

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, APRIL 6, 2015**

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

Guests: Carolyn Thompson, Janet Mazza, Jeff Fritz, Robert Hunt, Wendy Hunt,
Laurie Fallon, Patrick Fallon, Sean LaFlam, Robert Feuerstein, Lillian
Kennedy, Christopher Lapierre, Dave Simendinger

Present: Zoning Administrator Mel Hawley

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

2. **Public Hearing - Carolyn Thompson, 75 Main Street, Professional Residence-Office, Site Plan Review, Conditional Use Review**

Jason Farrell read the public notice and swore in the applicants and abutting property owners Janet Mazza and Jeff Fritz. Zoning Administrator Hawley reported that at the time the public notice was prepared, the property was owned by Maurice and Jane Hebert. Since that time, the applicant, Carolyn Thompson, has purchased the property. Carolyn explained that she hopes to establish her estate planning law practice at her new residence at 75 Main Street. One room would be dedicated to office use. She said there are no immediate plans to have any employees. She anticipates an average of about four client meetings per week but suspected there may be times there could be as many as ten such meetings. She said her office ours would run from 8 a.m. to 6:30 p.m. with occasional work on Saturdays from 9 a.m. to noon. She said that no exterior changes are planned other than that which might be required to be ADA compliant. She said there would be no new exterior lighting other than a new light at the entrance. The site plan showed plantings along the northern border. Carolyn said, and it was confirmed by Janet Mazza, that a fence along the boundary line was preferred and that they would work out a mutually agreed upon specification. With no further comments, Brent Rakowski moved to close the public hearing and direct Zoning Administrator Hawley to draft an affirmative decision on the application. The motion was seconded by Peter Garon with all voting in favor.

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

The minutes to the regular meeting of February 16, 2015 were reviewed and a number of changes were made. Brent Rakowski moved to approve the minutes with the changes discussed. The motion was seconded by Peter Garon with all voting in favor. The minutes to the regular meeting of March 9, 2015 were deferred until later in the meeting.

4. **Public Hearing - ROLA Properties, LLC, 17 White Street, Demolition and Reconstruction of Multiple-Family Dwelling**

Jason Farrell read the public notice and swore in the applicants. No abutting property owners were in attendance. Robert Hunt and Laurie Fallon, principals of ROLA Properties, LLC, own the property at 17 White Street. The building was severely damaged by fire on January 8, 2015. Mel reported that he had assisted the applicant with two site plans using a boundary survey of an abutting property. One plan identified the location of the existing building and the other showing that the proposed structure having a very similar footprint and location. Both plans identified existing off-street parking which will remain the same. Robert provided updated elevation drawings. He said the new building is slightly higher than the existing structure. Mel explained that the property is a multiple-family dwelling with three dwelling units and is located in the Historic Neighborhood District but since the lot is substandard for this use is it governed, in part, by Section 1401.7. Under this Section a structure containing a nonconforming after damage from any cause can be restored and reinstated provided the commencement of construction is within nine months of such damage. Robert said that upon approval they will immediately tear down the building and commence construction. As Mel explained at the last meeting, because the current and proposed use is a multiple-family dwelling, any associated zoning permits involving demolition and construction require action by the Development Review Board per the regulations. With no further comments, Don Peabody moved to close the public hearing and direct Zoning Administrator Hawley to draft an affirmative decision on the application. The motion was seconded by Steve Rapoport with all voting in favor.

5. **Kiff, LLC, 30 New Haven Road, Self-storage Building, Site Plan Review, Conditional Use Review**

Christopher Lapierre, Principal of Kiff, LLC, presented an application to construct a 20' x 100' self-storage building in the rear yard of the property at 30 New Haven Road. The main building on the property which once was entirely used as a car wash now includes a laundromat on both ends and an automated car wash in the center. The proposed building would be located just off the existing paved area and would run parallel with the rear boundary line. Christopher said he was working with a civil engineering firm to prepare an accurate site plan. The property is encumbered by a pedestrian easement to the City on the south side of the property. There is also a right of way toward and parallel to the north boundary line of the property for ingress and egress to and from the property behind located at 20 New Haven Road which also has access to Bowman Road in Crosby Farms. Christopher included specifications for planned security lighting which appeared to not meet the performance standards for lighting. Members also suggested that he consider providing landscaping and/or fencing along the rear to provide screening from the residences and on south side of the property adjacent to the pedestrian easement for safety reasons. Brent Rakowski moved to authorize the scheduling of a public hearing for May 4, 2015 provided an improved site plan identifying proposed landscaping and screening, elevation drawings from the building manufacturer, and alternative lighting specifications are filed in a timely manner to meet warning requirements for a public hearing. The motion was seconded by Don Peabody

with all voting in favor. The board felt that a formal site visit would be beneficial was scheduled for 6:30 p.m. on May 4, 2015.

