



# Village of Manchester, Vermont

## **Minutes of the Regular Meeting of the Development Review Board Held May 04, 2022 at 10:00am**

**Members Present:** Chair Craig Powers, Donald Brodie, Jack Morris, Tom Deck, Renee Waller, Gordon McClellan, Dana McCloskey

**Member(s) Absent:**

**Others Present:** Zoning Administrative Officer Curan VanDerWielen, Michael Dommonge, Francis Moriarty, Mike Virgona, Billy Faradie, Nadine Lynch, John Day, Mark Tashjian, Eric Subik, Frank Parent.

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 April 06, 2022, meeting.

Jack Morris motioned to approve the minutes of the previous regular meeting of April 06, 2022. Donald Brodie seconded the motion. The motion went to a vote, and the Development Review Board (DRB) approved the minutes of the April 06, 2022 meeting, unanimously.

**Applications:**

**22-15** Michael Dommonge and Francis Moriarty for The Manchester Village School operating at 4002 Main Street. The application regarded a Change of Color and additional Other exterior renovations, including the replacement of trim, roofing, several windows, and siding on all sides of the building. The permit had already been recommended by the Design Advisory Committee (DAC) the week prior.

After Chair Craig Powers introduced the permit, Dommonge began his presentation by introducing the scope of the project, overall. The project, overall, was designed to overhaul the exterior to the existing Manchester Village School, including a complete renovation to the roof, and the replacement of siding, trim, and windows throughout. The existing roof was to be replaced with new shingles, colored 'Estate Grey'. Existing cedar plank siding was to be stripped and replaced with Hardie Plank of a similar 'Arctic White' color existing on the structure. Several windows were to be replaced as well to give the structure a more uniform look throughout, including matching grills on sides of the structure already possessing them. Existing black wood trim was to be replaced with white Lifespan material. Gables were to be added on several sides of the structure too, to better compliment existing design details.

Dommonge having finished his presentation, Chair Powers thanked him and opened the floor for questions. Renee Waller asked what the current use of the structure was, to which Dommonge answered as a school. Donald Brodie then asked about more information on the Manchester Village School organization, whether the school was ADA compliant, and for more details on the replacement siding. Dommonge answered first about the siding, stating that he had had many years of contracting experience and had always been impressed with the performance of Hardie Plank siding, a primary reason for its use here. Dommonge went on to explain that the installation of Hardie Plank siding required a special certification and was a more complex process than regular siding installation, adding that its performance and longevity made its use cost effective. Dommonge then also stated that the Vermont Department of Education required the school to be ADA compliant, and that the structure remained compliant in the present. He then turned the floor over to Francis Moriarty, the head of the school's organization, to provide more detailed information on the school itself. Moriarty introduced the 1999 founding of the school as 'Great Expectations', opened specifically for students who had an inability to succeed in traditional classroom environments. Moriarty went on to describe how the school had always prided itself on a high student-to-staff ratio, described the acquisition of the current building in 2010 and the process of transforming it to become ADA compliant. Moriarty went on to describe aspects of the curriculum and diploma requirements, its 25-student license, the purpose and core of its daily operation, and the therapeutic underpinnings of its foundation. Brodie commented that he did not remember the original permitting process for the school, but that both Dommonge and Moriarty's comments were helpful.

Chair Powers then commented that he believed the project was a net positive, believing the addition of grills on the windows and creating a more uniform look to the structure would be good. Chair Powers asked whether Dommonge was concerned at all about completing the project within a calendar year, to which Dommonge signaled his belief that it would be completed before the next school year.

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

**22-17/19** Erik Subik and Mark Tashjian for Burr and Burton Academy, which owns 57 Seminary Avenue and 36 Seminary Avenue. Due to their being filed by the same applicants in similar locations, 22-17 and 22-19 were reviewed in tandem with one another. 22-17 regarded the construction of a media building to house the A/V, video recording, and broadcasting equipment used for Burr and Burton's regular athletics. 22-19 regarded the demolition of an old maintenance building and garage, and construction of a new maintenance office and garage, and cold storage building. The permit had already been recommended by the DAC the week prior.

Chair Powers moved to introduce 22-16, however, no applicant had yet shown up, so the motion was tabled.

Chair Powers then introduced permit 22-17, before Mark Tashjian commenced with his presentation. Tashjian began by passing out a cover letter to members of the DRB and the public and began by stating that the funding for the project had been donated by Barry and Wendy Roland in memory of alum Ben Beers. The new maintenance building was to strengthen Burr and Burton's facilities crew, in turn supporting the Academy's high standing among American high schools. Tashjian asked Chair Powers whether he should open for both permits, to which Chair Powers responded that they would discuss the maintenance building first, and then introduce the media building. Tashjian handed the floor over to Frank Parent to continue the presentation. Parent introduced the existing and proposed site plans, the proposed elevations of the new construction, and introduced elements of design details, landscaping, and parking details. Siding was to consist of Lifespan wood on the structure(s), and the garage was to include three bays for the school's vehicles. Two of these bays were to be large enough to house school buses.

Brodie asked Parent about the planned use for the second story on the maintenance building, to which Parent responded that it would be used for facilities' team offices and as a staffroom. Jack Morris then asked Parent about the size of the proposed footprint. Parent responded that the proposed footprint would be an approximately 20% increase compared to the old building, to be demolished. Brodie then asked if the building met the Village's height restrictions, to which Parent and Zoning Administrative Officer Curan VanDerWielen both responded in the affirmative. Parent then moved on to introduce the cold storage facility, who confirmed with the DRB that the roofing material had been mislabeled on the provided drawings and that they would be updated for their records soon. Chair Powers then asked about the approximate timeline of the demolition and construction, indicating that it may be difficult to obtain a Certificate of Occupancy before the new school year. Both Eric Subik and Parent responded that they believed it would be accomplished within the next calendar year, certainly before next summer. Morris then asked about the height of the cold storage facility, to which Parent answered that a high height was necessary due to the storage of salt and sand therein. Brodie then asked about the demolition, to which VanDerWielen indicated that details had been included in the application packet. Before wrapping his presentation, Parent added that downcast lighting would be installed outside several entryways.

Chair Powers opened the floor to questions. Brodie asked about the placement of the buildings with regard to vehicular mobility. Parent responded by stating that the buildings had purposely been placed slightly farther back than the existing structures so as to allow large vehicles space to maneuver on the site. Brodie then asked if the planned construction accounted for the required parking density, to which Parent responded yes. Parent added that the parking would largely facilitate the facilities teams' personal vehicles and the Academy's vehicles. Subik added some teachers would be allowed to park in the existing or expanded spaces. Brodie stated he believed most teachers parked in the parking lot off of Franklin Street. Tashjian added that many teachers parked closer due to mobility issues. Brodie commented that he believed it

would be best if teachers continued to park off of Franklin to avoid expanding traffic and parking off of Seminary Avenue, adding that the Village had a continued problem with providing both adequate and appropriate parking throughout. Brodie then asked if the DAC had any specific comments on the project. Chair Powers responded that the criteria for approval sheet indicated all high marks, extremely favorable. Morris then asked about a landscaping plan, adding that he believed the proposed development was a major improvement on what already existed. Parent responded by stating that the existing pine trees along Seminary Avenue would be preserved and relocated to retain the screening effect they offered for the existing maintenance building. Brodie then asked about the nature of the sewer connections, to which Parent answered that the sewer line ended at the lower end of the existing entry-circle, but that a connection had already been allocated for the Academy and a new manhole would be installed to facilitate any future waste load. Brodie asked if the Town of Manchester had approved any changes, to which Parent responded that they had. Brodie then asked about expanding access using ARPA funds, to which Parent stated that any such question would largely be internal for the municipality.

Chair Powers then brought forward a comment from the public he had received ahead of the meeting, specifically about the planned use of space behind the storage, as it was visible to some adjoining property owners already. Parent responded that no planned storage was to be allocated where property owners could view it, indicating that the proposed pushing of the buildings' footprints back negated any practical future use of outdoor storage anyway. Chair Powers then asked about the placement of dumpsters, to which Subik responded that dumpsters had been moved by the existing Founder's Building, away from the proposed site. Chair Powers commented that he believed this was a better arrangement than previously maintained. Subik added that some items previously stored at Riley's Rink would be moved to the new storage areas, specifically for repairs or to protect them from cold weather, but not to be held in the long-run or permanently. Chair Powers asked if the existing trees screening the lot would be changed at all, to which Parent responded that no screening was to change from the existing arrangement, other than the street-facing pines already mentioned. Chair Powers commented that the existing screening was not always considered adequate by neighbors, to which Parent responded that if after the project had been completed that screening was poor, then the Academy would expand the screening. Subik added that Alan Mowrey had suggested relocating or expanding parking to assist with existing Village activities along Seminary Avenue. Chair Powers asked whether this would require cutting into the hill along Seminary Avenue, to which Parent responded yes, in order to flatten it. Chair Powers then asked what the setbacks of the proposed structures were, to which Parent responded that the proposed setbacks met the Village zoning requirements. Chair Powers then stated that the Board would vote on 22-17 first, and then on 22-19 following the Academy's presentation.

