

Montpelier Development Review Board
January 20, 2004
City Council Chambers, City Hall

Subject to Review and Approval

Present: Philip Zalinger, Chair; Alan Blakeman; Jack Lindley; Kevin O'Connell; Alternate Ken Matzner.
Staff: Stephanie Smith

Call to Order

The meeting was called to order by Mr. Zalinger at 7:12 pm.

Approval of Minutes

A motion was made by Mr. Lindley to approve the January 5 DRB meeting minutes. Mr. Blakeman seconded the motion. The motion to approve the minutes was approved 4-0. Mr. O'Connell abstained as he was absent for the January 5 meeting.

Consent Agenda

- A. Applicant:** Saxton Sign Corp. for Charter One Bank
Property Address: 7 Main Street
Zone: RIV/DCD
- Replacement of two wood carved hanging signs
 - Replacement of one ATM Lexan Header wall sign
 - The DRC recommends approval with adjustments

Participating Members: Philip Zalinger, Alan Blakeman, Jack Lindley, Kevin O'Connell, Alternate Ken Matzner.

The applicant was not available to represent the application, provided a letter stating that they agreed with the proposed adjustments to the sign application.

Mr. Lindley made a motion to grant design review at 7 Main Street as recommended by the DRC. Mr. O'Connell seconded the motion. The motion passed 5-0.

Design and Site Plan Review

- Applicant:** Heney Family Main Street LTD Partnership
Property Address: 8 St. Paul Street
Zone: CB-II/DCD
Purpose: Design and Site Plan Review
- Change of use from single family dwelling to office
 - Accessibility ramp
 - The DRC recommends approval with adjustments

Participating Members: Philip Zalinger, Alan Blakeman, Jack Lindley, Kevin O'Connell, Alternate Ken Matzner.

Interested Parties: Tim Heney (for Heney Family Main Street LTD Partnership)

The application is to convert a building from a single family home to office use. An access ramp will be concealed within a porch structure.

There was discussion about parking in the area, as the office use requires three parking spaces. The application shows that four spaces exist and four are required. Mr. Matzner asked how many counselors would be using the office and voiced concern if the number of spaces would be enough. The

number of spaces is based on square footage, not number of employees. There is landscaping considered for the project which includes four low evergreen shrubs.

Mr. Blakeman moved approval of 8 St. Paul Street with recommendations by the DRC. Mr. O'Connell seconded the motion. The motion was approved 5-0.

Public Hearing- Conditional Use, Site Plan and Design Review

Applicant: Connor Brothers – Montpelier One, LLC
Property Address: 156 Main Street
Zone: HDR/DCD
Purpose: Design, Conditional Use, and Site Plan Review

- Construction of new window openings and installation of windows
- Construction of 8' x 6' addition to entryway, concrete stairs and sidewalk
- DRC recommends denial of application as proposed

Participating Members: Philip Zalinger, Alan Blakeman, Jack Lindley, Kevin O'Connell, Alternate Ken Matzner

Interested Parties: Fred Connor (Connor Brothers) and Steve Connor (Connor Brothers).

Mr. Zalinger said he does not have a direct conflict of interest and does not feel he needs to recuse himself, but will abstain from voting.

The request is for a conditional use application to construct a 2,278 square foot addition within the existing footprint, addition of new window openings and installation of windows. The building is a large institutional property and has an existing permit for a medical clinic and office use.

Mr. F. Connor said he met with the Design Review Committee with regard to the exterior alterations. He said the building is the former Masonic Center and received previous approvals to converted the building to medical clinic and office use. This proposal is to further utilize the second story space and add windows for natural light on the second floor. He disagrees with DRC, and believes the proposed windows on the west elevations are tastefully presented and consistent with the existing windows.

Mr. Blakeman asked Mr. F. Connor why they want the windows on the Spring Street side of the building. Mr. F. Connor said they felt the windows add a more dramatic appeal for the building. Mr. O'Connell said he felt it would be useful to have some testimony from the DRC with regards to their recommendation. Mr. Zalinger said he was concerned about one member's view of the project as the DRC has already given their opinion and voted as a committee.

There was discussion of traffic flow. The application does meet the criteria for needed number of parking spaces. The Board decided to review the Conditional Use Criteria.

Conditional Use Criteria

1. The capacity of existing or planned community facilities: **Building is a community facility.**
2. The character of the area affected [504.] **The proposed expansion does not affect the character of the neighborhood, because the expansion is proposed within the existing footprint of the building, and there are no proposed changes to the on-site parking. The addition of the walkway and entrance are an improvement to the on-site pedestrian circulation.**
 - a. The performance standards in Section 814 of the ordinance [504.]
 - i. No use shall emit noise at the property line in excess of the standards set in the Montpelier code of Ordinances, Chapter 11, Article 10 [814]

- ii. Emit odor which is offensive at property line [814.]
 - iii. Emit dust or dirt at property line [814.]
 - iv. Emit smoke in excess of Ringmann Chart no. 2 [814.]
 - v. Emit noxious gases which endanger the health, comfort, safety or welfare of any person, or which have a tendency to injury or damage property, business, or vegetation [814.]
 - vi. Emit lighting or signs which cause undue glare, which could impair the vision of a driver of any motor vehicle or are offensive to the neighborhood [814.]
 - vii. Cause fire, explosion of safety hazard, or create electrical interference [814.]
 - a. The site plan review standards and approval conditions in Section 506.C, excluding uses exempt from site plan review [504.]
 - b. Hours of operation [504.]
 - c. The cumulative impact of the proposed conditional use taken together with other conditional uses in the neighborhood [504.]
3. Traffic on roads and highways in the vicinity [504.] **The proposed expansion would require only four additional parking spaces, but the site can accommodate the required parking without any changes.**
 4. The Zoning and Subdivision Regulations in effect [504.] **The there are no known violations of the regulations.**
 5. The utilization of renewable energy resources [504.] **N/A**

Mr. O'Connell moved approval of the conditional use application to expand the current use at 156 Main Street. Mr. Blakeman seconded the motion. The motion was approved 4-0, Mr. Zalinger abstained.

Mr. O'Connell moved approval of the design review application with the condition that the west elevations shall be revised to exclude the proposed windows on the second floor. Mr. Blakeman seconded the motion. The motion would allow the Connors to go forward with the renovation project. The motion was passed 4-0. Mr. Zalinger abstained.

Mr. O'Connell moved approval of the site plan application of 156 Main Street. Mr. Lindley seconded the motion. The motion was passed 4-0. Mr. Zalinger abstained.

Other Business

There was discussion about the agenda of the following meeting.

Adjournment

Motion to adjourn was made by Mr. O'Connell and seconded by Mr. Blakeman. The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Nicole Parker Van Iderstine

Nicole Parker Van Iderstine
Secretary

These minutes are subject to approval by the Development Review Board. Changes, if any, will be recorded in the minutes of the meeting at which they were acted upon.