

**Montpelier Development Review Board**  
**July 19, 2010**  
**City Council Chambers, City Hall**

*Subject to Review and Approval*

**Present:** Kevin O'Connell, Vice Chair; Sabina Haskell, Roger Cranse, Alan Blakeman, Jack Lindley and Daniel Richardson.  
Staff: Clancy DeSmet, Planning and Zoning Administrator

**Call to Order:**

The July 19, 2010 meeting of the Montpelier Development Review Board was called to order by Kevin O'Connell, Acting Chair, at 7:00 P.M.

**Review of Minutes of June 21<sup>st</sup> and July 6<sup>th</sup> Minutes:**

There wasn't a quorum of members present to approve the June 21<sup>st</sup> Minutes. There was a quorum for the July 6<sup>th</sup> meeting. Upon motion by Daniel Richardson and Jack Lindley, the minutes of July 6<sup>th</sup> were approved as printed.

**I. 29 Corse Street (LDR/DCD)**

Design Review for Replacing the Siding.  
Owner: Dave Pelletier/Jeannie Ellis  
Applicant: Michael Russell

Mr. O'Connell explained what the Consent Agenda means to the applicant. It means the Design Review Committee has already reviewed the proposal and has approved it. The DRB will take the testimony as presented by the Design Review Committee.

Michael Russell said he is familiar with the comments at the Design Review Committee. They approved the proposal as proposed.

Mr. Richardson moved approval of design review for 29 Corse Street; Mr. Blakeman seconded the motion. The motion was approved on a vote of 6 to 0.

**II. Design Review for Signage at 112 State Street (CIV/DCD)**

Owner: People's United Bank  
Applicant John Kerrin Signs  
John Kerrin from Kerrin Signs represented the Bank.

Clancy DeSmet said Kerrin Signs is the agent for Chittenden Bank, aka People's United Bank. They have come in for rebranding of signage. The Design Review Committee by a vote of 2 in favor and 3 against recommended not to approve the project. The biggest contention was two wall mounted signs that would obscure the engraved Chittenden Bank logo in the sign band. If those weren't there the proposal would have garnered approval.

Mr. Cranse said it was 1 (a) and 1 (e) of the evaluation criteria. How do those two relate to just what he said was their main objection?

Mr. DeSmet said 1 (a) he disagreed with the Design Review Committee on because it refers to historic districts and historic structures. Technically, the 112 building is in the Montpelier Historic District but the building is not a historic structure and built within the last 20 years. It is not listed as a contributing

structure. One of the difficulties with this building is that it is in the Civic District and for the most part there is a sign plan if it is a building within the Capitol Complex but there aren't that many private institutions that aren't government institutions within the Complex. The regulations actually call for signage to be evaluated under the Central Business I criteria. They thought it was unacceptable and the design was incompatible because it wasn't like the state signs that are all uniform in town. He explained that nuance to them.

Mr. O'Connell asked Mr. Kerrin if he was familiar with the Design Review Committee's vote and comments.

Mr. Kerrin said he was.

Mr. O'Connell asked Mr. Kerrin if he could present his client's proposal and how it would fit within the Design Review District.

Mr. O'Connell administered the oath to Mr. Kerrin.

Mr. Kerrin he thinks it is difficult that the state has picked the least expensive generic institutional type signage for everything they own for the state.

Mr. O'Connell asked if Mr. Kerrin was the designer of the sign.

Mr. Kerrin replied no. He is subcontracted to a national company that is handling the People's United Bank changeover which covers Vermont. He thinks the sign looks fine in the district. The fact that everything the state uses are black and white and you get a couple of doors down and hit the Capitol Plaza you have multiple types of signage. The only problem with it is that on the other side is all state property with straight plastic black and white engraved in rather low key. The state is not going to invest money in nice fancy and colorful signs. He thinks the signage for the state buildings is hideous. It is unfortunate this building happens to be in that area and they are being penalized because of it. It's not part of the State Complex but an independent business.

Mr. Lindley asked if there was any opportunity to get away from the tin look. When you look at the Chittenden sign that is there now it is sort of half way between the tin look versus the state signage. Are you stuck with tin?

Mr. Kerrin said it is a silver background. He is stuck with it at the moment because it is the bank's logo and color scheme.

Mr. Lindley said he understands what the logo is.

Mr. Kerrin said even if the background panel is made of wood it would still be silver. It is a painted panel whether it is metal, wood or plastic. The blue, red and silver are their corporate logo the same as their maroon and white letters of the Chittenden Bank.

Mr. Lindley said as you drive through Montpelier the tin look to the sign troubles him slightly. A silver background is going to look all right in Burlington, Vermont but he doesn't know that it does in Montpelier; that is what bothers him. The logo is really the People's United Bank. What it hangs on or what its background is he doesn't know how wed they are to it. He can see where his friends on the

Design Review Committee get all excited and it is a split decision. He takes great umbrage to their view of that and wonders if there some thought on the bank's part that we could get a different view of this.

Mr. O'Connell said he wanted to have the discussion in terms of the review of the DRC's deliberations. We do have the evaluation criteria. He recommends they go through that and see what transpires.

**Sign Evaluation Criteria in 3504.A:**

**a. Preservation or reconstruction of the appropriate historic style if the proposed project is in the historic district or involves an historic structure;**

It is in the Historic District and not an historic structure. The Design Review Committee voted 2 to 3 to not accept that.

Mr. DeSmet said it is 1) b. 1) a is not applicable.

**b. Harmony of exterior design with other properties in the district;**

In this district we have a combination of idiosyncratic designs that have been approved and corporate signs. The corporate signs he sees are Rite-Aid, TD Bank and Aubuchons and Community National. Those are corporate signs. The others are a collection of Petals & Things, Samosa Man, Bear Pond Books, etc. In terms of number b it seems to fit into the category of corporate signs. That is his evaluation of it. The Design Review Committee had a split vote. He doesn't see a reason not to vote in favor of it. He doesn't think it is out of harmony with exterior designs of four other corporate signs.

Mr. Richardson said he is unclear about the material that is going to be used for the signs. What kind of material is the sign going to be that is going out front?

Mr. Kerrin said he understands it is the same material as the other signs. Everything is painted metal. It is a silver paint.

Mr. Richardson asked what kind of paint it was.

Mr. Kerrin said it is just enamel paint. It isn't a reflective paint.

Mr. Richardson said one of the issues that the Design Review Committee as summarized by Clancy DeSmet's earlier statements was that the blocking of the Chittenden Bank carved letters on the bank building, since that meeting has he discussed that issue with the contractor or the bank as to their willingness to keep that.

Mr. Kerrin said they are not willing to keep the Chittenden Bank. The Chittenden Bank doesn't own the building and the discussion the other night about it was one member mentioned that some of the older buildings on Main Street if you look up at the top edge it is Miles Block 1908 it just isn't the same type of thing. The lettering carved into that block was an after thought after the bank went in there and it isn't like a corner stone naming the building. He was told that the bank didn't actually own the building.

Mr. O'Connell said it is a condominium association. The state is part owner.

Mr. Richardson said one of the recommendations of the Design Review Committee was that if you did put the People's United Bank logo sign on top of the Chittenden Bank such that later on it could be removed without damaging the Chittenden Bank letters that are carved into that.

Mr. Kerrin said it could be installed in a way so they aren't drilling holes into the carved letters just in case the Chittenden Bank should decide to come back.

Mr. Richardson said notwithstanding his assessment of the purpose of that sign band should someone in the future want to keep that character and feature of it.

Mr. Kerrin said it could be done so it won't be damaging the letters.

Mr. Lindley said Roger Cranse has articulated a fairly reasonable approach to the harmony criteria.

Mr. Richardson said the one reaction he would have from those questions is that he is not aware of any other signs in the downtown area that have that more metallic background which is going to be the largest portion of the sign. The logo itself doesn't provide any problem for the sign review criteria. It is the more metallic paint, the more modern looking sign. Both the existing sign there cuts that middle ground between new and state as well as every other sign in the district has as a flat background. It doesn't have that metallic quality of the signage that would bring it out of character with the district and with the downtown in more general

Mr. O'Connell said he is saying that it isn't the logo that is objectionable but what the logo is placed upon. It is that rather shiny kind of surface that stands out in that context.

Mr. Richardson said the signage here represents an increase in the signage overall and since that would be the dominant color it would be out of character. If it didn't have that metallic shine to it he would have less of a problem with it, especially for the front signs that are going to the most public. He thinks as far as the harmony of the exterior design with other properties in the district that certainly cuts against it. There is a consistency in the downtown that shies away from that type of modern looking. The fact we can cover up the Chittenden Bank carved letters in a way that they could be removed and not damaged solves a lot of that problem, but it is the metallic cover of the paint. If they went with a flatter less reflective he would be happier.

Mr. Lindley said the other point Dan makes which is important is that it is an increase in signage. If you look these six don't exist now.

Mr. Richardson said all of the signs where the increase is there all come from the fact they are putting their logo on where Chittenden didn't. The increasing signage triggers a more strict review in looking at conformity with the district.

Mr. Blakeman said this almost has a granite look to it.

Mr. Lindley said he doesn't argue with the granite look except it isn't granite look, and he knows it is reflective.

Mr. Kerrin said it is not reflective. That is sprayed metallic silver paint. It is a gloss finish. Community National Bank also is a background not identical but a similar metallic background. It's a gloss finish. That is quite a large sign and background, and that is just three buildings up on State Street.

Mr. O'Connell reminded Mr. Kerrin they have already had a review by the Design Review Committee and we do rely on them considerably for advice. They DRB cannot take that advice but it is their purview to make recommendations to us.

Mr. Kerrin said he understands that. He went through two meetings with the Design Review Committee where they kept referring to it as a reflective background, and it's not reflective. He wants to make sure people are thinking about this and discussing it they are discussing it properly the way it is.

Mr. Blakeman said over time will this tend to dull.

Mr. Kerrin replied yes, it will fade down some over time. All paint does.

Mr. O'Connell said if it is okay with the Board they can go quickly through the other criteria and have further discussion if necessary.

**c. Compatibility of proposed exterior materials with other properties in the district;**

The Board has talked about that already.

**e. Prevention of the use of incompatible designs, buildings, color schemes, or exterior materials;**

The DRC did vote on that one as unacceptable under the same 2 to 3 vote.

**g. Recognition of and respect for view corridors and significant vistas including gateway views of the city and State House.**

8) Individual letters affixed, painted or engraved directly on the building or structure, are encouraged.

Mr. O'Connell said the writing and the recommendations of the Development Review Board.

Mr. DeSmet said it is in his report. It says however, if the DRB chooses to approve the application as proposed, the DRC recommends that the wall sign(s) be installed so as not to damage the existing "Chittenden Bank" lettering within the sign band.

Ms. Haskell said usually large companies that face restrictions with signs in different communities will have alternatives and different styles for different types of communities. Is that an option here?

Mr. Kerrin said possibly.

Ms. Haskell asked if they just presented them with this one style.

Mr. Kerrin replied yes, exactly. What they do is all of the signage for the entire state is designed the same and that is what they are given to submit for permits. Obviously, if the Board says no they can't have their signs they are going to have to come up with something and he would have to send everything back to them and tell them it was denied.

Ms. Haskell said she would think in old town communities in Connecticut this is probably a similar type of issue where they don't want a metallic look with their old clapboard buildings. They must have some type of alternative for those types of communities and she was curious if they had presented that to him.

Mr. Kerrin said they haven't presented anything to him on that subject. It's a matter of opinion as far as appearance. Mr. Richardson and Mr. Cranse brought up some of the other signs in the downtown and he personally doesn't think the flame orange of Aubuchon's is keeping with the district. The whole downtown is a hodge podge of different colors. Pinky's lime green and purple storefront is not something he would have done either. If everything blends and fits then you get a generic kind of look. Different colors and different things give a livelier look. If it gets denied he will send it back to the bank and ask them what they want to do. This is what they would like to put in and it is his job to get the permits. So far out of all of the towns in Vermont Montpelier is the only one who has had any questions or problems with the color scheme. Stowe, Newport and any of those areas they just said as long as it is within the square footage it is all set. Montpelier is the first ones to have a problem with it.

Mr. Richardson asked if it would be more helpful if going forward they gave very specific criteria they are looking for. His vote really hinges upon the background and he is not prepared to approve the silver metallic colored background. If they approved a flat gray silver background, would it be easier for him? He could vote for that.

Mr. Kerrin said it would probably be easier for the bank as opposed to saying a background that blended in with the building itself and trying to make it disappear. A silver background that was a little duller and not quite as shiny might be something they would do.

Mr. Richardson said he is thinking about proposing motions to do approval. They could say to take it as proposed and vote on it, and if it doesn't pass then he would simply have a no and take it back to the bank. Or, they could make modifications that other members could live with where he could vote for something with this change which would be a flat gray.

Mr. O'Connell said not having a color board to choose from might make that difficult from a standpoint of an actionable motion. A tabling of the application might be appropriate or they might decide the DRC should weigh in again with perhaps some advisory comments. One he would pick up on is the comment that Alan made, that the granite look would certainly look compatible with the type of Capitol District. One thing he would caution

about staying away from though is trying to determine a specific color without having it before them.

Mr. Richardson agreed that tabling the application might be the best option. He would necessarily be in favor of sending it back to the Design Review Committee. They could send advisory comments to the Board. He may have the four votes for what he wants.

Mr. Cranse said Daniel's arguments on the harmony criterion are sound regarding the background. They are logical in terms of the big array of signs we have in Montpelier. It makes sense and he thinks

it is a fine interpretation of that criterion and he is in favor of what he said. That would leave him to think they need to have a motion now or later on that would speak to the background.

Mr. Lindley said it is very difficult to vote an affirmative vote until you actually see what the alternatives are. Across the street is a granite building, the Supreme Court. There are granite sidewalks and grays in the area that can be accommodated. The metallic silver look wouldn't fly with him in that district. He has no problem with the logo, but there needs to be some compatibility and harmony there.

Mr. DeSmet said they are supposed to be compared with CB-I and not the State Complex.

Mr. Lindley said he would rather see it flat out tabled.

Mr. O'Connell said he thinks it is pretty clear right now that there are not the votes to approve the application. When he first saw the proposal he was shocked. From looking at the district they are dealing with and the proposed signage he has worked in that district for over 15 years and it just doesn't fit. He thinks the solution is not difficult. He agrees with the other four members who have already weighed in that it is not the logo but the background. Apparently, he isn't the only one having that reaction to it. The question is how they want to make a motion to continue this.

Mr. Lindley said he is prepared to make a motion to table the application until the next meeting with the expectation that they will see an alternative brought forth. The next meeting is August 2<sup>nd</sup>. Mr. Richardson seconded the motion.

Mr. O'Connell said he would like to add to that prior to the meeting if they could get the materials to Clancy so he can share it with the Design Review Committee.

Mr. Lindley said the Design Review has done their stuff. It is the DRB's responsibility now. He isn't excited about sending it back to the Design Review Committee.

Mr. O'Connell said they could send a representative to the meeting.

Mr. Blakeman said he didn't like the idea because this is a down country bank coming in. These guys are being taken over right and left. He was upset when he was talking with the President of the former Chittenden Bank that they wanted a bigger bank in, and that does not fit in Montpelier. They are here legally.

The vote on the motion passed on a vote of 5 to 1 to be tabled until the DRB meeting on August 2<sup>nd</sup>.

**Adjournment:**

Upon motion by Mr. Lindley and Mr. Blakeman the DRB adjourned on a vote of 6 to 0.

Respectfully submitted,

Clancy DeSmet  
Planning and Zoning Administrator

Transcribed by: Joan Clack