



City of Barre, Vermont
Office of Planning, Permitting & Assessing
Services
6 N. Main Street, Suite 7
Barre, VT 05641
(802) 476-0245 ~ www.barrecity.org

BARRE CITY DEVELOPMENT REVIEW BOARD AGENDA
Regular Hearing held on Thursday, October 5, 2023 ~ 7:00 P.M.
City Hall Council Chambers

Hybrid Meeting (In-person and Virtual)

<https://us06web.zoom.us/j/84972830621?pwd=dzZCSnRZY3g4L1ZjOUVLYWsyUwQ0UwQT09>

Meeting ID: 849 7283 0621 ~ Passcode: 445631

Dial by your location: +1 929 205 6099 US (New York; long distance, charges may apply)

1. Call to Order 7:00 pm
2. Welcome New Member
3. Adjustments to the Agenda
4. Visitors and Communications
5. Old Business
 - Consideration of Minutes from August 3, 2023 Hearing
 - Consideration of Decision from August 3, 2023 Hearing
6. New Business

Michael & Sandra Thurston, 94 North Main Street. Seeks design review approval for façade; Design Review Overlay District, Historic Structure Overlay District, Special Flood Hazard Area, UC-1 Zoning District.

7. Deliberative Session
8. Nominations for Vice Chair
9. Roundtable – as needed
10. Executive Session – as needed
11. Adjourn

Participation Note: Under Chapter 117 Title 24 of the Vermont State Statutes, *participation in these proceedings is a prerequisite to the right to make any subsequent appeal.* You will lose the right to appeal the final decision unless you participate in the process by offering, through oral or written testimony, evidence or a statement of concern related to the application being reviewed. Oral testimony must be given at the public hearing. Written testimony must be submitted prior to the close of the public hearing.

Development Review Board hearings are open to the public.

For questions about accessibility or to request accommodation, please call (802) 476-0245.

**DEVELOPMENT REVIEW BOARD
MINUTES FOR THE REGULAR HEARING
THURSDAY, August 3, 2023
DRAFT**

A regular meeting of the Barre City Development Review Board held in person and video conference. Hearing was called to order by Chair Linda Shambo (Ward I) at 7:05 pm. In attendance, participating on video or in person, were Board Members Ward I member; Linda Shambo, Ward II member; Sarah Helman & David Hough, Ward III member; Katrina Pelkey & Colin Doolittle; and At-Large member; Jessica Egerton & Michael Hellein. Also, in attendance was Janet Shatney, Planning Director and Michelle La Barge-Burke, Permit Administrator. The Chair determined a quorum was present.

Absent: At-Large Member; Ulysse “Pete” Fournier, Ward I Member; Jeffrey Tuper-Giles

2. Welcome New Member: Chair Linda Shamboo welcomed our new member for Ward 3: Colin Doolittle

3. Adjustments to Agenda: Michelle La Barge-Burke noted that the Zoning District on the agenda for the 240 N Main LLC applicant was incorrect and should be UC-1 district. It was warned correctly and in the staff report correctly.

3. Visitors and Communications: None

4. Old Business:

Consideration of July 20, 2023 Minutes:

- Motion to approve the minutes by Katrina Pelkey and seconded by Jessica Egerton, **motion carried unanimously.**

Consideration of July 20, 2023 Decision:

- Motion to approve the decision on 109 Boynton Street made by Sarah Helman and seconded by Jessica Egerton, **motion carried unanimously.**

5. New Business:

The Chair informed the applicant there was a quorum from the board and they had the option to postpone to allow more members to be present for a better outcome. Elizabeth Manriquez the property owner chose to proceed with David Burke –Architect and were both sworn in for testimony.

240 N Main LLC, 240 North Main Street. Seeks design review approval for façade, conditional use for distinctive sign and a variance on principle entrance: UC-1 Zoning District, Design Review District.

- Jessica Egerton raised the question about the alley and access and wanted clarification. David Burke spoke to the plan to use metal for the siding but block of current access from the rear side as the front is currently blocked to prevent access to the area.
- Katrina Pelkey asked the proposed purpose of the space and it was explained it was going to be used for retail and is going to be a dispensary.
- Katrina Pelkey asked for clarification about the new roof. It was made know there is no new roof, just the façade would show more of the rounded roof which currently exists. Elizabeth Manriquez explained that some of the requirements for their retail is to not expose transactions and control visibility from the street.

To be approved at the 10/05/2023 Hearing

- Sarah Helman asked about the sign lighting and concerned about the brightness if it would only be on during operating hours. David Burke mentioned the plan was to keep within the required lumens for a lighted sign.
- Colin Doolittle asked for confirmation that the sign is actually recessed which David Burke confirmed and explained.
- Michael Hellein asked Michelle La Barge-Burke if the sign is approved as distinctive and the DRB would be setting a precedence? Also being inside the building is it necessary to be considered a sign. Michelle La Barge-Burke read the section in the ordinance regarding applicability for a distinctive sign. It states a distinctive sign is a building mounted sign.
- Elizabeth Manriquez brought up the interior ramp and wanted to share the extent they are going to make the ramp ADA compliant by widening and adding platform at the top and bottom of the ramp.

Chair Linda Shambo asked if there were any questions from the board members. Members had no further questions.

Chair Shambo informed the attendees that the Board will go into deliberative session after the hearing and will make a decision. They can call the Permit Administrator, Michelle La Barge-Burke or Planning Director, Janet Shatney in the morning for the decision and they will receive a letter within the week.

6. **Deliberative Session:** Motion by Jessica Egerton to go into deliberative session and invite Michelle La Barge-Burke & Janet Shatney into the session. Seconded by Sarah Helman at 7:25 pm, to enter Board Deliberative Session, **motion carried.**

Motion by Katrina Pelkey and seconded by Colin Doolittle to leave Deliberative Session at 7:33 pm, **motion carried.**

240 North Main: Motion by Michael Hellein and seconded by Sarah Helman to remove the conditional use sign from the application. Motion carried unanimously 8-0-0

Motion by Michael Hellein to approve amended application for façade and principle entrance. David Hough seconded the motion. Sarah Helman made a friendly amendment to add that the Zoning Administrator is allowed to approve any immaterial and non-substantial changes to the project without coming back to the DRB. Michael Hellein accepted the friendly amendment. David Hough seconded, motion carried unanimously 8-0-0.

7. **Roundtable/ Other Business –**

- Chair Linda Shambo made the request that people respond to Michelle La Barge-Burke if you will or will not be attending the DRB Hearing so plans can be made to secure a quorum.
- Request for an update about Ulysse “Pete” Fournier status – Janet stated none at this time.
- La Barge-Burke asked if the Board would like to continue to receive the DRB Packets with the Staff Reports electronically. The Board agreed.
- Helman- reminded folks that the DRB Hearings are warned and can be found on the City Website if they are unsure of a meeting.
- Hellein apologized for missing the last meeting and usually has it on his calendar. The Clerk will have his back with the meeting invites.

To be approved at the 10/05/2023 Hearing

- La Barge-Burke mentioned she will know if there is a DRB Hearing for September by tomorrow.

9. **Executive Session:** None

10. **Adjourn:** The meeting adjourned at 7:39 PM on motion from Jessica Egerton seconded by Colin Doolittle, **motion carried 7-0-1.**

The open portions of this hearing were recorded on the video meeting platform.

Respectfully Submitted,

Michelle La Barge-Burke,
Permitting Administrator

**CITY OF BARRE, VERMONT
DEVELOPMENT REVIEW BOARD
AUGUST 3, 2023
NOTICE OF DECISION FOR 240 NORTH MAIN STREET**

I. INTRODUCTION and PROCEDURAL HISTORY

1. This proceeding involves a request for design review approval of the façade, conditional use approval for a distinctive sign, and a variance from the design review criteria for a principal entrance, from the Development Review Board (the DRB).
2. On July 7, 2023, W.J. Duprey (the “Applicant”) filed a City of Barre zoning application (the “Application”) and supporting documentation seeking Design Review Approval of the proposed façade, conditional use approval for a distinctive sign and a variance of the Design Review Overlay District criteria for a modified principal entrance, at 240 N Main Street (the “Project”). The owner of the subject property (the “Property”) is 240 N Main LLC (the “Owner”).
3. The property is located at 240 North Main Street, tax map ID# 1095-0240.0000, SPAN # 036-011-11593. It is currently a former restaurant, in the Urban Center-1 Zoning District, on 0.50 acres. The property is bounded by city streets & commercial buildings.
4. On July 20, 2023, the Permit Administrator sent to adjoining property owners a copy of the agenda with memorandum notifying them of the public hearing on the Project’s request. A notice for posting of the August 3, 2023 hearing with memorandum was also sent to the Applicant and Owner on the same day.
5. A hearing of the DRB was held on August 3, 2023 in a hybrid format including in-person and digital participation. Present during the hearing were the following members of the DRB:

Linda Shambo, Chair	Sarah Helman	David Hough	Katrina Pelkey
Jessica Egerton	Colin Doolittle	Michael Hellein	

6. At the outset of the hearing, the DRB afforded those persons wishing to achieve status as an interested party an opportunity to participate as outlined in Vermont Statute 24 VSA §4465(b). The list of persons attending the hearing is included in the Application packet, and listed:

Elizabeth Manriquez, 240 N Main LLC	Owner
David Burke	Architect
William Duprey	Applicant

7. A presentation of the Application was provided by the Owner and interested persons. All application documentation, including a staff report prepared by the Permit Administrator in connection with the consideration of the Application, is on file in Barre City Hall.

II. FINDINGS and CONCLUSIONS

Based on the Application materials, testimony by the Owner and Architect, the DRB makes the following findings and conclusions.

1. The property is located in the UC-1 Zoning District as described on the City of Barre's official Zoning Map and included in the Unified Development Ordinance (the "UDO", effective January 7, 2020).
2. Section 4303 of the UDO requires development within the Design Review Overlay District involving exterior modifications to a structure will require design review within this section.
3. Section 4306 of the UDO identifies the standards for review of Conditional Use requests.
4. Figure 4-1 of the UDO is Development Review Criteria that the applicant must demonstrate the proposed development meets.
5. Section 4405.D of the UDO states the DRB may approve a variance and find that all of the applicable criteria in Figure 4-2 are met.
6. The Permit Administrator's Staff Report to the DRB identifies those standards for design review, conditional use, distinctive signage, and design review overlay district standards, and describes the consistency of this request against those standards.
7. The DRB afforded those in attendance an opportunity to provide testimony or evidence during the public hearing to consider, prior to rendering a decision.
8. During the hearing, the following testimony was provided by the Owner and Architect:
 - a. The proposed siding will be metal.
 - b. The purpose of the space is retail cannabis dispensary.
 - c. There will be no new roof, and a change in the façade so that the existing barrel-shaped roof will be more exposed than before.
 - d. The proposed signage and inside layout is specific so that they meet state requirements for no visual exposure to transactions, and to control visibility from the street.
 - e. The interior ramp for which the variance is sought will be ADA (Americans with Disabilities Act) compliant, and will be widened with a platform space both at the top and at the bottom.

III. DECISION and CONDITIONS

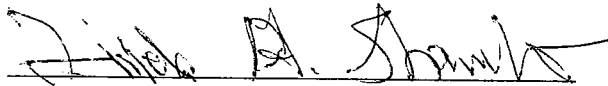
The DRB deliberated on the submission of the proposed façade changes, principal entrance variance and distinctive sign. Based on the information presented in the application, at the hearing and discussed during deliberation, the DRB made the following motion:

1. *Remove Conditional Use Review of a distinctive sign from DRB review and approval.*
2. *Approve design review and variance from Design Review Overlay District requirements for the proposed principal front entrance; and the façade improvements.*

In addition, the DRB authorizes the Permit Administrator be allowed to approve any immaterial or non-substantial changes to the Design Review without having to come back before the DRB for revision.

The motion passed by a vote of 8 – 0 – 0 and is therefore **APPROVED**.

Dated at Barre City, Vermont, this 14th day of September 2023.



Linda Shambo, Chair

IV. APPEAL RIGHTS

The owner of the project property and interested persons have a right to appeal this decision, within 30 days of the date this decision is issued, to the Vermont Environmental Court, pursuant to 24 V.S.A. §4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.



City of Barre, Vermont
 "Granite Center of the World"

RECEIVED
 AUG 31 2023
 Barre City Assessing
 Permitting & Planning Office

COVER SHEET

Please provide all of the information requested in this application. Failure to provide all the required information may delay the process for obtaining a permit.

PHYSICAL LOCATION OF PROJECT (911 address): 94 NORTH MAIN STREET

APPLICANT + OWNER		PROPERTY OWNER (if different than applicant)	
Name	<u>MICHAEL & SANDRA THURSTON</u>	Name	_____
Mailing Address	<u>94 NORTH MAIN STREET BARRE, VT 05641</u>	Mailing Address	_____
Daytime Contact Phone	<u>802 272-2817</u>	Daytime Contact Phone	_____
Email	<u>michaelvt2700@gmail.com</u>	Email	_____

Mail all permit Materials to: **APPLICANT** or **OWNER** (circle one)

PRESENT USE(S) OF PROPERTY

Single Family
 Single Family w/ADU
 Duplex
 Triplex (3-unit)
 Quadplex (4-unit)
 Multi-Family (5 or more units)
 Comm/Mixed Use
 Industrial
 Institutional
 Vacant Building
 National Register of Historic Building?
 Other: COMMERCIAL RETAIL

PERMIT(S) BEING APPLIED FOR UNDER THIS PROJECT

Zoning Permit
 Flood Hazard Permit
 Building Permit
 Electrical Permit
 DRB Decision

PROPOSED USE(S) OF PROPERTY

Same as Existing
 Additional Bedrooms? Y N
 New Principal Building
 Any work within the City right-of-way? Y N
 Major Renovation to existing principal building
 Any change in water or sewer service? Y N
 Accessory Structure >120 ft²
 Removing Fill <10 cy²
 Construction Cost Estimate: \$ 20,000.
 Adding Clean Fill <10 cy²
 Parking Spaces added. How Many? _____
 Subdivision
 Boundary Line Adjustment
 Other: FACADE REPLACEMENT

PROJECT DESCRIPTION

REPLACE STOREFRONT FACADE, REMOVE WOODEN PARAPET AND REPLACE WITH METAL PARAPET.

For Office Use Only:

Zone Dist: UC-1
 DRO? Y N
 HRO? Y N
 Flood Area Zone: AE-FHA
 Fees Rec'd: \$ 175.00
 Code Enforcement Review
 Administrative Permit
 Referred to the VTANR for Floodplain Review
 Referred to the DRB
 B _____
 Z 23 - 0000
 F _____
 E _____

SITE PLAN

Is a site plan attached showing existing and proposed conditions? Y N

The minimum requirements for a site plan are property lines, streets, existing and proposed structures, setbacks from property lines of proposed structures, scale, north arrow.

Does your project involve new construction, addition, alteration, renovation or repair to a structure? Y N

If yes, you may have to record a Vermont Residential/Commercial Energy Standards (RBES or CBES) Certificate in the Land Records prior to receiving your Building Certificate of Occupancy. Please contact Energy Code Assistance Center at (855) 887-0673 or on line at: <https://publicservice.vermont.gov/efficiency>.

DISCLAIMER AND SIGNATURE

The undersigned hereby requests a permit for land development as described in the Project Description and certifies that the information presented is true and accurate to the best of my knowledge, and understands that if the application is approved, any permits issued, and any attached conditions will be binding on the property.

I understand that permits run with the land, and that the compliance is ultimately the property owner's responsibility. **I understand that if more information becomes available to staff, additional review and fees may be required. I also understand that this permit, if issued, will be deemed null and void in the event any material information upon which it is based is found to be incorrect or misrepresented.**

Further, the undersigned authorizes the Permit Administrator and/or the Building Inspector access, at reasonable times, to the property covered by the permit issued under this application, for the purposes of ascertaining compliance with said permit.

MICHAEL & SANDRA THURSTON
APPLICANT (print)

Michael & Sandra Thurston 08-30-23
APPLICANT (signature) DATE

PROPERTY OWNER (if different than Applicant-print)

PROPERTY OWNER (signature)

DATE

This cover sheet is for a local City of Barre, VT permits only. Your project may also require State permits. You retain the obligation to identify, apply for, and obtain relevant State permits. For potential Dept. of Environmental Conservation permits, you are advised to visit the Permit Navigator Portal at <https://dec.vermont.gov/permitnavigator>; You are also advised that State construction permits may be needed, and to check with the Department of Public Safety, at (802) 479-4434 to determine what permits, if any must be obtained by that Agency; <https://firesafety.vermont.gov/buildingcode/permits>.



City of Barre, Vermont

"Granite Center of the World"

RECEIVED

AUG 31 2023

Barre City Assessing
Permitting & Planning Office

ZONING PERMIT APPLICATION

Check all activities involved in this application:

<input type="checkbox"/>	New Home or Garage Construction	<input type="checkbox"/>	Site Work
<input checked="" type="checkbox"/>	All other construction/addition/alteration	<input type="checkbox"/>	Pool (if greater than 20' wide or 5' in depth)
<input type="checkbox"/>	Accessory Structure, greater than 120 sq. ft.	<input type="checkbox"/>	Construction Job Trailer
<input type="checkbox"/>	Interior Renovation (adding a bedroom)	<input type="checkbox"/>	Permanent Sign
<input type="checkbox"/>	New apartment	<input type="checkbox"/>	Temporary Sign/Banner
<input type="checkbox"/>	Accessory apartment	<input type="checkbox"/>	Sandwich Board Sign
<input type="checkbox"/>	Deck – porch – steps – ramp – handicapped ramp	<input type="checkbox"/>	Home Occupation/Business
<input type="checkbox"/>	Change of Use	<input type="checkbox"/>	Boundary Line Adjustment/Subdivision
<input type="checkbox"/>	Demo in Historic District (needs DRB approval)	<input type="checkbox"/>	Parking Lot
<input type="checkbox"/>	Fence or Wall	<input type="checkbox"/>	Soil / Sand / Gravel Extraction
<input type="checkbox"/>	Temporary Structure	<input type="checkbox"/>	Dimensional Waiver/Appeal/Variance Request (DRB approval)
<input type="checkbox"/>	Temporary Certificate of Compliance	<input type="checkbox"/>	Certificate of Compliance
<input checked="" type="checkbox"/>	Other: <u>REPLACEMENT OF STOREFRONT FACADE & PARAPET.</u>		

