

Montpelier Development Review Board
December 3, 2007
City Council Chambers, City Hall

Approved

Present: Philip Zalinger, Chair; Kevin O'Connell, Vice Chair; Alan Blakeman, Daniel Richardson, Jack Lindley, Jeremy Hoff and Roger Cranse.
Staff: Clancy DeSmet, Planning and Zoning Administrator

Call to Order:

The meeting was called to order by Philip Zalinger, Chair, at 7:00 P.M.

Review of Minutes of November 19, 2007:

There were minor changes to the minutes. Mr. Zalinger made note that the minutes were consent agenda items which the Design Review Committee had approved. Mr. Cranse moved adoption of the minutes, with Mr. O'Connell seconding the motion with edits sent to Clancy DeSmet. The minutes of the November 19, 2007 meeting were approved on a vote by the DRB of 4-0-3.

I. Design Review (CB-I/DCD)

89 Barre Street

Applicant: Louis Marineau & Sons

Sign

Mr. DeSmet said the applicant couldn't be here this evening and left a sample of the materials for the sign. Louis Marineau Painting came in and wants to replace an exact dimensional sign which is approximately 29.5 inches by 64.5 inches. The application was approved by the DRC as proposed.

Mr. Blakeman moved approval of the application for Design Review at 89 Barre Street, with Mr. Hoff seconding the motion. The application was adopted unanimously on a 7-0 vote.

II. Design Review (CB-I/DCD)

77 Barre Street

Applicant: Dan Clar Construction

Owner: Sullivan & Powers Accountants

Replacing 9 windows

Mr. Zalinger recused himself from participating in the discussion of the agenda item, but facilitated the discussion.

Mr. DeSmet said Sullivan & Powers wants to replace 9 of their windows with a Marvin simulated divided light, aluminum clad construction. This project was also approved unanimously by the DRC. Mr. Zalinger told the applicant that the Design Review Committee advises the DRB, and they have approved the application as submitted.

Mr. Clar said there is only one change he made to the application. He wrote on the application the replacement windows were all going to be on the first floor. The second floor has some arched top windows. Everyone is interested in maintaining the arched top windows. They aren't touching them right now, but they would like to replace some of the square windows on the second floor. His customer has enough money in his budget to replace the 9 windows. They would like permission to replace a total of 9 windows. But, as opposed to the permit application that says all on the first floor they would like permission to replace a couple of the square windows on the second floor as well.

Mr. O'Connell asked if they were the small windows. Mr. Clar said that would also include the dormer windows. Around the corner there is a series of little dormers. They would be replacing a total of 9 windows.

Members inquired if this issue was raised before the Design Review Committee. Mr. Clar said the change to the second floor windows is a change he is requesting permission from the Board for the application now. Mr. Richardson said when he is replacing the windows on the second floor, would the mansard section be replaced like the way they are divided. Mr. Clar replied absolutely, that all of the specifications would remain the same. The product and the grill pattern would remain the same. The specifications for the window are exactly as what was approved by the DRC. The only thing changing is the ability to replace some of the small windows on the mansard section of the roof. Those windows look like one over one's that will be replacing.

Mr. Richardson asked if the change would involve any of the curved windows on the second floor. Mr. Clar replied that was correct. Mr. Hoff said to the extent Mr. Clar is changing his application he doesn't know how much it matters that he is substituting rather than adding. Would he prefer that the Board give him permission to have the changes he originally requested plus the windows he is trying to add now, and adjust the total to 9? Perhaps this would prevent him from coming back to the Board.

Mr. Cranse said he would not want to second guess what the Design Review Committee might say about the change. Mr. O'Connell said he agreed with Roger. The change sounds rather benign, but the DRC has very thorough criteria they review to make sure they would be keeping with their criteria. As much as he would like to accommodate the applicant and not hold the project up, he would rather see the DRC take action.

Mr. Clar asked if he could receive approval on the permit as it stands. Mr. O'Connell replied certainly. Mr. Clar asked if it was a case of going back in front of the DRC at their next meeting and asking for their approval. Mr. O'Connell asked if the DRC meeting had to be warned. Mr. DeSmet said he believed it did for at least two weeks.

Mr. Clar said the project isn't imminent. They are intending to get the permit in place for when the warm weather comes, so it's not going to hold his customers up. He would like to get the application approved as it stands.

Mr. Richardson said the other option to consider is simply having the DRB remand this back to the DRC without the Board approving it. It would be simply going back and allowing them to review the changes with the second floor windows as an amendment and then coming back before the DRB. Presumably, if anything goes back to the DRC it isn't binding that it would have to come back before the Board again. Mr. O'Connell said potentially they could eliminate the two-week warning issue if that was done and the application fee.

Mr. Zalinger said if the Board acts on the application and it is granted, then they will be amending a permit that was already approved. The best course of action may be to ask the DRB to continue the application until you consider an amendment of the application at the DRC level, and then bring it back to the DRB in the form they really wish to go forward with.

Mr. Lindley moved tabling consideration of this application until the applicant goes back before the Design Review Committee. Mr. Hoff seconded the motion.

Mr. Zalinger pointed out to the DRB that it would be an ill advised precedent for the Board to accommodate an amendment to an application without having the Design Review Committee review. The design review components of the whole process of design review.

The motion to table the application for design review at 77 Barre Street was approved unanimously 6-0.

Adjournment:

Mr. Lindley moved adjournment, with Mr. Blakeman seconding the motion. Development Review Board adjourned.

Respectfully submitted,

Clancy DeSmet
Planning and Zoning Administrator

Transcribed by: Joan Clack