

Montpelier Development Review Board
November 20, 2006
City Council Chambers, City Hall

Subject to Review and Approval

Present: Alan Blakeman; Roger Cranse; Jack Lindley; Guy Teschmacher; and Jeremy Hoff.
Staff: Kathy Swigon.

Call to Order:

The meeting was called to order by Mr. Lindley, who acted as chair.

I. Design Review for a Sign Permit – CB-II/DCD

191 Barre Street

Applicant, CVCLT, Garth Genge

- Installation of a 6 square foot projecting sign

Ms. Swigon said this is an application for the installation of a 6 square foot projecting square sign on the front of the building at 191 Barre Street adjacent to the main entrance. Ms. Smith's report indicates that the sign is similar to others marking the CVCLT properties in Montpelier. Members' packets have an illustration of the proposed sign.

Mr. Lindley said the Design Review Committee has reviewed the sign and recommends approval.

Mr. Blakeman moved approval of the sign for 191 Barre Street, with Mr. Teschmacher seconding the motion. The application was approved 5-0.

II. Design Review for a Sign Permit – CB-I/DCD

11 Main Street

Applicant: Ian Duverray

- Installation of a 33.75 square foot wall sign
- Staff recommends the applicant repaint sign band area

Interested Party: Jon Miller, Sign Design

Mr. Lindley said this is an overhead sign at 11 Main Street. The DRC recommends approval as submitted. Staff has recommended the applicant be required to repaint the sign band area to match the existing color. He asked if Mr. Miller had any objection to the staff recommendation, and he replied he did not.

Mr. Blakeman moved approval of the application for a sign at 11 Main Street with the staff recommendations. Mr. Teschmacher seconded the motion. The application for 11 Main Street was approved 5-0.

III. Design Review for a Sign Permit – CB-I/DCD

70 Main Street

Applicant: Jeffrey Jacobs

- Installation of a 1.25 square foot sign on the valance of an existing awning.

Interested Party: Jon Miller, Sign Design

Mr. Lindley said this application is a request to paint on the valance of an existing awning a 3" x 60" sign in yellow saying Charlie-O's World Famous Bar & Fine Dining. The DRC has recommended approval of the sign as submitted.

Mr. Cranse moved approval of the design review for the sign at 70 Main Street. Mr. Hoff seconded the motion. The application for the sign at 70 Main Street was approved 5-0.

IV. Design Review for a Sign Permit – HDR/DCD

9-11 West Street

Applicant: 9 East Network

- Installation of a single sided 10 square foot ground sign mounted on 4" x 4" posts.
- Interested Parties: Steve Hingtgen and Michelle Childs; Jon Miller, Sign Design.

Mr. Lindley said this application is a request to install a 10 square foot sign mounted between two 4" x 4" posts painted green. The proposed sign is white with green lettering (green color as approved under a 2002 AI-PUD amendment for signage at the Vermont College campus), with a gold leaf double pinstripe. The property is within the HDR/DCD district and is surrounded by academic institution uses and residential properties. The DRC recommends approval of the sign as submitted.

Steve Hingtgen said they are neighbors to this property at 7 West Street. They said they were hoping the applicants were here. They are good neighbors. They didn't know much about the project until today. They received a picture of the sign earlier.

Mr. Hingtgen said he and his wife Michelle had a few concerns they would like the Development Review Board to consider. First of all, they feel the sign should be smaller and lower to the ground. Secondly, they would hope the sign could be placed more centrally on the property and further away from their property (7 West Street) and enhanced with some individual signs on the buildings themselves. He said he would review quickly why they were requesting this.

This is a historic area and they would like to make sure that visual clutter is kept to a minimum in the area and they would like to get as far away from a billboard look as possible. It would be good for the residential nature of their house, but also for the neighborhood as a whole. They also think the sign as designed, mostly the scale of it, does infringe somewhat on the historic nature of the neighborhood. For instance, just driving downtown to the hearing, they saw the Vermont Center for Independent Living sign up next to the building, which is closer to the ground.

Secondly, to the issue of some individual signs enhancing this sign, they know that one of the primary objectives of the applicant is most likely to provide clarification about the purposes and uses of the building to their visitors and people on foot so they can easily find their property. Mr. Hingtgen said they have the same concerns about their property and there is a great deal of confusion between the properties. The buildings are configured around a parking lot. They don't actually share the parking lot. They just share a right-of-way, or driveway, into the parking lot. Their house has the unfortunate historic dilemma of abutting that parking lot, and it creates a lot of confusion. There is also the issue that the buildings are all painted College Street cream in color.

