

**CITY OF ESSEX JUNCTION  
DEVELOPMENT REVIEW BOARD  
MINUTES OF MEETING  
FEBRUARY 15, 2024  
APPROVED MARCH 21, 2024**

**MEMBERS PRESENT:** John Alden, Chair; Cristin Gildea, Maggie Massey, Dylan Zwicky

**MEMBERS ABSENT:** Robert Mount, Vice-Chair

**ADMINISTRATION:** Jennifer Marbl, City Planner; Harlan Smith, Buildings Coordinator/Essex Junction Recreation and Parks Grounds & Facilities Manager; Chris Yuen, Community Development Director

**OTHERS PRESENT:** Marcus Certa, City Councilor; Diane Clemens, Planning Commissioner; John Giroux; Patrick Giroux; Carla Smalling

**1. CALL TO ORDER**

Mr. Alden called the meeting to order at 6:30 PM. Ms. Marbl noted that this is a hybrid meeting, and that staff are present at the City offices to ensure public participation. While efforts will be made to accommodate remote public participants, in-person participation is the only legally mandated form of public participation.

**2. ADDITIONS OR AMENDMENTS TO AGENDA**

No additions or amendments.

**3. PUBLIC TO BE HEARD**

None.

**4. MINUTES**

**a. Regular Meeting – December 19, 2023**

**MOTION by CRISTIN GILDEA, SECOND by MAGGIE MASSEY, to approve the minutes. The motion passed 4-0.**

**5. PUBLIC HEARING**

Ms. Marbl swore in all individuals who intended to speak during this hearing under the following oath: “I hereby swear that the evidence I give in the cause under consideration shall be the whole truth, nothing but the truth so help me God or under the pains and penalties of perjury”

**a. Conceptual site plan to convert an existing duplex into a tri-plex with two additional parking spaces at 4 Church Street in the MF3 District by John Giroux, owner**

Patrick and John Giroux presented the project. Ms. Marbl said that there were no issues found in the staff report. Currently, the property is a duplex with the upper floor as one unit, and the basement and lower floor as another. This project proposes a triplex with each floor as its own unit. A bathroom and kitchen will be added to the basement as well as an egress window. Nothing will be added to the exterior besides the egress window and an additional power panel. Mr. Alden asked if there is a requirement that the parking area be paved, Ms. Marbl said that she would check. It is the applicant’s preference that the parking area be gravel. Mr. Alden suggested adding a condition that the project comply with all requirements of the LDC and Vermont Fire Safety regulations.

Mr. Alden requested public input. Ms. Smalling said that she lives next door to the property, and that there have been many police calls to the location. She described complaints from previous tenants regarding mold and a lack of railings. Mr. Alden asked if there were any outstanding violations on the property, and Ms. Marbl said that there were none that she found. Mr. Alden said that the DRB does not have enforcement powers and suggested that Ms. Smalling contact the City Council. Ms. Smalling asked about parking, stating that there is only room for two vehicles. Mr. Alden said that the applicant will be responsible for five parking spaces, some which can be tandem. Ms. Clemens asked about trash facilities. Mr. John Giroux said that each apartment has their own bins which they are responsible for. Mr. Alden suggested checking trash screening requirements for possible inclusion in the conditions. Ms. Smalling questioned the ability of the applicant to park five vehicles, noting that two cars cannot fit side by side. Mr. Alden confirmed that tandem parking would occur. Via Zoom chat, Mr. Certa asked if there was a limitation on the percentage of impermeable surface on properties in the Land Development Code (LDC). Ms. Marbl said that this property is under the 40% requirement.

**Motion by JOHN ALDEN, no second, to close the public hearing. Motion passed 4-0.**

**Motion by MAGGIE MASSEY, second by DYLAN ZWICKY, to approve the project with staff comments and conditions as proposed including the additional comments made on fire and trash. Motion passed 4-0.**

**b. Design review for exterior site work and the proposed new vestibule of Lincoln Hall at 2 Lincoln Street in the VC District for Design Review and Historic Preservation, by Scott & Partners, Inc., Architects, agent for City of Essex Junction, owners**

Mr. Alden disclosed a conflict of interest with this project and said that he would be presenting the project on behalf of the applicant. Mr. Alden recused himself, left the room, and reentered through a different door. Mr. Zwicky will serve as the Chair for this item and Ms. Marbl swore in Mr. Alden and Mr. Smith with the following oath "I hereby swear that the evidence I give in the cause under consideration shall be the whole truth, nothing but the truth so help me God or under the pains and penalties of perjury"

Mr. Alden, of Scott & Partners, said that this project entails the addition of an elevator and the reconfiguration of the office space on both floors. Minor improvements will be made to the second-floor space and additional bathrooms will be added. A new vestibule will be added on the outside of the building and a larger lobby will be included. The public will be concentrated in the center portion of the building. Central air will be included throughout the building. The basement will only be used for storage and no longer as an office space. Mr. Alden detailed changes to the emergency exits and fire escapes. New cables will be run to the transformer, and the generator will not be moved. No electrical upgrades are expected. Mr. Alden displayed the exterior site plan and said that the stamped concrete will be replaced for additional accessibility. Additional striping work and grading will be required for ADA accessibility. Sidewalk connectivity between Lincoln Hall and the library was discussed but was not considered to be feasible. The possibility of decorative wraps on the existing generator was discussed. Providing it is in accordance with historical standards, a window would be added near the arch of the lobby which would allow more natural light to come in. Mr. Smith said that he would explore requirements for bike parking, and that employees can use the basement for bike parking. A sheltered bike area for the use of the teen center was discussed, which could be cemented in place.

Mr. Zwicky requested public input. Mr. Certa asked if bike parking could be put closer to the library, and Mr. Smith said that it is anticipated that there would be bike parking in both locations. Mr. Smith said that the Clerk's office will use the basement for storage, and that the other, non-municipal storage uses for the basement have been relocated.

**CRISTEA GILDEA made a motion, seconded by MAGGIE MASSEY to close the hearing. Motion passed 3-0.**

Mr. Zwicky said that the DRB's responsibility is to make sure that this project is in line with section 604.E of the LDC. He suggested reviewing each item line by line to determine this.

- The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. Criteria met.
- Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. Criteria met.
- Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved. Criteria met.
- Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved. Criteria met.
- Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence. Criteria met.
- Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible. Criteria met.
- Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. Criteria met.
- New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. Criteria met.
- New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. Criteria met.

Ms. Marbl confirmed that this project would provide pedestrian and bike accessibility, as well as public space. She will add this as a formal condition of approval. Mr. Zwicky asked who would be responsible for approving the art on the generator, Ms. Marbl said that she was uncertain but that there are going to be regulations for murals in the new City Plan. Mr. Smith suggested holding a public art contest.

**CRISTIN GILDEA a motion, seconded by MAGGIE MASSEY to approve the design review proposal, the proposed changes to the exterior of Lincoln Hall at 2 Lincoln Street in accordance**

with design review and historic preservation criteria outlined in 604E of the LDC with the additional requirement that the bike parking be out. Motion passed 3-0.

After the design was approved, Mr. Alden rejoined the meeting as chair.

## **6. OTHER DEVELOPMENT REVIEW BOARD ITEMS**

### **a. Sign application determination for replacement of the free-standing sign at the Essex Town Offices at 81 Main Street in the PRO District Historic Preservation Overlay.**

Mr. Alden said that the current sign is many years old and is in poor condition. Ms. Marbl said that it is unclear if this project needs to be reviewed by the DRB, but staff are erring on the side of caution. Ms. Marbl said that Mr. Yuen has requested that the DRB consider whether sign permits in the design review overlay district are indeed exempt from design review, or if such should be required. Mr. Alden said that the DRB could get overwhelmed with the quantity of sign permits, and that he does not think that such would be necessary. Mr. Alden said that he feels that the sign under consideration is appropriate and expected for the location. Ms. Gildea said that she does not feel that signage should be exempt, as the DRB should have a say in its design. Mr. Yuen clarified his request and said that, according to their interpretation of the LDC, Village Center sign permits are exempt from design review, however this wording did not get transferred to the section on the design review overlay district. He feels that signs in both areas should be treated the same way, under administrative review, and wanted the DRB to confirm their feelings on this matter. Signs would be reviewed if they are part of a larger project with DRB review. Mr. Alden requested public comment. Ms. Clemens, Planning Commissioner, suggested approving this application.

**MAGGIE MASSEY made a motion, seconded by DYLAN ZWICKY to agree with administration. Motion passed 4-0.**

### **b. Discussion of construction progress at 94 Pearl Street.**

Mr. Alden said that a hotel is being constructed at this address, and that it was approved by the Planning Commission, who only had site plan approval, not design control. The DRB still does not know what it is going to look like. The hotel will be a Handy Suites extended stay and the drawings are included in the packet. Ms. Gildea said that she requested that this be added to the agenda, and that she is concerned about the entry and exit points onto the street and the impact on traffic. Ms. Marbl said that the parking lot has both a one-way and two-way traffic flow, with one of the driveways being exit only. Ms. Gildea said that this section of Pearl Street is narrower, and that she is concerned about the bike and pedestrian impact. Ms. Clemens said that she is also concerned about the traffic impact, as well as poor signage. She also pointed out other inconsistencies with the project plans and what was built, including a lack of rain garden and incorrect traffic patterns.

The entire building is not yet fully constructed, and Mr. Alden suggested that a full review occur prior to the issuance of any certificates of occupancy. Ms. Gildea said that this area is not safe to walk or bike and encouraged future development to have more accommodations. She asked why this has been allowed to continue, and Ms. Marbl said that the change of use was done administratively as well as the certificate of occupancy. Mr. Alden noted that Pearl Street has many buildings that are existing non-conforming uses, such as the fast-food restaurants. Mr. Alden said that previous iterations of the plans for this project were more in accordance with the intentions of the district. Mr. Alden requested that staff get the requested completion date and when the rest of the property attributes will be completed.

**7. ADJOURNMENT**

**CRISTIN GILDEA made a motion, SECONDED by MAGGIE MASSEY, to adjourn the meeting. The motion passed 5-0.**

The meeting was adjourned at 8:41 PM.

Respectfully submitted,  
Darby Mayville