

**DEVELOPMENT REVIEW BOARD
MINUTES FOR THE REGULAR HEARING
Thursday September 5, 2024**

A regular meeting of the Barre City Development Review Board was held in person and video conference. The hearing was called to order by Chair, Linda Shambo (Ward II) at 7:00 pm., noting quorum was met.

Present: Ward I members Chrysta Murray and Chair Linda Shambo; Ward II members Vice-Chair Sarah Helman and Jayme Bauer; Ward III members Katrina Pelkey and At-Large members Kendall Schmidt and Jessica Egerton.

Absent: Ward III member; Colin Doolittle and; At-large Vacant Seat

Staff Present: Michelle La Barge-Burke, Permit Administrator

Public Present (from presentations and sign-in sheet): In-person: Jim Thibeault, Prudence Fisher Burns, Peter Anthony, Pavel Cherkasov, Constantin Copetino and Brian Zola. Online: Liuba Desautels and Andrea Poulin

1. **Adjustments to Agenda:** None

2. **Visitors and Communications:** None

3. **Old Business:**

a. ***Consideration of August 1, 2024 Minutes:***

Motion to approve the minutes was made by J. Bauer and withdrawn. Another motion made by V Chair S. Helman to approve minutes with 2 corrections: Page 2, 6th bullet item “refurbished” and Page 3 at the top P Anthony “apologizes”, seconded by C. Murray, **motion carried unanimously 7-0-0.**

b. ***Request for Reconsideration by Poulin for 58 Circle St – Curb Cut Variance:***

Motion to open discussion by V Chair, S. Helman seconded by K Schmidt.

Motion carried unanimously 7-0-0

- M La Barge-Burke, clerk clarified that the discussion was only to determine if the Request for Reconsideration was worthy with sufficient grounds presented.
- S. Helman, K. Schmidt, J. Egerton and K. Pelkey expressed that they felt the information was worthy for reconsideration.

Motion to close discussion made by V Chair, S Helman seconded by C. Murray

Motion carried unanimously 7-0-0

Motion to reconsider by J. Bauer and seconded by K. Schmidt

Motion carried unanimously 7-0-0

4. **New Business:**

Motion to open hearing by V Chair, S. Helman and seconded by K. Pelkey.

Motion carried unanimously 7-0-0. Hearing opened at 7:15pm

The Chair informed the attendees there was a quorum of the Board present and that in order to receive a positive outcome, there must be at least 5 votes in the affirmative. With 7 of the 9-member board present, there was an option to postpone to allow for a more full board to be present, all applicants chose to proceed.

**Request for Reconsideration by Poulin for 58 Circle St – Curb Cut Variance:
R-4 Zoning District.**

The Oath was administered by Chair, L. Shambo, to Andrea Poulin, Luiba Destaules and Brian Zola.

Chair L. Shambo asked who would like to speak first and Luiba Destaules spoke first.

- L. Destaules stated she lives in Apt 1 and the tenants live in Apt 2. They simply want access to the garage. The initial rental agreement allowed Apt 2 the driveway parking leaving them the 2 front parking spaces.
- B. Zola supports the owners at 58 Circle St and stated they are kind people and just want access to their garage. He does not believe the addition of another driveway/curb cut would depreciate his home and he lives across the street.
- A. Poulin brought up the 5 unregistered and uninspected vehicles and wondered if the number of cars means it is used as a salvage yard, perhaps there is not really a parking issue. She is also concerned about the size of the driveway requested.
- A. Poulin stated statute requires all 5 conditions for the variance criteria must be met to grant the variance. She shared that they are not all met. There is no unique physical circumstances or conditions. There are several cases she found in Environmental Court and the Supreme Court supporting this requirement.
- A. Poulin requested that the Board follow and comply with State statute.
- B. Zola said the four unregistered and uninspected vehicles are gone. They just want a little driveway that will not take big vehicles to create and will allow them access to their garage.
- A. Poulin said 2 tenants can use the 2 spots out front and Luiba could use the driveway and park 6-8 cars.
- L. Destaules shared when they purchased the house both apartments were rented and the garage was not used. Apartment 2 got the driveway and apartment 1 got the 2 spots out front per the rental agreement. They want to use the driveway and have a little privacy.

Chair L. Shambo asked each of the Board members if they had any comments or questions.

- K. Pelkey asked which apartment was the 2 and 3 bedroom and L. Destaules stated the 2 bedroom is their apartment #1 and the three bedroom is the tenant's apartment #2.
- K. Pelkey asked what was allowed for parking in the rental agreement which L. Destaules said they inherited. L. Destaules shared 1 spot for each licensed driver and there are four in Apartment 2

To be approved at the 10/03/2024 Hearing

K. Pelkey said per zoning there is only 1.4 spaces for a 3 bedroom and S. Helman shared that it is the minimum required to offer to the tenants.

- C. Murray asked for clarification that the garage is accessed at the end of the driveway.

Chair, L. Shambo then asked if there were any additional comments or questions.

With no further comments from the Board, staff or the public, Chair, Shambo stated that the Board would go into deliberative session after the hearings to make a decision, and the applicants can call Michelle tomorrow afternoon for the decision if rendered, and will receive a letter within two weeks.

Motion to close the hearing by K. Schmidt and seconded by V. Chair, S. Helman
Motion carried unanimously 7-0-0 Hearing closed at 7:36 PM

Motion by V. Chair, S. Helman to open the hearing for 821 N Main, seconded by C. Murray
Motioned carried unanimously 7-0-0 Hearing opened at 7: 38PM

Emily Medley & Pavel Cherkasov, 821 North Main Street. Seeks final plan approval for a subdivision. UC-1 Zone District

The Oath was administered by Chair, L. Shambo, to Pavel Cherkasov and restated the quorum needed for a decision. P. Cherkasov stated he was willing to proceed.

- P. Cherkasov had nothing new to add

Chair, L. Shambo then asked if there were any questions from the Board and there were none.

With no further comments from the Board, staff or the public, Chair, Shambo stated that the Board would go into deliberative session after the hearings to make a decision, and the applicants can call Michelle tomorrow afternoon for the decision if rendered, and will receive a letter within two weeks.

A motion was made by S. Helmen to close the hearing and seconded by J. Bauer.

Motion carried unanimously 7-0-0. Hearing ended at 7:40pm

A motion to open the hearing for 20 Burnham made by C. Murray and seconded by K. Schmidt.

Motioned carried unanimously 7-0-0. Hearing opened at 7:41pm

Capital Candy Company Inc., 20 Burnham Street. (continued) Seeks conditional use approval for demolition of historic building; Special Flood Hazard Area, IN Zoning District.

Chair, L. Shamboo asked the Clerk to read 2 exparte documents into the record.

- 1) Site Visit with George Burns by Chair L. Shambo and K. Schmidt.
- 2) Discussion with State Historic Colleagues by J. Bauer.

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The Oath was administered by Chair, L. Shambo, to Jim Thibeault, Prudence Fisher Burns & Peter Anthony.

Chair, L. Shambo asked P. Anthony to step up to the mic to speak.

- P. Anthony met with Mr. Messier and had a brief conversation with Mr. Burns. The Mayor suggested he talk with John Rogers another similar moving company. Unfortunately, it is a bad time of the year for contractors in this business.
- P. Anthony heard about this hearing late and tried to gather information and realized the Board would probably like to move on this. He tried to enlighten himself on moving the structure as his understanding and impression is that the owners would prefer not to use the building in place leaving very little options, but you need to verify with the owners.
- P. Anthony expressed more time would be a possible option. He was unable to meet with the movers and get an outline for the project which would entail the financials.

Chair, L. Shambo allowed Board member to ask questions of P. Anthony.

- C. Murray asked if he had a response from anyone in his August 20th letter to City Council that was cc'd and he stated no.
- J. Egerton asked if the Vermont Granite Museum would have enough space to take on the Round Granite shed and P Anthony said they have the space to take it but the fall is a busy season and he is not sure about the feasibility financially.

Chair L. Shambo asked Jim Thibeault to step up to the mic to speak.

- J. Thibeault said he provided the Connor Contracting letter, and requested criteria from last meeting and if someone wants the Round Granite Shed they are happy to give it away.

Chair, L. Shambo allowed Board members to ask questions of J. Thibeault.

- S. Helman asked who owned the building when the fire happened and J. Thibeault was unsure and he believed it happened in the 60's which P. Burns agreed.
- S. Helman asked if there was asbestos in the building which J. Thibeault responded yes in the window glazing, shingles, office linoleum, side shingling.
- C. Murray asked for confirmation that it is more costly to remove the asbestos. And J. Thibeault offered that they had a lengthy report done by Catamount Environment and it would be more costly.
- J. Bauer asked if it would be a hardship and J. Thibeault said they are fearful of arson
- S. Helman asked if there are liability concerns and J. Thibeault said yes.
- Shambo stated if there is any interest in removing the office and connector but leaving the Round Granite Shed for future plans as it has withstood, flood, fire and snow and is still standing with the oversized hand hewed beams. It is a one of a kind piece of history and potentially there could be fundraising.
- J. Bauer asked if the building was insured, which J Thibeault confirmed.
- Prudence Fisher Burns stepped up to the table to state she was born and raised in Barre and a 3rd generation granite shed worker and had been etching for 27 years. Her father had a shed back in the late 40's and early 50's. They have tried for years to give away the current

Round Graniteshed and this is not a new issue for them. They had called the Shelburne Museum and no interest. She felt that it was not financially feasible for the Vermont Granite Museum. She stated, We cannot save everything. How long do we have to hold on to it; until it becomes like the Bono Corse arson? Because of the bridges in Barre the whole building cannot be transported and would need to be dismantled and put back together at it's final location. We can't use it and nobody wants it. I have a vested interest in the community but we need to look at the reality, the financial, the feasibility. To ask for any money during these hard times seems unreasonable.

Chair, L. Shambo allowed Board members to ask questions of Prudence Burns.

- J. Egerton asked about more discovery time and it sounded like Messier could move it but in pieces.
- P. Burns stated this has been going on for years and how much time would they have to wait as they fear vandalism or arson which could be harmful to their other buildings. The Vermont Granite Museum may not have the funds to support the finances to maintain the building.
- S. Helman pointed out that they had only hear about it last month.
- L. Shamboo pointed out that lots of people don't know about this historic structure and they know Prudence Burns is not taking it lightly.
- K. Pelkey thanked Mrs. Burns for the information shared.

Motion to close hearing by S. Helman and seconded by C. Murray at 8:15pm

Motion carried unanimously 7-0-0

5. Deliberative Session

Motion to go into deliberative session by C. Murray and a friendly amendment to add the Permit Administrator and seconded by S. Helman and accepted by C. Murray at 8:15pm, **motion carried unanimously 7-0-0**

Motion by S. Helman and seconded by K Schmidt to exit deliberative session at 9:08 pm, **motion carried unanimously 7-0-0.**

Chair L. Shambo asked M. La Barge-Burke to read into record the letter from the Barre Historical Society, which she did.

- **58 Circle Street:** Motion to decline application as presented as it does not meet the criteria to provide a variance by S. Helman and seconded by C. Murray, **motion carried unanimously 7-0-0**
- **821 North Main Street:** Motion to approve final plan by C. Murray and seconded by K. Schmidt, **motioned carried unanimously 7-0-0**

- **20 Burnham Street:** Motion to deny the application as presented as it does not meet the criteria for historic demolition, specifically 2202G. 1E. The demolition is not primarily intended to allow development of additional surface parking. The applicant has stated they plan to use it for additional parking and to widen the driveway. Other pieces that were not met are 2202 G. 1B & 1C due to the fact they have not provided enough documentation to meet the criteria by S. Helman and seconded by J. Egerton.

Chair L. Shambo opened for discussion.

- K. Pelkey expressed concerns about parking being listed first for reasons and not the other items.
- S. Helman expressed that the parking was a stronger reason as their plans were clear to make it into a parking lot and widen the driveway, the other items listed were for having not enough documentation.
- **Motion carried to deny 20 Burnham Street unanimously 7-0-0**

8. **Adjourn:** The meeting adjourned at 9:20pm on motion from C. Murray seconded by K. Pelkey

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

Respectfully Submitted,

Michelle La Barge - Burke, Permit Administrator
Recording Secretary