

**DRAFT Minutes for Zoning Board of Adjustment  
February 19, 2015**

**Roll Call** 7:05 pm

Present for the hearing were Donahue, Smith, and Skinner. Michele Braun was present as Clerk.

**150219-1:** Lisa Burr has applied to operate a brewery on her property at 900 Bull Run Road. Ms. Burr noted that the name of the establishment is now The Woods Lodge. They need a license from the State Department of Liquor Control in order to sell beer brewed on premises. In order to obtain that license, they first must obtain a Brewer's Notice from the Federal Tax and Trade Bureau. The Tax and Trade Bureau requires proof of zoning compliance; thus, the application for zoning approval. The Woods Lodge property has included a commercial kitchen since 1920, and has been housing and feeding visitors since well before zoning regulations existed. The State Health Department changed their license from the camp category (90 days/year) to the restaurant category (>90 days/yr) a few years ago. Two years ago, they obtained a license from the Northfield Select Board to serve beer and wine. Now, they would like to produce beer.

Smith moved to approve the brewery as part of the existing Bed and Breakfast use of the property on the condition that they maintain required State and Federal permits; Donahue seconded the motion. **The motion passed 3-0-0.**

**150219-2:** Michael Emmons, d.b.a. M&S Auto, has applied for a home occupation permit to sell used cars at his home at 1629 Route 64, with up to six vehicles at a time displayed near Route 64.

Mr. Emmons explained that if he has two cars by the road, and then goes to a car auction, and buys two more cars, then he wants to move another car up by the road, he wants to have flexibility to do that, and to be able to keep the cars in the yard as they come in.

Smith read aloud the definition of Home Occupation from the Zoning Regulations:

*A home occupation is a use of an accessory structure or minor portion of a dwelling for an occupation which is customary in residential areas, and which does not change the character thereof, including but not limited to: dressmaking, home cooking, teaching (limited to not more than four pupils at any one time), tourist or rooming house (no more than two tourists or roomers at any one time), photo studio, attorney, architect, accountant, real estate broker, insurance agent, psychologist, furniture making, repair or refinishing, cabinet making, bicycle repair, barber shop, beauty parlor, fix-it shop, print shop, shoe making or repair; and any and all other home occupation uses which are customary in residential areas and which do not change the character thereof.*

*The following do not qualify as home occupations: the sale of property at retail, unless as a minor or subordinate part of a permitted home occupation use; commercial stable or kennel; restaurant; tea room; musical or dance instruction to groups; medical office or clinic; garage or shop for the repair of motor vehicles; machine shop; mortuary; antique shop, gift shop; or uses similar to the foregoing.*

He indicated that the Board had already been lenient and perhaps over-generous in granting Mr. Emmons' original Home Occupation permit, and did not see that the regulations allowed for additional leniency or flexibility.

There was quite a bit of discussion between Mr. Emmons and the Board regarding suggestions by Mr. Emmons as to the possibility of registering the cars for sale to his own name, which the Board strongly indicated would make no difference: if the cars were being offered for sale, that meant the use of the property for retail sales of more than two cars, which would be a violation of his original permit.

Skinner moved to approve the request.

Motion failed for lack of second.

Smith moved to deny the request; Donahue seconded the motion. **The motion passed 3-0-0.**

Meeting adjourned 7:45 pm

**These minutes are subject to change at the next regular meeting; however, they are substantially correct.**