They think the signage should be clarified. They think the sign should be closer to the sidewalk than it is, and perhaps even directly in front of the handicapped accessibility ramp, this would be helpful. They think an individual sign on the building that is set back would make the most sense, similar to the sign NECI has on their building. NECI has done a fine job in a historic and predominantly residential neighborhood. They think something like that would look very nice and do the most for clarity. If 11 West Street had its own individual sign that would also help.

Those are the two concerns Mr. Hingtgen had. One would be smaller and closer to the ground so there would be less visual clutter and is more in keeping with the historic character of the neighborhood. Also, the placement of the sign to be further away from their house and to be accompanied by some individual signage which would add to further clarity of the purpose of the signs.

Jon Miller from Sign Design said the tall sign included in members' packets is indicative of the system they designed for Union Institute. They have already done quite a few signs that conform to that standard.

Mr. Lindley asked if Mr. Miller could tell the Board what is the height of existing signs on the campus. He asked if they were all the standard 30". Mr. Miller said the 30" below the sign is a snow issue. Any sign that is near a plowed area is going to be in the way. In Vermont they allow 30" under the sign for snow clearance, and some are 36", and some taller. He said he didn't think they would find any ground mounted signs anywhere in Montpelier that are less than 30" off the ground. Mr. Hingtgen mentioned the sign in the parking lot flush against the building of VCIL. That is probably 30" off the ground as well.

Ms. Swigon said this is actually in the AI-PUD district and it conforms to the AI-PUD amendment that was approved for signage on the Vermont College campus. The plan for the AI-PUD spelled out colors, mounting on the wood posts, and the look. It didn't spell out the number of signs. As Jack said, each of them would go through the design review. In the past she has seen times when the Design Review Committee has raised an issue with too many signs on one site.

Mr. Cranse said the issues addressed by Mr. Hingtgen about the dimensions and the location is in conformity with the AI-PUD requirements for the location, height and size. Ms. Swigon said she didn't think the AI-PUD requirements spelled out the specific location for the sign. The sign location is consistent with the provisions that were approved for the AI-PUD; to the extent they were specific. The sign dimensions are in conformity with the AI-PUD requirements.

Mr. Miller said the sign is a single-sided sign that faces the road, so the issue as to whether it has a negative impact on a historical structure would be as minimal as it could be and still give a decent size lettering so people could still see the address. In terms of the placement of the sign, it is actually placed between 9 & 11 West Street and completely buffered from any adjacent properties by an entire parking lot. It is directly across the street from a very similar sign, which is the Union Institute & University primary identification with similar colors and format. The owners of the property felt it was very important that the sign actually identify the parking area because that is really the entrance to the facility if you are going to #9 or #11. There is already a sign right nearby that indicates the handicapped accessible ramp and it seemed like a completely natural place for the sign to exist. This seemed to be the ideal place for this sign to be located.

Mr. Hoff said his concern was that as we continue to fragment this campus the cumulative impact of putting signs up on each building as they split them up. There's a limit of two or three 10 square foot signs and a professional or home occupation are limited to just a 4 square foot sign. This is Article 5-7, section 504.d. sign regulations by districts.

Mr. Hingtgen said 9 West is actually behind their driveway; the building is physically behind their sole use driveway so there is a uniquely confusing situation on this property and placing a sign smack dab in the middle of a parking lot creates confusion about what that sign applies to. Mr. Miller said it isn't located in the parking lot. Mr. Hingtgen said they have a picture, but they can't tell how many feet from the sidewalk or the curb it is located. Mr. Miller said the sidewalk dimension is limited by the state.

Mr. Hingtgen said he thinks they should be careful about using the AI-PUD as some sort of guide to make everything consistent. For instance, New England Culinary Institute's sign is nothing like this and it works very well, and it is in the AI-PUD. He also hopes the Board will consider the visual clutter of any signs. Most importantly with the AI-PUD, it does not restrict conformity of signs. That is absolutely false. Each sign should come before the Board as it is approved. There is no master plan for signage that needs to be adhered to.

Mr. Lindley told Jon in looking at his original application he saw no measurements from the distance to either sidewalk in the submitted plans. Mr. Miller said the rule of thumb in that area is that the sign would be set at least 5 feet back from the front sidewalk, and it looks like the sign is pretty much hugging the little sidewalk that leads to the buildings. That would be approximately 3 feet off of the little sidewalk.

Mr. Lindley asked if Mr. Miller could bring back the exact measurements to the Board to have it included before they make a decision. Mr. Miller said there would be a 5 feet minimum, and maybe more. It would be based on state requirements. Mr. Lindley said before the Board could make a decision they need to see that included in a site plan in deference to the issues raised by the adjoining neighbor. Mr. Miller said he is willing to bring in the exact measurements. He said the 3 feet is an exact measurement, and the 5 feet is the closest it will be to the sidewalk.

