

Montpelier Development Review Board
March 5, 2007
City Council Chambers, City Hall

Subject to Review and Approval

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

Call to Order:

The meeting was called to order by Mr. Zalinger at 7:00 p.m.

Minutes:

Mr. Blakeman moved approval of the February 20, 2007 DRB minutes, with Mr. Hoff seconding the motion. The minutes were approved 4-0 by Mr. Zalinger, Mr. Blakeman, Mr. Cranse and Mr. Hoff (those members who were in attendance at the February 20th meeting).

I. Design Review – HDR/DCD

1 West Street

Applicant: Eric Seidel for New England Culinary Institute

- Installation of two compressor/condenser units

Roger Cranse and Guy Teschmacher recused themselves from participation in this agenda item.

Mr. Zalinger noted that there was no public in attendance on this matter. Ms. Swigon said that the applicant has had a series of meetings with the residents, with the most recent being two weeks ago. She said that she understood that they have come to a resolution on this matter at Dewey Hall.

Ms. Swigon said this application is a request for design review for the installation of two refrigerator condenser/compressor units on the back of Dewey Hall. The units were installed some time ago without permits. The applicant installed sound baffles around the units and did sound testing and found that the units meet the sound standards for the Montpelier Noise Ordinance. The Design Review Committee reviewed the application and recommended approval with the option that the applicant could further reduce the sound by extending the baffling around the units.

Mr. Zalinger asked whether the applicant is in agreement with the DRC recommendations. Mr. Seidel said he agreed with the DRC's recommendations.

Mr. Blakeman moved approval for the application for Design Review at 1 West Street. Mr. Lindley said he would like to offer a friendly amendment to the motion to clarify that the approval was for the installation of two compressor/condenser units with the recommendation for options by the Design Review Committee. Mr. Blakeman agreed. Mr. Lindley seconded the motion.

Mr. Zalinger said the word "option" tends to suggest it is optional. He suggested that the motion read "to grant design review for the installation of two refrigeration units, including extension of the baffle to the area between the two compressors."

Mr. Seidel said that he felt the recommendation was fair. NECI has done two rounds of sound baffling and are about to do a third per their agreement with the neighbors so the sound will be further softened.

The motion was approved 4-0 (Mr. Cranse and Mr. Teschmacher recused).

II. Design Review – CB-I/DCD

79 Barre Street

Applicant: Stephen Ribolini

- Installation of a storage shed

Continued to March 19, 2007 meeting.

III. Continuation of Design Review – CB-II

169 Barre Street

Applicant: Michael McCarty

- Roof modifications; installation of vinyl siding on back & sides of building;
- Representative of DRC will attend to discuss committee's recommendations.

Interested Parties: Michael McCarty and Dan Richardson from the Design Review Committee

Mr. Zalinger reminded Mr. McCarty was still under oath from the last meeting of the Development Review Board on February 20th. Mr. Zalinger administered the oath to Dan Richardson, who was representing the Design Review Committee.

Mr. Lindley told the Chair that he had reviewed all of the written materials from both the Design Review Committee and the Development Review Board and is prepared to render a decision at the end of further testimony. Mr. Zalinger said he was persuaded that what transpired at the DRB's February 20th meeting didn't advance the record as far as the application is concerned, so he would like to start with a fresh slate of evidence.

Ms. Swigon said this is a continuation of a request for design review for the construction of a pitched roof over a flat topped, mansard style roof at 169 Barre Street. There are additional photographs. The application, as she understands it today, is for the pitched roof and vinyl siding as was requested in the original application submission.

Mr. Zalinger asked Mr. McCarty if he wished to add anything to what Ms. Swigon said. Mr. McCarty pointed out a the sketch showing the existing structure and finished roof line proposed in the application. This application supersedes the application for the porch roof.

Mr. Zalinger suggested breaking the discussion down into three separate issues. One is the roof line; another is a porch roof. Mr. McCarty said the original application for the roof would take care of the porch, so there was no need for the Board to review the porch roof. The other issue is the vinyl siding.

Daniel Richardson, representing the Design Review Committee, appeared before the Board. He said he had been selected by the Committee to give testimony to the DRB. He described the DRC's review of the application at several different DRC meetings to give the Board a procedural record of the project. He commended the December 8, 2004 minutes because they provide a good summary of the procedural and substantive matters.

