

**Town of Plainfield**  
**Development Review Board (DRB)**  
**Minutes of Meeting held on July 10, 2013**

**Final Minutes Approved on:** \_\_\_\_\_

**Present:**

\_\_\_\_\_X\_\_\_\_\_ Janice Walrafen, Chair

\_\_\_\_\_X\_\_\_\_\_ Rob Bridges

\_\_\_\_\_X\_\_\_\_\_ Neil Hogan

\_(absent)\_\_\_\_\_ Sarah Albert, Clerk

*(Quorum of DRB in attendance)*

**Also Present:**

Karen Storey – Zoning Administrator (Z.A.)

Mary Lane – Administrative Assistant

Signed in for Black Bear Biodiesel/Second Wind LLC; Conditional Use Light Industry, Biodiesel Distribution, Food Trucks:

Jesse Cooper, Jon Anderson, Noah Hahn, Peter Young, Anais Mitchell, Pat Scannell, Jim Malloy, Tim Phillips, Scott Stewart, Jill Bessett

Arriving later in meeting for Fred Meyer Survey Map: Paul Hannon

**7:20 P.M. – Meeting called to order by Chair Walrafen**

**Agenda Item # 1 – 7:22P.M. – Review agenda**

No changes made to agenda

**Agenda Item #2 – 7:24 P.M. – Commercial site plan review and conditional use application, light industry distribution of biodiesel fuel and food trucks**

Chair Walrafen swears in all who plan to participate.

- Jim Malloy, Founder of Black Bear Biodiesel LLC describes the project as currently being permitted to store vegetable oil collected from area restaurants. This will be partially processed on site, and then sent to another location for final processing, and returned and stored as biodiesel fuel. The proposed project is phase two, which is a distribution center for B100 biodiesel (biodiesel in it's purest form containing no petroleum). He explains there will be 2 distribution pumps connected to a 6000-gallon capacity storage tank located next to the building. His customers can be anyone who uses diesel in cars, trucks, generators, etc. He will not pump the fuel himself. This also can be used as home heating fuel, but he will not have a delivery truck. Along with the distribution center, Jim wants to have up to 4 mobile vending units (food trucks) that will be parked close to the building selling coffee, pizza, tacos, ribs, etc.

- Discussion ensues about the need for State permits, and Mr. Malloy submits for the record a letter from a lawyer explaining the permitting process for B100 biodiesel.

- Mr. Malloy answers a question about a containment dike that he says is not needed because biodiesel is biodegradable/non-toxic. He reports that the storage tank will be "two walled", which is above and beyond what is needed for biodiesel. When asked why they have a containment dike inside the building, he responds it is for ease of clean up since they will be pouring the vegetable oil between storage containers.

- Each section of the **Zoning Regulations, Section 2.6, Standards for a Commercial Site Plan Review**, is read and discussed.

- **A: Scale and size must be compatible with nearby properties and the historic character of the Village if located in the district:**

- DRB members agree this is true.

- Neighbor Scott Stewart reports maps sent to neighbors are different since they do not have the current updates being mentioned at the meeting. A current map is offered to guests, and it is noted that maps are not part of what is required to be sent to neighbors.

- **B: Use appropriate to district and not detrimental to others in that district:** Neighbors are concerned about biodiesel fumes, and the noise of 18-wheelers. Mr. Malloy explains there are no fumes; cars that smell like French fries are different than this fuel. There will be no limit on size of trucks, but because of the set up, unlikely that 18-wheel trucks will enter property, because there is not enough room to turn around. No plans for this to become a truck stop.

- **C: Utilizes land efficiently:** Chair Walrafen reports that the project is considered mixed use, so it does utilize land efficiently.

- **D: Plan for safe traffic circulation & adequate parking located on the side and rear of the building if possible:** Chair Walrafen notices there are currently no plans to use the rear of the building, but wonders if this can happen if need be in the future, to which Mr. Malloy agrees. Chair Walrafen suggests that the traffic

circulation could be better understood if it was drawn on the map. Mr. Malloy reports it is there but it is difficult to see because it is drawn in pencil.

- Jon Anderson, legal representative of R.L. Vallee, brings a statement of concern about traffic circulation between the two buildings, specifically the location of the pumps. (Building owned by R.L. Vallee located next door). Long discussion ensues about the wording on the existing deed where cross easements were granted. Conclusion is the parties need to come to an agreement.

- Foot and traffic flow between the food trucks and the fuel pumps discussed. Concerns shared by DRB members that children would have to cross traffic flow to go between pumps and food trucks. Also that property entrance and exit are the same, which may not work as well in reality as shown on the map, especially if tractor-trailers are involved. DRB members agree this needs to be revisited at another meeting. Mr. Malloy raises concern that while Mr. Anderson has been easy to work with, he is not the final say. He wonders if Skip Vallee decides he is not happy with the plan, what happens then? The Board Members respond if this happens, it will have to be addressed at that time.

