

Conditional Use Hearing and Site Plan Review
Town of Greensboro
Shaun Hill/ Hill Farmstead Brewery
January 16, 2013

To consider a conditional use application by Shaun Hill for the Hill Farmstead Brewery located at 403 Hill Rd. The conditional use application is for signs which are larger than the permitted 2 square feet, the commercial use of the current building and its proposed expansion, and a proposed new building. The site plan review is for the commercial aspect of the business.

It requires a review by the Zoning Board under the following sections of the Greensboro Zoning By-Laws: 2.6 Rural Lands District, 3.10 Structures and Uses per Lot, 4.4 Site Plan Review for Commercial Use and 5.4 Conditional Uses. The site plan review by the Planning Commission will address 4.4 (B & C a – e) in the Greensboro Zoning By-Laws.

Warnings were posted at the Town Hall, the Greensboro Post Office and the Greensboro Bend Post Office on December 12, 2012. The amended warnings were posted on December 22, 2012. On December 12, 2012, the warning was sent to the applicant and land owners, Shaun and Darren Hill; and the following abutters: Dale Hall; David Massey; Jefferson and Jacquelyn Tolman; James, Charlene, and Jonathon Ramsey; Brian and Denise Hill; Nancy Hill; Sharon Hill; Charles and Rosanna Jaffin; Donald Maynard; and the Nature Conservancy. The amended warning was sent to the above abutters and applicant/land owners on December 26, 2012. The amended warning was published in the Hardwick Gazette on Wednesday, December 26, 2012.

Zoning Board members present: Bud Harvey, Nat Smith, Linda Romans, Janet Travers, Jane Woodruff and Wayne Young

Planning Commission members present: Phil Gray, Linda Romans (on both boards), Willie Smith, and Mark Snyder

Others present: Shaun Hill, applicant; Kristen Leahy, zoning administrator; see sign-in sheet for others

During the course of the hearing the following exhibits were submitted:

1. Letter from Clara Massey, abutter
2. Letter from Maureen Mitchell, Greensboro summer resident
3. Letter from Joseph Tucker, interested person from California

These exhibits are available at the Greensboro Town Clerk's office.

Summary of Discussion

Ms. Woodruff opened the hearing at 7:08. She noted that the hearing was semi-judicial, explained the procedure for the hearing, and swore in all who were planning to speak at the hearing.

Ms. Woodruff then asked Mr. Hill to present his proposed plan for the expansion of the brewery, beginning with a brief historical background. The brewery is located on a 99+ acre farm that has been in the family for many generations. Creating beer was the vehicle he decided to use to enable him to spend the rest of his life in Greensboro. Mr. Hill stated that the first beer was brewed there in March of 2010. Since 2010, the brewery has grown in acclaim, but not in physical size and is now in need of expansion to accommodate the growth.

In phase 1 of the expansion, Mr. Hill plans to build an addition to the Western side of the present structure to house products and supplies. He also has plans for an addition to the Eastern side for packaging and to provide a larger retail space and a better place for interacting with customers. These buildings will have improved signage and more external lighting would be added to the buildings and parking area. The parking area itself would be expanded from the present 16 spaces to 36 spaces so cars wouldn't have to be parked on the side of the road. Mr. Hill is working with Elmore Roots to plant heritage apple trees and berry bushes which would add to the landscaping and provide fruit to be used in the beers he makes.

In phase 2, Mr. Hill envisions adding a 50' x 100' building for aging and barrel storage. This building may be free-standing or attached to the other buildings. Much of the brewery's storage is now in Hardwick and must be trucked to the brewery several times a week. Mr. Hill thinks this addition will cut down on the number of trucks coming to the brewery because he can store more products at the facility. A 30' by 60' tasting room and retail shop may also be added with bathroom facilities for employees and the public. Mr. Hill added that he has never

advertised, but if more people come to visit the brewery, they will have more space. The brewery now has three full-time employees and Mr. Hill can envision the possibility of hiring another one in the next year. If additional barrel storage is added, another full-time job may be added.

Ms. Woodruff opened the hearing for questions from board members. From these questions it was learned that though there are many ways to get to the brewery, many people from out of town take Route 16 to Taylor Rd. Mr. Hill feels that this would probably be the extent of the expansion. This proposed plan would allow the brewery to approximately double its production and Mr. Hill is not interested in further expansion. Most of the farm's land is conserved through the Vermont Land Trust and they are supportive of this expansion. Traffic on the rural roads is a problem which may be self-regulating as some people go to other breweries which are opening up, but self-selling is the most profitable way to distribute a product. The brewery is open from 12:00 noon to 5:00 PM Wednesday through Saturday, but closing time may be increased in summer to 6:00. The tasting room in phase 2 is separate and not part of the 50' x 100' storage building. The main sign would not need to be lighted after hours from 5:00PM to 10:00PM as stated in the site plan review. The brewery presently holds three special events during the summer; the anniversary party on Memorial Day weekend, the Farmhouse Ales festival in August, and the fall harvest festival on the last weekend of September. Brewers are not allowed to direct ship in Vermont. They must go through a wholesaler. Mr. Hill is working with another small brewer to petition the legislature to allow beer to be shipped as they do wine. If people could order beer through the website and not have to buy it at the brewery, it may help alleviate some traffic on the road. Landscaping, other than the orchard and berries is being considered, but not in the planning stages. For safety, six LED motion lights are planned for after-hours operation. Mr. Hill would like to install low lighting in the parking area, but he is not quite sure how he can do that and still be able to plow. However, there is a need to have some kind of gentle lighting in the parking area for safety. Mr. Hill is looking into solar or wind generators and is talking to Peter Gebbie and Jasper Hill farm to see if they would take the by-products from the brewing to process in their generators. Mr. Hill has an indirect discharge permit from the State to spread the waste water from the brewery on some of the farm's land.

Ms. Woodruff then read three letters from interested persons. Clara Massey, an abutter, wrote that she strongly supported Mr. Hill in bringing a new business to Greensboro. Maureen Mitchell, longtime summer resident of Greensboro, felt the brewery was an asset to the community and the town was the beneficiary of its operation. She feels that the proposed expansion and improvements are reasonable and consistent with the by-laws. Joseph Tucker, an interested party from California, wrote in favor of the proposed expansion. He stated that small breweries like this typically do not strive for aggressive growth, but rather seek expansion to better serve their customers and improve product quality.

Ms. Woodruff then opened the floor for questions or comments from those who attended the hearing.

Rick Binet, owner of a pub in Waterbury, spoke in favor of the proposal. He feels that the brewery has an economic impact that goes far beyond Greensboro. Mr. Hill is outstanding in the beer brewing business, and selling Hill Farmstead beer is an attraction for many of Mr. Binet's out-of-state customers.

Taylor Cocalis-Suarez spoke in favor of the proposal. She works in the field of local foods and feels that Mr. Hill is an asset to the local food and product movement and will continue to have people visit his brewery.

Jon Ramsey, an abutter, raises Black Angus and chickens for sale. He works for the Vermont Land Trust in the field of creating rural businesses with add on value. It's a way to keep people looking for unique, high quality products excited about Vermont. He is in favor of the brewery as a rural business.

Jackie Tolman lives on the corner of Town Highway 8 and Hill Rd. and is in favor of the Hill Farmstead Brewery. She says that Mr. Hill is a conscientious neighbor and contacts them when a special event is planned. She is happy that in this proposal Mr. Hill is trying to manage the parking on the road and feels that he is trustworthy and will do what he says.

Dave Spear, from Boston, is in favor of the proposed expansion. He often comes to Greensboro to stay for a few days to visit the brewery and has come to like the town of Greensboro. As an outsider he has seen more things closing in Vermont than opening and feels that Mr. Hill should be commended for bucking the trend and creating a good rural based business that attracts people from all over.

Mateo Kehler owns Jasper Hill Cheese Cellars in Greensboro. He feels that Mr. Hill should be commended for starting a viable business that makes a mark on the world. Small rural towns like Greensboro need new businesses like the brewery to attract young people to live and raise their children in the area.

Mary McGrath lives on Town Highway 8. She asked Mr. Hill if he was thinking of expanding the brewery's hours to six hours, six days a week. He said yes he was considering it. Then Mary spoke of how much she likes and respects Mr. Hill and that eight years ago she and her husband collaborated with Mr. Hill and another family to place conservation easements on their lands to maintain the rural character of the area and create a wildlife corridor between the Barr Hill Nature Preserve and Long Pond. She and her husband feel betrayed by this proposal because it seems to negatively affect the rural values they hoped to protect. They feel Mr. Hill's commercial business which focuses on retail sales generates a large amount of traffic which she feels undermines their quality of life. She thinks the stated purpose of the Town Plan is to promote development in and around the two villages and preserve the rural character of the outlying land.

Warren Hill III lives on Hillcrest Rd. and feels that his questions and concerns were answered at the hearing but he still has concerns about the traffic. Many people stop to ask directions, both at his house and even at his business in East Hardwick. He wonders if there is a way to put up better signage so people don't stop at his house. Mr. Hill replied that traffic is going to increase whether or not this expansion is permitted and State law prohibits roadside signs.

Chad Rich owns a restaurant in Waterbury. He feels that local businesses like this should be supported.