The house in question is a French Second Empire style house with a distinctive mansard roof and hooded window over it. The application, as it came to the Committee in December, 2004, contained essentially three areas. One, there was an existing channeled metal paneled roof that had been installed which actually triggered a call from the zoning and planning office as part of the violation to bring the applicant in. He sought approval for that pre-installed roof that stands above the existing roof. The second part was to drop walls from the new roof line to the bottom of the mansard, essentially encapsulating the mansard underneath the new façade, and a third was the vinyl siding. At the December, 2004 DRC meeting, the committee indicated it would not be able to recommend approval of the proposal. Following that the applicant was given a choice. He could either go ahead and request the vote of the committee on the proposal or continue to work with the committee on an informal basis. The applicant at the time chose to work with the committee on an informal basis leading to the succeeding series of meetings you have in the record, March 2006, January 2007 and the final meeting in February.

The reason why the proposal as it stands could not be approved by the Design Review Committee is because it did not meet at least four of the evaluation standards under the zoning bylaws Section 305.F. Specifically, Mr. McCarty's proposal is to build a new roof and walls beyond the existing mansard to seal off the most distinctive feature of this building, the façade and public face of it. This is not consistent with the preservation or reconstruction of an appropriate historic style. The proposal is in contradiction of the standard on page 46 of the Montpelier Cityscape Manual that states that roof shapes should not be altered for any reason on the principal façade's of a building. This design would take away the three dimension look of the hooded windows by creating a flat profile. The three dimensional mouldings would be cut off, essentially creating a two dimensional façade. It does not harmonize with the district. There are a number of 19th century buildings on Barre Street of different styles, Victorian and second Empire buildings, which have been preserved, and this application, in the committee's opinion, would have stood out like a sore thumb. It would have been a hidden mansard, but quite clearly an alteration.

The materials that were proposed to be used were inconsistent with the criteria. Again, the design control standards in the Montpelier Cityscape Manual recommend dark colors or earth tones for roofing materials and recommends specific asphalt slate or standing seam galvanized metal. The applicant proposed channeled metal plates in a bright green color. The committee did not believe this fit within the standards.

There were several reasons why the siding was rejected. The siding was never discussed until the final meeting on February 5, 2007, and simply because they never got beyond the roof discussion. At that meeting it became clear that there was no material provided regarding color, texture or type of siding. The proposal is for three sides of the structure to be sided, not the front, and there was no evidence the applicant could match the siding to the paint color. In addition, UV radiation will cause the color of the siding to fade and created even more color inconsistencies throughout the building. The reason given by the applicant for the siding was the water damage coming down from the roof that was causing damage to the walls, but the evidence shown the committee was the water damage was in the mansard section and not the clapboard section that was proposed to be sided over. The DRC understood and concluded that what the evidence provided did not support the reasoning for the siding proposal.

Mr. Richardson said the committee's third concern was that the siding would mask any continuing water damage that would continue to enter the walls and result in the loss of the clapboard and the exterior materials as they rotted away within the siding.

Finally, the DRC believes that the water damage that Mr. McCarty is attributing to splash back on the walls is something that can be easily remedied with a good coat of paint and regular maintenance.

Mr. Zalinger said that it seemed that there were actually three issues. One would be the roof design, a second would be the roofing materials and the third would be the siding. Mr. Richardson said that the committee concludes that design review evaluation criteria 1, 2, 3 and 5 are not met by this application. There are essentially three things being proposed to be done and it doesn't comport with the design control standards as enunciated in Cityscape and the standards used by the Design Review Committee in the past.

Mr. Hoff said he was curious about whether the clapboards should be retained underneath the vinyl siding even though they might rot.

Mr. Richardson said the specific reason why the vinyl siding was requested in this application was because of water splash back. The two sources of water leakage into the walls that the committee could identify were from the driveway splash back or the roof. The roof leakage coming in was coming in primarily from the mansard area, especially around the decorative pieces just below the mansard which show deterioration at that point. That will be cured if the roof is repaired. There is no need for siding. They didn't see any clapboard deterioration because of that type of water entry. The other water source was the splash back from the driveway. There are driveways on both sides of the house. That does not cause deterioration of the clapboard if there is a maintained coat of paint to protect the surface. It is the understanding of the Design Review Committee that vinyl siding has a number of drawbacks. It deteriorates over time causing both color decoration and possible leakage. It also is

not the original historic style. It creates a different type of appearance for the building. It is only proposed for three sides instead of a complete building. As the vinyl siding changes color and texture over time it is not going to match the front of the house, creating an inconsistency. The DRC found no basis to support the use of vinyl siding in this application.