There being no further questions, Gordon McClellan motioned to vote on the application. Morris seconded the motion. The DRB then approved the application, unanimously.

Chair Powers then introduced permit application 22-19, and Parent began his next presentation. Parent began by displaying the planned elevations, noting opening panels for recording equipment, an overhead door to access broadcasting equipment, downcast lighting, and indicating that aside from electricity, no additional utilities were to be connected nor installed. Chair Powers asked why the design incorporated separate windows instead of a wide opening for filming, to which Parent indicated that the windows had been designed and placed to adequately meet the needs of filming athletic games and activities. Chair Powers commented that a similar building in Rutland which he had observed lended itself well to filming and broadcasting school athletics. Subik commented that they had been nervous to include glass windows, but that the windows included would be light and open up for filming. Chair Powers then asked Parent to confirm several design details displayed, which in order were confirmed to be accurate.

Chair Powers then opened the floor to questions. Tom Deck asked why the planned stairway was installed outside instead of being incorporated within. Subik responded that the stairway simply did not need to be internally housed due to the type of use, and that this would both save cost and prove adequate during non-Winter months, when the majority of filming would occur. Morris asked if the building met the Village setback requirements, to which Parent responded that it did.

Brodie asked how this would compare to the existing scaffold used already by the Academy for broadcasting. Subik responded that the existing use would be preserved, but that the new structure would allow for the facilitation of a more effective use, as existing. Brodie asked about the height of the proposed structure, to which Subik answered 20 feet. Brodie commented that he believed this would be very visible to surrounding neighbors, which informed his concern not only about the impact of the project on the character of the area but also about potential noise coming from announcement loudspeakers. Subik commented that the speakers to be used would be portable and not used very often. Parent added that the noise would not be constant, limited instead to scoring plays, the playing of the national anthem, and important announcements, but nothing like a professional game. Brodie indicated that any use on Sunday would have to be limited, to which Parent responded that the Academy understood. Brodie went on to state that some noise issues had had to be shut down due to neighborly complaints, then indicated that a noise ordinance had been drafted, but that creating a conditional limit to the use of the building to prevent excessive noise might be permissible. Or perhaps the limit could be set for when the Academy was in session. Tashjian commented that the Academy was more than comfortable conforming to any restrictions set by the Village, but argued that setting too strict a limit might prove deleterious for various additional community organization which wished to use the field during the off-season(s) or on odd days, including other schools, sports leagues, etc.

Brodie commented that he understood and agreed. Parent commented that there was unlikely to be any change in the existing use due to the construction of this building. Brodie commented that when soccer games were played on the field, the announcements were audible to neighbors. Tashjian responded that he did not believe the creation of the building would add any new noise, but that he would be happy to address existing noise issues with neighbors. Brodie asked if any games were played on Sundays, asking additionally if a ban on use during Sundays would be permissible. Tashjian commented that the Academy had always tried to support the community and that use on Sundays, especially for football, was a longstanding part of that support. Tashjian added that this was the first time he had ever encountered any notified problem about the school's loudspeaker usage. Brodie stated that there wasn't an existing problem per se, but that he wanted to avoid any potential future problem, adding an anecdote about Middlebury to that effect. McClellan commented that he believed if there was a future problem about noise, that the Village should address it then, but if that there were not problem in the present, then he would support the project as is. Tom Deck stated that he believed the application was a separate subject to a future noise issue. Brodie stated he had no further comment on the matter. Chair Powers stated that he believed the existing noise to not be an issue and that maintaining that existing noise level would not be problematic for the project. Chair Powers went on to comment that existing noise levels would not be considered a problem for him unless arising after 10:00pm. Tashjian commented that no use would be taking place after that time.

There being no further questions, McClellan motioned to vote on the application. Deck seconded the motion. The DRB then approved the application, unanimously.

- 22-18** Mike Virgona, Nadine Lynch, and Bill Faradie for Shaw's Supermarket, owner and operator of 64 Equinox Terrace. The application regarded an alteration and change of color to the grocery store, including a change to the exterior paint, sign placement, and the creation of an outdoor seating area. The permit had already been recommended by the DAC during the week prior.

Chair Powers introduced the permit application. Faradie then introduced the project, indicating that three main changes were to be made: (1) the creation of a small outdoor seating area, (2) the painting of the exterior to a darker color, and (3) the moving of the existing sign from the middle of the structure to the left side. Faradie then asked if there were any questions.

Dana McCloskey asked where the new seating area was to be located. Faradie indicated that it would be placed by the far right of the building, near one of two entrances. McClellan asked if the intended use was to allow customers to buy food from the store and eat outside. Faradie indicated that it was, and that this was a common feature of other grocery stores. McClellan indicated his concern about the placement, asking whether any safety measures were to be included in the design to address its proximity to the parking lot. Faradie indicated that the seating would actually be placed under an

overhang and not in the parking lot. McClellan indicated that he understood but asked if any safety measures would be taken to protect customers in case of a car accident or mishap. Faradie stated that he hoped such a situation would not arise but believed that bollards could be installed if the Village indicated so. Lynch stated that she believed that adding bollards was completely feasible. McClellan indicated that he wished to see such a measure taken. Chair Powers asked what types of chairs and tables would be installed, more specifically, if they would be metal. Lynch indicated that they would be metal. Chair Powers then asked about an employee smoking area, and if it would be moved to accommodate the new seating area. Lynch stated that yes, it would be moved to another location.

Chair Powers commented that the sign looked considerably larger than the existing sign. Faradie confirmed that it was. Chair Powers asked if they required a separate sign permit. VanDerWielen indicated that the sign was actually not something requiring Village review, as it was being moved into the Town's section of the property –the parcel was divided between the Town and Village. Brodie stated he wanted more information as the sign was facing the boundary of the Village. Chair Powers asked a question about the split of the parcel. VanDerWielen displayed the parcel map and showed the split between the Village and the Town. Chair Powers then stated that the DAC had approved all aspects of the permit, asking if it was just the color that the DAC had commented on. VanDerWielen confirmed that this was the case.

Morris stated that while the sign was being moved out of the Village's jurisdiction, he was curious as to why the applicant wished to enlarge it. Lynch stated that it was to improve the visibility of the store, adding that the new size would bring it in line with most other Shaw's supermarkets across the country. Faradie added that the old sign was also placed strangely compared to other Shaw's locations, and that a left-side placement was more regular. Brodie then asked about the schedule for deliveries, expressing his belief that delivery schedules had changed since the store last filed a permit. Lynch stated she would review the delivery schedule to resolve any potential problem, cautioning that deliveries were fairly random due to the difficulties of requiring distributors to follow too restrictive scheduling. Chair Powers then commented he appreciated the change in color scheme.

There being no further questions, Waller motioned to vote on the application. McCloskey seconded the motion. The DRB then approved the application, unanimously.

- 22-20** John Day, owner of 2448 Main Street. The application regarded the demolition of an existing front porch and the creation of a new addition consisting of a new porch, minor landscaping features, changes to the roof, and the replacement of a side stairway. The permit had already been recommended by the DAC during the week prior.

After introducing the permit application, Chair Powers yielded the floor to Day, who began his presentation with a brief introduction about himself and the property. Day then

explained the extent of the proposed project, describing his intent to replace the existing front porch with a new set of materials. Day indicated that it would remain similar in size but would be conditioned as a three-season porch, with an extension of the roof to help accommodate this. Day then described changes to a stairway on the North elevation, to be replaced with a raised landing. Lattice detail-work on the bottom of the porch would be used and then screened by boxwoods. Chair Powers asked about the planned coloring of the porch, to which Day responded that it would be constructed of rough lumber and painted with an outdoor-treated white paint. Chair Powers followed up to ask if any additional stairs would be installed, to which Day responded only the North side would be affected. Chair Powers then asked about changes to outdoor lighting, expressing concern that the porch would be difficult to use in the evening without the installation of additional outdoor lighting. Day responded that he preferred to use lantern light when possible, and would use portable lanterns to light the porch if used in the evening.

There being no further questions, Morris motioned to vote on the application. McClellan seconded the motion. The DRB then approved the application, unanimously.

- 22-16** Peter Campbell for 4026 Main Street LLC/The Crooked Ram, owner and operator of 4026 Main Street. The application regarded an alteration consisting of the installation of an outdoor awning over the restaurant's outdoor dining pavilion. The permit had already been recommended by the DAC during the week prior.

After introducing the permit, Chair Powers gave the floor to Campbell for his presentation. Campbell began by introducing the nature of the awning to be installed, designed by a local firm called Otter Creek for seasonal use, largely to allow the outdoor dining pavilion to be used during light rain, sun, or wind, which was not possible in the present. Campbell stated the original design of the pavilion included an awning but had run overbudget and had been cut a few years ago. Campbell then displayed images of the pavilion, indicating that a black metal frame was to be attached to the existing wooden overhangs in order to support the awning. The awning was to be taken down outside of the June-to-October use of the pavilion, depending on weather.

Campbell having finished his presentation, Chair Powers opened the floor to questions. McCloskey asked what the black metal frame was to look like. Campbell responded that it would integrate into the existing overhang, displaying a sample image of a sample installation. McCloskey followed up, asking if the awning would come down on the sides. Campbell responded that while he would like to implement such a change eventually, the funding he had available limited him to just the overhead canopy at present. Campbell then indicated that the awning would be removed during off-season months or in case of weather. Chair Powers then asked if the metal frame would have to be removed each time too. Campbell stated that the metal frame was permanent, not removeable. Chair Powers then asked Campbell if he believed the black metal frame would integrate well with the design or stand out. Campbell stated that only four



brackets would be visible to guests, and that he believed the impact was thus minimal. Chair Powers commented that he believed any clustering of the awning supports might be ugly. Campbell agreed with Chair Powers, informing him that the restaurant had reviewed four or five potential designs and had come down to this installation due to it being the least impactful in that regard. Chair Powers then asked Campbell if he was familiar with the awning system installed for the Taconic Hotel, to which both Brodie and VanDerWielen stated that such a complex system would be far too cost intensive for the restaurant. Campbell agreed, stating that cost and the complex appearance of a lattice supports like that at the Taconic was unfavorable.

Morris then asked what the original permitting for the pavilion included, specifically if any landscaping planning had been undertaken. VanDerWielen explained that he had recently been in contact with Campbell about both this permit application and a Certificate of Occupancy for the rear home on-site. During his conversation with Campbell, VanDerWielen had confirmed that a basic landscaping plan was to be filed with his office as part of the Certification process. Brodie then commented that he believed the awning would be dark against the pavilion and might stand out on the property. Campbell stated that he wished to keep a naturally shaded cloth if possible, which had yielded the selection presented here. Brodie then asked about parking, to which Campbell responded that the pavilion and the available parking had already been permitted to correspond to the occupancy of the restaurant under Act 250, adding that the awning would not affect this. McClellan then asked if the awning was a white color, to which Campbell replied that it would be an off-white ivory color. Chair Powers commented that it looked closer to beige in reference to a sample photograph, asking in addition if the awning was only one color. Campbell responded that the awning was one color. Chair Powers then asked if the awning was waterproof, which Campbell responded it was. Deck commented that a darker color might increase the heat of the pavilion below, and that he believed the selection was appropriate.

Chair Powers then asked if the awning was to come down in the winter, to which Campbell responded it would. Chair Powers then commented that the DAC had already recommended the installation. Brodie asked the Board if they should condition the permit to be taken down after October. Chair Powers stated that he did not wish to pin the business to a certain date, especially if weather is good in early November. Campbell commented that generally the pavilion had remained open in October but colder temperatures and sometimes even snow later in the month more often than not closed the pavilion. Chair Powers then asked when the restaurant was opening the pavilion this year. Campbell stated that it would be open during the Memorial Day weekend as a soft opening, but that it would be conditioned by weather through the year. Chair Powers reiterated that he believed conditioning the permit with a time limit would be a hindrance, and that it sounded like overuse of the pavilion outside the regular season sounded unlikely.

There being no further questions, McClellan motioned to vote on the application. McCloskey seconded the motion. The DRB then approved the permit application, with six (6) in favor and one (1) abstaining.

**Public Comments:**

There being no further business before the Board, Powers suggested the meeting close. Powers closed the meeting at 11:43am.

The next regular meeting of the Development Review Board will be held on June 1<sup>st</sup>, 2022, at 10:00am.

Respectfully Submitted,  
Curan VanDerWielen, Zoning Administrative Officer