

Montpelier Development Review Board
January 3, 2005
City Council Chambers, City Hall

Subject to Review and Approval

Present: Philip Zalinger, Chair; Kevin O'Connell, Vice-Chair; Alan Blakeman; Douglas Bresette; Roger Cranse; Jack Lindley; Guy Teschmacher;

Call to Order

The meeting was called to order by Mr. Zalinger. He noted that Ms. Smith would not be present at the meeting.

Minutes

Mr. Blakeman made a motion that the minutes of the December 19, 2005 meeting be approved. Mr. Cranse seconded the motion. The motion was approved by a vote of 7-0.

I. Design Review

Property Address: 89 State Street
Applicant: Brian Egan, Vermont Mutual Insurance, Co.
Property Owner: Vermont Mutual Insurance, Co.
Zone: CB-I/DCD

- Exterior alterations to an existing office structure consisting of an installation of a new window and enlargement of windows on the third story of the east elevation;
- removal of a single window on the east elevation; and
- installation of rooftop HVAC units.

Interested Parties: Greg Lord

Mr. Zalinger said that the staff report indicated that the DRC recommended approval of the application with the adjustment that the removed window opening on the north elevation be closed with inset/recessed brick while maintaining the sill, to preserve the appearance of an opening; and an effort shall be made to match the mortar color. Mr. Zalinger asked whether the applicant agreed with the DRC recommendations. Mr. Lord said that the applicant agreed.

Mr. Cranse said that it was not clear where the larger windows would be installed. Mr. Lord said that the windows would be installed on the fourth floor in the north elevation. He said that they will be slightly taller than the existing windows. Mr. O'Connell asked whether the proposed HVAC will be replacing existing units. Mr. Lord said that they would replace existing units as there will be a complete revamping of the HVAC system and the new units are required. Mr. O'Connell asked whether a noise analysis was done on the post configuration of the units. Mr. Lord said that there has been no analysis of the system that is in place, but the applicant has analyzed the ability of a proposed system to meet the noise ordinance and it was determined that the system will comply. Mr. Blakeman asked whether the new system would save energy. Mr. Lord said that it would be energy saving. He said that chilled water will run through the ceiling panels in a state of the art, energy efficient system.

Mr. Lindley made a motion that the Board grant design review approval with the DRC recommendations. Mr. O'Connell seconded the motion. The motion was approved unanimously.

II. Public Hearing-Conditional Use Review

Property Address: 235 Main Street
Applicant: Duane Wells Construction.
Property Owner: Mary Ann Sidlin
Zone: MDR

- As required under Section 302.B of the Montpelier Zoning and Subdivision Regulation for the construction of a 504 square foot residential addition.

Interested Parties: Duane Wells, Nate Temple

Mr. Zalinger said that he did not need to recuse himself since Duane Wells is the contractor, but does not own the property. Mr. Temple said that he is the project manager. He said that the project was originally for the rehabilitation of the first floor, but the owner now wants to put a second story addition over a portion of the first floor.

Mr. Lindley said that he was confused as to why no variance was required since the 18' setback does not meet the 20' requirement. Mr. Temple said that there will be no changes to the portion of the house that is noncomplying. He said that the renovations will be on the portion of the house that is at least 23' from the property line. Mr. Zalinger said that he understood that the application required conditional use approval because the house is an existing non-conforming structure. Mr. Cranse said that the structure is non-conforming which means that conditional use review is required because work will occur on a non-conforming structure. Mr. Zalinger said that he trusted Ms. Smith's determination that a variance is not required and that conditional use approval is required because the building is to be enlarged.

Mr. Lindley asked whether a sprinkler system is to be installed in the addition. Mr. Temple said that a sprinkler system will be installed in the addition.

The Board reviewed the conditional use criteria:

1. *Capacity of existing or planned community facilities.* The addition of a fourth bedroom in an existing residence in the MDR district will not affect the capacity of existing or planned community facilities.
2. *Character of the area affected.*
 - a. *Performance standards in 814*
 - 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 the property line [814]*
 - iv. *Emit smoke in excess of Ringmann Chart no.2 [814]*
 - v. *Emit noxious gasses which endanger the health, comfort, safety, or welfare of any person, or which have a tendency to injure or damage property, business or vegetation*
 - vi. *Emit lighting or signs which cause undo glare, which could impair the vision of a driver of any motor vehicle or are offensive to the neighborhood [814]*
 - vii. *Cause fire, explosion, or safety hazard, or create electrical interference[814]*

There is clearly no effect on the character of the area by this relatively minor addition to the existing structure. There will be no effect on performance standards.

- b. *Site plan review standards in 506.C.*
- c. *Hours of operation.*
- d. *Cumulative impact of the proposed conditional use taken together with other conditional*

uses in the neighborhood.

- e. The noise generated per unit [504]*
- f. Any factors judged to have an adverse impact on the area [504]*
- g. The cumulative impact of the proposed conditional use taken together with other conditional uses in the neighborhood [504].*

There will be no adverse effects related to these standards.

- 3. *Traffic on roads and highways in the vicinity. There will be no additional traffic generated*
- 4. *The zoning and Subdivision Regulations in effect [504].*
- 5. *Provisions to protect the utilization of renewable energy resources [504].*

The Board agreed to adopt the staff findings regarding the criteria.

Mr. Lindley made a motion to grant conditional use approval to the application. Mr. Blakeman seconded the motion. The motion was approved unanimously.

Other Business

Mr. O'Connell said that he had received a draft of the findings on the application for 6 and 8 Parkside Drive since he had served as chair at the meeting where the application was reviewed. He said that he will ask Ms. Smith to e-mail the draft to the other Board members for review.

Adjournment

Mr. Bresette made a motion to adjourn. Mr. Teschmacher seconded. The Board unanimously approved the motion to adjourn.

Respectfully submitted,

Stephanie Smith
Administrative Officer

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.