

Chelsea, Vermont, Development Review Board
Draft Meeting Minutes September 6, 2017

Members Present: Anne Carroll (Acting Chair), Laurence Allen, Debra Melvin, Johnathan Vermette, Johanna Welch, Wendy Forbes

Others Present: Bob Frenier (on behalf of the Medicine Shoppe), Carl Olsen (present to ask the Board general DRB review questions), Timothy McCormick (AO and Clerk)

The meeting began at 6:30pm with Carol Olsen seeking some clarification on the Zoning Bylaws. She is interested in opening a Rock Shop business at 3 North Common and wondered if this would be considered a "Change in Use" given the past uses of the building. The Development Review Board (DRB) concluded that such a business would not be considered a "Change in Use". Carol was also seeking assurance that if she placed a sign inside of the building, that it would not need a Conditional Use determination from the Board. The Board confirmed that a sign within the building does not require a permit and Carol left the room.

The Public Hearing on an application by Medicine Shoppe (#ZP17-13, Parcel #110-092.000) to add a sign to the existing sign post located off of the property to replace the "Old Kinney Drug" sign on the subject building, and to place additional signage in back of the building and near the parking area.

The hearing was opened at 6:35pm. The Hearing Notice for both applications was read. No conflicts of interest or ex officio conversations were disclosed for either application. Johnathan asked for clarification on what constitutes a "conflict of interest". Anne provided an explanation. There were no other interested parties present for either application. Bob Frenier was sworn in.

Anne began the hearing by asking Bob to explain the project. Bob explained that the proposed signage was essentially as depicted in the attached application and that the applicants were proposing to replace part of the existing sign on the neighboring property and additional signage is proposed near the parking lot and on the building. Bob mentioned that the owners were interested in opening up October 1, 2017, and hoped that the signs could be approved by that time.

Bob explained that the new signs would be blue and white instead of green and white. The Board pictures submitted with the application, and digital copies on a lap top computer were viewed to gain a better understanding of the colors being proposed. This was followed by some discussion sign color and about the colors of the Kinney Drug sign that were approved years ago.

The DRB Board then calculated the length and width of each sign to determine if the total sign height and square footage met the Zoning requirements. The Board agreed that the requirements were satisfied.

Bob asked about the timing of the decision and wondered if the owners would have a decision in time to open their business by October 1, 2017. Anne explained that the Board has 45 days to make a decision but that a decision is usually made well before that deadline. It was also explained to Bob that only interested parties attending the hearing can appeal the Board's decision. Since there were no interested parties at the hearing, the DRB decision probably would not be appealed.

Larry made a motion to close the Hearing and the Deb seconded the motion. The Hearing was closed 7:05 pm.

The Public Hearing on an Application by Alfred Leonard (ZP17-15 Parcel # 076-002.000) for an after-the-fact fire escape and second floor deck and a future roof over the deck. The hearing began at 7:10 pm. Al was not in attendance but submitted a letter along with his application to explain the project. Anne asked Tim to explain the proposal based upon information that Al had previously provided. After Tim's brief summary, the Board decided to call Al and see if he was willing to provide testimony over the phone. Anne contacted Alfred, and he agreed to testify on speaker phone and was sworn in.

Anne asked Al to describe the Project. He began by saying that the gas company wanted him to move the location of his fire escape due to the location of his propane tanks They also required that he install a second floor deck. He was also told by his insurance company that he must put hand rails on the deck and the stairway. The rails were installed in 2015.

Anne asked where the stairs were located before they were moved. Al described the stairs as extending from the current back door location up to the second floor (Photographs were previously taken and presented as evidence. The location described appears to be approximately 15 feet east of the existing rear doorway).

Anne asked Al to describe the roof.. Al replied that it would be a "shed" roof and would tie into the middle of the main roof (which pitches down from south to north in the picture). He said that the beams would be 2 x 8's and spaced 24 inches apart. The existing side support beams would be cut to make the slope of the roof an acceptable pitch. The roof will span over the lower side approximately 16 inches. Anne asked if the existing roof would have to be removed in order to connect to the new roof. Al said that the existing roof would not have to be removed and that he was just going to bolt the beams into the roof.

Johanna asked about the roof materials and Al said that it would be a standing seam roof. He mentioned that he will eventually replace all of the main roof, but that will be at a later date. The Board questioned whether the roof would extend over the stairs. Al said it would not, and that code does not require a roof over the stairs. When asked about the sides of the deck, Al mentioned that it would be screened and he does not intend to make it habitable space.

There was some discussion about the height of the railings and what the code required. The Board thought the code for railing height was 42 inches. Al stated that he was going to comply with whatever the code required. Tim asked Al about the timing of this project and was reminded that if a DRB permit is granted, that the project must be started within a year, and completed within 2 years.

Larry made a motion to close the hearing, and Deb seconded the motion. The Hearing was closed at 7:45pm.

Findings and Decisions:

ZP 17- 13 The Medicine Shoppe: During deliberation, Johanna asked what the Board thought was acceptable. The Board discussed the potential new Zoning Regulations and the issue of eliminating the Village Design Control Overlay District. There was also discussion about the Bylaws prohibiting signs from being placed on property not owned by the applicants.

The application was unanimously approved as presented.

ZP 17-15 Alfred Leonard: Anne asked about the setbacks of the proposed project. She noted that the new structures appeared to be close to the existing footprint of the building. Tim mentioned that the project was more than the required side yard setback. There was some discussion about the fact that the project must be completed within two years. It was noted that s construction was started before an application was submitted and that the applicant had a “head start” for the completion. The Board noted that Al is not required to finish replacing the entire roof within two years because that is considered a “repair” and not part of the application.

Johanna asked if the permit could be conditioned on following State Safety Code. The Board agreed that reasonable conditions could be imposed based on the Zoning Ordinance, but State code compliance is the responsibility of the applicant. The Board did agreed to condition the permit on the two-year completion requirement.

The application was unanimously approved as presented with the condition that the project be completed within two years from the date of the decision.

The meeting was closed at 8:30 pm.

Submitted by,
Timothy McCormick, Administrative Officer and DRB Clerk

NOTICE: This decision of the Development Review Board (DRB) may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the DRB. Such appeal must be taken within 30 days of the date of the decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.