

**ZONING BOARD OF ADJUSTMENT
PLAINFIELD, NEW HAMPSHIRE**

NOTICE IS HEREBY GIVEN that the Board of Adjustment will hold a public hearing on the following application on **Tuesday November 13th at 7:00pm at the Meriden Town Hall:**

Case 18-07 Proposed Amendment to Case 2017-10: Bart Industries is requesting to modify the existing Zoning Board decision which effectively restricts trucking activity to between the hours of 6am and 6pm. The applicant seeks to be allowed to accept one delivery per day outside these hours.

The full project file is available for public inspection at the town office. An electronic version of the application is available online at www.plainfieldnh.org/zba.htm

While not required to attend, abutters and interested parties are encouraged to attend either in person or by counsel and state reasons why the application should or should not be granted.

Notice prepared by Stephen Halleran on behalf of the
ZONING BOARD OF ADJUSTMENT/PLANNING BOARD
November 5th 2018

BART INDUSTRIES, INC.

November 5, 2018

Stephen Halleran
Plainfield Town Administrator

Mr. Halleran:

Per our Zoning approval Case 17-10 paragraph 4 we are permitted for delivery generally between 6 am and 6 pm.

This was originally acceptable as our tenant operated under a business model that followed a daily routine of delivery.

Our Tenant has since changed their business model and deliveries vary in time daily and this change is driven by multiple varying factors such as driver availability, loads per center, order of delivery and timing from source.

Under this changed model the daily delivery occasionally occurs outside of the 6 am to 6 pm hours.

We at BART Industries were not aware of this business model change with our tenant until after the fact.

BART Industries has complied with all other zoning and building requirements set forth by the town of Plainfield.

We respectfully request a variance to allow one delivery per day outside of the 6 am to 6 pm time frame without limitation on the time of delivery.

Sincerely,

Robert P. Boylan

4 Transport Park Rockingham, Vermont

802-463-9944

US Mail: 14 Spencer Drive Bellows Falls, VT

05101

**PLAINFIELD ZONING BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Bart Industries Inc
14 Spencer Drive
Bellows Falls, Vt. 05101

Case 17-10

You are hereby notified that the appeal by **Bart Industries** of Bellows Falls Vermont for special exception #35 Approved Business Project to build/operate a 3,500 sq ft dry food storage/distribution facility at #360 Route 12A (tax map 218 lot 10) has been **granted** by the affirmative vote of at least three members of the Zoning Board of Adjustment. In reaching this decision, the Zoning Board has relied on the representations made in the application and testimony received at the September 11th 2017 public hearing.

As part of its review of this application the board made the following findings:

- 1) As represented on the town's tax maps the parcel is 3.5 acres in size with 680' of road frontage along Route 12A. The property is zoned Rural Residential.
- 2) The Plainfield Zoning Ordinance requires that businesses of this size and scale be located on a state highway. Route 12A is a state highway.
- 3) The neighborhood is a mix of residential and agriculture uses along with a commercial automotive garage. The agricultural businesses include a retail farm stand with daily deliveries and shipments of agricultural commodities and retail pick your own apple orchard.
- 4) The scale of the proposed use is a once a day delivery of dry food by a tractor trailer sized truck. Up to ten smaller retail delivery trucks are loaded in the morning and leave the facility returning at night. The retail delivery truck process is then repeated six days per week generally between the hours of 6am to 6pm.
- 5) Lot coverage for the proposed use has been represented at 19%. A maximum coverage of 20% is allowed.
- 6) The application satisfied the general performance standards for all special exceptions as outlined in section 5.6 II of the 2016 zoning ordinance.
- 7) The application satisfies the specific standards for an Approved Business Project, section 3.5 of the 2016 zoning ordinance.

Approval Conditions:

- 1) Successful completion of the Site Plan Review process with the Planning Board with an emphasis on screening the proposed use from the residences to the northwest and southwest.

2) Prolonged idling of delivery trucks is not permitted.

3) Prior to occupancy, the project must obtain a certificate of occupancy from the town's building inspector.

4) The use to be monitored by the Town's Zoning Administrator. Any substantive deviation from the application or increase in the scale of the use will require additional town review.



Richard Colburn, Chairman
Zoning Board of Adjustment

Date: 16 Sept 2017