

Montpelier Development Review Board
September 20, 2010
City Council Chambers, City Hall

Subject to Review and Approval

Present: Philip Zalinger, Chair; Kevin O’Connell, Vice Chair; Alan Blakeman, Daniel Richardson, Jack Lindley, Roger Cranse, Sabina Haskell, Kenneth Matzner and Ali Sarafzadeh.
Staff: Clancy DeSmet, Planning and Zoning Administrator.

Call to Order:

Mr. Zalinger, Chair, called the September 20, 2010 meeting to order at 7:00 P.M.

I. 9 Main Street – CB-I/DCD

Applicant: Capital Dry Cleaners
Owner: Montdry, LLC
Design Review for Exterior Painting

Mr. Zalinger said he was going to read into the record an e-mail the Zoning Administrator received last Thursday. This is from Mr. and Mrs. DeNoia. They are the principals of Montdry, LLC.

Dear Clancy:

I’m writing this letter to request the DRB consider reviewing our project even though we may not be able to attend the meeting on Monday night. There was a family member who passed away last Saturday and they need to be out of state for her memorial service. It is their hope to have their project reviewed this week so they can begin painting before the weather turns too cold.

Mr. Zalinger asked if anyone objected to going forward without the applicants present.

Mr. DeSmet said the application went to the DRC on September 14th and they recommended approval with an adjustment that he doesn’t know they can ask for.

Mr. Zalinger said the adjustment the DRC recommended was that the muntins be painted to match.

Mr. DeSmet said the muntins are the grills on the windows and they have existing windows at the structure that are not part of the application. The Design Review Committee thought it would look more cohesive in color scheme if they painted those interior muntins. It wasn’t necessarily part of the application and it is also on the inside of the window so he wasn’t sure if it was enforceable. The applicant agreed to it. They are snap-in grills.

Mr. Zalinger said very often they are not a natural product but plastic.

Mr. Richardson said he has no problem reviewing this because they have traditionally reviewed muntins as an architectural feature.

Mr. Zalinger said the application is for exterior paint which was approved. The color scheme was approved.

Mr. O'Connell said they aren't making that a condition but a suggestion.

Mr. DeSmet said they made it an adjustment but he thought of it more as an option.

Mr. O'Connell said that is the way he would see it. This says the DRC preferred that the muntins match the exterior sash. It doesn't sound like an order to him.

Mr. Zalinger said it says the applicant has agreed to paint the removable interior muntins the same color as exterior sash color.

Mr. O'Connell said he would suggest they just proceed as though it is in advisory and not an order. He has one observation which is that number 1 which includes the letter in Capital Dry Cleaner looks awful close to the color of the current lettering. Would the lettering just become essentially close to invisible.

Mr. DeSmet said the original color is much more stark in contrast.

Mr. Richardson moved for design review approval of 9 Main Street with the optional change as suggested by the DRC that the owner paint the interior muntins the same color as proposed color #2. Mr. Blakeman seconded the motion.

Mr. Zalinger said they need to be clear it is optional so it is at the applicant's discretion as opposed to an adjustment to the scope. The vote on the motion was approved on a unanimous vote of 7 to 0.

II. 153-155 Elm Street – CB-II/DCD

Owner/Applicant: Win Turner and Laura Bozarth

Site Plan and Design Review for multiple exterior changes.

Interested Party: Flor Diaz Smith

Mr. Richardson recused himself from hearing this application.

Mr. Zalinger administered the oath to the applicants.

Flor Diaz Smith said they are just trying to bring the buildings up to code. At the moment they just want to replace the windows, a roof in the back, replace the stairs in the back of 153 Elm and organize the parking. The buildings at the moment have a lot of different code issues and interior and structural issues. At the moment they want to use their resources for the structure of the building and to bring it up to code. The windows are a big part because they need to make the building more energy efficient. The other big part is the owners would like to be able to rent the building as soon as possible. With the parking there really isn't much change. This particular property had three buildings on the side and they finished the demolition of an existing garage where the roof had gone under in 2008 and it had been recommended to be demolished. It was a historic structure and it is the hope of the Turners to build a building there in the near future. They are leaving the foundation. That is the symbol and the size and just filled in with a little bit of gravel to make it a little more level. The foundation is pretty much in the ground. They are adding three parking spaces in the back where the old garage was. At the moment they took out all of the debris from the river and above.

Mr. O'Connell said he had a procedural question which is for Clancy. With the demolition permit for an historic structure, even though it collapsed and was in an unsafe condition is that appropriate for the Building Inspector to order a demolition? Isn't there a process, being that it is on the Historic Register?

Mr. DeSmet said he thinks safety trumps. He had numerous conversations with the League of Cities and Towns about the procedure of this because the picture you see in the packet of the garage is actually from four years ago. It was in real bad disrepair. He tried to get the previous landowner or land manager to deal with it and he just wouldn't respond. In the event it happened without a permit there wasn't much he could do. A violation would be kind of hollow on someone that doesn't respond in that sense.

