

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, JULY 7, 2014**

Members Present: Jason Farrell-Chair, Peter Garon, Brent Rakowski, Don Peabody,
Steve Rapoport, Alternate Member Clara Comeau

Members Absent: Alexandria McGuire

Guests: Dan Pflaster, Maura Breslin, Jamie Stephens

Present: Zoning Administrator Mel Hawley

[Note: The application by William and Lucie Huckabay involving the property owned by Cheryl Hayden located at 282 Main Street was withdrawn at the request of the applicant.]

1. **Review and accept minutes of previous meetings** - deferred
2. **Public Hearing – Pflaster Investments, LLC (Owner), Maura Breslin – H & R Block (Applicant), 10 Main Street, Change Use of Portion of First floor from Retail to Office, Site Plan Review, Conditional Use Review**

Jason Farrell read the public notice and swore in Dan Pflaster and Maura Breslin. No abutting property owners or tenants were in attendance. Dan Pflaster gave a brief overview of his proposal to change the use of the south portion of the first floor from retail to office. He said the bike repair shop will utilize the same space they currently occupy. He said that he was aware that H & R Block would be considered a franchise business under the regulations. Maura Breslin said that the business hours would be 8 a.m. to 10 p.m. Monday through Friday and during income tax season the hours will likely add 9 a.m. to 6 p.m. on the weekends. Dan said they are considering installing lighting on the building that will light the parking area to the south of the building. Mel noted that building-mounted area lighting is not allowed under the regulations. Jason said that lighting was not part of the application. Dan said therefore no consideration for additional exterior lighting is planned at this time other than better lighting over the entrance door. Jason asked Dan to respond to the specific standards Section 1604.F. Dan said that his application was no different than that approved for Kennedy Brothers, Inc. in that it is a change of use and only involves interior alterations and therefore is not subject to Section 1604.F. Dan was asked whether the parking would be delineated. He said the state will be requiring a designated handicapped parking space but no other delineation is planned. He said the dumpster will be replaced with containers that are less than 1.5 cubic yards. Members asked about the trailer and Dan said that it is registered and will be parked at the location designated for five parking spaces behind the buildings. Jason went through the objective in Section 703 for site plan review and standards in Section 803 for conditional use review. When asked about pedestrian safety, Dan said that the paving extends on both sides of the islands the entire length of the property which can safely accommodate pedestrian traffic. Jason noted that there was no testimony requesting that an economic impact study be conducted for the formula business as described. With no further discussion Peter Garon moved to close the public hearing and hold a deliberative session later in the meeting. The motion was seconded by Steve Rapoport with all voting in favor.

3. **Report of the Zoning Administrator**

Mel introduced Jamie Stephens who is a building contractor that is currently working on the property owned by Grace Whitney located at 73 School Street. Mel explained that the owner desires to tear down a portion of the building making room for a two-story addition. The attached garage located behind the main part of the building and the entire length of the east side of the wrap-around porch would be removed; the front porch would remain. The property is located in the Historic Neighborhood District. Construction and demolition is subject to the specific standards in Section 1604.F. Mel said that the garage appears on the drawings prepared by the Sanborn Map Company dated 1910 and based on his inspection felt that demolition of the attached garage is not allowed. He said on the portion of the porch on the east side of the main building is not on the drawings and also appears not of exact materials and would approve its removal. Mel said that based on Section 1604.F.12 and Section 1604.F.13 he needed to deny the application although feeling that the proposed addition was consistent with the character of the neighborhood. The Board felt that the proposal appeared to be reasonable yet understood Mel's interpretation and concluded that the only way to proceed was for the applicant to appeal the denial. If the owner wished to pursue an appeal, the Board authorized the scheduling of a public hearing for August 4, 2014.

4. **Deliberative Session –Pflaster Investments, LLC (Owner), Maura Breslin – H & R Block (Applicant), 10 Main Street, Change Use of Portion of First floor from Retail to Office, Site Plan Review, Conditional Use Review**

Jason Farrell moved to direct Zoning Administrator Hawley to draft and affirmative decision on the application. The motion was seconded by Don Peabody with all voting in favor.

Don Peabody departed at 8:10 p.m.

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

The minutes to the regular meeting of May 5, 2014 were reviewed. Jason Farrell moved to approve the minutes as corrected. The motion was seconded by Alex McGuire with all voting in favor except Brent Rakowski abstaining as he was not present at the meeting.

6. **Pending Application - Simmonds Precision Products, Inc. - UTC Aerospace Systems, 100 Panton Road, Request Amendment to the Condition in the Development Review Board Decision dated June 6, 2011 regarding Temporary Office Complex**

As directed by the Board, Zoning Administrator Hawley drafted an affirmative decision on this application. Peter Garon moved to approve the findings of fact and decision in its final form and 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.

7. **Adjournment**

The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary