our region.

The Danville Town Plan speaks to that awareness and so much of the function of planning, for the town and for Marty's, is to be ready to meet the growth we know is coming.

In the face of our ongoing operational experience and the new information gained through our recent market study, we have concluded that we either grow our service capacity or risk the very customer and employee experience that fuels success.

We feel strongly that the proposed facility expansion is needed and timely. We also believe the expansion will serve our community, our customers and our employees well.

Compatibility with Danville Town Plan:

The Danville Town Plan outlines overall community goals for achieving economic growth while retaining our rural landscape and heritage. We believe our proposed expansion of Marty's will be wholly consistent with the community, economic and environmental goals set forth in our Town Plan. We support the Plan as well as the role of the zoning bylaws as a means of

achieving Plan goals. The zoning bylaws recognize that there will be cases where a waiver from a specific standard may be appropriate.

The waiver our proposed building expansion requires, we believe, is reasonable and appropriate given the advantages of re-permitting an existing business, on an existing lot, with known impacts and a proven track record of meeting a range of community needs.

Compliance with the goals of Section III of the Danville Town Plan (Jobs and Economic Development):

Danville's zoning bylaws are crafted with an eye toward enacting the vision and goals of the Town Plan. Section III of the Town Plan lays out a "new role for Danville", recognizing that "the rural environment featuring scenic vistas of mountains and rolling fields, historical village settings, commercial businesses, and community spirit is proving an asset to those who live here, visit, or start a business.

The Town Plan makes the point that the life we enjoy here must be protected, not just for its environmental and community value but for its economic value. Danville's quality of life is also Danville's key asset. It's why we live here and why so many come to visit. Sustaining, "community, our unique character and our town's history" is a primary goal.

The challenge as outlined in the Town Plan is to curtail "random development that can negatively affect property values and municipal resources and permanently detract from the rural character of the Town." The Town Plan talks about a "sense of place" where planned, economic development adds to the "quality of life" rather than detracts.

We believe that the proposed expansion of Marty's 1st Stop meets the primary goals of our Town Plan. Our project will not add to sprawl, will not compromise a scenic vista or view, it will not diminish community. In fact, the expectation is that our project will put both Marty's and our community in a better position to meet the challenges ahead. Expansion of our facility will increase jobs, support increased tourism, expand our ability to partner with

other local businesses and farms and will not place unreasonable new demands on existing infrastructure.

We value the role that we play in the community, and we look forward to the future. We have designed our building expansion to “fit in” with how we have looked historically. We are not developing new land, we are already well-situated traffic-wise, we don’t need additional curb cuts, and we don’t have any plans to change the essential nature of what we do presently. The proposed expansion, we believe, is necessary to keep doing what we have been doing, only better, more efficiently and with an eye toward the future of Danville and the region.

We don’t believe that there will be a dramatic change in terms of overall visual aesthetics. It will be a large addition but designed to match the current building and conform to the existing lot. It is also designed to match the expanding role we play here in Danville and meet the growing needs of our immediate region. We know that for many who live here or come to visit, a trip to Marty’s is a part of that “quality of life” that is unique to Danville.

Growing the building footprint is, in our view, necessary to continue to deliver service on a human scale. Marty’s will remain a uniquely Vermont experience. Our goals include more elbow room, less waiting, expanded choices, better and more efficient employee workstations and more ability to feature and promote other, locally grown businesses like ours. We appreciate that our success is fueled by the same “community assets” our Town Plan is designed to protect.

Compatibility with the Lamoille Valley Rail Trail and Implications for the future:

Section III of the Town Plan discusses the impact of the LVRT and Danville’s investment in restoration of the railroad depot station noting that; “Danville needs to be pro-active in balancing economic growth with quality of life”.

The social, economic, recreational and lifestyle choices that have contributed to the growth of the region are projected to continue. A recent study

(circulated by NVDA) of the 38 miles of trail on either side of Danville found that the LVRT “has the potential to generate up to \$4.7 million in total annual sales activity in Caledonia County and beyond. The LVRT is an economic engine that will eventually attract visitors from all over the country. Danville is central to the section of trail considered in the study and will undoubtedly experience the economic benefits and challenges of increased tourism. And... our visitors will be hoping to find lunch, gas and groceries.

While it is impossible to predict the future, we believe that our region is only going to get more attention, more visitors and more demand for the services Marty’s is being re-designed to better deliver. We believe our project is wholly compatible with the Town Plan goal of “being proactive in balancing economic growth with quality of life”.