Brent McCoy lives on Taylor Rd. and has noticed the increase in traffic. This expansion is a way to support responsible and reasonable development in the Northeast Kingdom. It is not a multi-million dollar mega-expansion as seen in other towns.

Clive Gray asked how much of the farm's 99 acres were conserved with the Vermont Land Trust, if the brewery buildings and house are on what is called the homestead portion of the land, and if Mr. Hill received explicit approval from the Vermont Land Trust for this proposal. Mr. Hill answered that 95 acres were conserved with the Land Trust with four acres kept back for the house and barns and he has received approval from the Land Trust for this proposal.

Federico Viconi stated that many more people were at this hearing than at the first hearing where only he and one other person other than the Zoning Board attended. This shows how much the brewery, and its reputation has grown in these few years. He felt that Mr. Hill was a good man to have in town.

Mark McGrath lives on Town Highway 8. Mr. McGrath stated that he felt Mr. Hill was a fine young man but wished he could develop his business so it didn't involve thousands of cars driving on the rural roads to the brewery. He feels that the traffic changes the nature of rural living and destroys his rural way of life. Then he asked if Mr. Hill would want the retail business to stay the same even if he could do mail order business? Mr. Hill said that he couldn't make any promises and they don't advertise now.

Rob Hurst from Willey's store is in favor of Mr. Hill's expansion. Any business that draws people here also provides customers for Willey's store. He will put up maps near the gas pumps that will help people find both the brewery and Jasper Hill cheese cellars so they don't have to stop at resident's homes to ask for directions.

Rod Kerr lives on Town Highway 8 and he and his wife have a rental house in the area. He reminded those there that the money from the visitors to the brewery trickles down to other businesses and residents.

As there were no other people who wanted to speak, Ms. Woodruff ended the public part of the meeting and the Boards went into deliberative session at 8:53. They came into public session at 9:57 to announce their decisions.

Planning Commission Findings

The Planning Commission considered the criteria in 4.4 B & C2 a - e of the Greensboro By-Laws and based on the application and the evidence presented makes the following findings:

4.4 B) All maps and locations on the site map were provided.

C) 2a) adequate parking, traffic access and provisions for pedestrians and vehicles has been addressed in this plan.

b) landscaping is being addressed through plantings of berries and enlargement of the orchard. Other plantings in the area are being considered.

c) solar panels and a wind turbine are being considered and talks about the use of their by-products for the production of electricity in local generating facilities are in progress. They have a State permit for indirect waste water discharge on selected fields on their farm.

d) lighting for safety will be provided by motion lights and gentle, low lighting for parking areas.

e) there is a plan to provide appropriate signage on the site

Decision

Based on these findings the Planning Commission voted unanimously to approve the site plan as presented.

Zoning Board Findings

The Zoning Board considered the general and specific criteria for conditional uses in the Greensboro Zoning By-Laws (5.4 Conditional Uses, pg.27) and based on the application, evidence, and exhibits presented, the Zoning Board of Adjustment makes the following findings:

5.4 B) The proposed expansion and new storage building/retail space would not have an adverse effect on:

1. existing or planned community facilities. There is room for this expansion of facilities on the farm's 99+ acres.

2. the character of the area affected. The design of the proposed buildings is in keeping with the character of the rural district, and the proposal meets the economic development goals A 1 – 5 on pg.48 of the Town Plan.

3. traffic in the vicinity. While there is increased traffic in the vicinity, the Board found that it would not have an undue adverse effect on the roads in the area.

4. the by-laws and ordinances presently in effect.

5. the utilization of renewable energy resources.

C) Specific Standards:

1. The lot is large and easily meets the minimum lot size. Mr. Hill owns 99+ acres which is enough to support building the secondary structures.

2. All proposed additions and buildings meet the setback requirements from all lot lines.

3. No fencing or landscaping is required for screening. However, the orchard, berries and other plantings will help soften and screen some areas.

4. No signs will be over 6 square feet, be lit internally or after retail hours. Their design will be in keeping with the character of the area.

5. The proposed buildings will be compatible with other structures in the area.

6. The proposed buildings adhere to the conditional uses allowed in the Rural District.

7. No evidence was presented that showed any impact on noise or air pollution in the area.

All conditional use criteria are met.

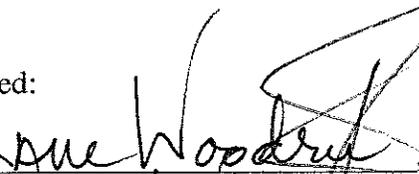
Decision and Conditions

Based upon these findings, (and subject to the condition set forth below), the Zoning Board of Adjustment voted unanimously to approve three conditional use permits (1) for the commercial use of the property (2) to have as many as three primary structures on this land, and (3) to erect the appropriate number of signs, no one of which will be more than 6 square feet in size.

