



# Village of Manchester, Vermont

## **Minutes of the Regular Meeting of the Development Review Board Held September 7<sup>th</sup>, 2022 at 10:00am**

**Members Present:** Chair Craig Powers, Donald Brodie, Orland Campbell, Jack Morris, Dana McCloskey, Renee Waller

**Member(s) Absent:** Gordon McClellan

**Others Present:** Zoning Administrative Officer Curan VanDerWielen, Margaret Pritchard, Owen Pritchard, Todd Benner

The meeting was held both in person at the Village Offices and via Zoom.

Chair Craig Powers called the meeting to order at 10:01am.

### **Other Business:**

Powers began by introducing the first item of business, this being the appointment of a Chair, Vice-Chair, and Clerk for the current term of the DRB. Powers asked if there were any nominations for the now-open Chair spot. Donald Brodie nominated Powers. Orland Campbell seconded Brodie's nomination. There being no other apparent nominations, Powers called a vote on the nomination. The DRB then unanimously voted Powers Chair of the DRB for the present term.

Powers then asked if there were any nominations for the now-open Vice Chair spot. Powers indicated he wished to nominate Brodie. Jack Morris seconded Powers' motion. There being no other apparent nominations, Powers called a vote on the nomination. The DRB then unanimously voted Brodie Vice Chair of the DRB for the present term.

Powers then nominated Curan VanDerWielen for the appointment of Clerk for the DRB. There being no other apparent nominations, Powers called a vote on the nomination. The DRB then unanimously voted VanDerWielen Clerk of the DRB for the present term.

### **Applications:**

- 22-30** Margaret and Owen Pritchard, owner and representative for the owner (respectively) of 3746 Main Street. The application regarded the demolition of the main structure, to be replaced with an approximately sized structure comprising of two condominium units. Although the main structure contributed to the Village's historic district and was listed on the National Register of Historic Places, the structure had become dilapidated and wholly unsafe for occupancy. It was already concluded in a prior meeting on the application that the cost of renovating or saving the structure was uneconomical for the

property owners, and thus could reasonably be demolished pending a plan of what was to replace it.

Powers introduced the permit application, noting one error in that it was listed as 3736 and not the correct 3746 Main Street on the posted DRB agenda. Powers then asked the applicants to present their plan to the DRB. Margaret Pritchard began by asking VanDerWielen if he had received a sketch of the proposed replacement structure sent that morning. VanDerWielen responded that he had, and displayed it on the presentation board accordingly. Pritchard thanked VanDerWielen and continued, introducing the demolition of the front main structure which currently had significant water damage and a compromised roof. Pritchard then stated that David Mooney, a local architect, was designing the structure to replace that being demolished, noting that the sketch she had today was rough and not a technical draft. Pritchard then showed the DRB the first-floor floor plan and projected footprint overlaid on the existing footprint. Pritchard noted that the original structure had been added to over the course of years and had become a hodgepodge of additions. Pritchard stated that the new building was to be built within the setbacks, would not mirror the exact original footprint, and requested clarification from the DRB regarding whether this was permissible or not before Mooney began designing the technical details of the new structure. Pritchard indicated that the basic footprint Mooney had provided was designed to be used as two condominium units. Pritchard also stated that the site plan provided also described a proposed parking arrangement and landscaping, although some elements might change in a future filing for the new construction post-demolition. Pritchard reiterated that she only sought to obtain permission for the demolition itself for this particular permit.

