

Montpelier Development Review Board Meeting July 22, 2019

This public meeting was recorded, and the video will be available for viewing at:
<http://www.montpelier-vt.org/416/City-Meeting-Videos>

Present: Daniel Richardson, Kevin O'Connell, Kate McCarthy, Ryan Kane, Robert Goodwin, Clare Rock (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 as printed, Rob seconded. The motion passed on a 6-0 vote.

Comments from the Chair: There were no comments from the Chair.

Approval of minutes from July 8, 2019: Kevin, Kate, Rob, and Dan were present at that meeting. Kate mentioned that the math didn't add up on the square footage on the Marvin Street application. Meredith will make the correction.

Kevin made a motion to approve the minutes with the correction, Rob seconded. The motion passed on a 4-0 vote.

29 Franklin Street (continued)

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.

Marianne Perchlik was present and sworn in.

Ryan wasn't at the last meeting, but he reviewed the video and feels able to listen to the continuance. Clare reviewed the material and feels informed to participate in this application.

Applicant provided pictures of other setback violations in the neighborhood. Tom McArdle signed off on a drawing of the front porch setback.

Given the neighborhood and the fact that the parcel is so small and that the director of DPW okayed it, the Board is willing to reinterpret the front yard setback allowance, as well as how to measure where the ROW (right of way) is from Figure 3-02. The porch extension won't encroach into the ROW, and the roof is to be extended over the steps for snow/ice safety issues.

The impermeable area has been reduced to below the 65% maximum waiver threshold.

There was a discussion regarding the property line vs. the ROW. Kevin recommended using a common sense approach versus strict interpretation of waiver maximums and how to measure ROW. The parcel is so small, this might just be a data point in the continuing analysis of the waiver maximum provision. This application is not necessarily precedential, given the specifics here.

The safety and use improvements for the porch also add to the character of the neighborhood.

Ryan made a motion to approve the application, including granting the waiver requests. Kate seconded. 5-0 vote with Clare abstaining.

2 Sunset Drive

Owner/Applicant: Howie Michaelson

Review construction of a second driveway.

Kate did a site visit – greeting the applicant and various neighbors but not speaking with anyone otherwise. Kevin and Dan drove through the neighborhood, and Ryan looked at Google maps. Kate noted that 1 and 2 Sunset had the greatest dips and differentials between driveways and road.

Howie Michaelson and Alyson Mahony were present and put under oath at the last meeting and were still under oath.

At the last meeting, landscaping was discussed as needing more information. The applicants had met again with their landscaper who had sent in a letter regarding the property. They also provided plans for additional landscaping.

Dan mentioned that there might be a possible condition to delineate the current parking area to prevent people from parking beyond the driveway. Howie mentioned rocks but he doesn't want to impinge on the air roots of the oak tree in the yard. Something could be laid down that wasn't friendly to tires to deter people from parking there.

Howie is negotiating space to move his business equipment off the property to an off-site area, a neighbor had expressed concerns about those items.

Carol King from 3 Sunset spoke again – she was put under oath at the last meeting. She feels that the new driveway will affect her property, particularly as it is located directly across from her front view. She wanted to know what the driveway grade is going to be under the application, how wide it's going to be coming off the street, where it intersects with the proposed parking, what the drop off is going to be on each side of the driveway, and the downhill runoff from rain and snow melt. There were other concerns about devaluing their property.

Kevin made a motion to close the public hearing and move into deliberative session after the other business of the meeting was finished. Rob seconded. The motion passed on a 6-0 vote.

11 Baldwin Street

Owner: Ernest W. Gibson III by Margaret McCoy, POA and Charlotte H. Gibson

Applicant: Vermont Natural Resources Council

Site plan and conditional use review of a change of use to office.

Kate recused herself from this application.

Brian Shupe from VNRC stated that they are a co applicant with the property owners, and was put under oath. Applicant has been at its current location since the 80s, with a smallish addition in the 90s, but now looking for either an annex or larger office space. Applicant is considering purchasing 11 Baldwin for additional office space or integrating their existing office space into the one new building. 11 Baldwin is the only residential property on the street, all others are office spaces.

It is an existing .297 acres (12,950 SF) parcel with a single family home and an attached one car garage, and driveway that extends for the southeastern corner of the parcel to the garage at the rear of the building. It is the last residential property on the street. The conversion will likely increase the traffic on the street – particularly if Applicant sells its current building further down the block.

Parking cannot be between the front line of the building and the road.

Regarding the possible waiver of the parking minimum:

- 11 Baldwin is within 1,000 feet of the two transit stops on State Street.
- There is satellite parking at DOL and access from there on the Capitol Shuttle.
- Applicant will have internal bike storage and a shower in the renovated building.
- There are several employees that currently ride Link from Burlington.
- Applicant intends to incentivize alternate transportation.
- VNRC leases a company vehicle and several employees car pool.

Per Brian – yes, Baldwin on-street is always filled. Redstone often has parking when the legislature is not in session.

There are 13 members of the staff – sometimes people stop by with an appointment. The zoning requires 5 parking spaces. There are currently 3 onsite.

They don't yet have a formal area for the bike storage now, since there is not a floor plan yet.

If the application were continued, VNRC would have to seek a purchase contract extension.

The pedestrian circulation would involve using the side door as the main point of entrance, since it would be the ADA compliant entry.

The front yard is barren, so the plan is to plant 2 red oaks there. That's the only new landscaping planned.

More detail on the retaining wall will be provided in future site plan applications, or if this application is continued.

Staff suggested that the Board consider bifurcating the application, to allow Applicant to purchase the property, but limit the use of the new property until Applicant can demonstrate a more complete parking plan in a separate Site Plan application.

Ryan made a motion to approve the change of use as a conditional use. The conditional use would be that the future site plan will come before the DRB to review additional parking, which is required for any office use of the building in excess of 1,800 square feet. It is approved now based on the 3 spaces. Kevin seconded. The motion passed on a 5-0 vote.

Ryan made a motion to continue the minor site plan to August 19, Kevin seconded. The motion passed on a 5-0 vote.

Other Business: The next regular meeting will be Monday, August 5, 2019.

Adjournment: Kate made a motion to move into deliberative session, Kevin seconded. The motion passed on a 6-0 vote.

Respectfully submitted,

Tami Furry
Recording Secretary