



Village of Manchester, Vermont

Minutes of a Regular Meeting of the Development Review Board Held on the second day of January, 2019

Members Present: Chairman Craig Powers, Vice Chair Orland Campbell, Donald Brodie, Bob Johnston, Gordon McClellan, Dana McCloskey
Member(s) Absent: Renee Waller, Bill Mariano
Others Present: John La Vecchia, r.k. Miles, Brian Kelly, All Square Construction, Brian Knight, Eric Scott, Administrative Officer

Chairman Powers called the meeting to order at 10:00 A.M.

Minutes:

Approve the draft minutes of the December 05 meeting.

Member Brodie moved to accept the minutes of the December 05 meeting. Vice Chair Campbell seconded the motion and the minutes were approved unanimously.

Applications:

18-39, JCKC LLC (Joseph J O'Dea, PC), 3768 Main St, Addition

Member Brodie explained that he is a client of Mr. O'Dea and if the members or applicant had thought that was a conflict, he would recuse himself. Hearing no objections, Member Brodie remained at the table.

Mr. Kelly explained the effect of the August 2018 fire on the historic wooden structure located at 3768 Main Street, housing the offices of Attorney Joseph O'Dea. The roof behind the street facing will be completely replaced and offers the opportunity to raise the roof seven feet to match roof line seen from the street. In addition to more office area the reconfigured roof lines will eliminate leakage issues that have plagued the building.

Windows, shutters, siding, colors (white) and roofing will remain the same. Members recommended that the slope on the new addition facing the street be roofed in slate or faux slate to match the roofing on the forward building. Chair Powers asked for the DAC recommendation. The DAC recommended approving the application. Vice Chair Campbell moved to accept the recommendation of the DAC and approve the application with the Board's recommendation regarding slate. Member Brodie second the motion. The Board unanimously approved the application.

Other Business:

Section 7 Business Districts (B-1 and B-2) and Equinox Historic District (EHD)

Changes to Bylaws Sections 5.5 and 6 were approved and are attached. Deleted passages have a ~~strike through~~ effect and insertions are underlined. Passages in **black** require further review.

There being no further business to come before the Board, the meeting was adjourned at 11:00 A.M.

SECTION 7- BUSINESS DISTRICTS (B-1 and B-2) and EQUINOX HISTORIC DISTRICT (EHD)

7.1.1. DIMENSIONAL REQUIREMENTS IN THE BUSINESS DISTRICTS (B-1 AND B-2) AND EQUINOX HISTORIC DISTRICT (EHD)

	B-1(a)	B-2	EHD
Lot size in square feet	40,000 ft ²	40,000 ft ²	(b)
Lot size per dwelling unit	40,000 ft ²	40,000 ft ²	(b)
Lot width	150'	150'	NA
Yard, front	75'	75'	NA
Yard, side	30'	30'	NA
Yard, rear	50'	50'	NA
Maximum building coverage	20%	25%	NA
Maximum building height	40'	40'	45'
Maximum stories	2	2	
Minimum Open Space/Green Space	30%	15%	50 44%

- (a) Residential uses in the Business (B-1) District are governed by the dimensional requirements of the Rural Residential (RR-2) district, ~~except that front yard setbacks are 75'.~~
- (b) ~~Development in the Equinox Historic (EHD) District must meet the requirements of Section 7.3.5, including the green space requirement set forth therein.~~

7.1.2. BUSINESS (B-1) DISTRICT

7.1.3. PURPOSE

The purpose of the Business (B-1) District is to insure that further business development is compatible with the present scale and character of the Village, to promote the sound economic development of the Village, to control the best use of land in areas most appropriate for locating business establishments, and to discourage large retail stores, shopping complexes, and manufacturing or assembling of large or heavy goods, consistent with the Village Plan of Development, as adopted.

7.1.4. APPROVAL OF PLANS

No permit shall be issued under Section 10.1 for a building or use in the Business (B-1) District, until a Site Development Plan, as provided for in Section 3.8, has been approved by the Development Review Board.

7.1.5. USES PERMITTED IN THE BUSINESS (B-1) DISTRICT

The following uses, subject to the limitations and requirements of 3.6, and to the requirement that all merchandise display is located inside buildings:

- a. Stores, sales and showrooms for the conduct of retail business, limited to no more than 2000 ~~sq-~~square feet of total area for one owner or tenant for a one story building, nor more than 3000 ~~sq-~~square feet total in a multi-story building, the street elevation eaves of which are not over 18 ~~ft.~~feet above ground level, provided that such establishment has no more than ten (10) persons employed on the premises at any one time. There shall be no more than one such building per lot.
- b. Conversion of residential dwellings to business use, provided that no more than 50% of the total area of the residence is converted to retail use, and further limited to no more than 2000 ~~sq-~~square feet of total retail area for one owner or tenant for a one story building, nor more than 3000 ~~sq-~~sq- feet total retail area in a multi-story building, and no more than ten (10) persons employed on the premises at any one time.
- c. Professional and business offices, including financial services.
- d. Banks and loan institutions.
- e. Libraries
- f. Restaurants and other suitable places serving food and beverages, provided that all food and beverages are customarily served to customers seated at tables or counters, inside or outside the building, and consumed on the premises, but this shall not prevent a catering operation, where food is sold and taken out for home consumption. Drive-thru facilities are not permitted.
- g. Hotels
- h. Service establishments, such as barber-shops, beauty parlors, caterers, custom tailoring, decorators, appliance repair, and similar establishments, but not including fuel service stations.
- i. Single family and two-family dwellings, subject to the requirements of the Rural Residential (RR-2a) District (3.2).

7.1.6. CONDITIONAL USES PERMITTED IN THE BUSINESS (B-1) DISTRICT

The following uses may be permitted as conditional uses in the Business (B-1) District, in conformance with the provisions of 3.6, and the requirement that all merchandise display is located inside buildings.

- a. A retail owner or tenant having more than 10 persons employed on the premises at any one time. No retail owner or tenant engaged in the sale of merchandise shall contain more than 2000 ~~sq-~~square ft.~~feet~~ in a one-story building, or 3000 ~~sq-~~square ft.~~feet~~ in a multi-story building, the street elevation eaves of which are not over 18 feet above ground level.
- b. A public park or playground, a community recreation building or center, museum, art center, or hospital, clinic or similar philanthropic use, operated by a governmental unit or non-profit corporation, or a community association.
- c. A municipal fire or police station, sewer or water pumping station, standpipe, water tank, reservoir, unattended telephone exchange, provided that the design and landscaping are in keeping with the character of the vicinity.
- d. A bona-fide club, including a golf club.
- e. A state licensed, or registered residential care home or group home, serving seven or more persons who are developmentally disabled or physically handicapped. Such use may not be located within 1000 feet of another such home, nor have less than 6000 ~~sq-~~square ft.~~feet~~ of lot area per patient accommodation.

- f. A cemetery, owned by a church or cemetery association located in the Village.
- g. Community owned and operated institutions and facilities.
- h. Bed and Breakfast facilities.

7.1.7. ACCESSORY USES PERMITTED IN THE BUSINESS (B-1) DISTRICT

- a. Accessory uses customarily incidental to the permitted use.
- b. Uses accessory to a Conditional Use (7.1.6) are permitted only when applied for, and granted, as part of the Conditional Use.

7.1.8. SIGNS PERMITTED IN THE BUSINESS (B-1) DISTRICT

All signs in the Business-1 District shall meet the requirements of the Village Sign Regulations.

~~7.1.9. TREATMENT OF FRONT YARDS AND DRIVEWAYS~~

~~a. Front Yards~~

~~A continuous landscaped strip of not less than 10 in width shall be maintained between the traveled way and the interior of all lots having street frontage within the Business (B-1 and B-2) District(s) as provided in Section 3.3.2 of this bylaw.~~

~~b. Driveways~~

~~Driveways and their intersections with streets or highways shall be designed and located as approved by the Development Review Board. Unless otherwise specifically approved by the Development Review Board, there shall be no more than one driveway per lot, with the exception that the Board may grant an additional driveway access for lots with street frontage in excess of 200 ft. Driveways shall be located not less than 150 ft. from street intersections except in those cases where the entire lot frontage is within 150' of the intersection. Driveways shall enter streets in such a manner as to provide the maximum sight distance possible. Driveways shall not exceed 40 ft., nor be less than 12 ft. in width, measured at and parallel to the street line, except that dual driveways may be permitted as approved by the Development Review Board, consisting of two lanes marked respectively for entrance and for exit, each lane not more than 30 ft. nor less than 12 ft. in width and separated by not less than 10 ft.. Driveways shall be flared when they meet the street pavement by curves having radii of not less than 20 ft.. The Board may require the installation of acceleration and deceleration lanes on the street or highway adjacent to any driveway, if it deems necessary.~~

7.2. BUSINESS (B-2) DISTRICT

7.2.1. PURPOSE

The purpose of the Business (B-2) District is to establish a defined area for those retail establishments that provide necessary services to the community (grocery and food stores, pharmacies, etc.), to provide a location for other retail businesses, and to ensure that those businesses are able to continue to provide their important services. It is also the intent of this district to provide a location that can accommodate economic growth while preserving the character of the remainder of the Village. Finally, it is the intent of this district to promote the best use of land in areas most appropriate for business establishments, and to attempt to minimize adverse impacts of traffic by concentrating it in this designated area, consistent with the Village Plan of Development, as adopted.

7.2.2. APPROVAL OF PLANS

No permit shall be issued under Section 10.1 for a building or use in the Business (B-2) District until a Site Development Plan is approved by the Development Review Board.

7.2.3. USES PERMITTED IN THE BUSINESS (B-2) DISTRICT

The following uses, subject to the limitations and requirements of 3.6, and to the requirement that all merchandise display be located inside buildings.

- a. Stores, sales and showrooms for the conduct of retail business, limited to no more than 2000 ~~sq-~~square feet of total area for one owner or tenant for a one story building, nor more than 3000 ~~sq-~~square feet total in a multi-story building, the street elevation eaves of which are not over 18 ~~ft.~~feet above ground level, provided that such establishment has no more than 10 persons employed on the premises at any one time.
- b. Professional and business offices, including financial services.
- c. Banks and saving and loan institutions.
- d. Restaurants and other suitable places serving food and beverages, provided that all food and beverages are customarily served to customers seated at tables or counters, inside or outside the building, but this shall not prevent a catering operation, where food is sold and taken out for home consumption.
- e. Hotels.
- f. Service establishments, such as barber-shops, beauty parlors, caterers, custom tailoring, decorators, appliance repair, and similar establishments, but not including fuel service stations.

7.2.4. CONDITIONAL USES PERMITTED IN THE BUSINESS (B-2) DISTRICT

The following uses may be permitted as conditional uses in the Business (B-2) District, in conformance with the provisions of 3.6, and the requirement that all merchandise display be located inside buildings.

- a. A retail owner or tenant, other than a supermarket, having more than 10 persons employed on the premises at any one time. No retail owner or tenant, other than a supermarket engaged in the sale of merchandise shall contain more than 2000 ~~sq-~~square feet in a one story building, or 3000 ~~sq-~~square feet in a multi-story building, the street elevation eaves of which are not over 18 feet above ground level.
- b. A public park or playground, a community recreation building or center, a library, museum, art center, or hospital, clinic or similar philanthropic use, operated by a governmental unit or non-profit corporation, or a community association.
- c. A municipal fire or police station, sewer or water pumping station, standpipe, water tank, reservoir, unattended telephone exchange, provided that the design and landscaping are in keeping with the character of the vicinity.
- d. Community owned and operated institutions and facilities.
- e. A supermarket.

7.2.5. ACCESSORY USES PERMITTED IN THE BUSINESS (B-2) DISTRICT

- a. Accessory uses customarily incidental to the permitted use.
- b. Uses accessory to a Conditional Use (cf. 7.2.4) are permitted only when applied for, and are granted as part of the Conditional Use.**

7.2.6. SIGNS PERMITTED IN THE BUSINESS (B-2) DISTRICT

All signs in the Business (B-2) District shall meet the requirements of the Village Sign Regulations.

~~7.2.7. TREATMENT OF FRONT YARDS AND DRIVEWAYS~~

- ~~a. Front Yards: See Section 7.1.9(a)~~
- ~~b. Driveways: See Section 7.1.9(b)~~