This approval is subject to the following conditions:

No signs will be larger than 6 square feet or lit internally and will comply with all set-back requirements. External signs will not be lighted after retail hours. If the present grandfathered sign by the side of the road is moved, the new sign must comply with the set-back requirements. (50 feet from the center of the road)

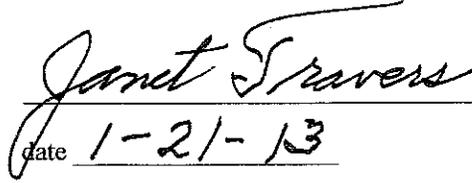
Signed:



chair

date

1/21/2015



clerk

date

1-21-13

NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Zoning Board of Adjustment. 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.

Subject: Shaun Hill's venture in Greensboro Hill's Farmstead Brewery

From: clara massey (cmassey@myfairpoint.net)

To: greensborovtzing@yahoo.com;

Date: Friday, January 11, 2013 4:06 PM

As a resident of Greensboro for 70 years and a neighbor of the Hill family for over 55 years I strongly support Shaun in his adventure in bringing business to Greensboro. It has helped other businesses and local people in their ventures as well as bringing revenues to our town. Hopefully Greensboro people will support this local young man who has the courage to bring this type of business to Greensboro and surrounding areas. Clara Massey Hopefully you will read this on the 16th as I am unable to attend.

Subject: Comment in Favor of Conditional Use Permit - Hill Farmstead Brewery

From: Maureen Mitchell (maumitch@yahoo.com)

To: greensborovt zoning@yahoo.com;

Date: Tuesday, January 15, 2013 7:22 PM

To the Greensboro Planning Commission and Zoning Board of Adjustment:

I am a Greensboro summer resident and property owner at 84, 87, and 121 Mitchell Place. This comment letter is to provide support for the Conditional Use Permit application of Hill Farmstead Brewery to expand and improve the brewery facilities and signage. The Hill Farmstead Brewery is an asset to the community and brings commercial benefit to local businesses. The town is a beneficiary of the good will, tourism revenue, and positive media coverage brought by the Brewery's business operations. As a community, it is in all our interests to support the Brewery's long-term growth and success.

I have reviewed the Brewery's Conditional Use Permit application. Based upon my review, I believe that the proposed expansion and improvements represent a modest endeavor to enhance the customer experience, facilitate brewery operations, and provide sufficient lighting and safety for traffic entering, exiting, and parking on the property. It is also apparent that the proposed expansion and signage is consistent with the rural and agricultural character of the surrounding countryside. Anticipated traffic volumes can be satisfactorily managed on the roads and should not cause undue disruption given the Brewery's limited operating hours (4 days a week, 5 hours a day).

It is my hope that the Hill Farmstead Brewery application will be approved. Thank you for considering these comments and including them in the public record for the permit application.

Sincerely,

Maureen Mitchell

Email: maumitch@yahoo.com

Summer address: 84 Mitchell Place, Greensboro, VT 05841 (802) 533-2325

Winter address: 2102 N 42nd Street, Seattle, WA 98103 (206) 409-5092

Subject: Hill Farmstead Expansion/Zoning

From: joseph tucker (joet@ratebeer.com)

To: greensborovtzoning@yahoo.com;

Date: Monday, January 14, 2013 1:07 PM

Dear Council,

I am writing to you in support of the proposed Hill Farmstead expansion in the Town of Greensboro (hearing Wednesday, January 16, 2013).

My name is Joseph Tucker and am the owner of RateBeer, the world's largest keeper of consumer reviews (over 4.25 million) of craft beers, located in Sonoma County, California. Based on publicly available tallies of our reviews, Hill Farmstead has repeatedly proven, in each of its few years, to be one of the top brewers not only in the United States but in the world. The small company's focus on quality, ingenuity and hard work which I have personally confirmed by way of private visit, are largely the reason for its success.

The world's top craft brewers rarely ~~to~~ never aspire to aggressive growth paths that radically increase production and compromise quality. We here don't know of any small, world class brewer who aspires to be the next Budweiser. Rather we do typically see these brewers develop new methods, require new materials and storage, and occasionally new equipment – usually focused on better serving their customers and improving product quality – that require expansion to further them on their path to delivering a more perfect product.

I hope the hearing that this letter informs comes to fully appreciate the distinguished, unusual and values-based approach of Mister Shaun E. Hill and Hill Farmstead. I also do dearly hope that this results in the approval of the expansion that benefits not only Shaun E. Hill and the Hill Farmstead Brewery, but the beautiful town of Greensboro, the State of Vermont and the few lovers of craft beer, around the world, who appreciate this great artisanship.

Sincerely,

Joseph Tucker

Executive Director