

Montpelier Development Review Board Meeting July 8, 2019

This public meeting was recorded, and the video will be available for viewing at this link:
<https://www.montpelier-vt.org/1094/CivicClerk>

Present: Daniel Richardson, Kevin O'Connell, Kate McCarthy, Robert Goodwin, Michael Lazorchak (alternate), Meredith Crandall – staff.

Call to order: The meeting was called to order by the Chair, Dan Richardson.

Approval of the agenda: Kevin made a motion to approve the agenda, Rob seconded. The motion passed on a 5-0 vote.

Comments from the Chair: There were no comments from the Chair other than the full agenda will create the need to keep items moving along.

Approval of minutes from June 17, 2019: Kevin made a motion to approve, Kate seconded. The motion passed on a 5-0 vote.

106 East State Street

Owner/Applicant: Gary and Alison Schy

Final plan review of a two lot subdivision.

The applicants were both present and were put under oath.

Meredith handed out DPW's review that the East State Street curbing was done and the only thing left to do is installing a pavement patch along the street. Other than that, there were no other issues with the application. The applicant stated that the paving with finished that afternoon and submitted photographs showing the completed work.

The 4 unit apartment building, which will be Lot 2, has 4 parking spaces, one inside the garage and the other 3 are accessed through the shared easement. The other lot has 4 spaces; one pair of which appear stacked, but Applicants testified that they can be accessed individually.

Mr. Schy planted a cherry tree that is not thriving, so he wants to plant a 10 foot crabapple tree. The plan is to also plant lilac bushes to frame the front yard of Lot 2. There will be no further requests from the board for more landscaping.

The final plat needs to have surveyor's marks for the jag in the new boundary. Staff clarified that she had spoken with the surveyor and confirmed that this would be completed.

Kate made a motion to approve the application, Rob seconded. The motion passed on a 5-0 vote.

4 Pearl Street

Owner/Applicant: Paul Markowitz
Conditional use review of a home industry bread baking.

The applicant was present and put under oath.

The staff report raised concerns over traffic. He plans to bake about 25 loaves a week in his home and sell it from his home. He is requesting the ability to increase to up to 50 loaves a week, with no more than 25 picked up on any single day – and no more than 2 pick-up days per week. People will order by email, the responding email will specify that the customers need to park on the street. He plans to have a sandwich board that also directs customers to park on the street for pick up.

There will be no special deliveries for the business.

There was a condition that the customers that arrive via vehicle be directed to park in the on-street parking spaces and not in Applicant's driveway.

Kate made a motion to approve the application, Rob seconded. The motion passed on a 5-0 vote.

18 Marvin Street
Owner/Applicant: Brett Proctor
Sketch plan review of a two lot subdivision.

The applicant was present.

The application is to subdivide the existing parcel of 15,822 square feet to two parcels, one would be 8,167 square feet with a house and the other parcel would be 7,655 square feet. There are no current plans for further development, but it would be sold in the future.

Dan recommended hiring an engineer to provide preliminary design suggestions for driveway and landscaping proposals, and underground electric/data line feasibility

Michele Braun from 21 Marvin spoke about the timeline for some stormwater questions and when the easements will be considered.

A resident from 47 Liberty spoke with further questions. 45 Liberty has a wetland and drainage issues with public works stormwater.

Martha Smyrski from 15 Marvin sent in a letter opposing the application because of the steep topography and soil conditions that will cause runoff downhill to Liberty Street.

Staff and Board Members clarified that anyone who wrote in or expressed concerns during this hearing are not on the record and would need to resubmit any comments during the Final Application process should they still have concerns.

29 Franklin Street

Owner: Andy Perchlik Applicant: Ward Joyce

Waiver of front yard setback and lot coverage maximum for construction of a covered front porch and rear patio.

The owner and applicant were in attendance and put under oath.

The parcel currently does not conform to minimum lot size, coverage, minimum lot frontage, and front, rear, and right side setbacks. The renovated porch increases the nonconformity with the front setback, and both the porch and patio increase coverage..

The application doesn't contain comments from DPW, but the applicant stated that DPW gave a verbal okay for the project.

The backyard is all grass and a 6 foot fence for a dog would be replaced. The yard would be covered in 1/3 stone imbedded in the ground and the rest would be grass.

There are certain standards to grant a waiver. The standards were reviewed.

Impervious cover to be reduced to no more than 65% of the parcel, or 1,2772.25 square feet by zoning standards. The difference between the proposal and the maximum coverage allowed is roughly 100 square feet. The applicant will submit new drawings with reduced coverage for review. The applicant will also get a written determination from DPW on where the right of way is located and that they don't foresee any issues.

The applicant and owner can't make the next meeting, but they will send substitutes.

Kate made a motion to table the application to July 22, 2019. Kevin seconded. The motion passed on a 5-0 vote.

2 Sunset Avenue

Owner/Applicant: Howie Michaelson

Review construction of a second driveway.

The applicant and his wife, Alyson Mahony were present.

The application is to add an additional driveway to allow for more parking. Expanding the existing driveway would require cutting down an oak tree and the preference is to not do that. Additional parking now is on street or on their lawn.

One of the neighbor's concerns is the increase in traffic with additional parking spaces.

The applicable zoning provisions within Section 3010 were read by the Chair to clarify concerns with the application and what criteria apply to a single family home's request for a 2nd driveway.

DPW expressed no concerns with stormwater with this project.

Carol King from 3 Sunset spoke regarding a June 5th letter that had been submitted from Mary Thulman, Judy Greenwald, Carol and Robert King, Mark and Dorothy Redmond, and Vicky Mazur – neighbors on Sunset Drive, as well as responding to Applicant's June 14th letter. The driveways will be too close, against zoning standards. Another concern is that street parking will be compromised. Ms. King stated that previous tenants/owners had three cars in the driveway, so it's possible. The current requirements allow a specific number of vehicles per residence, this additional parking would violate this requirement.

Roberta Garland from 10 Wilson Street. She stated that she's been a guest of the applicant and explained the difficulty of parking on the street.

Judy Greenwald also read a letter from Mary Thulman into the record. The letter expressed additional concerns regarding aesthetics, alternatives to an additional driveway, the purpose of the second driveway, and showed doubt about the concern for the oak tree since a section of land was clear cut to install a solar panel, as well as other concerns. A copy of the letter was submitted for the record. Ms. King also spoke again echoing many of the statements from Ms. Thulman's letter, and asking the Board to consider certain factors that Mr. Richardson clarified are outside the scope of a zoning permit for a driveway to a single-family home.

Richard DeAngelis and Ariane Kissam from 5 Sunset Drive sent in a letter of support for the application.

The applicant will come back to the Board with further information, including landscaping options.

Kevin made a motion to table the application to July 22, 2019. Rob seconded. The motion passed on a 5-0 vote.

Other Business: The next regular meeting will be Monday, July 22, 2019.

Adjournment: Rob made a motion to adjourn, Kevin seconded.

Respectfully submitted,

Tami Furry
Recording Secretary