6. **Kennedy Bros., Inc., 13 Main Street, Outside Seating Area, Site Plan Review, Conditional Use Review**

Consistent with recent applications by Kennedy Bros, Inc., Brent Rakowski again disclosed that he is employed by Otter Creek Engineering which is involved with the project and would recuse himself and moved away from the table and would not participate as a member for this application. Robert Feuerstein and Lillian Kennedy presented drawings of a concrete patio proposed for the south end of the building. The dimensions of the proposed patio is 24' x 60' and will be set away from the building by three feet which will provide space for plantings. There are railings planned on much of the perimeter of the patio. The patio is intended for use by patrons of the café. No exterior lighting is proposed. When asked about seating capacity, the applicants were unsure but agreed to determine the maximum number. Mel said that it would be preferable from an administrative standpoint that this application be a proposed amendment to their application for significant site improvements which the board as not yet acted upon. Robert and the board agreed that it was better to treat this as an amendment. The board agreed to defer authorizing a public hearing on the application until later in the meeting.

7. **WESCO, Inc., 65 Main Street, Site Plan Review**

Dave Simendinger presented his reapplication on behalf of WESCO, Inc. involving renovations at Champlain Farms. He explained that they had put off the project approved in 2012 due to the passing of his brother. Dave said that WESCO, Inc. had owned the building for nearly 30 years and desires to update the facility, both inside and out, similar to their other Champlain Farms locations. Dave explained they plan to construct an addition over the former bottle redemption area so that the coolers that run along the back of the store can be back-filled. He said they also plan to re-image the entire building including construction of a new roof and by replacing and expanding all windows. The site plan shows a total of 14 off-street parking spaces not including the six spaces at the gas dispensers. There are four spaces to the south of the building included a handicap space, three to the north of the building, and seven more spaces in the rear. Don Peabody suggested that the handicap space be located closer to the front door as opposed to the proposed location to the far south of the property. He felt it should be in the most convenient location for patrons. The existing used clothing receptacle is also depicted on the plan. Peter Garon moved to authorize the scheduling of a public hearing for May 4, 2015. The motion was seconded by Don Peabody with all voting in favor.

8. **Pending Decision - Estate of Michael Fitzpatrick (Owner), David Pierson (Applicant), 11 South Maple Street, Change Use of all or a portion of First Floor from Office to Retail, Driveway and Off-street-Parking Space(s), Site Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Section 1205 of the zoning and subdivision regulations states that a required driveway shall be at least twenty (20) feet clear in width except for one-family and two-family uses. The site plan indicates there is only 14 feet between the south side of the

building and the property line. The Development Review Board directed Zoning Administrator Hawley to amend the draft decision to reflect that the proposed off-street parking on the south side of the building cannot be permitted as it would be served by a driveway less than twenty (20) feet clear in width. Peter Garon moved to authorize Jason Farrell to sign the decision in its final form on behalf of the board. The motion was seconded by Brent Rakowski with all voting in favor.

9. **Pending Decision - Kennedy Bros., 13 Main Street, Parking Lot Improvements, Site Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Don Peabody moved to authorize Jason Farrell to sign the decision on behalf of the board. The motion was seconded by Steve Rapoport with all voting in favor.

10. **Pending Decision - White Sulphur, LLC (Owner), Raintree, LLC (Applicant), 165 Main Street, Change Use of First Floor from Office to Retail, Site Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Steve Rapoport moved to authorize Jason Farrell to sign the decision on behalf of the board. The motion was seconded by Tim Cook with all voting in favor.

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

The minutes to the regular meeting of March 9, 2015 were deferred.

12. **Adjournment**

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary