

Montpelier Development Review Board
November 6, 2006
City Council Chambers, City Hall

Subject to Review and Approval

Present: Phil Zalinger, Chair; Guy Teschmacher; Ylian Snyder; Jack Lindley; Alan Blakeman; Roger Cranse; and Jeremy Hoff. Kenneth Matzner was present in the audience.
Staff: Stephanie Smith.

Call to Order:

The meeting was called to order by Mr. Zalinger.

Minutes:

Mr. Lindley moved that the October 16, 2006 minutes be approved, with Mr. Blakeman seconding the motion. The minutes were approved 6 to 0. Jeremy Hoff recused himself from voting on the minutes.

I. Continuation of Design Review – HDR/DCD

1 West Street

Applicant: New England Culinary Institute

- Installation of two compressor/condenser units on the west side of the building at Dewey Hall.
- Request that item be continued until after mediation, scheduled for November 14, 2006.
- The Board continued the application to their next hearing, November 20, 2006.

II. Design Review – CB-II/DCD

28 East State Street

Applicant: Stephen and Bonnie Everett

- Replace all wood windows with Marvin Clad Ultimate double hung two over two windows in bronze with simulated divided lights.
- DRC recommends approval as submitted.

Mr. Zalinger recused himself from this agenda item. Mr. Lindley moved approval of the application for design review at 28 East State Street, with Mr. Blakeman seconding the motion. The motion was voted favorably 6-0.

III. Site Plan Review – IND

26 Gallison Hill Road

Applicant: Kevin Hudson

- Expansion of existing parking lot

Mr. Hudson said they were digging toward the old road in front of the building. Ms. Smith showed a photograph of the site which showed which area of the lot being seeded with grass. The curb cut will be widened as part of the city's bike path project. Mr. Hudson said erosion should not be a problem.

Mr. Zalinger asked if once they delineate the new parking areas could they agree to reseed the areas which are not used for parking. Mr. Hudson said they could.

Mr. Cranse said the staff report says there are six parking spaces, and the drawing shows six parking spaces, but Ms. Smith says there are more. Ms. Smith responded, there are six parking spaces delineated on the plan. However, the new additional paving on the opposite side of the drive could also

be used for parking, but it is also to be used for a truck turnaround. It will be a new paved area. The development proposal will not impact the bike path.

Mr. Blakeman moved approval of the parking changes and to grant site plan review for 26 Gallison Hill Road with the staff advisory comments. Mr. Hoff seconded the motion. The motion was approved 6-0. Mr. Zalinger abstained from voting on the application.

IV. Public Hearing Murray Hill Subdivision

Cityside Drive/Murray Hill

Applicant: Ken Senecal

Interested Party: Ken Senecal and Michael Chernick, President of the Murray Hill Area Association

- Combined preliminary and final subdivision review of a proposed amendment to previously approved PRD. The amendment consists of developing three single family; re-subdivide lots 1 and 2 and creating an eight-acre parcel; lot 2a.

Ms. Smith said this is a request for preliminary and final subdivision review for a two lot subdivision within a previously approved planned residential development. The proposal consists of Lot 2a, which is 8 acres, and Lot 2 which is 6 acres. Lot 2 is also proposed to contain three individual condominium units. However, that was approved under a separate permit. The configuration of the units was a single unit and a duplex with garages across the street. The proposal is now for three single units with attached garages. The density does not change; just the configuration of the buildings; Lot 2a which is 8 acres, and lot 2 which is 6 acres, and then the footprints of the three condominium units. This application was here for a sketch plan review in August.

Mr. Senecal explained his project. Mr. Senecal said lot 2a (8 acres) is the land that the Land Below Limited Liability Partnership is now buying. Lot 2 will be 6 acres.

Mr. Senecal said the Board had approved 3 homes; 2 were proposed as a duplex. He is now separating the duplex so it will be 2 individual homes. The setback actually increases as a result of this project. Ms. Smith said when it was previously approved the Board actually approved a specific envelope and style of house. Because of the change the project is was required to come back before the Board. Mr. Senecal said the proposed buildings are almost exactly the same footprint as the approved building with exception of the shift to the south so it can allow for two singles rather than the duplex. The structures are numbered 66, 76 and 90 on the map. Those are the 911 numbers which were handed out in the middle of the process. Changing the duplex into 2 single homes doesn't involve any additional site work or clearing beyond the limits of the house itself.

Mr. Chernick, President of the Murray Hill Area Condominium Association, and elected agent for The Land Below Limited Liability Partnership, which will be purchasing the 8 acres from Kenneth and Joan Senecal appeared before the DRB. He said that both group associations have on several occasions voted approval of this plan. He is here to support the application before the Development Review Board.

Mr. Zalinger said it seemed straight forward to him and that the project hasn't changed since the sketch plan review.

Mr. Lindley moved approval for the combined preliminary and final review of the Murray Hill and Cityside Drive development as proposed with the proposed findings as printed in the staff report. Mr. Cranse seconded the motion. The motion was approved unanimously 6-0.

V. Continuation of Public Hearing; Planned Development – Conditional Review for Subdivision – GB/MDR

Capital Heights – Hebert Road/River Street

Applicant: Fecteau Residential, Inc.

- Development on two lots totaling 77.8 acres
- Phase 1 – one commercial lot, 28 condo units, 60 units of elderly housing
- Phase 2 – 29 single family lots and 46 condo units
- Phase 3 – 40 condo and 16 single family lots

Mr. Zalinger said the next item on the agenda is the continuation of a public hearing on the planned development and conditional review for subdivision of the Capital Heights project by Fecteau Residential, Inc.

Ms. Smith said at the last meeting on October 16th the Board covered areas relating to traffic, the substantial changes to the plan since the Board last looked at it, trails and proposed cul-de-sacs. The Board talked about the sewer line upgrade along River Street. There is no revised information relating to traffic. At this point staff would recommend this be continued at another meeting after we conclude some of the other items in the staff report.

Ms. Smith read #4 of the Proposed Findings included in the Staff Report:

4. At sketch plan review, staff recommended that the applicant proceed to conditional subdivision review for the entire project, and then return to the Development Review Board for final subdivision review of each proposed phase. The applicant requested that the conditional subdivision approval (called conditional use approval in memo from Josh Nicosia, dated 30/3/06) be extended for two years. Staff recommends that final subdivision review applications for each of the entire project phases be extended for two years. Staff recommends that final subdivision review applications for each of the entire project be submitted within two years of the conditional subdivision approval, if granted. If an amendment is required to any phase subsequent to final approval of any phase, this shall be reviewed in accordance with the regulations in effect at the time of the application. We currently are seeking city counsel's advice on the applicant proceeding in this manner.

Ms. Smith asked if the Board approves the application for conditional review, and they approve it for two years, then the applicant would come back for a final review for all phases within that two year period. Mr. Fecteau responded just for phase one. Ms. Smith said she thought they had correspondence from them saying they hoped to receive Act 250 approval within that two-year period. Mr. DeWolfe said he believed they would receive Act 250 approval for the whole subdivision within the two-year period, but they will not be back before the DRB for final approval of Phase 3 within that two-year period. It is possible that Phase 2 may not be able to make that two-year time period, either. They fully expect to get Phase 1 in as soon as they receive Act 250 approval. As soon as Phase 1 is final, they can start construction. They will go for Act 250 approval with essentially what they approve in front of the Development Review Board. This is adequate enough for Act 250 approval and to issue a permit that will cover the whole subdivision.

Mr. Cranse asked Ms. Smith what are the arguments against doing a final approval of the whole project instead of phase by phase. Ms. Smith said it is the level of development of the plans that may be required for approval. The Board has the ability to waive certain requirements of the development of the project, so possibly they could come in for final approval of the whole project.

Mr. DeWolfe said the problems he sees are in the later phases that require site plan approval, such as the condominium development. For single family lots he doesn't see a big deal with approval. They are going to meet the setback requirements and have all of the conditions of the street set in this meeting, so the single family development is straight forward. The problem comes with the condominium approval in that they have to bring in a site plan. Six years from now the market for those condominiums may be totally different. While they come in with the same number of units and the same layout, the

configuration of the buildings could be significantly different than what they are thinking today. Ms. Smith said the lot area on which the buildings set will not change nor will the density of the units, unless they applied for an amendment.

Mr. Zalinger said conditional approval for all of the phases can incorporate those density and lot sizes. Ms. Smith said as far as constructing the condominium units they would come in for a site plan approval pursuant to the final planned development approval.

Ms. Smith said the Board understood this was going to be a 15-year plan. To allow the applicant to go through the process under the zoning regulations from 2003 over a 15 years period; she isn't sure that would be acceptable. Mr. DeWolfe said those regulations would apply to site plan approval and that criteria. The approval they are seeking here is essentially for density, PUD and setbacks. For the development of this land there are going to be 210 units. They are going to be spaced accordingly and there will be adequate services for those units. They would come back for site plan approval for condo units and commercial lot under the zoning in effect at the time.

Mr. Zalinger said conditional approval at this point will involve density and will involve the size of the lots as well as the construction of the roadway. Mr. DeWolfe said they were going to do this according to city standards because they want the City of Montpelier to accept it. If the city standards change in ten years, then he thinks the city has the right to ask them to build at the current standard at that time.

Mr. Zalinger said he thinks it is real important for the applicant to understand that if and when conditional review is issued, what pieces stop moving, what conditional review applies to, and what issues will remain to be reviewed when final approval is sought in subsequent phases.

Mr. Zalinger asked Mr. DeWolfe if he had any quarrel with any of the phases as they were outlined on page 3 of the staff report. Mr. DeWolfe said he had none. He said paragraph 5 a, b, & c were fine with him.

Mr. Zalinger said paragraph 6 on the PUD is requesting a waiver of the front yard setbacks of 15 feet, and 12.5 feet from either side of the property line. Mr. DeWolfe said those were the distances they had requested. Ms. Smith said under the new zoning in the MD residential district the setbacks have changed; that are less than the waivers being requested.

Mr. Zalinger said paragraph 11 addresses the need for there to be an exchange of and between the city and the applicant. Mr. DeWolfe said they had received a draft memo from Tom McArdle today. Mr. McArdle said it was a draft memo from the Department of Public Works to the City Manager to say that Mr. Fecteau has completed all of the steps necessary to enable the City Council to take it up for consideration. Mr. McArdle said the City Council would probably take this up as an agenda item on November 22nd. The property they are seeking to acquire was acquired by the City of Montpelier in the 30's by a tax sale. The city then sold it after a road reconstruction project in the 40's, retaining a very large section that makes the right-of-way go over 100 feet for reasons that seemed reasonable at the time. Those purposes will be negated through the redeveloping of that land. This is left over land and it really isn't necessary to support the road.

Mr. Zalinger said the next item is Infrastructure Improvements. Mr. McArdle said the sewer lines issue has been pretty much resolved as far as the needs analysis and cost estimates for upgrading the system. The assignment of the costs has been assigned over the phases as proposed so system upgrades are identified along the way. We can support some of the development. For the pump stations where this effluent will have to reach is an electrical powered system. We are under a state mandate to provide emergency storage for the longest power outage that has been reported over the past few years. The pump station will require some storage tanks. In some areas we are already deficient. In one area where

we aren't deficient and meet standards the Capital Heights development will put it over. In a memo to Stephanie the Department of Public Works has recommended conditions for the applicant to participate in the costs.

Mr. McArdle said there was also a problem with sewer odors that has been identified in the Wheelock Street area. He said the water system is in good shape as far as Capital Heights is concerned.

Mr. McArdle said the Capital Heights project is being designed in accordance with the latest storm water regulations requiring more treatment than they have seen in the past and it is a fairly substantial obligation on the part of the city to own the storm water system along with the roads, and all of the maintenance and obligations that go along with that. Their homeowners association will also be responsible for certain components of that storm water system. That matter will go to City Council for an explanation. That will be when the streets are proposed for acceptance and consideration by the City Council. The storm water plans are preliminary and will undergo extensive review at the state level. As will the water and sewer lines, they will need a permit to construct from the Waste Water and Water Supply Division of the State of Vermont.

Mr. Zalinger inquired of Mr. McArdle if he anticipated any obstacles that couldn't be resolved. Mr. McArdle said not at this point.

Mr. Fecteau asked Mr. McArdle how he could help facilitate getting the traffic study completed. They have been working on it for six months now. Mr. Zalinger told Mr. Fecteau he should discuss this with Tom McArdle. He said he didn't think the DRB needed to be a part of that discussion.

Mr. Zalinger said from his perspective that ends the conditional review element of the subdivision process. The Board also has to consider conditional use and site plan review. He asked Stephanie about conditional use review about a three-phase project that has a 10-year shelf life. How effective are their final determinations with respect to conditional use? Ms. Smith said conditional use review has to be granted at a final review stage of a subdivision, so you would review it at this point in time preliminarily. Then, when the final application comes through you would actually grant conditional use approval. She said she wanted to talk to the city's attorneys about phasing within the final approval process. Mr. Zalinger said they would also be granting final approval as to other elements of the other phases for subdivision review.

