

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, JANUARY 5, 2015**

Members Present: Jason Farrell-Chair, Tim Cook, Peter Garon, Jason Mullin,
Don Peabody Brent Rakowski, Steve Rapoport,
Alternate Member Lowell Bertrand

Members Absent: None

Guests: Darren Donovan

Present: Zoning Administrator Mel Hawley

1. **Review and accept minutes of previous meetings – deferred**

2. **City of Vergennes, Vergennes Veteran’s Memorial Park, 47 East Street, Pre-School Playground, Site Plan Review (See Section 311)**
Mel Hawley, in his capacity as City Manager, presented an application and site plan prepared by LandWorks for the pre-school playground proposed to be located in front of the Sam Fishman Swimming Pool bathhouse on East Street. He explained that this latest version of the plan may still need to be modified to meet the expectations of the City Council. Jason Farrell said that he felt that the project might be exempt in light of Section 312 of the regulations. Under Section 315.B.5, a play structure is one of the structures that shall not require a zoning permit provided such structures are not less than 5 feet from any property line. In his capacity as Zoning Administrator, Mel said that land development includes any change in the use of land and therefore this proposal, in his opinion, requires site plan review by the Development Review Board despite containing structures that may be determined to be exempt. He said that the City Council has always felt that the proposal would go through the Development Review Board process and they desire and expect that to occur. Mel also pointed out that the minimum side yard setback for the Public District is 25 feet or 100 feet abutting a residential district. He said that clearly some of the structures are located within the side yard setback area. The Board asked that a drawing be submitted to reflect the side yard minimum. Mel said that if the play structures are subject to the minimum setback requirement that a waiver under Section 1501.C. is being sought as indicated on the application. Mel said he would ask LandWorks to provide an elevation drawing involving the boat. Peter Garon moved that the application be considered complete and that a public hearing be warned for February 2, 2015. The motion was seconded by Tim Cook with all voting in favor. (Alternate Member Lowell Bertrand did not participate or vote on this matter).

3. **Review and accept minutes of previous meetings**

The minutes to the regular meeting of December 1, 2014 were reviewed. Don Peabody moved to approve the minutes with the changes discussed. The motion was seconded by Lowell Bertrand with all voting in favor.

Steve Rapoport departed due to his conflict of interest on the pending application by Terry Faith Terry and Stephen Charles Terry.

4. **Pending Application - Terry Faith Terry and Stephen Charles Terry, Trustees, 125 Main Street, Change use from Professional Residence Office and Apartment, to Partial or Complete Conversion to Office**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the conversion of the premises from a one-family dwelling with a professional-residence office and apartment to a two-family dwelling with a 614 square foot office (Option 1). Zoning Administrator Hawley, also as directed, drafted a decision denying Option 2 (convert 2,163 square feet of the premises to office) due to an insufficient off-street parking plan. And lastly, as directed, Zoning Administrator Hawley drafted a decision denying Option 3 (convert the entire 3,234 square feet of the premises to office) due to an insufficient off-street parking plan. Peter Garon moved to confirm and issue the three separate findings of fact and decisions in their final form and to authorize Jason Farrell to sign the decisions on behalf of the Board. The motion was seconded by Lowell Bertrand with all voting in favor.

5. **Adjournment**

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary