

**Town of Waitsfield**

**DEVELOPMENT REVIEW BOARD**

**Meeting Minutes**

**Tuesday, July 22, 2008**

**1. CALL TO ORDER:** Brian Shupe, Chair, called the meeting to order at 7:40 p.m. at the Waitsfield Town Office.

**MEMBERS PRESENT:** Brian Shupe (Chair), Gib Geiger, Mike Kingsbury, Jamey Fidel.

**MEMBERS ABSENT:** Hallie Tamez, Mark Sinclair, Eleanor D'Aponte.

**STAFF PRESENT:** Vickie Trihy, Planning and Zoning Administrator.

**APPLICANTS AND THEIR REPRESENTATIVES PRESENT:** Mary Schramke, president of Four D & K Company.

**OTHERS PRESENT:** Norman Abend, Sydney Abend, Bonnie McTigue, Gaelic McTigue, Jason Gulisano.

**2. #3179 Four D and K Company, conditional use review for conversion of single apartment at 20 Bridge Street to two apartments.** Parcel #01004 in the Village Business District (§2.01) and the Flood Hazard Overlay District (§2.10).

Mary described her project: converting the building from three rented commercial spaces and one residence which she occupied, to three commercial and two residential condominiums. She is looking for approval at this time for Phase 1, which does not involve expanding the building. Phase 2 would involve adding a third story over the garage. When Brian asked for clarification—no exterior changes, no new windows? Mary answered that there would be three new windows. Later in the meeting she said that no windows would be put in during this phase if that would expedite approval of the project.

A discussion of parking requirements ensued. Mary thought she needed an additional 1.5 spaces over the 8 she is currently required to have under permit #2921, but it was eventually pointed out that based on the square footage of the commercial space and proposed number of residential units, the regs would require 11 spaces.

There was much discussion of counting the two garage spaces in the building, The garage spaces were previously disallowed because they would not be accessible if the spaces in front of the garage doors were utilized. There was some confusion about how many garages currently exist and Mary said there was one garage door now, but she could easily add another. Brian pointed out that since the building was in the historic district any exterior changes would have to be approved by the DRB.

There was also discussion of permanently leasing spaces on the McTigues' property. The McTigues stated they had adequate parking spaces on their property to allow them to lease spaces to Mary. Brian pointed out that we'd have to research what the requirements are for the McTigues to verify that.

It was also pointed out that the two spaces shown on the parking plan at the rear of the property were not located entirely on Mary's parcel. Mary stated that she could add spaces in back if she eliminated the walkway, which she says she maintained at the request of the previous owners of the adjoining property, who in return agreed to let her use space on their property for parking. She said she thought that had been a verbal agreement, but would try to get in touch with Jim McCaffrey who had been the attorney involved. It was also mentioned that a handicapped space was not required because there is a handicapped space directly across the street.

Norman Abend, president of the Historic Waitsfield Village Condo. Assoc., which owns the property on either side of Mary's building and the large parking area behind it, detailed the association's concerns about parking, which were also submitted to the DRB in writing prior to the hearing. He contends that parking problems already exist which would be exacerbated by approving the project for fewer parking spaces than what the regs require. He pointed out that his association in effect provides parking and pays for maintenance of that parking for the village now. He took issue with the idea of permanent leased parking, pointing out that the town bylaws require permanent easement [Section 3.09A]. He mentioned problems with cars parked between Mary's building and the blue building blocking access to the big parking lot, and the lack of a pedestrian walkway there. He stated it was unfair to increase density without providing additional parking.

Mary stated that she could close the alley to through traffic. Brian stated that it would be unproductive for the parties to threaten to restrict access to each other's properties, and that cooperation among the Bridge St. business owners was a better approach. Jason Gulisano, owner of the blue building, echoed that.

Brian explained that the parking regs allow the Board to grant waivers in certain instances, and that the Board tries to be flexible about allowing additional upstairs residential units because it shouldn't be a village for cars, but for people and buildings. The Board decided to continue the hearing on Aug. 12<sup>th</sup>. The Board later made a site visit during the hearing to look at the proposed spaces on Mary's parcel and on the McTigues' parcels across the street.

The question was raised as to whether converting the building to condominium ownership required a subdivision approval. Vickie said the town's attorney had requested a copy of the declaration of condominium before making any determination about this, and Mary then gave the Board a copy of the draft of the proposed declaration of condominium. Mary stated she was closing on unit 2 the following day and that the attorneys involved in the sale were all in agreement that a subdivision was not necessary.

Brian asked Mary for her state wastewater permit, and she said Dick King had it. Brian said it was unrealistic for Mary to have expected a decision at this hearing, given what still needs to be sorted out.

Regarding the Flood Hazard review, Vickie stated she believed it was required because it was her understanding that the rear portion of the building had not previously been developed and now was about to be. Mary stated that a portion of the rear part of the building has been used by Darrad as a repair shop for years. It was determined that

Vickie would get back to Mary after the hearing about what the Flood Hazard requirements would be.

Brian made a motion to recess, which was seconded. The Board then walked over to Mary's property and the McTigues' to get a visual idea of the parking situation.

**5. Informal meeting with Jason Chojnicki**, owner of Full Circle Automotive (formerly Jake's World Auto). Jason requested guidance from the Board concerning a revised design for an office building to replace the trailer that currently serves as his office. On May 10, 2007, the Board had approved a plan submitted by the previous owner of the property. The permit issued (#3093A) allowed the trailer to remain on the property until construction ended or until Nov. 10, 2008, whichever came first. Jason showed the Board drawings of what he is thinking of building, which is a smaller building than what the Board had previously approved. The Board expressed general approval for building a smaller structure, and encouraged Jason to file an application with the specifics for reconsideration of the project.

**6. APPROVAL OF MINUTES** June 24<sup>th</sup> minutes were approved.

**7. MEETING ADJOURNED** at 9:20 pm.

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Respectfully submitted,

Vickie Trihy