

**CITY OF VERGENNES  
DEVELOPMENT REVIEW BOARD  
MINUTES  
REGULAR MEETING  
MONDAY, NOVEMBER 3, 2014**

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

Members Absent: Don Peabody

Guests: Ed Biello, Henry Broughton, Susan Burdick, Jeffrey Fritz, Janet Hall-Mazza, Maurice Hebert, Lynn Donnelly, Rob Keith, Diane Lanpher, Paula Moore, Eben Punderson, Mike Reiderer, Bonnie Scott, Terry Faith Terry, Steve Terry

Present: Zoning Administrator Mel Hawley

1. **Review and accept minutes of previous meetings – deferred**
  
2. **Public Hearing (continued) - 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**

Jason Farrell read the public notice and swore in the attendees. It was again noted that Board member Steve Rapoport had recused himself from participating in light of his claim to have a conflict of interest as a relatively nearby Main Street resident and property owner. Mel said that the rules of procedure require him to document interested parties in attendance at a public hearing. The list of attendees at the last meeting was examined and interested party status was determined for those eligible. A determination of interest party status was also made for those in attendance at this meeting. At the last meeting it was discovered that the site plan was not accurate so the meeting was recessed to give the applicant an opportunity to provide a revised site plan. Mike Reiderer, Executive Director of the Boys & Girls Club of Greater Vergennes, gave an overview of the revised site plan. He said the location of the existing building is now accurately located on the site plan. Mel suggested that the letter filed prior to public hearing held in October by abutting property owner Rose Plankey be read into the record. Mel also said that he had received an e-mail from Janet Hall-Mazza requesting that it too be read into the record. Jason read both communications into the record. Along with the revised site plan, Mike also submitted a narrative dated October 24, 2014. The document outlined current attendance at their existing center on School Street which is 18-24 students. He explained that their goal is increase the average daily attendance to 25 youths. He reported the building is currently under review by the Department of Public Safety and expects that the maximum allowed capacity will be fewer than 50 people. The hours of operation were described similarly as that reported at the last meeting but also pointed out

that on some occasions, staff would be present at off hours or on weekends, but these would not be youth programming hours. He also said they would like approval for occasional special events of no more than once of month. At the last meeting, it was asked that specific information be provided on the utilization of space within the building so that calculations could be made of required off-street parking. The narrative included this information and also described exterior modifications to the building and site work to include the extended driveway and parking, screening, and lighting. Mike said their application continues to seek a waiver of the minimum off street parking spaces. Mel said that the site plan has some issues pertaining to the regulations that the Board should be made aware. He said that a large portion of the handicapped parking space proposed to be located in front of the front face of the building is not allowed by the regulations. He said the two other spaces on the south side of the driveway did not appear to leave sufficient room for travel lanes for ingress and egress. Mike acknowledge that deficiency and said that those three spaces should be considered withdrawn from the proposal. Mel also noted that under the regulations the Board may require that no parking and loading spaces be set back no closer than 25 feet from adjacent residential uses and shall be suitably screened and landscaped. Jason said that the proposed floodlights mounted on the building do not comply with the regulations. Mike said that those lights would run on a motion sensor are for safety and security but would change the lighting proposal if necessary to meet the regulations. Eben Punderson was present representing Janet Hall-Mazza and asked that the parking waiver be read and wondered about the process and how that is determined. Jason said that the Board routinely receives and grants waivers requests involving applications in the Central Business District but there is no precedent for the Residential/ Limited Business District. Janet noticed that shrubbery is suggested along her border and was not satisfied with that wide expanse of shrubbery or a tall fence. She suggested a split-rail fence. When asked about the boundary stakes put in by the applicant, Janet said the stakes appeared to be accurate. She objected to the use of motion floodlights. Janet said there is no way to predict the use of the driveway and whether the three-or four spaces would be sufficient. She said that if there is no room in the driveway there will be an increase of accidents and reported past history of the three car accidents in this vicinity. Peter Garon wondered if the driveway could be widened and asked Mike to respond to safety concerns. Mike said this site is safer than its existing location on School Street as the youths did not have to cross any streets to get to this location and there is no on-site parking at School Street making it a trickier spot. When asked about the number of cars involved with dropping off kids, Mike responded that when school is in session that are no drop offs as attendees walk from school and there are only a couple cars daily for picking up youngsters. Janet said that students change and parents change and 17 year old students can have cars and therefore there is no way to predict. She also pointed out that the proposed location is actually further from the elementary school so students must to walk a further distance to the center. Bonnie Scott, who lives across from the proposed site, said that she had raised five kids with no accidents claiming there to be no safety concerns. With no further comments, Peter Garon moved to close the public hearing and take the matter up in deliberative session. The motion was seconded by Brent Rakowski with all voting in favor.

3. **Terry Faith Terry and Stephen Charles Terry, Trustees, 125 Main Street, Change use from Professional Residence Office and Apartment, to Partial or Complete Conversion to Bed and Breakfast, Medical Services, Office, and/or Professional Studio**

The Terrys presented an application involving a proposed change of use of their property at 125 Main Street. Steve Rapoport reported that as an abutting property owner has a conflict of interest will recused himself from this proceeding. For many years the property contained the law offices of Gerald Weihs (Terry Faith Terry's late husband). Because a professional residence office requires that the office is maintained by and resident of the property, the application request for a stand-alone office along with the two dwelling units. The Terrys also explained that the property is currently on the market and are seeking permits that would allow various uses for a potential buyer. Their application involves partial or complete conversion of the property to a bed and breakfast, medical services, office, and/or professional studio. An aerial photo was used as a site plan and was modified to closely reflect property lines. The only off-street parking are the four spaces within the garages. The area outside the garage will be modified to provide for an easier turn-around. Mel said that for the uses proposed the applicant would need a waiver from the minimum off-street parking requirements. Jason Farrell asked that a parking plan be submitted by November 10, 2014, and if that was accomplished that a December 1, 2014 public hearing be authorized. The motion was seconded by Peter Garon with all voting in favor.

4. **Deliberative Session - 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**

The Board held a lengthy deliberative session on the application and will continue its deliberative session at the December 1, 2014 meeting.

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

The minutes to the regular meeting of October 6, 2014 were reviewed. Steve Rapoport moved to approve the minutes with the changes discussed. The motion was seconded by Tim Cook with all voting in favor.

6. **Organization Meeting**

**Election of Chair, Vice-Chair, and Secretary**

**Review Rules of Procedure and Rules of Ethics**

In light of the time, Peter Garon moved that the organization meeting be held at the next regular meeting. The motion was seconded by Brent Rakowski with all voting in favor.

7. **Adjournment**

The meeting adjourned at 10 p.m.

Respectfully submitted,

Mel Hawley  
Acting Recording Secretary