

Montpelier Development Review Board
April 21, 2008
City Council Chambers, City Hall

Approved

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

Call to Order by Chair:

Philip Zalinger, Chair, called the meeting of the April 21, 2008 Development Review Board to order at 7:00 P.M.

Review of March 17, 2008 Minutes:

Mr. Blakeman moved approval of the March 27, 2008 DRB Minutes, with Mr. Richardson seconding the motion. The Minutes were adopted unanimously on a 5-0 vote.

I. 203-205 Barre Street – CB-II/DCD

Applicant: Naoman Mohammed

Owner: Naoman Mohammed

Security door for the front of the building.

The Design Review Committee recommended approval of the application with the condition that the security gate be recessed. Mr. Zalinger asked the applicant if she was in agreement that the security gate should be installed so that it is recessed back from the sidewalk. That would be inside the doorway. They agreed it was satisfactory with them.

Mr. Hoff said he had a couple of problems with the application one a couple of levels. One is for the area he doesn't know that a security gate necessarily sends the best image to the neighborhood. Then, in reviewing the criteria of the Design Review Committee, criteria 2 and 3, harmony of design with other properties in the district and compatibility of materials he doesn't know if he agrees with the DRC's findings. As far as the design, the finding is that it is a common design for security gating, and there aren't other security gates in that area. The building is on the border of CB-II and an HDR district. He doesn't know if it is really an appropriate addition to the building given that there are a lot of residential buildings surrounding it.

Mr. Blakeman said the applicant must have some evidence where they need some more security. Even if they are the first people on Barre Street to do it, he doesn't see a problem.

Ms. Mohammed said this small store has been burglarized four times. They believe this decision is the best way.

Mr. O'Connell said his observation has been is that there is more of that negative activity occurring recently, and they can speculate what the causes are. Unfortunately, the appropriate response on the part of a business owner or homeowner is going to increase the security. The best they can do is try to ameliorate any negative affects on the design and landscape.

Mr. Richardson said he isn't comfortable deviating from the Design Review Committee. Given the options available, which includes installing a steel door without a window, or installing gates on the door itself, the option of a metal gate in front of the door doesn't strike him as completely out of character. He believes one of the important things for the DRC, in reading this review, seems to be whatever incompatibility is there is reversible. This is a business that sort of sits by itself. It's in a residential district which means you can't hold it to the same standards because it is a different entity stuck within that particular area. He doesn't see anything in the Cityscape Standards that would prohibit this kind of safety device and it doesn't appear to be particularly obtrusive to this area.

Mr. Cranse said he didn't have any objection to the application as adjusted.

Mr. Richardson inquired if the windows had bars on them.

Ms. Mohammed said on the inside of the store.

Mr. Hoff asked Clancy if at the DRC meeting if there was any conversation about the compatibility. Mr. DeSmet said the members just wanted to make sure that it was reversible and recessed so it wouldn't look like a gate. That is why they asked for it to be recessed as far as functional, but they didn't seem to have a problem after they had found out they had been broken into several times.

Mr. Richardson said he was sympathetic to Jeremy's concerns, but at the same time there seems like there are far more intrusive options than the façade. It is sort of common in cities to have that kind of iron fencing in doorways.

Mr. Hoff agreed it is common in cities generally, but you would be hard pressed to find one in Montpelier. He appreciates the applicant's security concerns. He knows there are a lot of technological solutions and it looks like the Design Review Committee talked about some of those when the applicant appeared in front of them. The price didn't seem very different but comparable. In a situation where the Police Station is only two blocks away the response time could be rapid. If there is another solution that would help improve the looks of that neighborhood it would be helpful.

Mr. Lindley said he isn't convinced that the response time of the Montpelier Police Department is that rapid. He assumes it is a "smash and grab" and they are going after cigarettes.

Mr. O'Connell moved approval of the application of 203-205 Barre Street as adjusted by the Design Review Committee. Mr. Cranse seconded the motion. The motion passed on a 6 to 1 vote, with Jeremy Hoff voting no. The application was adopted and the applicant was granted a permit.

Mr. O'Connell asked Jeremy what some of the technological measures would be. What would they look like? Would he be talking about surveillance cameras or active alarm systems? Mr. Hoff said all of the above would be preferred.

II. Site Plan Amendment and Design Review – CB-I/DCD

28 Main Street

Applicant: Sjon Welters, Rhapsody Natural Foods

Owner: Jeff Jacobs

Enclose storage space in the rear of the building.

Mr. Welters said Rhapsody presently they have a walk-in cooler that extends outside of the building on top of a raised platform, which is above the boiler room. They are out of cooler space, so they are going to hopefully extend the cooler by increasing it by 6 feet or so. It's an empty platform so they are just going to extend out and would use the same kind of siding. Aesthetically it would look the same as the present one.

Mr. Zalinger asked what his plans were for the exhaust fan.

