

**Montpelier Development Review Board**

**August 2, 2010**

**City Council Chambers, City Hall**

*Subject to Review and Approval*

**Present:** Kevin O'Connell, Vice Chair; Alan Blakeman, Roger Cranse, Sabina Haskell and Daniel Richardson.

Staff: Clancy DeSmet, Planning and Zoning Administrator

**Call to Order:**

The August 2, 2010 meeting of the Montpelier Development Review Board was called to order at 7:00 P.M. by Kevin O'Connell, Acting Chair.

**Review of June 21<sup>st</sup> and July 19<sup>th</sup> Minutes:**

There was no quorum to approve the June 21<sup>st</sup> minutes.

Upon motion by Mr. Blakeman and Mr. Cranse, the minutes of July 19<sup>th</sup> as amended were approved unanimously on a vote of 5 to 0.

**I. Sketch Plan Review for a Two-Lot Subdivision (LDR)**

City Dump Road/Elm Street

Owner: Bryndle, LLC

Applicant: Douglas Hill and Brad Ruderman

Brad Ruderman, engineer for Doug Hill, and Douglas Hill, owner of Bryndle, LLC appeared before the Development Review Board.

Mr. DeSmet said the applicant seeks sketch plan review to subdivide the 85 acres into two parcels with a single family dwelling on each parcel. Access to one of the parcels will be from the City Dump Road and the other access will come off of Elm Street.

Mr. O'Connell said the purpose of sketch plan review is an exchange of ideas. The Board becomes familiar with the project and gives feedback to the applicant.

Mr. Ruderman said this is an 85 acre vacant parcel and has frontage along Elm Street and also has historical access off the City Dump Road. What they are proposing is a two-lot residential subdivision. Lot 1 will be a 76 acre parcel; lot 2 will be 8.9 acres. Both are proposed for four-bedroom single family homes with onsite sewer and water. Each home will have a private drive. Lot 1 will be accessed off the City Dump Road and Lot 2 off Elm Street. Both accesses follow old logging roads that have already been in place and in use. They have applied for and obtained state permits for the water and wastewater systems for each lot. There is an erosion control plan in to the state for the construction general permit. It hasn't been approved as of yet, but he hasn't heard any negative feedback from the state.

They also need to apply to the city for access permits for each lot. The access off Route 12 is a standard highway access application and they haven't submitted that to Public Works yet but will be doing so in the next week. Lot 1 coming off City Dump Road they are in the process of surveying out City Dump Road and surveying a 50 foot wide easement from the City Dump Road to the Bryndle parcel.

Mr. Richardson asked how does the right-of-way off the Stump Dump Road come to what is proposed as Lot 1.

Mr. Ruderman said the boundary for the parcel runs along the edge of the brook. There is an existing bridge that was built five or six years ago. City Dump Road is a Class 4 highway and they are applying to City Council for the deeded easement. It has been used as an access for however many years and a couple of things will have to happen. One, they will have to move the gate that closes off City Dump Road, and they have talked to Public Works about that. One of the issues they wanted was to reclassify as a Class 3 not only for the Bryndle parcel but also for other adjoiners if they own the access to their property. There is no deeded easement to City Dump Road for that portion of the lot. That is what they are going to be applying for.

Mr. Richardson asked if he had any preliminary conversations with the city.

Mr. Ruderman said they have had with Tom McCardle

Mr. O'Connell said currently the Stump Dump Road has a locked gate. He isn't sure if that road is plowed all winter.

Mr. Ruderman said he believed it is.

Mr. Richardson added that it is a Class 4 road so the upkeep of it is essentially whatever the city wants to do. They aren't obliged to keep it plowed.

Mr. O'Connell asked if this would be an additional obligation on the part of the city.

Mr. Richardson said he would be curious to know because as well as the easement itself that is going to be something that is going to obviously be something that will have to go through City Council and through the City Manager's office as well.

Mr. Ruderman said actually at this time the city keeps it plowed because they store equipment out there. For that reason they keep it plowed out.

Mr. Richardson said just the ownership of the land and giving him an easement over that section, small as it may be, and then taking the steps that Tom McCardle has outlined seem to him to be a step he hasn't gone through yet that will be critical for the Board's review when

it comes back for the preliminary site plan review. Essentially, the DRB is giving him feedback right now. Right now you don't have an access.

Douglas Hill said this is in process of being done right now with the proposal between Brad's prints and his attorney to put the proposal in writing for the easement so it can be presented to the City Council.

Mr. Richardson said that is something he would want to see before they get to the next stage so they could see how this would work. Would there be another access point they could pursue?

Mr. Ruderman said there really is not for that land. The frontage off Elm Street is all right for one lot, and then behind the house it is pretty ledgy and very steep. They wouldn't be able to access the property from Elm Street.

Mr. O'Connell asked if this was the same lot that was proposed for a condominium development a few years back.

Mr. Ruderman said he didn't think so.

Mr. Hill replied it was a little further south.

Mr. O'Connell said the terrain is similar. Their access is pretty restrained in terms of the slope they have to go out.

Mr. Ruderman said the slope for the back land the existing logging road is 13 percent grade max. It is windy and has some switchbacks.

Mr. O'Connell said he would echo what Dan was saying that the really critical factor here is with all of the access related issues they are working out with Public Works and the state will be involved with that in the Act 250 review.

Mr. Ruderman said it won't.

Mr. DeSmet said this is a two-lot subdivision.

Mr. Ruderman added the state will be involved with the water, waste water and storm water.

Mr. O'Connell said it would be difficult to give a lot of useful feedback until the other issues are resolved.

Mr. Blakeman asked if it was possible on Lot #1 to build more than one residence on.

Mr. Ruderman replied yes. They actually tested out a number of different areas on Lot #1 but they have limited their scope of the project to just one building lot. There are areas for 7 or 8 homes up there. Along the logging road there is a nice knoll that slopes off on either side which is suitable for further development.

Mr. Blakeman said if that is part of the old city dump – he's going back some 40 plus years.

Mr. Ruderman said he doesn't think so.

Mr. Hill replied there could have been one corner way down by where the stream is, possibly on the lower corners that might have touched on the original dump. The way Tom McCardle referenced it he didn't make a reference relative to the Bryndle property. He was referring to the old city dump.

Mr. Blakeman asked if the road was wide enough at this point to support two or three houses.

Mr. DeSmet said the problem with more development up there would mean that the road would have to be built up to city standards to be a public street. By doing a two-lot subdivision they aren't subject to public road standards. If somebody in the future wanted to resubdivide the remaining 76 acres on Lot #1 they would have to improve the access to that lot at either the Stump Dump Road or a bridge would have to be a public way. They went through several meetings with the applicant to discuss that.

Mr. Blakeman said he was also curious whether the Frosticks have been told he plans to build.

Mr. Hill said they notified them.

Mr. DeSmet replied all of the abutters have been notified. He has talked to people on the phone.

Mr. Blakeman asked if the Parks Department had a trail access going across that property.

Mr. DeSmet replied they don't.

Mr. Ruderman said their trail is right across the stream from the Bryndle property and comes out on to the Stump Dump Road.

Mr. Blakeman said the Frosticks were very involved with putting in a new trail and bridge on the other side of the road for snowmobiles.

Mr. Hill said he used to ask him about crossing his bridge and putting in a small snowmobile bridge and he told him to put them wherever they wanted. Other landowners on the other side of Route 12 kept disputing where their trail was going to be. They did utilize this property at one time. He doesn't know if it is an official VAST trail. Walking the land in the winter he thinks it was just a branch that Mr. Frostick and some of his friends used.

Mr. Blakeman said he noticed he mentioned that in back of Frosticks there is a rather ledgy area. Is there room for another house? He is talking about Lot #2.

Mr. Ruderman said there isn't a nice area for a second home. They found one good area for sewage and another area for a nice house site. Within 100 feet of the house site it starts going up pretty steep.

Mr. Richardson said the driveway could be tied to the buildings because often emergency services depending on whether the house has been sprinklered or not.

Mr. Ruderman replied it would be. They are proposing 12 foot wide gravel drives and the City's inspector was comfortable with that.

Mr. O'Connell said there also has to be truck turnaround that is adequate for a fire truck. He told the applicant that was all they could discuss at this point without the details regarding the access issues.

Mr. Ruderman said they are working on that. When he last spoke with Tom McArdle they were going to give him a survey plat for the access, and once he reviewed that he was going to go to City Council with that. They applied for a preliminary and final review for the site plan.

Mr. Cranse said that sounded fine with him. He asked if they voted on combining preliminary and final review. Mr. Cranse moved they combine the preliminary and final review for the application. Mr. Richardson seconded the motion.

Mr. Blakeman asked what happens if they come across a problem.

Mr. DeSmet said he didn't see any problems.

Mr. Richardson said the missing piece is just the easement access issue.

The vote on the motion was unanimous on a vote of 5 to 0.

**II. 112 State Street – CIV/DCD)**

Owner: People's United Bank

Applicant: John Kerin Signs

Design Review for Signage.

Mr. Kerin said he misunderstood. When Mr. DeSmet said it was tabled he thought it was tabled until this meeting. At the last meeting with the Design Review Committee he gathered that the sign was too shiny and too glossy. People's Bank has sent him a dulled down version of it. The original sign was a high gloss finish and they have switched it to a satin finish. There is definitely a difference.

Mr. Richardson said he could discern the difference between a high gloss finish and this one. The second one has less of a reflective quality to its finish. His concern was with the metallic nature of the paint. What he was searching for was maybe a gray that matched the solid. He looked at the neighborhood and the area and the signs in the area, especially the Chittenden Bank signs they are seeking to replace, have that flat finish. The color is a flat traditional type of paint that doesn't have the metallic luster to it.

Mr. Kerin said basically it is either metallic, or it's not. The Chittenden Bank signs now look flat. They have been there for quite a few years. Originally, they were a high glass burgundy finish, but they aren't metallic.

Mr. Richardson said it is inconsistent with the other signs in that area. The signs that are existing there now make it look more like a street sign in a lot of respects. He isn't familiar with any other signs in the district apart from Community National Bank. All of the other signs there have that non-metallic paint color in their schemes. Where it does get metallic or shiny is in the Chittenden Bank's sign with the gold leaf they have on the inside of the letters. That is pretty much standard up and down Main and Street States. What he was searching for was a color that nature that People's United could provide.

Mr. O'Connell said Dan's comments are reflected in the minutes. If you look through the minutes there are a number of references to not having a metallic quality to that finish. He is in agreement with what Dan is saying.

Mr. Kerin said he would try again.

Mr. Cranse said it might be useful for Mr. Kerin to have the minutes because Mr. Richardson's statements repeatedly referred to metallic quality and metallic shine.

Mr. O'Connell said there was a reference there to a granite appearance to the sign.

Mr. Kerin said he would give this back to the bank and the people who are working for the bank with the sign. They are partial to the silver metallic because every branch in the state is going to have that sign.

Mr. O'Connell said the consistency about the metallic has been the operative term that was objectionable.

Mr. Kerin said he misunderstood. He thought it was just the brightness and shininess of it. He inquired where he goes from here.

Mr. DeSmet said the DRB will either vote or table it to the next meeting.

Mr. Richardson moved they table the application until the next meeting on August 17<sup>th</sup>. Mr. Blakeman seconded the motion. The motion to table the application until August 17<sup>th</sup> was voted unanimous on a vote of 5 to 0.

**Adjournment:**

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

Respectfully submitted,  
Clancy DeSmet  
Planning and Zoning Administrator

Transcribed by: Joan Clack