Owen Pritchard now spoke, stating that the planned new footprint did not encroach on any setback and in fact pulled back the footprint of the building away from the setback to make for a more efficient build. Margaret Pritchard then stated that she found it interesting that the original foundation for the building had been made of marble. Renee Waller then stated that she was largely against condominiums before asking Pritchard why they did not just build residential structures instead. Margaret Pritchard responded, stating that while the property had always been zoned for a particular use, there had always been multiple units on site and that furthermore the size of the structures were very large for single unit homes, consisting of two 5,000 sq ft. homes. Waller stated that she believed that determination depended on the size of the family before reiterating that she was against condos. Pritchard then stated that while she appreciated this, she believed the arrangement proposed would be more marketable and that she believed the structure in question was in dire need of improvement, regardless of the arrangement. Waller then stated that in the Village, this was not what was typically developed. Powers now stated that he appreciated Waller's remarks, and asked if there were any further comments. None being apparent immediately, Pritchard added that she would be open to putting a fence around the open demolition site and later foundation if the DRB had any particular concerns about safety. Pritchard also stated that she had lived in Vermont for a

while now and was keen to get the visuals for the new structure to appear in-sync with the community.

Powers thanks Pritchard and again asked if there were any comments. Brodie stated that he had a comment, namely that in the case of demolishing the music hall, certain protections such as screens and fences had to be set up to protect neighbors and animal life. The site not being far from the sidewalk, Brodie stated, it would appear a screen or fence might be appropriate. Owen Pritchard responded, stating that they would be willing to do so, although the demolition itself was to proceed particularly quickly as the company they had hired out of Arlington had quoted them for a seven (7) day job. Pritchard added that he had concern that additional items could impede the progress of the demolition itself. Brodie then stated that just a fence may not be enough, but that a literal enclosure may be necessary, although he informed Pritchard that he should consult an engineer first. Margaret Pritchard then stated that they had had no animals that she knew of on-site, and that the mushrooms infesting the current structure were more of a concern to them than animal life at present. Pritchard added that even so, they were open to taking additional precautions. Brodie indicated to Powers that the DRB should establish what precautions might be necessary.

Powers now asked Morris for his thoughts. Morris asked if the applicant would reuse the existing foundation. Owen Pritchard indicated that the existing foundation was structure with marble, and that the Arlington-based firm he had mentioned earlier would be assisting them with increasing the depth of the foundation. Pritchard then stated that the company consisted of several close friends of his from school. Pritchard then indicated that the marble would be reused in the communal space between buildings. Morris then asked again if the original foundation would be removed. Pritchard stated that the existing basement and foundation had extensive damage, very low overhead clearance and a dirt floor. The marble itself, Pritchard continued, was non-uniform and had been laid in a hodgepodge manner. As the demolition proceeded and as the new structure was finishing being designed, they would see what, if anything, was usable as they went along.

Powers now asked Campbell for comment. Campbell asked about the clearance of the existing basement and composition of the floor. Pritchard clarified that it was possible to stand in the basement if one craned their neck, however, it was not a particularly useful space in its present condition. Campbell then stated that he understood for the DRB to issue a demolition permit, then the DRB would need to have received plans for the structure replacing the existing structure. Campbell then stated that this appeared to be missing in the present application, although he was unsure as to how much detail the DRB needed before they could approve of the demolition permit. Campbell added that he believed the existing building needed to come down due to its state of disrepair, but reiterated that what would replace it needed to be an active part of the conversation. Margaret Pritchard then displayed a rendering of a concept sketch for the new building, indicating that the new structure would approximate the appearance of that displayed.

Campbell asked a follow up question. Pritchard responded that the new building would attempt to replicate much of the rear structure while retaining a similar footprint to that already existing. Pritchard indicated that detailed elevations were unavailable as they needed to check with DRB if the footprint needed to be maintained exactly as is, or simply approximated. Owen Pritchard then repeated that they needed clarification on the requirement associated with the footprint.

Powers asked, when looking at the first floor plan, which side was facing Main Street. Margaret Pritchard indicated that it was the right side. Powers stated that that appeared identical to the rear structure. Pritchard confirmed this and stated that both were along the same driveway, on the same side. Campbell asked if the North structure was already permitted. Owen Pritchard stated that if the first permit went through, regarding the structure to be demolished, then a better illustration of the replacement structure might be prepared. Power asked if Campbell had any further questions. Campbell then commented that he believed the issue was that the DRB needed to decide on the requirements of the footprint and whether it needed to be replicated by a new structure. Powers indicated that he wanted to hear other Board members' thoughts before sharing his own, then asked Dana McCloskey if she had any comments or questions. McCloskey stated that for the most part the presentation looked good, but she was concerned as the concept sketch appeared to depict a structure much larger than the existing structure. Margaret Pritchard responded that the rendering of the planned footprint overlain on the existing footprint –which approximated that latter— was accurate. McCloskey then asked what the height of the structure would be. Pritchard responded that it would be the same as the existing structure. Owen Pritchard added that a complete architectural plan would be completed by their architect, David Mooney, for the new construction permit. McCloskey then asked about parking, as to how many spots would be available overall and for individuals living in the condominiums. Margaret Pritchard stated that each unit would have two (2) dedicated spaces, with nine (9) spots overall, the 9<sup>th</sup> consisting of a visitor space. McCloskey asked if the visitor parking spot was behind the rear structure. Pritchard confirmed that it likely would be, and then added that one space would be equipped for Electric Vehicle (EV) charging. McCloskey indicated she had no further questions. Powers asked Waller, who also indicated that she had no further questions.

Powers indicated that it appeared that in order for the applicant to proceed with their design and site work, then the DRB needed to make a decision as to whether the footprint of the existing building needed to be replicated post-demolition. Powers then read aloud Section 9.2 of the Village Zoning Bylaws before reiterating that he believed the building needed to come down, if anything, because it was unsafe. Powers continued, stating that he believed the Pritchards had done their due diligence before reading Section 4.3.3 aloud to provide additional context for the DRB's interpretation. Powers then stated that he interpreted Section 4.3.3 as giving leniency to the applicant via the DRB to not have to replicate an exact footprint of a demolished building, even given the constraints within the lot. As the existing building was built irregularly with many features jutting out from the base structure, and with the new construction

appearing logical in a rectangular format, Powers indicated that he believed that the applicant should be able to change the footprint so long as the footprint approximated that existing. Powers opined that a vote should be held by the DRB allowing the applicants to proceed, to such an effect, before clarifying that the new construction itself would need a separate permit from the DRB post-demolition. Both Margaret and Owen Pritchard responded near-simultaneously that that had been their expectation.

Waller stated that if the permit was not approved, then it would not be okay for the existing structure to remain, but if approved, then she wished to state that she disagreed with having multiple entrances to the new structure. Powers stated that while he understood Waller's comment, the real concern here regarded the demolition, and that details on the structure to replace that existing could be discussed during the review of the new construction permit. Margaret Pritchard then stated that the existing structure had multiple entrances. Owen Pritchard added that the existing structure had been divided between office and living space, when used. Powers then stated that they could hammer out any details during the review for the new construction permit. Margaret Pritchard then stated that for the sake of clarity, that she was concerned about getting stuck post-demolition without the ability to build a new structure, which is why she sought approval pre-demolition for the footprint. Powers then asked about the intended timetable for the project. Pritchard indicated that the demolition had not yet been scheduled, pending the permit.

Brodie then stated that in terms of housing availability, the Bennington County Regional Commission (BCRC) had been stressing the need for creating affordable housing in the area, and he was concerned about the over proliferation of Short-Term Rentals (STRs). Brodie then asked the applicant if the project would contribute to the BCRC's recommendations regarding the affordable housing crisis. Margaret Pritchard asked Brodie if he could clarify his question. Brodie then asked what the style of the rental arrangement would be for the property. Pritchard indicated that they would be sold as condominiums, managed by her company. Brodie stated he found the answer satisfactory.

Powers now asked if there were any further questions for the applicant. Campbell commented that he had no problem with the demolition, but had a serious problem with the sketches provided and believed they should not be approved as part of the demolition permit, but reviewed independently as part of a future meeting for a new construction permit. Campbell commented that he especially wanted Design Advisory input regarding the new structure before anything was approved regarding it, and added that he understood the demolition permit would not include the new structure itself. Both Margaret and Owen Pritchard indicated that this aligned with their expectations and current timetable. Campbell then stated that he believed the applicant did not need to replicate the existing footprint of the structure. Powers asked the applicants if they understood Campbell's comment. The Pritchards responded that they did. Powers asked Campbell if he had any further comments. Campbell responded that he did not.

Campbell then motioned to vote on the application. Brodie seconded the motion, but asked the DRB if a condition should be added to wall off the ongoing demolition for public safety. Powers indicated that he would like to rely on the applicants for such a determination. Owen Pritchard stated that the demolition company would have its own safeguards onsite. Powers indicated that it would be the demolition company or property owners' liability if a safety issue arose. Margaret Pritchard responded that this aligned with her expectation. Powers then stated to Brodie that he believed a condition was not necessary. Brodie stated that he understood, and then seconded Campbell's motion again.

The DRB then voted on application 22-30 and approved it without conditions, unanimously.

**22-37** Margaret and Owen Pritchard, owner and representative for the owner (respectively) of 3746 and 3738 Main Street. The application regarded a change of use for both structures on the property, to replace mixed-use office-living space with four condominium units.

Powers began by indicating that there was a typo on the agenda, indicating the wrong address. Powers then opened the floor to the applicants for their presentation. Owen Pritchard began, introducing the condominium floor plans and describing the current progress on the rear structure, as they were performing electrical and plumbing work at present. Pritchard added that the structure's staircases had also been modified to preserve the maximum square footage overall. Pritchard finished by stating that the intention was to market both structures as consisting of two separate condominium units, each. Powers stated that it appeared, in a nutshell, to be a request to convert two buildings into two condominium units, each. Pritchard responded that that was correct. Powers stated that the request appeared fairly clear, and then asked Brodie if he had any comments or questions. Brodie indicated that he had none.

Morris asked Pritchard to explain the intended parking layout again. Pritchard stated that the existing parking arrangement was terrible, and that there would be seven (7) parking spaces created opposite the main structures on the side of the property, and two (2) behind the rear structure. Morris asked if the two (2) rear parking spaces would be for the rear structure itself. Pritchard responded that it would not be, as each unit would have two (2) dedicated spaces. The loft above the first floor would have a rear access stairway, which the two spaces would likely be used for, or as a visitor space. Pritchard then mentioned the landscape design company being used to convert some of the existing parking/driveway space into communal outdoor space before reiterating that each unit would have two (2) dedicated spaces and that the property would have one (1) overflow space. Morris thanked Pritchard.

Powers asked Campbell if he had any comment. Campbell indicated that he did not. Waller stated that she had already given her opinion during the previous discussion on 22-30, that she generally opposed the proposed use. McCloskey indicated that she had

not comment. Powers now commented that residential construction in the Business-1 (B1) district followed the conventions of those in Rural Residential-2 (RR-2), and that the request appeared consistent with those regulations. Powers indicated that he had no objections.

There being no other apparent questions or comments, Brodie motioned to approved the permit application. Campbell seconded the motion. The DRB then voted on the application, approving it with five (5) in favor and one (1) against.

**22-38** Margaret and Owen Pritchard, owner and representative for the owner (respectively) of 3738 Main Street. The application regarded the addition of a porch on the rear structure on the property, utilizing an existing deck foundation which had been used prior as garden space.

