

Town of Danville, Development Review Board
Permit 2024-71, Amended to Permit 2024-11

Applicant: Martin J Beattie Ent, Inc. DBA Marty's First Stop

Site: UEO2-018.000, 421 Rt 2 East, Danville VT 05828

Zoning District: Rt-2 District.

Project Description: Applicant seeks to amend the original permit, 2024-11, to convert the prior on-grade loading area to store space. This will create one additional ADA parking space. This amendment will require a waiver to increase the approved building footprint by approximately 500 sf.

Warning: 21 October 2024 (Caledonia Record).

Hearing Date: 06 November 2024.

Development Review Board Members Present: Mickey Bullock, Brian Henderson (Chair), Terry Hoffer, Wes Standish.

Development Review Board Members Absent: Bob Magro, Craig Morris, Bruce Palmer, Larry Rossi.

Interested Parties Present: Lindsey Beattie (Applicant), Dennis Marquise (Zoning Administrator), Greg Prior,

Correspondence from Interested Parties: None.

Disclosure of Conflict of Interest: None

Disclosure of *Ex Parté* Communication: None by board.

Applicable Bylaws:

This application requires a review by the DRB under the following section of the Danville Bylaws:

Sec 304, page 18, Waivers

Findings of Fact:

Applicant's response follows in bold italics (From prior hearing).

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;

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.

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.

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.

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.

Summary of Discussion:

Lindsey Beattie stated that while they were working up the interior design, the additional entrance by the at-grade loading area was a security concern. They would like to eliminate this additional entrance and convert this delivery area into store space, housing the produce department. The at-grade delivery would move beyond the freight docks, to the door on the right end of the building. This would necessitate moving the dumpsters back several feet. She noted that the at-grade deliveries only happen about four times per week and are done by a small truck. This revision will increase the building footprint by about 510 SF while also yielding an additional ADA parking space at the front of the store. She added that the entire project is still waiting for Act 250 comments and that there may consequently be further revisions. This amendment will require an additional waiver from the DRB.

Decision and Conditions:

While in Public Session, Terry Hoffer motioned to approve a waiver for an additional increase in the building footprint as submitted. The motion was seconded by Wes Standish. With four affirmative votes for the seven-member board, and with no objections, the motion passed.

An approved permit will be issued once the above conditions are met and the 30-day appeal period has passed, pending any appeals.

Signed:

Brian F Henderson

Brian Henderson, Chair, Danville Development Review Board

Date of Decision: 06 November 2024

Final Appeal Date: 06 December 2024

NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings (in person or in writing) before the Development Review Board. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.