

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, MAY 4, 2015**

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

Guests: Christopher Lapierre, Jim Gernander, Jennifer Gernander,
Dave Simendinger, Eric Simendinger, Kurt Simendinger,
Robert Feuerstein

Present: Zoning Administrator Mel Hawley

The Development Review Board conducted a site visit at 30 New Haven Road at 6:30 p.m. All members of the Development Review Board were in attendance along with Christopher Lapierre, Principal of Kiff, LLC.

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

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

Jason Farrell read the public notice. Mel reported that Jim and Jennifer Gernander are in attendance as he had sent them the standard “abutter’s letter” and public notice as he thought their property adjoined that of Kiff, LLC. After further investigation he concluded their property did not adjoin but is less than 100-feet away. Mel felt the Gernanders should be recognized as an interested party as an adjacent property owner. Jason concurred and swore in Christopher Lapierre, principal of Kiff, LLC, and Jim and Jennifer Gernander. Christopher Lapierre gave an overview of his proposal 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 contains 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. The existing propane tank and trash dumpster will be relocated. Christopher described his plans to install a stormwater catch basin and lines along the south side of the proposed building. He explained that electricity will be brought to the building for exterior lighting and the security system. Christopher submitted new specifications for exterior lighting and explained the technology allows the lights to run at night at 50 percent of wattage and then at 100 percent if motion is detected. Members wondered if tenants would have 24-hour access to their respective unit. Christopher said that he has no plans to gate access to the building. The car wash and laundromat are open from 7 a.m. to 9 p.m. daily. He also said there are no plans to landscape the area between the public sidewalk and the proposed access drive. Jim Gernander expressed concern with headlights that will be directed towards his back yard in light of the proposal. There was some discussion whether fencing or a hedge might be contemplated. Christopher said that he would be willing to work with adjacent property owners to come up with an acceptable solution. It was also noted there is an existing parking lot floodlight at the northeasterly corner which does not meet current lighting standards. The fixture is supplied by Green Mountain Power Corporation and Christopher was encouraged that it be removed and or replaced with compliant lighting.

Mel said the proposed stormwater system is not reflected on the plans as required unless waived by the Board. Mel also said the plans do not show any planned fencing or plantings and suggested that given the testimony, the Applicant should be offered an opportunity to submit a revised site plan. Otherwise, the Board would have to act on what is filed and the testimony received. Christopher expressed a desire to return with a revised site plan. Brent Rakowski moved to recess the public hearing and reconvene on June 1, 2015. The motion was seconded by Tim Cook with all voting in favor.

3. **Public Hearing - WESCO, Inc., 65 Main Street, Site Plan Review**

Jason Farrell read the public notice and swore in the applicant. No abutting property owners were in attendance. Dave Simendinger gave a brief overview of the project. He explained they have been renovating all of their facilities with a standardized image. He explained they plan to construct an addition over the former bottle redemption area so 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. Elevation drawings of all sides of the building were supplied. 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 including a handicap parking space, three to the north of the building, and seven more spaces in the rear. Members wondered if there was any change in exterior lighting. David said the only change would involve the installation of additional can lighting under the soffit. With no further questions or comments, Peter Garon 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.

4. **Public Hearing - 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. Jason Farrell read the public notice and swore in Robert Feuerstein, President of Kennedy Bros., Inc. No abutting property owners were in attendance. Robert described the proposed patio at the south end of the building. The drawings showed it to be a 24' x 60' concrete patio and will be set away from the building about three feet which will provide space for plantings. There will also be two trees planted within the patio area. 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. Robert said the maximum seating capacity of the area will be thirty-two. Members wondered if the area is intended to be exclusively for the café and whether alcohol beverages would be served. Robert said he has no plans of obtaining licenses for the service of alcohol and that the space is not exclusive for the café as other tenants and guests are welcome to use the patio. He said the hours of the café are currently 7 a.m. to 6 p.m. Robert said the seats and tables would likely not be left out overnight and the exterior doors at this end of the building will be locked. He reminded everyone that the new main entrance to the brick portion of the building will be on the west side of the building. With no further comments or questions, Don Peabody moved that the Board hold a deliberative session on the application. The motion was seconded by Jason Mullin with all voting in favor except Peter Garon opposed as he felt the Board could discuss application this in open session.

5. **Review and accept minutes of previous meetings**
The minutes to the regular meeting of March 9, 2015 were reviewed. Steve Rapoport moved to approve the minutes. The motion was seconded by Brent Rakowski with all voting in favor. The minutes to the regular meeting of April 6, 2015 were reviewed and a number of changes were made. Don Peabody moved to approve the minutes with the changed discussed. The motion was seconded by Brent Rakowski with all voting in favor.
6. **Pending Decision - Carolyn Thompson, 75 Main Street, Professional Residence-Office, Site Plan Review, Conditional Use 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.
7. **Pending Decision - ROLA Properties, LLC, 17 White Street, Demolition and Reconstruction of Multiple-Family Dwelling**
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 Peter Garon with all voting in favor.
8. **Deliberative Session - Kennedy Bros., Inc., 13 Main Street, Outside Seating Area, Site Plan Review, Conditional Use Review**
The Board held a deliberative session on the application by Kennedy Bros., Inc. Jason Farrell moved to direct Zoning Administrator Hawley to draft and affirmative decision on the application. The motion was seconded by Steve Rapoport with all voting in favor. Mel was asked to incorporate the testimony of the applicant relative his representation of the time of year the patio would be used, the hours of its use, that no alcohol beverages will be served, and the use is associated with the existing café which currently serves only breakfast and lunch. Mel was also asked to incorporate a condition that since there are no exterior lighting for the patio that use be limited to the period from sunrise to sunset.
9. **Other Business**
The Board discussed changing it regular meeting schedule from the first Monday of the month to the second Monday of the month. To make this change, an amendment is needed to the rules of procedure. It was agreed to discuss this at the next meeting.
10. **Report of Zoning Administrator**
Mel reported that he had canvassed the entire community to document the open storage of unregistered motor vehicles which is not allowed in residential districts under Section 1206 of the regulations. He said that letters have been sent to nearly twenty property owners asking that unregistered vehicles be either removed from the premises, registered, or moved inside a building. He said he is also following up zoning permits issued over that past few years to assure that development is being started and completed in a timely fashion as required by Section 307 of the regulations.
11. **Adjournment**
The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary