

46 **Location: 917 Taber Hill Rd**
47 **Project: Subdivision Amendment- Re-subdivision: Create 3 Additional Lots Within**
48 **Previously Approved Subdivision/PRD; Proposed Clearing Limits on Lot 5**
49 **Zoning: RR2/RR5**
50

51 The applicant submitted a written request to recess the hearing to a future DRB meeting.

52
53 S. Henshaw made the motion to recess the application to the May 2, 2023, DRB meeting. The
54 motion was seconded by M. Black and unanimously approved.

55
56 **Project #: 7062**
57 **Owner: Peter Livaditis- Maple Corner Investments LLC**
58 **Tax Parcel #: 7A-135.020**
59 **Location: 59 Mountain Rd #b**
60 **Project: Renovate Existing Mixed-Use Building; Construct Addition; Add Dwelling Unit &**
61 **Related Improvements**
62 **Zoning: VC-10**
63

64 Chair Clymer swore in Andrew Volansky, John Grenier, and Peter Livaditis.

65
66 A. Volansky provided a summary of the project. The application is to renovate, upgrade, and
67 construct an addition to the blacksmith shop which will include a lower level apartment and an
68 upper level apartment. The main level will continue to be used commercially. The project will
69 include lifting the building up to put a new foundation underneath. The application was reviewed
70 by the Historic Preservation Commission (HPC) on January 11, 2023, and received a favorable
71 recommendation.

72
73 A. Volansky addressed the setback issues that were brought up by staff and acknowledged that the
74 project will be going back to the HPC on March 8, 2023, to address a waiver request to the front
75 yard setback and the 50-ft riparian/watercourse setback.

76
77 At 5:08pm, Chair Clymer went through the standards.

78
79 Chair Clymer asked if the design meets all setbacks. A. Volansky responded that it doesn't meet the
80 front yard and riparian/watercourse setbacks. The application will have to go back in front of the
81 HPC for a recommendation on the setback waiver requests. Because four properties gain access
82 from the shared access right-of-way (ROW), the ROW is considered a street and requires the
83 standard front yard setback. Regarding the riparian/watercourse setback, the applicant received
84 favorable recommendation from the state agencies involved.

85
86 J. Grenier argued that the access ROW is more of a driveway to the existing parking area and
87 properties than it is a street. S. McShane pointed out that the definition of 'Street' in the zoning
88 regulations indicate that the ROW clearly falls within the definition of 'Street' because it serves four
89 properties, and therefore the front yard setback applies from the edge of the ROW. The proposed
90 front porch is within the 10-ft front yard setback, and a waiver is needed to allow it.

91
92 A. Volansky noted that with the presence of an existing retaining wall and patio, no new
93 encroachment toward the watercourse will occur.

94

95 D. Clymer asked if parking is owned by all businesses in the development. A. Volansky responded
96 that parking is shared by all businesses in the development.

97
98 The board questioned how floodwaters could affect the property, given the site's topography.
99 Given varying factors site and river factors, particularly how the river forms into a gorge behind the
100 property, flood water could go over the bank and into the parking lot. As a result, the development
101 will be elevated 3-ft above the base flood elevation.

102
103 D. Kelly asked if the Public Works Director has commented on the proposal. S. McShane confirmed
104 that he had, and he noted that the town has an access easement to the interceptor sewer that runs
105 along the edge of the river. Given the layout of the proposed improvements, that easement appears
106 to be eliminated. An easement will be needed through the property to access the sewer –
107 recommends at least a 10-ft wide, undisturbed easement. The PW Director recommends the south
108 side of the building, but per J. Grenier, there are 2 levels of retaining walls, a permanent structure, a
109 set of stairs, and a maple tree; and it's much steeper on the south side – a situation which would
110 prove difficult to obtain access to the sewer access. J. Grenier noted that they would propose the
111 10-ft wide easement to locate on the other side of the building.

112
113 Chair Clymer stated that he'd like to get back to focusing on the setback issues. He noted that
114 procedurally, the application will have to go back to the HPC for their setback waiver
115 recommendation, and then follow up again with the DRB. S. McShane provided the definition of
116 'Street' again, where it says that a ROW serving more than 3 lots is considered as street – which is
117 the case here. Therefore the 10-ft front yard setback applies to the edge of the ROW.

118
119 Chair Clymer asked if any board members had further questions regarding the riparian setback
120 waiver request. No board members had questions about this.

121
122 Chair Clymer asked if the 'bones' of the existing building will be preserved within the new
123 development. A. Volansky confirmed that they will be incorporated as much as possible into the
124 new design.

125
126 T. Hand asked about the Fire Department's requirement for the 'no parking area in the front' and
127 any implications that that may have to overall parking. J. Grenier responded that in front of the
128 building is a travel lane providing access to parking beyond the blacksmith shop, so there will be no
129 parking in front of the building.

130
131 Chair Clymer asked if the structure is historic. S. McShane confirmed that it is in the historic district
132 and the structure is a contributing resource on the National Historic Register.

133
134 Chair Clymer asked if there is an HOA agreement for the maintenance of the driveway and parking
135 area. P. Livaditis responded that there is, and those bylaws are recorded.

136
137 T. Hand asked if the applicant has summarized the parking demand for the entire property, because
138 there is one space on the subject parcel, and then six offsite devoted to the subject property? J.
139 Grenier noted that everybody in the development is deeded a certain amount of parking spaces.
140 The applicant is legally deeded seven parking spaces. The proposal will require four spaces.

141
142 P. Livaditis stated that the seven deeded spaces are not assigned, they're part of a parking space
143 pool. S. McShane noted that the applicant should provide a copy of the parking agreement for the
144 record.

145
146 Chair Clymer asked the applicant to detail the project, floor by floor. A. Volansky stated that the top
147 floor will be a one-bedroom apartment. The main floor (parking lot level) will be a tenant fit-up
148 space. The lower level will be a small apartment.

149
150 L. Wasserman asked if the apartments will be short or long term rentals. P. Livaditis responded
151 that they will be 'either/or'.

152
153 The question of ADA parking/access was asked. P. Livaditis confirmed that there is signage for
154 ADA parking adjacent to the toy store, but within the overall parking area, there is not a single
155 striped parking space. A. Volansky noted that a ramp will provide access to the subject
156 development.

157
158 L. Wasserman asked about the chimney and if it will stay. A. Volansky noted that it is in good shape,
159 so it will stay, and may actually lift up with the building, or remain as is. It is an unused chimney
160 that will just be decoration.

161
162 T. Hand asked about the stormwater and erosion control. J. Grenier responded that the standard
163 stormwater and erosion control measures will be implemented.

164
165 A. Volansky walked through the elevation plans which show the exterior light fixtures.

166
167 A. Volansky requested that the board continue the hearing so that the application can be reviewed
168 by the HPC for the setback waiver requests

169
170 M. Black made the motion to recess the application to the April 4, 2023, DRB meeting. The motion
171 was seconded by T. Hand and unanimously approved.

172
173 **Other Business:**

174
175 None.

176
177 **Review of Upcoming Schedule:**

178
179 N/a

180
181 **Approval of Minutes:**

182
183 S. Henshaw made the motion to approve the meeting minutes of February 21, 2023. The motion
184 was seconded by M. Black and unanimously approved.

185
186 At 6:37pm the meeting was adjourned.

187
188 Respectfully Submitted,
189 Ryan Morrison
190 Deputy Zoning Administrator

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