ESTIMATED COST OF PROJECT: \$ 20,000.-

Fee for starting work without a permit is \$150

If work has begun prior to applying for and receiving a permit(s), you are in violation of City Ordinance and are required to pay \$150 after-the-fact fee in addition to the subtotal fee calculated at bottom.

ZONING APPLICATION FEES (check all that apply)¹:

Cost of Residential Development:

Cost of Commercial Development:

<input type="checkbox"/>	\$20	Residential 1-4 Units (\$1 - \$5,000)	<input type="checkbox"/>	\$50	Comm., Indus., Mixed Use, Res 5+ Units (\$1 - \$10,000)
<input type="checkbox"/>	\$40	Residential 1-4 Units (\$5,001 - \$10,000)	<input type="checkbox"/>	\$100	Comm., Indus., Mixed Use, Res 5+ Units (\$10,001 - \$25,000)
<input type="checkbox"/>	\$75	Residential 1-4 Units (\$10,001 - \$25,000)	<input type="checkbox"/>	\$200	Comm., Indus., Mixed Use, Res 5+ Units (\$25,001 - \$150,000)
<input type="checkbox"/>	\$100	Residential 1-4 Units (\$25,001 - \$150,000)	<input type="checkbox"/>	\$300	Comm., Indus., Mixed Use, Res 5+ Units (\$150,001 - \$350,000)
<input type="checkbox"/>	\$150	Residential 1-4 Units (\$150,000 +)	<input type="checkbox"/>	\$400	Comm., Indus., Mixed Use, Res 5+ Units (\$350,000 +)

Specific Usage Costs (check in addition to above if they apply):

<input type="checkbox"/>	\$40	Site Work	<input type="checkbox"/>	\$50	Subdivision Final Plat Approval
<input type="checkbox"/>	\$40	Permanent Signs	<input type="checkbox"/>	\$40	Boundary Line Adjustment
<input type="checkbox"/>	\$40	Sandwich Board Sign	<input type="checkbox"/>	\$40	Fences / Walls
<input type="checkbox"/>	\$30	Temporary Sign/Banner	<input type="checkbox"/>	\$30	Certificate of Compliance (project specific)
<input type="checkbox"/>	\$40	Change of Use	<input type="checkbox"/>	\$15	Temporary Certificate of Compliance (project specific; +\$10/mo up to an additional 12 mo.)
<input type="checkbox"/>	\$40	Home Occupation/Home Business	<input type="checkbox"/>	\$20	Temporary Structure
<input type="checkbox"/>	\$20	Subdivision Sketch Plan Approval	<input checked="" type="checkbox"/>	\$175	Development Review Board Fee

¹ If more than one category applies, the higher fee is required of all checked.

FEE SUMMARY:

Subtotal of Fees from above:	\$ 175.00
After-the-fact Fee (if applicable, \$150)	
Required Land Record Recording Fee (DRB exempt from this recording fee)	\$ 15.00*
Zoning Permit Application Fee Total:	\$ 0.00

* Development Review Board Hearing Fee ONLY \$175 (no recording fee required)



94 North Main Street - Exile On Main Street - Current View

Surface materials below the parapet are metal. Facade top is wooden. Note space at right, revealed due to facade change in the building at right, causing a reveal of the original facade height of 94 North Main, the exposed orange panel, which is metal. Prior to 1996, the front of the building was orange metal. In 1996, the facade was heightened to match the height of the building at left.



94 North Main Street - Exile On Main Street - Proposed View

Surface material for the entire storefront facade, including parapet is Cityscape® gray metal by Everlast®. This material has been chosen for durability and aesthetics, maintaining the consistent parapet height of the building to the left, and covering the gap between 94 North Main and the building to the right (reference current view picture provided). Signage is identical to current.

Everlast Metals

Fluorpon® Color Guide



94 North Main Street - Exile On Main Street - Material Color Chart

Metal - chosen for durability and aesthetics. Color choice is roughly the shade of Barre Gray granite.



Adjoining buildings