

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, SEPTEMBER 9, 2013**

Members Present: Jason Farrell-Chair, Carrie Barrows, Brent Rakowski, Peter Garon
Steve Rapoport, Don Peabody, Alexandria (Alex) McGuire,
Alternate Member Lowell Bertrand

Members Absent: None

Guests: James Ouimette, Reverend Gary Lewis, Dan Pflaster, Shannon Haggett,
Steve Hutchinson, Hans Vorsteveld, Scott Hardy, Neil Swenor,
Nancy Charron, Chris Eling, Wayne Godette, Bill Scott, Glenn Rossier

Present: Zoning Administrator Mel Hawley

1. **Review and accept minutes of previous meetings - Deferred**

2. **Public Hearing - Vergennes Congregational Church, Second Floor Connector Addition, Site Plan Review (see Section 311)**

Jason Farrell read the public notice and swore in Attorney James Ouimette, Trustee of the Vergennes Congregational Church and Reverend Gary Lewis. Attorney Ouimette explained that the purpose of the project was to get handicapped access to the second floor of the manse with a connector addition attached to the main level of the church. The connector addition is about ten feet off the ground and runs about twenty feet in length. There is an elevator in the church so that one can enter at-grade, take the elevator to the main level, and will be able to travel through the connector addition to the second floor of the manse. James pointed out the locations of the three exterior lights that turn on via a motion sensor. With no further questions, Peter Garon moved to close the public hearing and direct Zoning Administrator Hawley to draft an affirmative decision. The motion was seconded by Don Peabody with all voting in favor.

3. **Public Hearing - Pflaster Investments, LLC, 10 Main Street, Convert a Portion of First Floor from Retail to a Dwelling Unit, Site Plan Review, Conditional Use Review**

Jason Farrell read the public notice and swore in Dan Pflaster, principal of Pflaster Investments, LLC, and Steve Hutchinson, a residential tenant in the building. Dan Pflaster explained his plans to convert a portion of the first floor of the building at 10 Main Street from retail to a dwelling unit. When asked about the other dwelling units in the building, Dan said there were two dwelling units on the second floor; a two-bedroom unit and a three-bedroom unit. Jason said that based on the zoning regulations, the third unit would make the property a multiple-family dwelling which is only allowed as part of a planned unit development in the Northern Gateway District. Dan said that the proposal was not a planned unit development. Dan testified that the he felt that Section 1613E.3 was misplaced as his change of use involved only interior modifications and therefore the

other standards should not apply such as sidewalks required by Section 1613.E.9. He said that it was his understanding that allowing a portion of the first floor for residential use was specifically targeted for Kennedy Brothers and therefore should apply to his property as well. Jason asked Dan if his submitted site plan was final and whether the storage trailer was intended to stay. Dan said that the trailer will be registered. Jason asked about whether the parking spaces would be delineated. Dan said there is no need for delineation or use of curb stops as there are currently no safety concerns. Steve Hutchinson testified that he lives in one of the upstairs units and has two young children and supports the proposal. Dan said that the trash dumpster has been removed, the temporary structures will soon be removed, and there will be no other outside storage of bicycles. Peter Garon asked if there were any plans for pedestrians and Dan responded that he would paint a sidewalk on the existing pavement if required. With no further comments, Alex McGuire moved to close the hearing and hold a deliberative session at the end of the meeting on the application. The motion was seconded by Brent Rakowski with all voting in favor.

4. **Lincoln Geronimo, LLC, School Street, Multiple-family Dwelling
Discuss Parking on Ground Floor in Central Business District**

Hans Vorsteveld, principal of Lincoln Geronimo, LLC, and Scott Hardy, a real estate consultant, were present to get a clarification on the zoning regulations for the Central Business District. Lincoln Geronimo recently purchased the building at the corner of School Street and Green Street and the separate parking lot on School Street. They wondered if they could construct an apartment building which would contain dwelling units on the upper level and use the entire ground level as a parking garage for tenants. Jason Farrell said that the zoning regulations were drafted based on the municipal development plan which called for continuance of the existing development pattern in the Central Business District with commercial use on the ground floor and potential residential use on upper levels. The regulations state that residential use on the ground floor is prohibited in this district. The Board spent considerable time trying to agree on a clear and specific interpretation. Alex McGuire felt that the regulations should have been more clear by specifically stating that parking was a separate use as opposed to being an ancillary use. Don Peabody felt that if the parking spaces in the garage were not exclusive for the residents in the building, such an application would not be a fatal flaw. The Board was not able to give clear direction yet said they would entertain an application.

5. **St. Peter's Church, King Street and South Maple Street, Expansion of Parking Lot behind Parish Hall, Site Plan Review (see Section 311)**

Wayne Goddette and Bill Scott were in attendance on behalf of St. Peter's Church. They said that the church desires to increase off-street parking by extending the parking lot that is located behind the parish hall. The preliminary site plan that was used showed that a portion of the existing parking lot and proposed expansion appeared to be located on land of an adjacent property owner. Wayne Goddette said that land was conveyed to the church decades ago by a neighboring property owner for the parking lot and was intended for this purpose. Mel said that he was uncomfortable with a site plan reflecting development on the property of others without their consent of a parking easement or the filing of a boundary agreement. No further action was taken as Wayne and Bill said they would meet with the neighboring property owner involved.

6. **Denecker Real Estate Investments, LLC (Owner), Bulldog Enterprises Corp (Applicant), 14 Main Street, Change of Use of Motor Vehicles Sales to Retail (Grocery Store) and Addition, Site Plan Review, Conditional Use Review**
Neil Swenor, principal of Bulldog Enterprises Corp, was in attendance with an application to change the use of Denecker Chevrolet to Neil's Family Market. The application also included a proposed addition to the rear of the building. The Board conducted a thorough review of the site plan with particular attention to vehicular circulation, pedestrian connection, landscaping and lighting. It was concluded that a site visit would be helpful before moving that matter to public hearing. It was agreed to hold a site visit on September 16, 2013 at 6:15 p.m.
7. **Glenn and Kathy Rossier, 180 South Maple Street, Detached Accessory Structure Located in Front of Building Front Line (See Section 1501.A.6.)**
Glenn Rossier presented an application to construct an accessory building at his property at 180 South Maple Street. Mel reported that he had recently issued a zoning permit to the Rossiers for construction of a one-family dwelling. He said the location of the property accessory building is in front of the front face of the dwelling and therefore requires a public hearing and approval of the Board. Jason said that a front elevation would be needed along with the information on lighting if any exterior fixtures are under consideration. Don Peabody moved to authorize the scheduling of a public hearing for October 7, 2013 provided a front elevation drawing could be timely delivered. Alex McGuire seconded the motion will all voting in favor.
8. **Pending Application - Vergennes Congregational Church, Second Floor Connector Addition, Site Plan Review (see Section 311)**
Anticipating Board action, Zoning Administrator Hawley had prepared an affirmative decision for this pending application and distributed it for review. Peter Garon moved to approve the decision and authorize Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Steve Rapoport with all voting in favor.
9. **Pending Application - Vermont Industrial Parks, Main Street, Subdivision**
As directed by the Board, Zoning Administrator Hawley prepared an affirmative decision for this application. Don Peabody moved to approve the decision and authorize Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Carrie Barrows with all voting in favor except Alex McGuire abstaining as she was not present at the public hearing. Brent Rakowski did not vote on the matter as he had previously recused himself from this application due to a conflict of interest.
10. **Adjournment**
The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary