



## Village of Manchester, Vermont

### **Minutes of the Regular Meeting of the Development Review Board Held April 06, 2022 at 10:00am**

**Members Present:** Chair Craig Powers, Donald Brodie, Gordon McClellan, Jack Morris, Terry Findeisen.

**Member(s) Absent:** Renee Waller, Dana McCloskey, Thomas Deck.

**Others Present:** Zoning Administrative Officer Curan VanDerWielen, Ramsay Gourd, Polly Raine, Ben Stillman, Jamie Jerome, Jeff Goldstone, David Young, Amy Halpert, President of the Board of Trustees Orland Campbell..

The meeting was held both in person at the Villages Office and via zoom.

Chairman Powers called the meeting to order at 10:02am.

#### **Minutes:**

Approve the draft minutes of the March 02, 2022, meeting.

Donald Brodie motioned to approve the minutes of the previous regular meeting of March 02, 2022. Jack Morris seconded the motion. The motion went to a vote, and the Development Review Board (DRB) approved the minutes of the March 02, 2022 meeting, unanimously.

#### **Applications:**

**22-09** Ben Stillman, agent for the Ways and Main LLC which owns 4384 Main Street. The application regarded a change of use for the property, from its once permitted retail use to that of medical offices for Mr. Stillman's—and his business partner, Adam Pruet's—psychology and psychiatry practice, Taconic Psychiatry. The permit was filed with a Letter of Intent, describing the purpose and planned use of the property.

After Chair Craig Powers introduced the permit, Stillman began his presentation by describing the purpose of the change of use permit. Taconic Psychiatry, Stillman and Pruet's joint psychology and psychiatry practice, would be using the property for their medical offices. Formerly, the property had been permitted for retail use. Stillman corrected the agenda, which listed the former owner 4384 Main Street LLC, and informing the Board that the new owner was Ways and Main LLC. He addressed quickly too the apartment space existing on the property, stating that this change of use

was only filed for the first-floor space and that he did not have any current plans nor tenants arranged for use of the apartment space.

Stillman's brief presentation having finished, Powers opened the floor to questions. Morris asked Stillman about the size of his practice, to which Stillman responded that it currently included two clinicians: himself and Pruett. Stillman clarified, however, that the practice may evolve to include two to three additional clinicians, with a mix of psychological and psychiatric specialties, and that necessary office support staff will also be working regularly on the property. Morris asked a follow up question about the number of likely clients to regularly attend. Stillman answered that he had no formal prediction, but the business was likely to service a couple hundred patients. McClellan then asked whether the property in question was the former Ugg shoe store, which Stillman affirmed. Powers then asked about future plans for signage, commenting that two signposts already existed on the property. Stillman answered they were certainly putting up signage, however, they had no specific plan formed yet. Stillman emphasized his intention to file additional permits for exterior work, both with the Town and the Village. Powers clarified that no permits would have to be filed with the Town. Powers went on to state that both existing signposts were in the right of way for the Village, and that it may be beneficial for the Village if signs were not displayed there and instead be moved to another place. Brodie expressed agreement. Powers indicated that Stillman could direct further questions to Zoning Administrative Officer (ZOA) Curan VanDerWielen.

Powers then asked a second question, this time regarding parking density, as the parking regulations state that there must be provided one parking space per 125 square feet of the main structure's footprint. Stillman answered that there was no plans to use the existing second floor apartment and that he was open to expand the parking lot to meet density requirements. Powers quickly calculated the requirement for the property in question and stated that at least thirty-six (36) parking spaces would need to be available to be considered compliant. Stillman stated that it was highly unlikely that a large number of patients be present on the property at the same time, indicating that some might only visit the office once every three months. Instead, he stated, it was unlikely that more than two patients visit the property per clinician at any one time. Powers then indicated that there might be some room for leniency granted to the DRB regarding this specific requirement. Stillman then indicated that within the contract for purchasing the property, there existed a provision arranged with the neighboring Orvis Outlet Store to use their parking space in tandem with that on-property. Powers asked Ramsay Gourd how the use of the building may affect parking. Gourd responded that as a mixed use property, the parking density might be affected by the type of use for either the commercial or residential areas. Powers indicated again that the DRB may have some latitude regarding the parking regulations and stated he was satisfied with Stillman's responses, especially if he utilized the extra parking at Orvis for overflow. Brodie asked whether the permit had been reviewed by the Design Advisory Committee (DAC), which Powers confirmed it had not due to the type of application it had been filed as.

The Board had no further questions. Brodie then motioned to vote on the application and Morris seconded the motion. The DRB then approved the application, unanimously.

- 22-11** Amy Halpert, agent for Scott Doughman/Go Permits LLC, in turn agent for Mike Olson, owner of 102 West Road. The application regarded the replacement of multiple windows and an outside facing patio door. The permit had already been recommended by the DAC the week prior.

Powers began by introducing the permit, before commenting that the images of the existing property as requested by the DAC had not been attached to the file. Halpert stated she had sent the requested images to VanDerWielen. VanDerWielen promptly checked the Zoning Office email and stated he had not received them. VanDerWielen asked Halpert to resend the images for her presentation, which she claimed to do. The Board awaited for some time the images, but no email was received from Halpert with the supplementary images. Halpert continued with her presentation, indicating the style and type of windows to be replaced. Powers confirmed the dimensions of the windows briefly with Halpert.

The Board having no further questions, Fineisen then motioned to vote on the application with Morris seconding. The DRB then approved the application, unanimously.

- 22-12** Walker S. Kimball, Jamie Jerome, Jeff Goldstone, and David Young, respective owner and agents of 3227 Main Street. The application regarded a new residential construction at the property, and followed up an already issued zoning permit for the demolition of the existing main structure on site, 22-07. The permit had already been recommended by the DAC the week prior.

Powers began by introducing the permit and introducing a possible conflict of interest with himself. Powers stated that he was a longtime friend of the property owner, Kimball, and that while he felt confident he could issue a decision without bias, offered to recuse himself in this case. No objections were made by any other members of the Board, and Powers remained part of the review.

Kimball began the presentation by briefly reviewing the history of his owning the property. Kimball had bought the property in 2012 with the intention of someday relocating to the Village eventually. Kimball stated he had performed some historical research on the property, including its previous ownership by the Orvis and Wyndhurst families. He further indicated his intention was to keep the development on the property in-step with that already existing on Taconic Avenue, before giving the floor to Goldstone. Goldstone introduced Jerome, who had been the agent representing Kimball for the original demolition on the property, last month. Goldstone then introduced the scope of the project: a five bedroom, two story residence with an unfinished basement, finished attic, three car garage, pool, and small pool house. The home would have

extensive views of the surrounding mountains as it sits on a hill, and had been designed with references to existing neighboring properties, to ensure its stylistic fit in the area. Goldstone went on to reference the elevations, noting specifics on the siding, trim, roofing, and style of the windows. Upon touching on the windows, Goldstone stated he had been experiencing delays with orders on windows of up to thirty (30) months. Gourd interjected that it had taken him fifty-two (52) weeks on a recent project of his, to which Goldstone expressed his hope that these delays would not impact the construction schedule.

Goldstone moved to end his presentation at this point. Findeisen thanked Goldstone for including details on the outdoor lighting to be used, which had been brought up in the week prior's DAC meeting. Goldstone briefly replied that the lighting plan supplied to the DRB included a lighting plan and a packet of product specifications, for reference. Powers asked whether any of the outdoor lighting would be mounted and Goldstone replied none would be mounted. Brodie then asked if any lights would be set up to illuminate the driveway, which Goldstone too replied no, stating that a car's headlights would suffice for navigating the driveway. Powers then asked whether the site plan met all the setback requirements for the zone, which Morris replied that it did from the front entrance to the property line. Goldstone asked if there were any more questions. Powers asked the members of the Board if they had had time to look over the forementioned lighting packet, which all confirmed they had. Powers asked the Board if there were any further questions. Brodie then asked whether the application included a landscape plan. Findeisen followed up by asking Goldstone if they were working with a landscape designer. VanDerWielen stated that he had not required a landscape plan to be submitted with this application, based on his prior conversations with both Young and Jerome.

Brodie then expressed his belief that the zoning permits, usually only effective for one (1) year, would not be sufficient for this project, and that an (or many) extensions would have to be filed. Goldston commented that other jurisdictions he worked with normally would issue permits until construction had been completed. VanDerWielen responded, stating that while permits were only effective for one calendar year, their expiration had never been consistently enforced by the Village. VanDerWielen stated while he intended to begin enforcing expirations this year, he could offer two different options for accommodating the construction schedule of this project. One would be for VanDerWielen to automatically issue Notices of Extension for the project on an annual basis, while the other would be for the DRB to build in an automatic set-period extension as a condition of the permit. VanDerWielen went on to comment that perhaps the regular one (1) year period should be amended for a longer period, to make permits more accessible for applicants. VanDerWielen then asked Goldstone how many months they would need to complete the project, which Goldstone replied would be thirty (30) months. Kimball interjected, stating he could not hear the conversation well over Zoom. VanDerWielen responded that he was recommending that the DRB build-in a thirty (30) month extension as a condition of their issuing a permit.

Powers then made his statements on the matter. First, he stated that in his review, he believed that the design was not only appealing stylistically but incorporated –intended or not— elements of nearby properties, making it very characteristically fitting for the Village. The second comment Powers made concerned the visibility of the house from the street, stating that the existing screen of trees made it difficult to spot the existing structure from the road. Powers asked the presenters if there were any plans to create a higher visibility from the street of the proposed structure. Jerome responded that there may be some cleaning-up of the screen but no plans to remove the screen or barrier. Kimball supported Jerome, stating that he appreciated the road barrier and intended to maintain or even enhance it over time. Kimball went on to state he believed it offered the property greater privacy and that the rock wall fences found around the property enhanced its aesthetic appeal. Brodie then stated he believed the rock wall edging the street extended further, historically. Kimball responded that it still existed in its original extent. Brodie went on to explain why he believed the rock wall had not retained its original length. Powers then asked the presenters whether the marble sidewalks along the street were included within the property boundaries. Kimball stated it was unknown. Goldstone stated that the surveyor they had recently hired had excluded them from the property. Brodie stated they were in the right of way. Kimball then went on to state that the deed fixed the distance off a center line from Route 7A, then to the property line. Kimball stated for the readjustment of the property line with the neighboring Redmond property, the property was in the process of being resurveyed. Kimball went on to state that the existing property line did not match the deed survey, commenting that he believed the question of the sidewalk to have been muddied when the Orvis family sold the property, historically, as the sidewalk had originally been installed to let members of the family easily walk from the house to the Village center. Powers commented that very few people walk along that portion of the sidewalk. Before moving into voting, Powers notified the Board that the project had already been recommended by the DAC.

The Board having no further questions, Brodie then motioned to vote on the application with the 30 month extension built in, with McClellan seconding. The DRB then approved the application, unanimously.

- 22-13** Ramsay Gourd and Polly Raine, agents for Friends of Hildene, the owner of 1005 Hildene Road. The application regarded a new construction on the property for an events space to be called Lincoln Hall, and followed up on the now-withdrawn permit 19-38. The existing structure would be demolished, and an addendum had been made to the originally filed permit in consideration of this. The permit had already been recommended by the DAC the week prior.

Before the presentation began, VanDerWielen stated that the permit had not originally been filed with the demolition portion of the project clearly marked. VanDerWielen indicated that after conversing with Chris Cole, the contractor handling the project, that he had amended the application to include the demolition, which had already been

included on the original estimated budget. This having been disclosed to the Board, Powers then gave the floor to Gourd for the presentation.

Gourd then began with the site plan of both the existing area and proposed structure. Gourd indicated the footprint of the existing concrete pad for hosting tented events and the existing support building constructed nearly twenty (20) years ago. Gourd referenced permit 19-38, which had since been withdrawn, and stated that the proposed structure would be placed in the same location but with a new plan of construction compared to 19-38. Around this point, at 10:56am, Orland Campbell entered the meeting. Gourd went on to discuss the footprint for the proposed service road, which would come off the main driveway for events drop off or emergencies and be ADA accessible. Gourd went on to introduce the elevations, some of which had been updated for different roofing and detail work since the previous DAC meeting on the permit. Gourd described some minor outdoor lighting to be included, both under recesses and to illuminate footpaths approaching the structure. This lighting would mostly serve to be decorative. Gourd went on to describe the patterning on the roof, namely how it referenced the patterned shingles on the original Hildene home. Gourd also discussed the styling of the structure's siding and coining. Overall, the structure had been designed to reference elements of its neighboring structures while retaining some modern design elements. Before opening the floor to questions, Gourd displayed three paper renderings of the proposed structure and confirmed that the state of Vermont had already reviewed the proposal. Powers asked whether that review had been part of the Act 250 process, which Gourd confirmed.

At this point, Powers opened the floor to questions. Findeisen asked Gourd would require an extension of the permit, similar to that discussed for 22-12. Gourd confirmed they would need an extension build into the permit. Gourd then asked if images of the style of stamped concrete to be used for walkways had been received by the Board, as the DAC had requested in their meeting the week previous. Findeisen confirmed that they had. Morris then asked what the extent of the on-site blasting would be as part of the construction process. Gourd responded that this was to occur largely along the edge to create a ledge for the structure to sit upon, and that test pits had already been conducted in lieu of this. Gourd then notified that while no landscape plan had been developed for the project, they were working with a firm called Wildscape on the surrounding landscape work. Gourd stated he could update the Board as progress continued. Gourd also stated that the planned construction schedule would unfold over the course of three (3) years. Brodie and McClellan both stated they had no further questions.

Powers asked Gourd about the expanded footprint of the service road, which Gourd stated was not much larger than that already proposed and had some redesigned elements to enhance safety. Powers commented that the area could indeed be steep for driving, and that drainage might be a concern. Gourd agreed, and stated that it had already been reviewed under the Act 250 process. Gourd then referred to cross-sections

of the cuts and fills to be done to regrade the earth for the drive, and the development of a handicap accessible pathway. Powers then opened questions to the public, for which no one responded. Powers then notified the Board that the project had already been recommended by the DAC. VanDerWielen asked Gourd how many months the project would need exactly for the built-in extension, to which Gourd replied with 36 months.

The Board having no further questions, Brodie then motioned to vote on the application with the 36 month extension built in, with Findeisen seconding. The DRB then approved the application, unanimously.

**Public Comments:**

Morris asked VanDerWielen whether the DRB had the authority to issue extensions as part of the permit application process. VanDerWielen responded that no, the DRB had no explicit power to issue extensions to projects at the time of approval, as extensions themselves were not a process yet formalized within the Village Zoning Bylaws. Instead, VanDerWielen suggested, the Zoning Office would issue an automatic Notice of Extension to the projects granted during the meeting on an annual basis, and he would make suggestions to the Board of Trustees as to how to best formalize the extension process going forward.

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

The next regular meeting of the Development Review Board will be held on May 4<sup>th</sup>, 2022, at 10:00am.

Respectfully Submitted,  
Curan VanDerWielen, Zoning Administrative Officer