Mr. Cranse said, like Mr. Hoff, he is also confused about the AI-PUD. These structures have been broken off from the academic institution. They aren't part of it any more, so why are they zoned that way? But they are zoned that way, and it is the DRB's job to apply the zoning regulations. Even if they weren't, and you looked at the 504.d section Jeremy pointed out, it says in residential districts no more than two free standing or wall signs identifying the entrance to a residence, subdivision, multi-family development or school. Such signs must be located at the entrance. A single side of any such sign shall not exceed 10 square feet, and he believes this sign is 10 square feet. It meets the regulations for HDR, but this is an AI-PUD district. Mr. Cranse said his concerns are that this could be worked out in a neighborly way.

Mr. Hingtgen said the aesthetic question is certainly a subjective one. In terms of working this out in a neighborly way, they are very good at that. He and the applicant share a snowplow. The Hingtgens mow some of their lawn. They work very well together and are good neighbors. Mr. Hingtgen said he didn't realize the DRB doesn't have the ability to look at the historic character of the neighborhood. The historic character of any signage is important.

He said putting signage at the entrance is very important. If it were as simple as the entrances right there by the sign there wouldn't be any confusion at all. 9 West Street is set way back and is not clear at all. The front and side doors to their house is closer to the sign than the front door to #9 is. It is very hard to create clarity with the signage the way it is structured. You would probably end up with much less square footage of sign this way as well.

said he would like to have the AI-PUD language in front of him. He is not comfortable voting for the application right now.

Mr. Lindley said he is uncomfortable not knowing the exact location of the signs. Since it is not included in the original application about what the measurements of the signs are, he would like to have the applicant return for their next meeting. Mr. Miller said the precise location is 3 feet and 5 feet.

Mr. Cranse said given the hesitancy on the part of the Board members, including himself and Mr. Hoff, it would be great if an application came back to which the applicant and the neighbor agreed. Mr. Cranse said he agreed with the Chair that the Board should postpone acting on the application until the next meeting.

Ms. Swigon said she didn't have the AI-PUD approval in the materials that Stephanie put together. She has the approval where the Board approved the change in the color and font scheme, which are the colors and fonts Mr. Miller is now proposing. She doesn't have the original language of the AI-PUD.

Mr. Miller said he doesn't think it's fair to the applicant to delay a decision on the proposed signs.

Mr. Hoff said he moved to continue discussion on the application until the next meeting, which is December 4th and the requirement of the Board is a recommendation that the adjoining property owner be part of the application. Mr. Cranse said it wouldn't be a requirement, but it would certainly be something the Board would welcome. Mr. Blakeman seconded the motion. The motion was approved 5-0.

V. 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
- Interested Party: Eric Seidel

Mr. Lindley said there was a request to have this continued. Eric Seidel said he was willing to have the application continued since he is the only person present. He said they are in the process of mediation and had a 2 ½ hour this past Tuesday. It was a positive though painful meeting. There will probably be one or two mediation meetings before they get to the end of that process.

Mr. Lindley said the compressor issue is what is before the Board. He asked Mr. Seidel if by December 4th there would be some resolve with the neighbors to the compressor issue. Mr. Seidel said they are scheduled to meet next on November 30th and this discussion is much broader than just the compressor issue. It involves lighting, noise, deliveries, and other stuff the Board will not be affected by.

Mr. Cranse said he would have to recuse himself from this application and probably Mr. Teschmacher would, too, so there wouldn't be a quorum today.

Mr. Hoff moved that the application for 1 West Street be postponed until December 4th, with Mr. Blakeman seconding the motion. This is because there is a lack of a quorum.

Minutes:

Regarding the minutes of November 6, Mr. Blakeman said on the first page where it says Mr. Hudson, it should be noted that it was Gary Hudson. He is Kevin Hudson's father. Mr. Lindley said it was Gary Hudson who appeared on behalf of the applicant.

Mr. Blakeman moved approval of the minutes of November 6, with Mr. Cranse seconding the motion. The minutes of the Development Review Board of November 6, 2006 were approved 5-0.

Adjournment:

Mr. Cranse moved adjournment with Mr. Hoff seconding the motion. The motion to adjourn was approved 5-0.

Respectfully submitted,

Stephanie A. Smith
Administrative Officer

Transcribed & Prepared by:

Joan Clack, City Clerk & Treasurer's Office

Thee 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.