

TOWN OF POMFRET  
ZONING BOARD OF ADJUSTMENT

Minutes of Meeting  
January 9, 2024

MEMBERS PRESENT: Shaun Pickett (Acting Chair), Benjamin Brickner, Susan Burgess, Kyle Hansen, Lindsay Hyde and Jeff White

MEMBERS ABSENT: Seth Westbrook

OTHERS PRESENT: Karen Hewitt Osnoe (Zoning Administrator), Emily Grube, Gerry Hawkes, Jack Willey, Robert Baskett, Bailey Markwell, Antoinette Hunt (Applicant), Sarah Yetter (Applicant), Dana Pape, Bill Emmons, John Moore, Karen Hawkes, Nicole Green, Mike Green, Timothy Fox, and Megan Pollock

A hearing was held regarding the following application:

Application #ZP23-30 by Abracadabra Coffee Co. for conditional use approval for the Production of Baked Goods, Breakfast and Lunch Service, and the sale of beer, wine, and spirits as well as an allowance of up to 70 combined indoor/outdoor patrons during regular business hours and the allowance of up to 300 patrons per Monthly Special Event on parcel #4802 at 35 Wayside Road.

**CALL TO ORDER; REMEMBRANCE OF ALAN BLACKMER**

Acting Chair Shaun Pickett called the meeting to order at 6:36 PM and spoke for a moment about the recent passing of longtime ZBA chair Alan Blackmer. Shaun Pickett then opened the hearing on Application #ZP23-30.

**HEARING ON APPLICATION #ZP23-30**

At the outset, the ZBA afforded those persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. § 4465(b) to identify themselves. Jack Willey, Bailey Markwell and Timothy Fox did so, and along with Applicants Antoinette Hunt and Sarah Yetter were sworn in.

The subject property is a 2.19± acre parcel located at 35 Wayside Road in the Town of Pomfret (parcel ID #4802).

Applicant submitted the following:

- A. Zoning Permit Application, Permit No: ZP23-30 dated 11/10/2023.
- B. A letter entitled Abracadabra Zoning Permit #ZP22-35 Amendment received 11/10/2023.
- C. A letter entitled Abracadabra Zoning Permit #ZP22-35 Amendment received 1/3/2024.

During the course of the hearing the following testimony was heard:

- 1. Sarah Yetter stated that Abracadabra Coffee Co. is seeking to expand capacity to open

bakery to 70 patrons and up to 300 people for the previously permitted 12 special events per year.

2. Sarah Yetter stated that current outdoor and indoor seating would be unchanged, and that the footprint of the building would not change.
3. Jack Willey stated that septic design was approved and filed with the Town of Pomfret and the State of Vermont, which permit number WW-3-0228-1 is for a 70 seat café for 2 mealtimes per day and 5 employees
4. Sarah Yetter stated that the exact number of patrons at past special events was unknown, but likely about 150-200 at the largest event in August 2023.
5. Sarah Yetter state that the hours for the special events would be 4pm-8pm.
6. Bailey Markwell stated that there was a concern of safety regarding the sale of alcohol, traffic has been an issue and increase of traffic such as parking in areas which would cause a hazard.
7. Emily Grube stated there was concern about the Wayside Road bridge, which flooded during the July 2023 rain. She urged that an evacuation plan be considered.
8. The ZBA will provide suggestions for information that the Applicant might provide prior to resumption of the adjourned hearing, to clarify how their plans are in conformance with the Zoning Ordinance and Town Plan, and matters such as parking arrangements, abutter concerns, etc,

Benjamin Brickner moved and Susan Burgess seconded that the hearing on Application #ZP23-30 be adjourned to Tuesday, January 30, at 6:30pm at the Town Office. Unanimous. The hearing was adjourned at 7:33pm.

### **ELECTION OF OFFICERS**

Shaun Pickett nominated and Susan Burgess seconded Benjamin Brickner as chair. Unanimous.

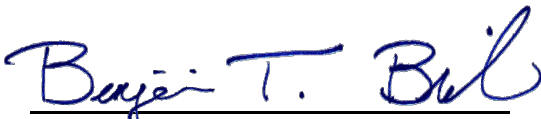
Benjamin Brickner nominated and Kyle Hansen seconded Shaun Pickett as vice chair. Unanimous.

Benjamin Brickner nominated and Shaun Pickett seconded Karen Osnoe as clerk. Unanimous.

### **ADJOURNMENT AND DELIBERATIVE SESSION**

Benjamin Brickner moved and Shaun Pickett seconded that the meeting be adjourned and the ZBA enter into a deliberative session pursuant to 1 V.S.A. 312(e). Unanimous. The meeting was adjourned and the ZBA entered into a deliberative session at 7:45pm.

These minutes approved at Pomfret, Vermont, this 14th day of January, 2024.

  
Benjamin Brickner, Chair