

**CITY OF VERGENNES  
DEVELOPMENT REVIEW BOARD  
MINUTES  
REGULAR MEETING  
MONDAY, AUGUST 1, 2016**

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

Members Absent: Don Peabody

Guests: David Shlansky, Heidi Mahoney, William Huckabay, Lucy Huckabay,  
Christopher Beuhler, Paul Vachon

Present: Zoning Administrator Mel Hawley

**1. Public Hearing - Mahaiwe, LLC, Norton Grist Mill and Horse Barn, 360 Main Street, Multiple-family Dwelling, Site Plan Review, Conditional Use Review**

Jason Farrell read the public hearing notice and swore in David Shlansky, one of the principals of Mahaiwe, LLC and Heidi Mahoney. No abutting property owners were in attendance. Jason noted for the record that the Development Review Board conducted a site visit at the property on the evening of June 2, 2016. He also reported that the applicant submitted supplemental information under a cover letter dated July 13, 2016. David gave a brief overview of the proposed project involving the so-called Norton Grist Mill located at 360 Main Street. There are currently four dwelling units along with office space on the second and third floors in Norton Grist Mill. The proposal is to convert the office space into three dwelling units. There is an accessory structure, the so-called horse barn, which is currently used for storage. The project is an adaptive reuse of the building for two dwellings unit resulting in the property being a multiple-family dwelling consisting of two detached buildings with a total of nine dwelling units. The parking requirement for a multiple-family dwelling is four off-street parking spaces for every three dwelling units. The site plan showed twelve parking spaces. David acknowledged that a prior application for ten units was denied for lack of off-street parking and the lack of perimeter fencing. This application reduced the number of proposed dwelling units to nine. The existing twelve existing parking spaces meet the requirement of fours off-street parking spaces for every three dwelling units for a multiple-family dwelling. As for the fencing, the letter of July 13, 2016 proposed the Development Review Board elect one of two options. Option one, the applicant's preferred condition, would have the existing fencing remain unchanged except in the areas where there is a break in the fence. Option two proposes that if the Development Review Board finds that option one is unacceptable, there be a condition of approval that the perimeter fencing for the Norton Grist Mill property run substantially identically with the perimeter fencing for nearby Pumphouse Island which is owned by the City of Vergennes. David said that it is common for platforms near water to not have fencing or any form of fall protection and showed pictures at Boston Harbor. Jason Farrell said that he felt the example was not

comparable to the proposed project given the thirty-seven foot Vergennes Falls and at times rushing river flow being in such close proximity. Following lengthy testimony about perimeter fencing, Peter Garon moved to close the hearing and take the matter up in deliberative session at the end of the meeting. The motion was seconded by Tim Cook with all voting in favor.

2. **Public Hearing - William and Lucy Huckabay, 78 South Water Street, Accessory Structure, Setback Waiver under Section 1501.C**

Jason Farrell read the public hearing notice and swore in William Huckabay and Lucy Huckabay. No abutting property owners were in attendance. William explained that he was seeking a side yard setback waiver for a proposed accessory structure. He plans to remove an existing small shed and replace it in the same vicinity with a slightly larger structure that will be no larger than 8' x 16' and will be two feet from the side lot line on the north side of the property. He explained that his lot is only 50 feet wide which is his reason for the shed to be proposed close to the boundary line. Section 1501.C sets forth the requirements to receive a set back waiver. The property is in the Historic Neighborhood District which requires a minimum side yard setback of five feet. One of the requirements under Section 1501.C is to provide evidence the proposed setback of the accessory structure is of a similar distance and in character with other existing accessory structures in the neighborhood. William provided pictures of a number of accessory structures in the neighborhood with little or no side yard setback. When asked about lighting, William said no power will be brought to the building; there will be no lighting fixtures erected on or within the structure. With no further testimony, Jason Farrell moved to close the public hearing and that Zoning Administrator Hawley be directed to draft an affirmative decision on the application. The motion was seconded by Steve Rapoport with all voting in favor.

