

**Montpelier Development Review Board**  
**February 4, 2008**  
**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. Also present was Kenneth Matzner, Alternate.  
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 January 7, 2008 Minutes:**

Mr. Blakeman moved approval of the January 8, 2008 Minutes, with a second by Mr. Cranse. The January 7, 2008 Minutes were adopted unanimously.

**I. Design Review (CB-II/DCD)**

207 Barre St.

Applicant: Trevor Cole

Installation of solar panels

Mr. Zalinger advised the applicant on how the Development Review Board proceeds with design review items. The Design Review Committee has already approved the application. He asked Mr. Cole if he was in agreement with their recommendations. Mr. Cole said he was in agreement with the terms they talked about.

Mr. Zalinger asked if the application was approved by the Design Review Committee as submitted. Mr. DeSmet said that prior to Mr. Cole's ownership of the building somebody replaced the windows on the building and the DRC noticed the windows in the application. The DRC agreed with the replacement windows.

Mr. O'Connell moved approval of the application at 207 Barre Street for the solar hot water panels as submitted. Mr. Lindley seconded the motion.

Mr. Richardson said it seems that the DRC has included windows as well as solar panels. Is the DRB adopting the application as it was originally submitted? Mr. O'Connell said the warning is just for the solar panels.

The application was approved by the Development Review Board on a 7-0 vote.

**II. Sketch Plan Review (LDR/IND)**

203 Country Club Road

Applicant: Montpelier Lodge of Elks #924

Two-lot subdivision

Interested Party: George Gillander, Montpelier Lodge of Elks

Mr. DeSmet said the Elks are proposing to subdivide 140.74 acres into two lots. They are going to retain a large portion for Lot #1, 133.66 acres. They are going to create a third lot on the property which would be 7.08 acres. At this time there is no proposed development. Lots #1 and #3 will be located in low density residential and industrial. Each parcel has the minimum amount of frontage. They would like to request preliminary and final sketch plan review be combined.

Mr. O'Connell asked if the Board had acted on a subdivision application before. Mr. DeSmet said the previous subdivision application had approval. The Planning Office has the Mylar map, and it was signed by the Chair. Their attorney filed it today with the Clerk's Office.

Mr. O'Connell asked how the current proposal related to the earlier action.

Mr. Gillander said the Lodge of Elks decided to sell some property to alleviate a financial situation at the Lodge. They put up the 4-acre parcel of land for sale originally and requested a two-lot subdivision. After there was interest in the lot from someone who was going to purchase it, it was for less money than they had advertised for and less money they needed. The Lodge decided to put up a second parcel of land, 7 acres in this case, to help them solve their financial problems. They hope they can sell the 7-acre parcel. There is no plan to sell any additional acreage or subdivide any additional lands on the Lodge's property after this.

Mr. O'Connell asked what the size of the lot which was subdivided previously. Mr. Gillander replied it was 4 acres.

Mr. Gillander said the lot they are proposing in this application is Lot #3.

Mr. Lindley asked if Lot #3 had frontage on Route 2. Mr. Gillander replied it did not.

Mr. Lindley said access for the proposed Lot #3 is off the city street called Country Club Drive. Mr. Gillander said that was correct. There is 243 feet of frontage along Country Club Drive.

Mr. Blakeman asked if the proposed Lot #3 is located on a slope. Mr. Gillander said it is on a slope.

Mr. Richardson asked what is the remainder of parcel #1 that would be north of Lot #3. He can't see the end of the boundaries. He is looking at the northern strip of Lot #1. How far does that extend? Mr. Gillander said it extends all the way up. The whole golf course is above the northern boundary line, so it is golf course and forest. Their land goes all the way down to Old Country Club Road.

Mr. Lindley said in order to get access to that lot, if it were to be an industrial lot, there would have to be a zoning change in order to get enough entry way in. The whole front is 243 feet, so at least 10 or 20 feet is in the industrial zone.

Mr. Lindley said whatever transpires on those 7 acres will have to come before the Board for a zoning change on some part of the parcel. Mr. Gillander said a potential purchaser would probably have to do that.

Mr. Zalinger said there could be a variance.

Mr. Lindley said you can't put an industrial building in a low density residential area right now without a zoning change. Mr. Zalinger added or without a variance or conditional use permit.

Mr. Zalinger asked if Mr. Gillander contemplated including an easement. Mr. Gillander replied yes. There are two easements to this map. One is to provide an easement to get to the sewer line, and the other is an easement to an electrical utility pole.