- Discussion about food trucks needing permits, with conclusion this is not a good idea because they are temporary and if permitted, would have to return to the DRB each time a truck is moved. Other food trucks in area have not been permitted. However the trucks must be moved before 6 months, because after 6 months they would be considered a permanent structure.

- **E: No odor, lights etc. beyond border, landscaping may be required to screen the project preferably with native plants that are not deemed invasive or noxious. Fencing should be with natural materials if possible and blend in with surrounding properties. Outdoor lighting should be aimed downward and should not illuminate roadways or neighbor's properties:** Mr. Malloy reports apple trees will be planted in the back of the building, and other landscaping will be with native plants. There will be no need for outdoor lighting because hours of operation will be in the warm months when the days are longer. No fencing planned. Staymatt used for parking areas.

**Section 2.8, Conditional Uses: Project will not have an undue adverse affect on:**

- **1: The capacity of existing or planned community facilities:** DRB members agree that none are noted.

- **2: The character of the area affected, as defined by the purpose or purposes of the district in which the proposed project is located and the specifically stated policies and standards of the municipal plan:** DRB members are in agreement that it is a commercial business, located in a commercial area.

- **3: Traffic on roads and highways in the vicinity:** DRB members agree this will be continued to the next meeting.

- **4: Bylaws and ordinances then in effect:** Z.A. Storey reports that Plainfield has a noise ordinance she believes is 10PM on weekdays, and 11PM on weekends. She mentions this because of the noise of tractor-trailers.

- Neighbor Scott Stewart mentions there is now a State regulation against idling vehicles. DRB members suggest that signs requesting engines be shut off during fueling would address this issue.

- **5: Utilization of renewable energy resources:** DRB members agree this is the objective of the business.

- **Specific standards** are to include: signage at the pumps requesting that vehicles be turned off to reduce any fumes and noise. All set backs are to be met, including the mobile units. This is 10 feet from the property lines. DRB members suggest additional fencing around the storage tank is needed, because the planned cement posts may not be enough of a safety measure to keep children away from the tank. Off street parking is adequate. There is conformance with the Town Plan.

- Board member Bridges makes a **motion** to continue the hearing to August 14<sup>th</sup>, at 7pm, to address the concerns of: a) shared access; b) location of pumps, and traffic flow in general; c) fencing around tank. Board Member Hogan seconds. Motion carries unanimously

- DRB members request that Mr. Malloy bring to the next meeting, a picture or drawing of what the fuel storage tank will look like, and the plans for the fence design.

- Z.A. Storey adds that Mr. Malloy should also consider signage, and outdoor lighting, because those will need to come before the DRB for review if he decides at a later date he wants these. Mr. Malloy will bring plans for the sign he wants to hang on the garage door. Also, parking spaces required for commercial use is discussed. Mr. Malloy reports he has plans for 16 parking spaces. Chair Walrafen reminds him a good map of the parking and traffic flow will be helpful for the next hearing.

*DRB members take a short break.*

**Agenda Item # 3 – 8:25 P.M. - Review and approve: Fred Meyer Subdivision Decision and survey map; Cutler Memorial Library/Stover Little Free Library Decision; Town of Plainfield/Fire Department Decision; minutes of 6/12/13 DRB meeting.**

- Chair Walrafen explains for the record that Paul Hannon arrives with the paper version of the final plat of the Fred Meyer subdivision, as requested at the hearing on 6/12/13. The DRB members review this and report it is in compliance with what was agreed upon at the final plat hearing on 6/12/2013.

- DRB members review and correct The Fred Meyer 8 Lot Subdivision Decision. Board Member Bridges makes a **motion** to accept the Decision as amended. Board Member Hogan seconds. Motion passes unanimously.

- DRB members review and correct The Cutler Memorial Library/Stover Little Free Library Decision. Board member Hogan makes a **motion** to approve the amended Decision. Seconded by Chair Walrafen. Motion passes unanimously.

- DRB members review and correct The Town of Plainfield/Fire Department Monument Decision. Board Member Hogan makes a **motion** to approve the amended Decision. Seconded by Board Member Bridges. Motion passes unanimously.
- DRB members review and correct the minutes of the 6/12/2013 DRB meeting. Board Member Hogan makes a **motion** to accept the minutes as amended. Seconded by Board Member Bridges. Motion passes unanimously.

**Agenda Item #4 – 9:15 P.M. – Other Business**

No other business

**Adjourn 9:16 P.M.**

- Chair Walrafen moves to adjourn the meeting. Board member Bridges seconds. Motion passes unanimously.

Respectfully Submitted,  
Mary Lane, DRB Administrative Assistant