Mr. Zalinger said he was troubled about making final determinations about things like the capacity of existing or planned community facilities. We make an affirmative finding on conditional use in 2006 for all four phases. We are as capable of making that determination now as anyone could be, but is the applicant insulated from collateral attack every six or seven years? Ms. Smith said that is how it would work. Mr. Zalinger said our conditional use jurisdiction says that we have to find that project does not adversely affect certain items.

Mr. Zalinger suggested the DRB review the Conditional Use Review Criteria [504.D].

Capacity of existing or planned community facilities. Obviously, they are talking about things like infrastructure, water and sewer, traffic and storm water discharge. All of these issues are being discussed in great depth and detail in the dialogue that is going on with the city's representatives and the applicant. The impact on existing and planned community facilities is being addressed. We can't make affirmative findings on it yet, but we anticipate when the dialogue finishes we will be able to make the findings.

Character of the area affected. Mr. Zalinger said his own inclination would be to say this is not a successful project if the performance standards could not be met. Traffic elements of the performance standards obviously will be addressed later. Subdivision regulations obviously are obviously being

addressed through conditional review and traffic on road and highways in the vicinity are also being addressed there. Utilization of renewable energy resources remains non-applicable.

Mr. Zalinger asked if there were any questions or comments about the conditional use criteria. He said they would then move on to the Site Plan Review Criteria.

Streets. With regard to the configuration of the streets, the design of the streets is being driven by the standards the city imposes upon streets that are yet to be dedicated. He said he is happy to turn authority over street design to the Department of Public Works. If it is acceptable to the city for purposes of dedication, then it is acceptable to him as a DRB member. Mr. McArdle he said he had a question in a about the cul-de-sac being 80 feet in diameter. That is 20 feet shorter than the current standard. He said they were looking at the 100 foot standard as being too large and obtrusive, and that a 90 foot dimension is a reasonable dimension. It has to be an adequate size to accommodate a snowplow or fire truck. He said he didn't know if that would require a variance. Ms. Smith said she thought through the PRD process the dimensional standard for the diameter of cul-de-sacs could be waived by the Board. Because there is a connection through emergency vehicles wouldn't necessarily need to use the cul-de-sacs. It wouldn't have to be designed for a large ladder truck. Mr. McArdle said the 80 foot design is basically what would be the most common vehicle that would turn around in that cul-de-sac. He said he assumed that the largest normal vehicle that would normally travel up that way would be a plow truck, a single axle dump truck or a school bus.

The other criteria we don't have any good direction on is how big you make the island in the middle, or do you pave it all solid. It has been the practice to have seeded islands in the center.

Ms. Smith asked if she was hearing a recommendation from Tom that the cul-de-sac be 90 feet. He said that was something he and the applicant needed to work out.

Mr. Zalinger said all of the sub paragraphs under 19 deals with technical aspects of the roads and traffic, cul-de-sacs, and road design. He said he didn't believe the application was at a stage yet where the Board can make final conclusions on these issues. Mr. DeWolfe said they would work the technical problems out with the Department of Public Works. Ms. Smith mentioned that the applicant should testify to the reasons for the 15 percent grades so the Board could make appropriate findings.

Mr. DeWolfe said a 15 percent grade means the road rises 15 feet. That is three times the standard slope of a handicapped ramp without a railing. We have numerous streets in the city that have slopes in excess of 25 percent, one of which is College Street coming down Sibley Avenue. It is safe to say that there are some up on Cliff Street which approaches 33 percent. The standard in ASSHTO for local roads is actually 16 percent, which is common when you are in mountainous terrain. 15 percent has been an acceptable standard for many years. Mr. Zalinger asked where the 180 feet length of road was. Mr. DeWolfe said the 180 feet would be within the first section of the road. If you enter the subdivision off the Barre-Montpelier Road or River Street, you would make a turn to the southwest, and in that first tangent going up the hill you would hit that 15 percent. After you make the next curve it drops down to 8.5 percent. This is proposed to minimize site disturbance. Gallison Hill Road going up to U-32 is probably in excess of 15 percent.

Mr. Zalinger said moving on to *Pedestrian Access and Circulation*, he would suggest these are all technical issues for discussions between the Department of Public Works and the applicant with regards to the configuration and design of sidewalks, driveways, open spaces and pedestrian easements. We discussed the pedestrian easement issue at the last meeting when they discussed trails.

Paragraph 21 is *Vehicular Access and Circulation*. If the city has determined that the design and configuration of the public streets are acceptable for dedication, he concurs that vehicular access and

circulation has been met. Of course, there are going to be driveways leading from the public roads and we will have to see the final plans of them. Ms. Smith said the applicant proposes there are no final plans for the driveways. The driveways will be chosen at the time of the selection of the lot for the single family units. They will vary depending upon the model and style of the house chosen. Mr. Zalinger said each of the driveways will require municipal zoning permit. There is a review process for every curb cut.

Parking. Parking for both the elderly housing and the commercial lot will come back before the Development Review Board for the final configuration of parking lots and areas. Garages are permitted in the driveways. Staff recommends that parking not be permitted in front yards and be located in side yards; however parking was permitted in driveway under the zoning regulations.

Landscaping and Screening. Dave Keller asked if there were plans that showed the location of significant trees as defined by the regulations. The plans did not, but they did show the location of trees that were proposed to be retained. Mr. DeWolfe said going up the hillside there is a 120 to 150 foot wide path to be disturbed for the construction of the road and the grading. They are trying to save significant trees. You should notice that the trees on the edge of the field where stonewalls are, all of those are well outside of the clearing limits of what we are showing for the project. They are at the lower end of the woods. We cut through the woods quickly and get up inside it.

Mr. Keller asked Mr. DeWolfe how far back from the building envelopes themselves are you cutting. Mr. DeWolfe said it depends upon how much earth work is involved in the roadways and construction. It ranges from as close to 20 feet and as far away as 80 feet from the buildings. Mr. DeWolfe said they are trying to build the houses as close to the road so the front yards are maybe 20 feet from the sidewalk. For the side yards they could have as little as 25 feet between houses. He said he could save the trees on the perimeter of the project. There is no reason to clear in these areas, unless it is to put in a water or sewer line, and then there is probably a 15 foot width they may need to cut. These areas can all grow back in later.

Mr. DeWolfe said when you are traversing a slope like this there is no way to save trees within the roadway and building corridor the way this is designed. He said the lot line between Lot 30 and 31 maintains 43 feet of forest in the back of the lots, and that is the narrowest one. Between Lots 34 and 35 we are maintaining 60 feet of forest in the back of the lot. Based on the topographical information available to them today, this is what they would propose to do. He said they were creating a tunnel through the trees

Mr. Zalinger said they would move to outdoor lighting. He asked if they had any objection to completing the landscape plan with the lighting component. Mr. DeWolfe replied they did not.

Mr. Zalinger asked the Board how they wished to approach planned developments. Ms. Smith said the consistency with the Master Plan, if the Board has had a chance to review that; a finding can be made by a reference to that document rather than incorporating it into the staff report. She said the proposal meets the density requirements for the district in which the development is located. It is divided by district boundary lines of General Business and Medium Density Residential. No waivers are being requested for coverage at this time. We don't know what the typical footprint of a building would be of each of the individual single family lots, but it is a large parcel. In medium density residential you can't cover your lot by more than 33 percent. There are 70 acres. Mr. DeWolfe said they would review coverage for the condominium portion of the site plan. The single family lots average close to 20,000 square feet each. 33 percent coverage would be 6,000 square feet of house and driveway per lot, which is not what is proposed.

Mr. Zalinger asked if there were any questions about the environmental issues. Mr. Cranse said at the bottom of page 8 it says that portions of an existing stonewall on the south side of the site are proposed to be retained. Mr. Zalinger said that would be located at the rear of the home for the elderly.

Mr. DeWolfe said the other stonewall of significance on the property actually forms the back property line of the single family lots. The back property line is to be that stonewall. The stonewall would be continuous until it got to where they would need to break it for the water line. There would be a small piece remaining between the water line and the assisted living housing. Along the assisted living housing they are going to have to remove a 200 foot length of the wall. He said it was a natural break between the single family use and the multi-family use above it. It is nestled nicely in the woods and intertwined with some mature trees. There would be no reason to break this up with the exception where they need to bring in the water line. Ms. Smith said the trail goes through that general vicinity as well.

Mr. Keller said he had some questions about the wetlands. He said in one of the letters it mentioned they wanted John Austen to walk the property. He asked who that was. Mr. Zalinger said he is a state wildlife biologist. Mr. Keller asked if they planned on having him walk the property, and Mr. DeWolfe said they were not thinking about it. Mr. DeWolfe said when they participate in the Act 250 process the district commission will ask him for comments about this piece of property. He typically walks properties which he believes has significant wildlife habitat.

Mr. Keller said in quoting from 813.A that the DRB in order to approve the application for the development, the applicant must make appropriate provision for the preservation of wetlands. Mr. DeWolfe said on sheet C1.07 the lot which is unnumbered, which sits between Lots 1 and 2, that is not a lot scheduled for development but a storm water management pond lot.

Mr. Keller said there is a road that is crossing two out of three wetlands. He asked how they are proposing to preserve the wetland with the road across. Mr. DeWolfe said they will obtain from the Agency of Natural Resources a CUD (conditional use determination) permit, at which point they will propose final design criteria for filling in the wetland. In addition to obtaining that permit, they will have to demonstrate that they will not adversely affect the overall wetland. They will also have to receive a permit from the Army Corps of Engineers since they will likely be disturbing more than 3,000 feet of wetland. They will provide, if required, by the Wetlands Division any type of conduit they need for critters to cross between the separated pieces. It will all be subject to the criteria and conditions set forth in the conditional use determination permit.

Mr. Keller said he appreciated that. He said he would like to ask the Development Review Board to consider the regulations for the City of Montpelier which have been approved by Montpelier's own citizens and the Council. We need to make the appropriate provision for the preservation of wetlands. He told the DRB he appreciated the work they do.

Mr. Zalinger inquired of Ms. Smith if there had been discussion about an alternative open space area. Ms. Smith said these were comments from a previous set of minutes which she incorporated for the Board's reference. Mr. Zalinger asked if the open land was going to be dedicated to a homeowners' association. Mr. DeWolfe replied yes. This homeowners' association is going to conduct negotiations with the other homeowners' association in an effort to reach an exchange of rights. Mr. Fectau said he understood they were all going to share the trail.

Ms. Smith said under 27 c, contours. Significant grading is required to construct the road and develop the site. The DPW requests the applicant provide quantity & earthwork detail sheet to illustrate all items required for the construction of this project. She asked Tom McArdle if he just wanted that for the final design. Final design for is to enable the DPW to issue a construction permit not for the DRB review.

Mr. Zalinger said 29 c strikes him as a logical request because the DRB sits and hears requests on a weekly basis for decks and other kinds of residential uses. Mr. DeWolfe said if someone was to buy a house and propose a deck that went outside of the footprint shown in these plans Ms. Smith would have to move that to the DRB for approval. Is that the issue? Ms. Smith and Mr. Zalinger agreed only if it

required a variance. Mr. DeWolfe said a variance would only be required if it was only within any of the side yard recommendations, right? She said that was right.

Mr. Zalinger said with regards to technical assistance the Technical Review Committee and Planning Office has been meeting regularly with the applicant.

Under a natural resources inventory at the sketch plan review the board had discussed possibly requiring the expenditure of \$1,500 to cover the cost of an independent natural resources inventory. We have received copies of the applicant's inventory of the deer wintering area, the wetlands and the forests. The Board should make a decision as to whether or not they would request technical assistance. If the Board does request technical assistance, the staff recommends that it be done for final review and not at this point in time. The Natural Resources Inventory and Wetlands Report were distributed in July. Mr. DeWolfe said all of that will be subject to review under the Act 250 process and they didn't feel it was necessary to duplicate that review at this level. Mr. Zalinger said there would also be a determination made at the Act 250 level if more information is necessary. He said he would find it duplicative to ask an applicant to engage in further analysis at this time, especially if there are professionals employed by the state and is accustomed to reviewing applications like this on a regular basis.

Mr. Zalinger said if they are going to have another hearing on this application he doesn't want to have the Board appear to be having one hand clapping. They want the applicant to respond to staff's advisory comments. They should be prepared to respond to them before the next meeting. The applicant will receive the staff advisory comments sufficiently ahead of time in order to for them to articulate their position with respect to those responses. Mr. DeWolfe asked if the Board would like written responses. Mr. Zalinger said it would be helpful if they did, and they can submit them at the hearing.

Mr. Zalinger said they should discuss the date for the next meeting. He is going to be absent on November 20th. Ms. Smith said she would recommend they not continue on the 20th, so the next meeting is December 4th that staff would be available. Mr. Zalinger said they would have four weeks to be prepared to talk about traffic. Capital Heights will be on the agenda for December 4th.

Mr. Lindley moved adjournment, with Mr. Blakeman seconding the motion. The meeting of the Development Review Board was adjourned at 9:45 p.m.

Respectfully submitted,

Stephanie Smith,
Administrative Officer

Transcribed & Prepared by:
Joan Clack, City Clerk & Treasurer's Office

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.