Mr. Zalinger said he was thinking about an easement for an ingress and egress because one of the more attractive accesses to Lot #3 would be up through the Lodge's parking lot. Mr. Gillander said the boundary the surveyor has included takes about 20 feet of the existing paved parking lot so it would include possibly going across what is currently the end of their parking lot. The acreage is sold as such.

Mr. Zalinger asked who determined that it should be 7.08 acres for Lot #3. The configuration around the parking lot and at the northern boundary the proximity to the maintenance road, decisions were made that are cousins to planning. Mr. Gillander said there was a trustee as well as Dave Hudson from Vermont Surveying and Engineering who put in some stakes before they surveyed because they didn't want to give up certain parts of the land. They didn't want to give up three-quarters of the parking lot. They wanted to minimize the amount of parking they lost in trying to gain access to a parcel of land for sale.

Mr. Zalinger said there is no topography on this map. He has been there frequently enough to understand the lay out of the land. The way the eastern line is drawn into the parking lot is really to facilitate access. Mr. Gillander said if they came in directly behind the boundary of the broadcasting it levels off up near the top, especially where

the parking lot is located. The rest is pretty hilly. Mr. Zalinger said they could keep going east on Country Club Drive and then there is sufficient plateau to go north from Country Club Drive to access the parcel. Mr. Gillander said that was correct. The intent was to have around 7 acres.

Mr. Zalinger said his next question relates to what Dan asked earlier. The Zoning Administrator has communicated to you some of the DRB's concerns about having subdivision applications come in such close proximity to one another. What they like to see is planning.

Mr. Gillander said they had two options.

Mr. Zalinger said the Board is within their right to raise the concern. When Dan was asking about the parcel configuration he said you have to turn it like this. Before he moves forward with the application he would like to see a plan of all of the Elks Lodge's property.

Mr. Gillander said he does have a complete map of the whole 144 acres.

Mr. Zalinger said that certainly would help some of the members of the Board who aren't that familiar with the property. It is also helpful for the Board to know what other parcels about the property and how it fits in with the rest of the Cityscape that exists there. For example, if you keep going east of the property you get to Towne Hill Road. They have just had a piece of property on Towne Hill Road they granted a subdivision to for a residential lot. It would help him appreciate what is at issue here. One 4-acre lot is easy because it is segregated from the rest of the parcel, has frontage on Route 2 and substantial frontage on Country Club Drive, and in the industrial zone. That was easy to take as a snapshot.

Mr. Zalinger said he would like Mr. Gillander to submit the whole map to Clancy in the Planning Office and he can share it with the Board members. Maybe they can take it up at their next meeting as other business. Or, the Board could bypass that kind of informal discussion and disassociate the preliminary and final review, and have preliminary consideration of the subdivision. Then, they could go to final consideration at a later date. It would probably be better to do it that way rather than taking it up as other business.

Mr. O'Connell said he shares the same concerns as the Chair with regards to the incremental nature of how the two applications have come before the Board. The planning aspect is important as we start seeing this 144 acre parcel being subdivided. He is hopeful that the Elks won't be back in 6 months with a third. It would be difficult to go through the same process again.

Mr. Lindley told Mr. Gillander that he indicated the 4 acres had already been sold. Mr. Gillander said it will be as of Friday. Mr. Lindley said the sale of the 4 acres is not contingent upon the 7.08 acre subdivision.

Mr. Zalinger asked Mr. Gillander to come back on February 19<sup>th</sup> for preliminary review. The Board can proceed from there to the final review. The Elks can submit the plan to Clancy and he can circulate it to the Board to review prior to the 19<sup>th</sup>. Then, the Board will schedule final review for a subsequent meeting.

Mr. DeSmet said the next map will show a plan of the entire Elks property. Mr. Zalinger said the map necessary for preliminary review needs the contours.

Mr. Cranse said the February 19<sup>th</sup> meeting of the Development Review Board has been warned already. That will affect this decision. The next meeting would be March 3<sup>rd</sup> that we could do preliminary review.

Mr. Zalinger said the Board doesn't really need to take formal action on sketch plan review. They have given the applicant some feedback and that is what the ordinance says. They will see the applicant back on March 3<sup>rd</sup> for preliminary review.

**III. Design and Site Plan Review (CB-I/DCD)**

66 Main Street

Construction of an eating and drinking establishment

Applicant: Montpelier Property Management, Kevin Casey

**Tabled.**

Mr. DeSmet said where the fire was the applicant wants to locate a restaurant/diner there.

**Adjournment:**

Mr. O'Connell moved adjournment, with Mr. Blakeman seconding the motion. The Development Review Board adjourned.

Respectively submitted,

Clancy DeSmet  
Planning and Zoning Administrator

Transcribed by:  
Joan Clack