Powers began by introducing the application, indicating that the porch would extend around the North and West elevations on the first floor before opening the floor to the applicants for presentation. Margaret Pritchard began, stating that the original structure had included a porch on the same site as that proposed, extending around the front street-face of the structure. Campbell asked if that was the West elevation. There being a pause, VanDerWielen responded that the West was the street-facing elevation. Pritchard responded that she did not believe that to be correct. VanDerWielen and Owen Pritchard both responded that that was correct. Pritchard reoriented the elevations and apologized for the confusion. Owen Pritchard now spoke, describing the asphalt and wood foundations which the porch would sit on, and describing the porch as having been demolished several decades ago. The flower beds planted within the foundation would be removed, stated Pritchard, and the porch would be constructed in a manner consistent with the design of the rest of the structure. Powers asked about the deck appearing on the East elevation, in the rear of the structure on the second floor. Pritchard responded that they were converting the flat space of the first floor roof in the rear of the structure into an entranceway and deck for the second floor condo, near the rear two (2) parking spaces discussed earlier. Margaret Pritchard indicated that this also fulfilled an egress recommendation made during in conversation with the fire marshal, Matt Jakubowski. Owen Pritchard added that they had consulted with Jakubowski on fire safety, and that the stairway leading to the rear would consist of black metal to reduce risk of injury and exterior visibility. Margert Pritchard stated that the addition would be consistent with the design of the rest of the second floor.

Powers commented on the parcel's location within the Historic Core sub-district and read aloud Section 4.3.2 of the Village Zoning Bylaws, noting that alterations and additions of this type were restricted to non-character defining elevations. Powers stated that he believed the suggested porch might contradict the wording of Section 4.3.2, in its placement along the West elevation. Powers indicated that he believed the porch to be well-designed and that it would harm the elevation's character, but that he was unsure if it was permissible under the existing Bylaws. Margaret Pritchard responded that she had

consulted with Matt Samuelson on the matter, and that because the porch had existed previously and the foundation was still intact, that reconstructing it did not consist of a new addition. Pritchard added that her intent was to emulate an overall styling consistent with the nearby Taconic Hotel, and that the porch would align itself with the existing development within the setbacks of the property. Pritchard added that she respectfully disagreed with the interpretation provided by Powers. Powers opened the floor to comments and questions.

Brodie asked if there would be a condominium association after the project was finished, to which Pritchard responded yes. Brodie asked if organizing the association was already underway. Pritchard responded that it was. Brodie thanked Pritchard. Morris asked the Pritchards to speak to possible sanitation issues regarding the existing field in the rear of the property. Owen Pritchard indicated that a landscaped, grassy field would be retained in the rear for stormwater retention. Morris asked if the parcel was connected to Town water and sewer. Pritchard responded that it was, and that the field would only handle stormwater as both buildings were connected to water and sewer. Brodie asked if they had obtained a state stormwater permit. Margaret Pritchard indicated that the stormwater retention would meet state specifications in line with a study they had had conducted for the property.

Campbell asked what the Design Advisory Committee (DAC) had discussed regarding the permit. VanDerWielen responded that the permit had originally been handled as a minor permit, but had been forwarded to the DRB at the request of the Chair due to an open question about if the porch met the setback requirements. Campbell responded that he believed the permit needed a DAC review. VanDerWielen stated that the permit could be conditionally approved today, contingent on the DAC recommending it administratively. Campbell responded that the DRB needed DAC input. Powers asked about the applicants' timeline. Margaret Pritchard indicated that once the question about the setbacks was settled and once they had gotten a bid, then they would begin as soon as possible. Powers asked VanDerWielen how the DRB should handle the matter. VanDerWielen recommended conditionally approving the permit contingent on an internal DAC review, which he would handle as an administrative item. McCloskey and Waller both indicated that they had no comments. Powers then stated that he had no objections to the project and opined that it would look nice. Powers added that he believed the DRB should proceed as recommended by VanDerWielen.

Campbell motioned to conditionally approve the permit application, contingent on DAC recommendation. Morris seconded Campbell's motion. The DRB then unanimously approved permit 22-38, conditionally.

**22-43** Todd Benner, architect and representative agent for Taconic Psychiatry, owner of 4384 Main Street. The permit application regarded a series of exterior renovations and additions, including the creation of a new sidewalk, the creation of several new parking spaces, the replacement and removal of several windows, the addition of several new



exterior lighting placements, and several major landscaping items. The property had already secured a change of use permit (22-09), earlier this calendar year.

Powers began by introducing the permit application, noting that the property was the former Ugg retail store if Board members were more familiar with that affiliation. Powers then opened the floor to Benner for his presentation. Benner began by introducing himself as an architect with Centerline Architects out of Bennington, VT. Benner continued, listing the major changes to be made with this project on the site plan, including the creation of a new entryway to the side entrance, add several major landscaping items including flower and tree placements and a bike rack, creating road edge screening, and creating a relaxation garden in the backyard. Powers asked a question about the walking surface created leading into the side entryway. Benner responded that the surface and grading was selected for its accessibility, commenting that it consisted of concrete graded to an angle for handicap accessibility. Powers indicated that he understood. Benner continued, moving on to a set of elevations depicting the side entrance and rear of the structure. Benner described the guardrails being installed and the crushed stone wall proposed along the relaxation garden. One window, Benner continued, would be removed in the rear of the structure as a bathroom was being placed there, and two skylights would be added closer to the rear, above treatment rooms inside.

Powers asked if the skylights would be big. Benner stated that the skylights would not be big, and indicated to them on the displayed elevations. Benner also described the roofing as a being replaced with asphalt, and described a hanging pendant light to be placed under and overhang leading into the side entrance. Powers asked if the pendant light would be hung from the ceiling. Benner responded that it would. Powers then asked if the exterior stairs leading to the second floor would remain. Benner responded that they would. Powers then asked if the stairs were for fire safety. Benner responded that they were, but also that the upstairs functioned as an apartment at present, although they would be later converting it into office space. Benner moved on to the West elevations and introduced two (2) more window replacements, additional wall sconced lights, and a staff entrance just off the planned staffroom. Powers then asked about parking, to which Benner replied that they would be removing one (1) parking space from the front and adding six (6) in the rear. Eight (8) spaces exist presently. Benner added that additional parking could be added, if necessary. Powers asked if the street-barrier consisting of a line of arborvitae would be part of the application, as it was unmarked on the displayed plans. Benner responded that the property owners were still mulling the idea, and that it would likely be handled in a separate permit. Powers confirmed that it would not be included as part of this permit review.

Powers then stated that the DAC had recommended the application overall, but had noted something about landscaping on their form. VanDerWielen commented that the DAC had also had minor concerns about the exterior lighting. Powers asked about the landscaping items first. Benner commented that the DAC was not particularly clear on

that note. VanDerWielen stated that he remembered there being discussion on the landscaping surrounding the handicap-accessible walkway and, to a certain extent, about the arborvitae. Brodie then asked if the parcel was entirely in the Village. VanDerWielen responded that the entire property was within the Village. Brodie then asked how the previous property owner, Yeager, obtained permissions to erect two signs. VanDerWielen stated that he was unfamiliar with the case, but it was likely that the DRB approved it previously. Brodie asked if that was correct to the other Board members. Campbell and Powers both responded near-simultaneously that that was correct. Brodie then asked a general question about sign regulations, which VanDerWielen answered.

Powers then stated that he believed they had discussed signs briefly during their review of 22-09, for the change of use of the property. VanDerWielen stated that that was correct, and Adam Pruett, one of the property owners, had been present for that meeting. Brodie stated that he believed the DRB had requested the property owners dismantle both signs during the discussion of 22-09. VanDerWielen stated that the signs were not part of the decision of 22-09. Powers added that he believed the applicants were aware that a permit would be needed to change the signs, especially for the post existing within the right-of-way. Morris asked a question about exterior lighting, which Benner clarified. Waller asked about the intended use of the structure, to which Benner responded that it would be used as a clinic for Taconic Psychiatry.

There being not further apparent discussion, Campbell motioned to approved application 22-43. Waller seconded the motion. The DRB then unanimously approved application 22-43.

There being no further business before the Board, Powers closed the meeting at 11:27am.

The next regular meeting of the Development Review Board will be held on October 5<sup>th</sup>, 2022, at 10:00am.

Respectfully Submitted,  
Curan VanDerWielen, Zoning Administrative Officer