

MEETING MINUTES
ST. ALBANS CITY DEVELOPMENT REVIEW BOARD
REGULAR MEETING
ST. ALBANS CITY HALL, 100 NORTH MAIN STREET, ST. ALBANS, VT
6:30 PM Thursday, January 07, 2021

APPROVED

Board Members: Rebecca Pfeiffer, Chair; Denis LaPointe, Vice Chair; Emily Biron; Dick Thayer, Tanner McCuin

Board Members Absent: Matthew Freedom

Staff Members Present: David Southwick, Planning & Permitting Administrator; Tammi DiFranco, Property Services Assistant, taking Minutes; Chip Sawyer, Director of Planning & Development

Public Present: Scott Patterson

- A. OPEN MEETING: R.Pfeiffer opened the meeting at 6:30 PM
1. Pledge of Allegiance – The Pledge was recited
 2. Assignment of Alternate- not necessary
 3. Consider any additions or deletions to agenda – None

B. DEVELOPMENT REVIEW SEGMENT – PUBLIC HEARINGS

1. **Case #2021-001 / Scott Patterson / 26 Oak Street / Parcel #23064026**
CONTINUATION Applicant seeks approval for waiver of setback regulations. This property is located in the Low Density Residential (LDR) Zoning District.

R.Pfeiffer invited the applicants to come forward and swore in those wishing to submit testimony.

D.Southwick stated that no new evidence had been submitted and no calls from anyone concerning the project.

R.Pfeiffer stated that after Monday's meeting they had looked over the waiver section of 604 and it does limit the cases in which the DRB is allowed to consider granting waivers. They are limited to considering only single story attached garages.

The applicant, Scott Patterson, stated that he realized that he could only ask for a waiver for the single story portion of the garage. The two story portion of the garage will all be within the 10 foot setback. The waiver would extend the front half of the garage from 17 feet to 20 feet wide and the back part of the garage will be extended about 4 ½ feet. . The garage will be 24 feet deep. At 24 feet, it is away from the boundary line by 9 ½ feet.

He had wanted the entire garage to go all the way back the 40 feet, but realized that it would not work or get approved. The back portion of the garage will be 11 feet from the setback and that gives one foot for the eave overhang. That would meet the boundary line requirements.

R.Pfeiffer brought up the elevation sketch of the project and asked for clarification since it appears that the entire structure is to a two story building. Is the proposal to alter the design so that the portion of the attached garage would be only single story?

S.Patterson answered that there will be a second story on a portion of the front part of the garage so that they can enter it from the house, but that would be within the setback.

C.Sawyer asked if the applicant could show where the garage would be one story. The waiver is asking for the side setback, and the elevation is showing the side that the waiver is being requested for. A front elevation would help.

S.Patterson stated that the elevations need to be redrawn. The garage is going to have a ceiling height of 9 feet. That is the height they need to get from the house to the back addition that will be within the setback.

R.Pfeiffer clarified that the whole part that needs the waiver will be one story. The part that is in the back that is within the setback will be two stories.

D.Southwick stated that if you draw a line on the sketch where the writing is, everything to the right would be two stories and within the 10 foot setback. Everything to the left, would be one story.

R.Pfeiffer stated that the existing garage seems to be right on the setback line. On this rendering, everything for the new garage on the south appears to be in the setback and that is where the waiver is being requested. The applicant answered in the affirmative.

C.Sawyer asked if a rear setback was being requested. R.Pfeiffer answered no. On the sketch without the cars on the rendering, the west side shows the 10 foot setback.

R.Pfeiffer wanted to re-clarify the applicants' request. The portion of the garage that is located in the setback area is the single story, and the second story would all be located outside the area where the waiver is being requested. S.Patterson stated that was correct.

C.Sawyer marked up the sketch to clarify the portions of the garage that would be requesting the waiver.

D.Thayer stated that he was having trouble with the drawing. He asked if the side of the garage in the setback is going to be single story and the rest two story, or is the front part single story and the back two story? S.Patterson answered that the front half of the garage would be single story, and the back half would be two stories. The garage will end near the shed in the back and come forward about 20 feet. Everything to the back will be two stories and within the setback. There will a two story section attached to the house over the single story garage but it will be smaller and all within the setback.

E.Biron asked if the second story on the front would be pushed back. S.Patterson stated yes. E.Biron stated that the sketch is confusing on the left side where it is highlighted. It sounds like the front half of the garage is going to be single story and the back half will be two stories but shifted over to the right about 4 feet and not be in the setback area.

R.Pfeiffer stated that because it is a corner lot, there are two sides and no rear to the property. The sides to the south and the west are the sides we are looking at with the 10 foot setback requirements. On the sketch, it appears that there is part of the two story portion in the setback area. That is the part that will be pushed back and built within the setback. S.Patterson stated that is correct, it will become an L shape in the back.

R.Pfeiffer clarified that that only the portion of the garage from the shed/house forward will need the waiver. The western end would be pulled out of the waiver completely and be made slimmer to be within the setback boundaries. S.Patterson stated yes, that is correct.

E.Biron asked for clarification that the entire front width is what will be within the setback area and single story. S.Patterson stated yes.

R.Pfeiffer asked if the shed would be the two story connector. S.Patterson answered that the shed would be just a one story connector for the first floor. E.Biron asked for clarification on where the second story connector would be. S.Patterson answered that there will be a second story connector over the single story garage but that area would all be within the setback and not require a waiver. He offered to reconvene at the next meeting and have his architect redraw the project to make it easier to understand.

R.Pfeiffer, and other members of the board, stated that she agreed that seeing a new sketch with the changes would be helpful. They would relook at the case at the next meeting on February 1st and put his case at the beginning of the meeting. The most important part of the sketch for her will be the site plan that shows where the first floor and second floor portions of the project will be located. D.Thayer stated that a new sketch with elevations would be helpful for him.

With no further comments, R.Pfeiffer continued the hearing until February 1st at 6:30 PM.

C. OTHER BUSINESS

1. Re-confirm next meeting date and time. **Monday, February 1, 2021 6:30 PM**
2. Other

Discussion on hypothetical garages:

T.McCuin asked how a garage that is one story in part and two stories in another works when looking at an allowance for a setback.

D.Southwick explained the differentiation between the floors in a garage: 2 stories is 2 full floors, 1 ½ is standing room in the middle at the peak on the second floor, 1 story is a single story with rafters or cold storage above.

T.McCuin asked for clarification that when looking at a setback, they only need to look at the part of the garage requesting the setback.

R.Pfeiffer stated that as a board, they may have leeway in interpreting it.

C.Sawyer stated that there is precedent for a single structure to have multiple levels. When a house is built and then the rules change, sometimes parts of the house will then be in the setback and become legal non-conforming. You cannot make the non-conforming part of the structure bigger or taller, but the parts not in the setback could be given a second floor.

D. PUBLIC COMMENT- None

E. ENTER DELIBERATIVE SESSION – D&V

Motion by D.Thayer to close the meeting. Second by T.McCuin and approved with all in favor at 7:11 PM.