Mr. Lindley asked whether there were criteria that ruled out the use of a corrugated metal roofing. Mr. Richardson said it is not included in the preferred materials. Mr. Lindley said there are buildings of corrugated metal across the railroad tracks. He asked how the material was inconsistent in the neighborhood when there is corrugated metal roofing all down through that whole area. Mr. Richardson said the immediate difference is they are talking about residential versus industrial. He would certainly concede that Barre Street is very close to an industrial area. As far as roofing materials for residencies, however, it is fairly consistent that the DRC and DRB have approved only those applications that involved asphalt, standing seam metal or slate roofs.

Mr. Lindley said there is a corrugated roof on the building at the corner of Towne Hill and Main Street. There is a condominium with a corrugated roof, and there are many places around Montpelier that have corrugated roofs without the standing seam. He said that a corrugated roof would not be visible on this three story building. He is curious why the inconsistencies in the neighborhood using corrugated materials. Mr. Cranse said there is different zoning is involved. This is the design control district. Stone Cutters Way, which abuts the Barre Street area, is in a different zone.

Mr. Zalinger asked Mr. Richardson if he could tell him where the design control district ends on Barre Street. Ms. Swigon said the design control district extends to Granite Street only on the side of the road that Mr. McCarty's property is on. On the north side of Barre Street the design control district stops at Hubbard Street.

Mr. Zalinger noted that, since the design control district is located only on one side of the street near the subject property, the visual impact will be to those viewing the property from locations outside of the district that are not subject to the same scrutiny. He said that he also was concerned by the limited visibility of the roof of a three story building.

Mr. Zalinger noted that criteria 1 is preservation or reconstruction of the appropriate historic style proposed in the historic district or involves a historic structure. Is this property in the historic district? Mr. Richardson said it is within a historic district. It qualifies as a historic building under the national standard because it is older than 75 years. That is the standard for a historic structure, built within the 19th century and reflects the prevalent architecture and style of that period. The building itself is a historic structure.

Ms. Swigon said the definition of a "historic building" is a property, building, structure of site identified as having local, state or national historic, architectural, or archeological significance and eligible for listing on the State Register of Historic Places either in its own right or as a contributing resource in a historic district. Based on Mr. Richardson's description of this structure, it could be eligible. Eric Gilbertson said both sides of Barre Street are listed on both the State and National Register.

Mr. Teschmacher asked what material would be on the part of the mansard that would be encapsulated. Mr. McCarty said he would use vinyl siding or other material that would be acceptable to the DRB.

Mr. Zalinger said criteria 2 is the harmony of the exterior design with other properties in the district. He said he inferred that, since the Design Review Committee objects to this design, it has concluded that the existing design is in harmony with other properties within the district. Mr. Richardson said that is correct, that Barre Street has numerous examples of the 19th century architecture of Victorian and French Second Empire style along the street. That is the character of the neighborhood. Mr. McCarty said that there are a total of three mansards along the street and that all of the other structures on the street are of different designs.

Mr. Zalinger said criteria 3 is the compatibility of the proposed exterior materials with other properties in the district. Mr. Richardson said this had to do with some of the roofing material proposed, plus the vinyl siding.

This relates back to the loss of the mansard and putting the proposed material over what was a unique architectural feature of the mansard. The committee believed it was inconsistent with other exterior materials.

Mr. McCarty said he had several new pictures since their last meeting that might be relevant to his application. The photos were taken from his property showing neighboring buildings. Most of the other buildings next to his are two-story with flat roofs. There are also a couple of buildings across the street with vinyl siding, which shows just how nice the buildings can look. There were also more pictures of his building showing the siding and the deterioration of paint from top to bottom.

Mr. Hoff asked Mr. McCarty why he was extending the overhang out over past where the original mansard roof was. Mr. McCarty said a lot of the roof problems have occurred in the mansard and around the windows. Structurally, that is an area where there were a number of leaks. He said he could pull it back but he would have to create a pitch to each roof which could cause a reoccurrence of the leakage problem. This proposal would eliminate all of that. The porches were added after the building was built. There is also a wing on the back of the building with a flat roof which only goes up two stories and abuts up against the mansard. The building has been altered substantially since construction. Mr. McCarty said he would prefer to side the entire building except for the except for the architectural details. He said that he only proposed siding on three sides because he knew there was some resistance to the visibility of the front of the building.

