

**CITY OF VERGENNES
DEVELOPMENT REVIEW BOARD
MINUTES
REGULAR MEETING
MONDAY, SEPTEMBER 8, 2014**

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

Members Absent: Don Peabody

Guests: Mike Reiderer, Ed Biello, Lynn Jackson, Robert Feuerstein, John Emerson IV, Debra Emerson

Present: Zoning Administrator Mel Hawley

Chair Jason Farrell introduced new members Tim Cook and Jason Mullin who were recently appointed by the City Council. Jason Farrell outlined the role of the Development Review Board. Mel reported that new members were provided with a copy of the zoning and subdivision regulations, the proposed municipal development plan that is currently under consideration by the City Council, and a copy of the rules of procedure and rules of ethics for the Development Review Board.

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

2. **Maurice and Jane Hebert (Owner), Boys & Girls Club of Greater Vergennes (Applicant), 75 Main Street, Change Use from One-family Dwelling to Community Center, Site Plan Review, Conditional Use Review**

Mike Reiderer, Executive Director of the Boys & Girls Club of Greater Vergennes, presented an application to change the use of the property at 75 Main Street from a one-family dwelling to a community center. He explained that they have a purchase and sale contract on the property. Mel asked the Board to review the definition for a “community center” to confirm the use as proposed is allowed by conditional use. The Board concurred that the use is a community center as defined. Mike explained that the Board of Directors selected this site given its proximity to Vergennes Union Elementary School and Vergennes Union High School. He said the Club’s center operates from 2:30 p.m. to 6:30 p.m. during the school year and noon to 4 p.m. during the summer and school vacations. He said that typically there are 20-30 kids at the Club. He said the Club has two full-time and one part-time staff members and there are usually one or two volunteers to support the young people they serve. He said this property will have some outdoor space and a much-needed kitchen. The site plan showed that the driveway will need to be widened and provide for a turn-around and four off-street parking spaces. Mel noticed that none of the spaces were indicated to be handicap spaces and suggested the applicant check with the State to see if one is required for this use. The primary entrance will be on

the north side of the building with handicapped access via a new ramp on the south side of the building. Mel said that a community center, per the regulations, requires one off-street parking space for every four patrons or one off-street parking space for every 300 square feet, whichever is greater, unless a waiver is granted by the Board. Mike said that due to the nature of their use, that many space are not needed and therefore they would seek a waiver from the Board. Members asked about dropping off and picking up youngsters given there is no off-street parking on the east side of Main Street in this vicinity. Mike said parents will be instructed to use the off-street parking spaces for this purpose. Mike said that no exterior lighting is planned. Jason told him that if that changes, the Board will need a lighting plan and cut-sheets on any proposed fixtures. Members wondered about the material for the expanded driveway and parking area and Mike responded that it would be gravel or crushed stone. There were also questions about whether any patrons might be driving to the Club and whether school busses would drop off kids. Mike said there might be three to four youths over age sixteen and busses will not deliver or pick up kids to and from the Club. With no further questions, Peter Garon moved that the application be deemed complete and that public hearing be scheduled for October 6, 2014. The motion was seconded by Brent Rakowski with all voting in favor.

3. **Kennedy Bros., Inc. 11, Main Street, Parking Lot Improvements, Site Plan Review**
Robert Feuerstein, a principal of Kennedy Bros., Inc., presented a parking and drainage plan reflecting paving the entrance and parking area. Brent Rakowski disclosed that although the plans are prepared by Otter Creek Engineer, as an employee of the firm, he was not assigned to the project and thus felt he did not have a conflict of interest. There was no objection to his participation in reviewing the proposal. Mel said that when someone is paving their driveway that is normally considered exempt activity with no zoning permit required. In this instance given the change in traffic circulation and the delineation of parking, he felt that site plan review is required. Members concurred with his determination and Board action will be required since the work is clearly beyond the scope of what is normally regarded as exempt activity. Mel reported that the City Council recently authorized a license agreement that provides Kennedy Bros. Inc. with exclusive use of a portion of the old Main Street right of way that once went across the railroad tracks. Mel said that the plan provided reflects paving outside the licensed area and not on Kennedy Bros., Inc. property. He said the applicant will likely need approval from Country Home Products, VTrans, and possibly Vermont Railway to make improvement to that area. Robert pointed out the location of parking lot lighting but did not have specifications on the fixtures. He also said that there is consideration of an outside seating area associated with the café. He also pointed out the new main entrance. Members asked that elevations drawing be supplied for the new main entrance. Mel said that if an October 6, 2014 public hearing was being requested, the applicant must provide a revised plan, elevation drawings, and lighting specifications within ten days. Robert said that was ambitious. Steve Rapoport moved to continue that application review stage to the next regular meeting. The motion was seconded by Peter Garon with all voting in favor.

4. **John C. Emerson IV, Deborah Emerson, 11-13 Main Street, 15 Main Street, Preliminary Sketch Plan Review**

John and Debra Emerson explained that they own two abutting properties on West Main Street. They own a two-family dwelling at 11-13 West Main Street and an old double-wide that is currently vacant at 15 West Main Street. Both properties are in the Historic Neighborhood District. The lot size of the property at 11-13 West Main Street is about 13,000 square feet. The lot size of the property at 15 West Main Street is about 5,300 square feet and has a deeded right of way over the property at 17 West Main Street but is no longer used. John explained that if there was a tenant at 15 West Main Street they would get access over the 11-13 West Main Street property. The minimum lot size in the Historic Neighborhood District is 7,000 square feet for a one-family dwelling and 50,000 square feet for a two-family dwelling. John asked if whether the Board would be open to the concept of transferring some of the back yard of 11-13 West Main Street and a deeded right of way to 15 West Main Street. Mel said that if this was to happen, 11-13 West Main Street would continue to be a non-conforming lot, however more conforming, and 15 West Main Street would then meet minimum lot size but of course would not have any required street frontage since it would continue to be accessed by a right of way. Jason Farrell felt that a variance would be required for a sub-standard lot to be further reduced. Mel said that the criteria could not likely be met to grant a variance but wondered if there as some way to get at least one of the lots to conform as currently neither lot conforms to the regulations. John said that if the proposal could not be entertained that he would have to redevelop the property at 15 West Main Street in some fashion as he did not want to simply transfer the small parcel to an abutting property. Jason Farrell explained that he Board would entertain an application made it clear that burden is on the applicant to defend the proposal under the regulations.

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

The minutes to the regular meeting of August 4, 2014 were reviewed. Steve Rapoport said there should be a leading paragraph indicating that the Board conducted a site visit at 723 School Street in advance of the meeting. Peter Garon moved to approve the minutes with the change. The motion was seconded by Steve Rapoport with all voting in favor. The minutes to the special meeting of August 11, 2014 were reviewed. Jason Farrell said that the sentence in the middle of the first paragraph was confusing and suggested that it read similarly to what is in the minutes to the meeting of August 4, 2014. Brent Rakowski moved to approve the minutes with that change. The motion was seconded by Jason Mullin with all voting in favor.

6. **Adjournment**

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Mel Hawley
Acting Recording Secretary