Mr. Zalinger said it is what they would call as an "as built" demolition. It is the way they usually characterize improvements that are already completed. He said he is trying to read the DRC's comments. At the applicant's discretion replacement windows will be either true divided light or simulated divided light. The treads for the secondary egress stairway may consist of either galvanized steel grates or wooden material. Is that the whole scope of the DRC review?

Mr. DeSmet replied there is a standing seam roof and the windows.

Mr. Zalinger asked they deal with demolition first. It appears in the record that the City's Building Inspector in late 2008 issued an order requiring the previous owner to demolish the structure.

Mr. Lindley said the actual order occurred in 2007. It had to be completed by 2008. He thinks it was in April of 2007.

Mr. Zalinger said the inspection date was 11/7/08. This is in the record. Is there a motion.

Ms. Haskell moved the DRB grant demolition of this structure. Mr. Sarafzadeh seconded the motion. The motion passed on a vote of 7 to 0. There is no longer a garage.

Mr. Zalinger said next they will consider design review which involves the replacement windows with an option to the owners to either use true divided lights or simulated divided lights and also for the treads of the secondary egress stairway material as well as the new roof for the rear of the building so it will be the same color as the roof on the front of the building.

Mr. Cranse said he isn't sure if this is a design review question or a site plan question. He is looking at the zoning permit application and there are things in the project he isn't sure if they are voting on them tonight or not. They talked about the windows at 155 Elm Street. Are the entry steps part of the application?

Ms. Flor Diaz Smith said they are part of the application but they are just bringing them up to code right now. There is a 10 inch step in the front.

Mr. Cranse and it says to replace the back stairs and deck. Increase the dimensions of the deck and new foundation under the existing side porch.

Ms. Diaz Smith said that is to support the roof that is separating because there is no foundation under there.

Mr. Cranse said moving the bathroom isn't part of site plan.

Mr. Zalinger said the four items Mr. Cranse just mentioned the applicant is free to perform without a permit.

Mr. Lindley asked if all of this work was going to be done within two years.

Ms. Diaz Smith said when they start putting money into the structure and the electric and plumbing and if there is some money left they would submit an amendment for the application. At the moment they have been looking for some historic pictures for the building to move the ramp and have a wrap around porch and slowly bring back the historic character of the building. Right now they don't have all of the documentation or the money to do everything.

Mr. DeSmet told Mr. Lindley there is a permit renewal process in the ordinance if they run out of time.

Mr. Zalinger asked what is the pleasure of the Board with respect to design review.

Mr. Lindley moved approval for design review for 153-155 Elm Street as presented by the applicant. Mr. Cranse seconded the motion. Mr. Zalinger asked Mr. Lindley if he could incorporate the suggested changes that the DRC included. It gave the applicant several alternatives. The vote on the motion was unanimous on a vote of 7 to 0 and design review is approved.

Mr. Zalinger said the final element of the Board's review is site plan. They reviewed the relevant site plan review criteria.

Relevant Site Plan Review Criteria:

1. *Pedestrian Access and Circulation [703]*: It appears from the site plan that no other internal walkways or sidewalks are proposed. Are they satisfied that there is ample area for folks who park in the rear of the building to the side of the building to access it safely? Ms. Diaz Smith replied yes. There is a lot of space back there and they brought the accessible parking space even closer to the existing ramps which was one of the main concerns.

Mr. Zalinger asked what kind of signing are they going to use to sustain the flow which they have adopted. Ms. Diaz Smith said this is the way it works at the moment. They aren't proposing any change.

Mr. Zalinger asked if they had given any thought to snow removal and storage. Ms. Diaz Smith said they met with Tom McArdle and he thought they were okay.

Mr. Zalinger reminded the applicant that after their plan has progressed further it is possible for them to seek an administrative amendment of the site plan to site a dumpster somewhere on the location where it meets both their needs and Casella's needs because the vehicle will need access.

2. *Landscaping and Screening [708]*: Nothing new is proposed.
3. *Outdoor lighting [710]*: No new lighting is proposed.
4. *Performance Standards [714]*: There is no change in the proposed uses at the site although it would be administrative or office uses so they contemplate there will be any performance standards that would be violated.
5. *Floodplain Development § 716*: Minimum National Flood Insurance Program (NFIP) regulations require that all new development shall be reasonably safe from flooding as well as meet the following requirements.

The property is in the floodplain and development there has to be in accordance with those standards.

These appear to be the only site plan criteria that apply.

Mr. Blakeman said most of the parking is up against the river, the Worcester Branch. Is there a way that people can see there is a river there because especially at night that can be pretty dangerous?

Ms. Diaz Smith said the pavement changes. There are a lot of trees around the property to act as a buffer zone. There is a lot of vegetation in that area. It isn't totally open.

Mr. O'Connell moved to approve site plan as proposed. Mr. Blakeman seconded the motion. The motion was approved on a unanimous vote of 7 to 0.

Adjournment:

Upon motion by Mr. Blakeman and Mr. Richardson the Development Review Board adjourned.

Respectfully submitted,

Clancy DeSmet
Planning and Zoning Administrator

Transcribed by: Joan Clack