Mr. Welters said the exhaust fan is not going to come against the wall. It will be 3 feet short of that. The vent system is only suction and the exhaust is on the roof. It's not going to be in the cooler.

Mr. Zalinger said the new walk-in area won't abut the rear of the building.

Mr. Welters said it wouldn't abut the rear of the building. It will keep extending flush with the one that is already there. They are just going to give it enough space so they won't have to rip it off or cut through the roof of the walk-in to do that. The fan will stay where it is.

Mr. Lindley asked Mr. Welters if he had any idea what noise is generated by a small cooler. Mr. Welters said it is the exact same cooler that is already running there. They are just basically taking out part of the wall of the cooler already there and the same motor will be just cooling a larger space.

Mr. O'Connell asked if there was going to be any change in the mechanics. Mr. Welters replied none at all.

Mr. Hoff moved approval of site plan review and design review for 28 Main Street, the Rhapsody Natural Foods, as proposed. Mr. Richardson seconded the motion. The motion was approved unanimously on a 7-0 vote and the application was adopted.

Other Business:

Mr. Lindley asked if the DRB could meet once a month. The reason they did two meetings a month was because there were enough projects to keep busy. Mr. Cranse said sometimes applicants want an answer.

Mr. O'Connell told Jack he understood his issue and the use of the DRB's time as well as staff time, but Roger's point is if someone is coming in with an application the week after they have just held a meeting, that is a long time to wait for a permit. Timeliness is important.

Mr. DeSmet said there will be the Middle School project, the High School project, a proposed site plan for the four acres that the Elks Club carved off will all be coming up for review. They just had a Technical Review Committee meeting.

Mr. Lindley said circumstances have changed rather substantially. There is a lot of stuff that has been taken off their plate.

Mr. Cranse said it's true, but they serve the city and the community and people want to get ahead of the relatively short season around here for building things, get started on renovations, etc. When he applied to the DRB for a variance he found the waiting period was quite long. There is a conference beforehand, then approval from the DRB, the waiting period for the appeal, so you can't really get stuff started for quite awhile. He is okay with meeting twice a month.

Mr. Richardson said he had a separate issue which was raised by the iron gate. They don't really seem to be governed by a great deal of standards. If we had sent the applicant back, what could she have looked to for guidance? Just looking through the Cityscape Standards, which is the only thing he was given, it's a little dated at this point. He presumes that is a Planning Commission issue. Can the DRC send a message or signal to the Planning Commission that there seem to be issues around what is governing design and control in just applicable standards. It seems like a valid question.

Mr. O'Connell said he isn't sure they would want to formalize it more than it already is. It does seem to work fairly well. Mr. Richardson said for certain things it works very well, especially if it is property downtown. Cityscape notwithstanding its flaws is pretty articulate. Some of these other areas and issues that are arising and how to communicate are different.

Mr. O'Connell said his concern would be to overly impede and putting additional time into advancing projects.

Mr. Hoff said he didn't find applying those standards in the design review to this project at all because none of those materials exist in that district. There aren't security gates in that district, and you are comparing it against things in the district, so either it is there or not there. You don't find black steel gates or posts or security gates in the district. Maybe security gates should be exempt from design review.

Mr. Richardson said they were proposing an iron gate for security purposes. Vince Illuzzi's airlock....

Mr. O'Connell said that was a big difference. Mr. Illuzzi's project was on a historic building.

Mr. Zalinger said Vince Illuzzi wanted to put a wrought iron fence around the edge of his porch, and he is sure he would have been permitted to do so even if they were the same materials and same configuration and same design as the security gate is. Mr. Zalinger said they have wrought iron railings on their office. If we were in the French Quarter in New Orleans, this would be entirely historical.

Mr. Hoff said they might vote to approve that kind of thing, but he doesn't think it would get past the DRC or they wouldn't approve that same type of product being on that property. There are certain people on the DRC who are very knowledgeable and good. The DRB sits here and review that and we don't necessarily have the same tools to distinguish that, either.

Mr. O'Connell said at one point there were two architects sitting on the DRB, and there are none at this current time. It would be nice to round out the expertise credentials in that way, which is the way it has been during the yeas he has served the DRB and having that depth of experience. The point he would make is he doesn't see the process has failed.

Mr. Cranse said his experience with the DRC over several years is that they are pretty rigorous and knowledgeable in their application of the criteria. If over the years we varied with the DRC in any way, it is usually by moderating their strictness, and that has only been in one to three instances. In this instance we have to deal with a business owner's legitimate concern about theft. You could have an urban roll-up like what they use in New York City. Probably their original design, which he gathered from the adjustment, was flushed with the street. The DR C made a judicious adjustment by having it recessed. He personally doesn't find it aesthetically objectionable. It looks like a gate rather than a security fence, a gate you might find before an estate.

Adjournment:

Upon adjournment by Alan Blakeman, seconded by Kevin O'Connell, the Development Review Board adjourned.

Respectfully submitted,

Clancy DeSmet
Planning and Zoning Administrator