

**Montpelier Development Review Board
February 22 2005
City Council Chambers, City Hall**

Subject to Review and Approval

Present: Philip Zalinger, Chair; Jack Lindley; Alan Blakeman; Roger Cranse; Douglas Bresette; Guy Teschmacher; Ylian Snyder
Staff: Stephanie Smith, Administrative Officer

Call to Order

The meeting was called to order by Mr. Zalinger.

Minutes

Mr. Blakeman made a motion that the minutes of the February 7, 2005 meeting be approved. Mr. Bresette seconded the motion. Mr. Zalinger said that he would abstain from voting on the minutes as he did not attend the meeting. He also noted that Ms. Snyder would be only voting on those items that she participated in. The Board approved the minutes by a vote of 6-0 with one abstention.

Comments from the Chair

Mr. Zalinger said that he would be recusing himself on the application for 3 Pitkin Court as his firm represents the applicant. Ms. Snyder said she would be recusing on the application at 221 Barre Street as she works with Central Vermont Community Land Trust on occasion.

I. Design Review for Sign Permit Application

Applicant:	Norma Segale - The Peach Tree
Property Owner:	Heney Family Main Street Ltd. Partnership
Property Address:	65 Main Street
Zone:	CB-I/DCD
•	Two wall signs including alterations to sign band

Interested Parties: Norma Segale

Mr. Zalinger asked Ms. Segale whether she agreed with the Design Review Committee's recommendations. Ms. Segale said that she did.

Ms. Smith noted that the application materials include two different lengths for the storefront and asked the applicant to clarify the actual length. Ms. Segale said that she did not have that information with her. Mr. Zalinger suggested that the applicant submit verification before any permit is issued for the work. Mr. Bresette asked whether the issue was raised because it would affect the allowable length of the sign. Ms. Smith said that was the case. She added that she believed that the sign did comply based upon the information provided in a telephone conversation with the applicant. Ms. Smith said that the actual length should be clarified for the file. She said that the DRB would be approving the sign design, but the sign dimensions would be approved by the Administrative Officer in the permit.

Mr. Blakeman made a motion that the Board grant design review approval for the sign permit application with the staff recommendations and advisory comments and contingent upon the applicant providing written verification of the building length to the Administrative Officer. Mr. Cranse seconded the motion. The motion was approved by a vote of 7-0.

II. Design and Site Plan Review

Applicant: Duane Wells
Property Owner: Duane Wells
Property Address: 3 Pitkin Court
Zone: CB-I/DCD

- 24' x 44.5' addition to an existing building and site alterations

Interested Parties: Nate Temple for Duane Wells

Mr. Zalinger said that he was recusing himself from the proceedings on this application and stepped down from the table. Mr. Temple was sworn in by Mr. Lindley.

Ms. Smith said that this application was for an addition to the east side (or rear) of the existing building. She said that two entrances are proposed on the addition with a handicapped accessible ramp proposed for the entrance on the north side. She said that the proposal would result in the elimination of six existing parking spaces at the rear of the building, but that the applicant proposes to add some spaces at other locations. She said that the staff recommended the removal of proposed parking space #16. Ms. Smith said that the space would extend into a slope, requiring a retaining wall for which no design or details have been provided. Mr. Temple said that he had an updated plan and provided copies to the Board members. Ms. Smith said that a prior approval in 1998 resulted in a credit of 14 parking spaces for this building. She said that the plan that Mr. Temple had just provided still showed parking space #16 which should be removed from the plans. She added that space #15 extends onto City property and will require City approval.

Mr. Bresette asked where the handicapped parking space would be. Mr. Temple said that spaces #12, #13 and #15 have access to the handicapped ramp. Mr. Bresette noted that those spaces did not appear large enough for handicapped accessibility. Mr. Teschmacher said that space #15 could function as the handicapped space. He asked how wide the area between the parking space and the sidewalk would be. Mr. Temple said that he believed that the area was four feet wide. Mr. Bresette questioned whether the width was adequate. He said that there appeared to be only 2' between the parking space and the sidewalk and that he believed that five feet were required for handicapped accessibility.

Mr. Lindley asked whether the slope behind the building would be excavated. Mr. Temple said that would be a possibility as a second phase of the work that would involve the addition of six parking spaces. He said that work would be the subject of a separate application.

Ms. Smith suggested that the Board review the plan that was just submitted because it involved stacked parking and changes to circulation on the site. Mr. Temple said that the stacked spaces would be used by employees and a plan would be developed addressing who would park in those spots. Mr. Bresette asked whether the Board could approve stacked parking. He observed that the stacking would be four vehicles deep. He said that could be a problem in the case of an emergency. Ms. Smith said that the regulations do not prohibit stacked parking. She said that she talked to the Fire Chief and was told that he did not have access issues since the building addition will be equipped with sprinklers. She noted that the Technical Review Committee had not yet had a chance to look at the revised plan and said that the vehicle circulation seemed to be compromised. Mr. Teschmacher said that he understood that the spaces were not required to meet the parking standards. Ms. Smith said that was correct. Mr. Teschmacher noted that the existing spaces across the drive aisle were all designated as handicapped spaces.

Mr. Blakeman asked how the dumpster would be accessed under the revised plan. Mr. Temple said that the dumpster would be approached in the same manner as it currently is. He said that the truck would drive in and back out before

business hours.

Mr. Teschmacher asked if there was any input from the police on the stacking issue. Ms. Smith said that they had not yet seen the plan. She said that it presents an odd circulation problem and that she would recommend that the stacked spaces be removed. She added that there is nothing in the ordinance that prohibits stacked parking. Ms. Snyder said that the building was previously granted two spaces in the aisle where the stacking is proposed. She said that those spaces could continue to be used. Ms. Smith agreed. Ms. Snyder said that would result in a loss of only three of the 15 spaces that are proposed.

Mr. Bresette said that he would like to see parking space #15 become a handicapped space. He said that he would also like to have spaces #16, #1, #2 and #3 removed. Ms. Snyder said that more work would have to be done in order to make space #15 a handicapped space. Mr. Teschmacher said that there are two spaces across from space #12 that can be used by anyone with handicapped license plates, but there is no aisle from those spaces. Mr. Bresette suggested that Ms. Smith check on the ADA requirements for the size and aisle width requirements for handicapped spaces. Ms. Smith said that she was willing to help the applicant find that information, but the applicant must develop the design.

Mr. Lindley said that the proposal would result in the loss of seven parking spaces. He said that the City has significant parking needs in this area and that the Board needs to pay close attention to the parking plan. He said that he would like to hold the application in order to get more information. Mr. Temple asked about the possibility of getting an approval for the building now and then following up on the parking. Mr. Cranse said that he did not have a problem with spaces #1, #2 and #3 since the Fire Chief said that he did not need that area. He said that the stacking may be an annoyance for the employees using the spaces, but the City needs parking spaces. He said that space #16 should be removed and that it is the applicant's responsibility to meet ADA requirements. Mr. Cranse said that he was willing to accept the parking plan with those understandings. Ms. Snyder said that she would agree with the exception of spaces #4 and #5. She said that two cars are already parked on the side of the building and that a third car would not cause a problem if spaces #4 and #5 were not there. Ms. Smith said that vehicles on that side can currently circulate around the back of the building. She said that circulation would be eliminated by the proposed building addition and all of the stacked vehicles would have to back out into the travel lane. Mr. Lindley said that those spaces would only be used by the employees. Mr. Cranse said that the spaces would not be public spaces. He said that Montpelier needs all of the downtown parking spaces that it can get. Mr. Teschmacher asked whether circulation around the building would be restored if Phase II is developed. Mr. Temple said that it would be. He added that Phase II would have been included with the current application, but the engineering design is not yet ready. Mr. Teschmacher said that he tended to agree with Mr. Cranse. He said that parking is needed in this area. Ms. Smith said that it was possible that a change in use to retail could occur and that the parking would then go with that use.

Mr. Bresette asked whether it was appropriate for the Board to say that parking spaces that were previously approved are now unacceptable. Ms. Smith observed that space #1 was part of the previous approval but the other spaces have all been relocated under the current proposal. Mr. Blakeman said that the parking plan needs work, but he would like to see the building addition approved since the parking is not required for the addition. Ms. Smith said that proposed spaces #4 and #5 will also require City approval since they are on City property.

Mr. Cranse made a motion that the Board approve the application for design and site plan review with staff comments 1, 2 and 5 and including parking spaces #1 through #15 with the proviso that City approval be obtained for spaces #4, #5 and #15. Mr. Blakeman seconded the motion. Mr. Teschmacher asked for an explanation of staff comment 4. Ms. Smith said that the comment would have the Board recognize that a 14-space credit was previously granted, but future applications would have to comply with parking requirements in effect at the time of the application. Mr. Cranse said that he would include comment #4 in the motion. Mr. Blakeman said that he would accept that.

Mr. Temple asked whether the comment meant that, pending approval of the 15 proposed spaces, the applicant can get 14 spaces in addition. Ms. Smith said that was not correct. She said that there was a 14-space credit for use in the building at the time the original addition, and change of use was proposed. Mr. Lindley agreed and said that he believed that the credit was designed to move the 1998 project forward, and so that the applicant was not penalized by having to pay for spaces in the parking fund for the change of use in existing square footage in the downtown. Ms. Snyder said that she recalled that the parking now located in the front of the building was being negotiated at the time of the then municipal panel's review and was not in addition to the 14 space credit granted.

Mr. Lindley said that the motion before the Board was to approve the application for design and site plan review with staff recommendations 1, 2, 4 and 5, with the removal of parking space #16 and with the proviso that City approval be obtained for parking spaces #4, #5 and #15. The Board voted 4-2 to approve the motion (Mr. Bresette and Ms. Snyder voted in opposition to the motion and Mr. Zalinger recused).

III. Sketch Plan Review

Applicant: Central Vermont Community Land Trust
Property Owner: RLO, L.L.C.
Property Address: 221 Barre Street
Zone: CB-II/DCD

- Amendment to an approved PUD to increase condominium units from 14 to 18 for a total of 54 units.
- Site alterations including parking and landscaping.

Interested Parties: Tim King, Kathy Beyer, Tom Bachman, Jeff Stetter

Ms. Snyder said that she would be recusing herself from participation in this application.

Mr. Zalinger asked who RLO, L.L.C. was. Mr. King said that they are the existing owners of the property. He said that Central Vermont Community Land Trust has a purchase agreement with the owner and hope to close on the property in March.

Mr. King said that the previously approved proposal was for 14 condominium units and 36 rental units. He said that it has become clear that the limit of 14 units presents problems in terms of bringing construction costs in line with the development of affordable housing units. He said that the proposed increase to 18 condominium units would allow the applicant to offer the units as affordable housing. Ms. Beyer said that the rental building should be under construction in April. She provided the Board with copies of a revised memo. She said that six of the 18 proposed units would be perpetually affordable and all of the units will be affordable to households below 100% of the median income. Ms. Beyer explained that the cost of asbestos abatement and demolition will be \$260,000, based upon recently received bids. She said that the cost must be shared by the rental units and the condominium units and that is why additional units are proposed.

Mr. Lindley asked whether the design is changing. Ms. Beyer said that it was. Mr. Lindley asked if the proposal would need a new Act 250 approval. Ms. Beyer said that the applicant will have to seek an amended Act 250 approval.

Mr. Zalinger asked for an overview of the changes. Mr. Bachman said that the building in the back has been enlarged and a public space has been added between two buildings. He said that stoops and wide steps are now proposed for the building fronting on Barre Street and that the applicant is looking at adding decks to the rear of the building. He said that the previous plan proposed 26 parking spaces and the current plan is expected to provide 27 spaces. He said that flat roofs are proposed instead of pitched roofs. He said that the flat roofs will fit in well with the existing houses

on Barre Street and help to address issues related to snow shedding off of the roofs. Mr. Cranse asked how wide the park would be. Mr. Bachman said that it would be 30' wide. He said that the site changes were basically to the building mass and the landscaping.

Mr. Teschmacher asked what the prior density bonus was. Ms. Beyer said that the prior approval of a total of 50 units included a density bonus of two units. She said that the applicant is now requesting to add four more units. Ms. Smith said that the Board should consider page 8-25, section 813 for the criteria for density bonuses. Mr. Zalinger said that the previous action determined that two bonus units were consistent with the criteria and the current question is whether the incremental increase of four units is also consistent with the criteria. Mr. Lindley said that, if affordable housing is the goal and additional units are needed to make the project economically feasible, it may be appropriate to develop up to the maximum allowable density with bonuses. Mr. Zalinger said that the applicant is only requesting 54 units. Ms. Beyer said that the site is tight and it would be difficult to put more than the 18 proposed condominium units on the site.

Mr. Bresette asked whether the Board was okay with the recreation on the site. Ms. Smith said that the applicant is just proposing to shift the location of the open space on the site.

Mr. Zalinger asked the Board members for an indication of whether they felt that the addition of four units would have an adverse impact on the capacity of community services. Mr. Cranse said that he did not think that the proposed incremental increase would create such an impact. Mr. Lindley said that the proposal would enhance the use of aspects of public services such as schools which are not being fully utilized. He said that he did not see any adverse impacts. Mr. Zalinger said that the plans will need the review of the Technical Review Committee, but he did not perceive any negative impact on services or traffic from the incremental increase. Mr. Lindley said that he hoped that the design of the building would be compatible with the apartment building. He said that the current sketches of the condominium buildings do not look like the other building design.

Ms. Smith said that the mass of the buildings and the building heights have changed. Mr. Zalinger noted that the building height is three stories, but said that the building is on the part of the site that drops away from Barre Street. He said that he did not think that would be an issue with the character of the area. Ms. Beyer said that this building should be lower than the previously proposed building because a flat roof is proposed.

Mr. Zalinger said that the last criteria related to the goals of the Master Plan. He said that he did not believe that the incremental increase would change the ability of the project to support the goals of the Master Plan. Mr. Zalinger said that these preliminary conclusions are based on the information provided. He said that the Board did not have any recommendation at this point. He said that it was fair to say that members are generally favorable to the incremental increase. Mr. Lindley said that he would encourage the applicant to move forward on the project as quickly as possible.

IV. Postponed Design Review

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| Applicant: | Heney Family Main Street LTD. Partnership |
| Property Owner: | Heney Family Main Street LTD. Partnership |
| Property Address: | 73 Main Street |
| Zone: | CB-I/DCD |
- Replacement of 69 windows

Ms. Smith said that this application was tabled by the DRC and that action by the DRB would be postponed to March 7, 2005.

Other

There was no other business.

Adjournment

Mr. Blakeman made a motion to adjourn the meeting. Mr. Lindley seconded the motion. The Board unanimously approved the motion to adjourn.

Respectfully submitted,

Stephanie Smith
Administrative Officer

Transcribed by Kathleen Swigon

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 are acted upon.