Mr. Zalinger asked how the Development Review Board should address the changes that were made to this property before the zoning ordinance in its present format was adopted. This is not a preserved building. Mr. Richardson said he would clarify that statement by saying that the building is preserved because its main architectural features still exist. He agrees there has been neglect, and that is a consistent problem with historic structures. They faced that with the Court Street property which was torn down last year. The DRC approaches the buildings from an "as they are" perspective trying to fulfill their mandate, which is to preserve as much of the historic and significant character of the building as possible. In particular, the mansard roof is an example of a predominant architectural feature of this building so any proposal that would sacrifice that portion of the building would be unacceptable under the DRC's mandate.

Mr. Zalinger said the last criterion is 5, prevention and the use of incompatible designs, buildings, and color schemes for exterior materials. He asked if the DRC all of the preceding comments applied to that criteria. Mr. Richardson agreed. He added that, with the proposed roof line on Mr. McCarty's drawing there would no longer be a roof overhang. This is of concern because the water will run down the face of the buildings and onto the walls.

Mr. Zalinger told Mr. McCarty some two and a half years ago he wrote a narrative about the roof to accompany his zoning application dated November 9, 2004. He asked if it was an accurate statement of facts, and Mr. McCarty replied yes.

Mr. Cranse said he thought the Design Review Committee applied the evaluation criteria fairly and accurately. He is in agreement with their findings. Mr. Teschmacher agreed with Mr. Cranse. Mr. Hoff said he agreed. The standards are there for a reason. The reasons presented in the application are not compelling enough to warrant deviating from the criteria.

Mr. Blakeman asked if Mr. McCarty's roof will have a pitch. Mr. McCarty said yes it would have a slight pitch in two directions instead of four. This design would give him two eaves to work with, which would be more manageable.

Mr. McCarty said he appreciated the emphasis on trying to maintain the historic value of the property, but it is not really feasible to do that. The building provides housing for four families right now. He said what the work that he did was affordable, keeps folks dry, and also keeps the building from deteriorating any more. Previously, the roof was leaking down the mansards and going into the walls and the roof was deteriorating. Certainly, painting would fix the way the building looks now. The building looked pretty good when he bought it, but the paint has deteriorated over the nine years he has owned it. To paint a building of this size every five years would be a

substantial burden, and the building doesn't produce that kind of income. It would initially cost slightly more to put the vinyl siding up than to paint the building, but a good paint job is expensive also. Once it was sided it would alleviate him from that expense for quite a period of time.

Mr. McCarty said the DRC mentioned something about the condition of the porch structure. Actually, all of the porch floors pitch out the way they are supposed to so the roof issue is limited to the roof. There is some need for attention to the porch at some time. There are some steel posts that should be replaced. He would also like to do some work with the windows in the future, even if it was just to add on storm windows to make it more reasonable to heat the building. The building should also be insulated in the future. There is one bathroom inside he would like to fix up for the tenants. This is all work to improve the place for the tenants that he plans on doing as he can afford it. Rebuilding the mansard means there would be no ability to do other improvements to the building for a number of years. Painting the building would have to wait for a number of years before he could afford it, so the building would stay looking like it does. The building across the street is a nice looking building and it has vinyl siding. The vinyl siding would be a more permanent fix and save repainting. He is trying to maintain a good looking building that is safe for folks to live in.

Mr. Blakeman asked Mr. McCarty if he lived at the building, or plans to live there. Mr. McCarty said no. He does not want to rent out an apartment that he would not live in himself.

Margot George, Chair of the Design Review Committee, said the DRC has been working with the applicant for three years to come up with solutions to solve his problem. She said that during the discussions, there were other ideas that were not pursued because the application was changed. She said she believed he could phase this project over a period of time. The Design Review Committee is very interested in working with the applicant to make the whole process work and to find a solution that will be economically feasible to the applicant.

Mr. Zalinger suggested that the Board close the evidence and take the matter under advisement and issue a decision in the future.

Mr. Lindley moved the DRB close the hearing, with Mr. Blakeman seconding the motion. The motion was approved unanimously. Mr. Zalinger advised that there will be a decision in the near future.

IV. Site Plan Review – GB

51 Berlin Street

Applicant: Damartin Quadros

- Creation of a drive-through lane, removal of parking spaces and associated site changes

Applicant requests continuation to March 19, 2007 meeting.

Adjournment:

Jeremy Hoff moved adjournment of the DRB, with Jack Lindley seconding the motion. The Development Review Board meeting was adjourned.

Respectfully submitted,

Kathleen Swigon
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