3. **First Congregational Church of Vergennes, 30 South Water Street, Enlarge Porch, Site Plan Review (see Section 311)**

Paul Vachon submitted an application on behalf of the Trustees of the First Congregational Church of Vergennes involving the replacement of the existing 6' x 6' porch with a 6' x 10' porch. Zoning Administrator Hawley said that although this application is relatively insignificant, any structure associated with a use other than a one- or two-family dwelling requires site plan review by the Development Review Board. The property was once used as the parish house for the church and is currently being used as a private school (Evergreen Preschool) and therefore will be governed by Section 311 (Limitation on Development Review). Steve Rapoport moved the application be deemed complete and that a public hearing be authorized for September 12, 2016. The motion was seconded by Tim Cook with all voting in favor.

4. **Public Hearing - Joseph and Nancy Klopfenstein (owner), Christopher Beuhler (applicant), 34 Main Street, Professional-Residence Office, Site Plan Review, Conditional Use Review**

Jason Farrell read the public hearing notice and swore in Christopher Beuhler. No abutting property owners were in attendance. Christopher Beuhler reported his plans to purchase the property for use as his residence and also locate his audiologist practice. He

said he expects to have about six patients per day. He said that the only exterior modification is the construction of a handicapped ramp to the entrance. He said although no other employees will be involved at the outset he might in the future have an intern and possibly up to two employees outside the family associated with the practice. Zoning Administrator advised that the definition of a professional residence-office states that there be no more than three individuals that do not reside at the dwelling employed. Jason Farrell moved to close the hearing and take that matter up in deliberative session at the end of the meeting. The motion was seconded by Tim Cook with all voting in favor.

5. **Pending Decision - Kiff, LLC, 30 New Haven Road, Convert Laundromat at South End of Building to Car Wash, Site Plan Review, Conditional Use Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Peter Garon moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Steve Rapoport with all voting in favor.

6. **Pending Decision - Stone Block Partners, LLP, 205 Main Street, Convert Restaurant at South End of Building to Retail, Convert Former Shoe Repair to Retail or Office, Site Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Brent Rakowski moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Jason Mullin with all voting in favor.

7. **Pending Decision - Jordon (Mike) Carpenter, 5 South Water Street, Change the Use of the Ground Floor from Retail to Nail Salon (Personal Service), Site Plan Review**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Peter Garon moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Tim Cook with all voting in favor.

8. **Pending Decision - First Congregational Church of Vergennes (owner), Evergreen Preschool (applicant), 30 South Water Street, Accessory Structure, Site Plan Review (see Section 311)**

As directed, Zoning Administrator Hawley drafted an affirmative decision approving the application. Brent Rakowski moved to approve the decision and authorize Chair Jason Farrell to sign the decision on behalf of the Board. The motion was seconded by Steve Rapoport with all voting in favor.

9. **Review and accept minutes of previous meeting**

The minutes to the regular meeting of July 11, 2016 were reviewed and corrected. Steve Rapoport moved to approve the minutes as corrected. The motion was seconded by Brent Rakowski with all voting in favor.

10. **Deliberative Session - Joseph and Nancy Klopfenstein (owner), Christopher Beuhler (applicant), 34 Main Street, Professional-Residence Office, Site Plan Review, Conditional Use Review**  
The Development Review Board held a deliberative session regarding the application by Christopher Beuhler. At the conclusion of the session, Peter Garon moved to direct Zoning Administrator Hawley to draft an affirmative decision on the application. The motion was seconded by Tim Cook with all voting favor.
11. **Deliberative Session - Mahaiwe, LLC, Norton Grist Mill and Horse Barn, 360 Main Street, Multiple-family Dwelling, Site Plan Review, Conditional Use Review**  
The Development Review Board held a deliberative session regarding the application by Mahaiwe, LLC. At the conclusion of the session, Brent Rakowski moved to direct Zoning Administrator Hawley to draft an affirmative decision on the application. The motion was seconded by Steve Rapoport with all voting favor.
12. **Other Business** - none
13. **Adjournment**  
The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Mel Hawley  
Acting Recording Secretary