

CALAIS DEVELOPMENT REVIEW BOARD

Re: Application 2019-05
Owner: Town of Calais
Town Hall on 1662 Kent Hill Road

Introduction:

The Town of Calais is requesting the Development Review Board (DRB) to consider a change of use from a Strictly Public Facility to a Mixed Use of Public Facility and Cultural Facility. In addition to the meetings of town officials, committees and commissions, the building would provide new opportunities as a space for local theater, music, exhibitions and other cultural events being held in Calais. The town may also occasionally rent the space for private events such as family party, wedding or funeral.

It was noted at the 2018-18 Application Review that an increased use of the building would be presented at a later date and at that time the Town would submit information regarding other issues such as septic capability and adequacy of parking.

This change of use would take into consideration a new Wastewater Sewer System, approved by the State on January 24, 2019 and the modifications to the large entry stairs on the front of the building in anticipation of the Cultural Facility use. With this change parking considerations would also be reviewed to accommodate the new events, and the local gardeners will continue to provide a vegetation buffer along the bank of the brook.

The first meeting was held on May 2, 2019 at the Town Clerk's Office. Present were DRB members Margaret Bowen Chair, Barbara Weedon, Janice Ohlsson, Walt Amses, Anne Winchester and Tim Scandale, Secretary. Others present: John McCullough, Donna Fitch, Artie Toulis, Denise Wheeler, David Shutz, Christ Colt, Jeremy Ingpen, Clif Emmons and Scott Bassage.

A continued hearing, described as Selectboard Special Meeting, s-dated May 8, 2019 was held at the Calais Town Clerk's Office. Present were Denise Wheeler, Chair, John Brabant Vice Chair, Clif Emmons and Katie Lane-Karnas Recording Secretary. Others present were David Schutz, Dot Naylor, Scott Bassage and Larry Bush. The DRB members present were Margaret Bowen, Chair, Jan Ohlsson, Anne Winchester, Barbara Weedon and Walt Amses.

A final hearing was held on May 30, 2019 at the Calais Town Clerk's Office. Present were DRB members Margaret Bowen Chair, Barbara Weedon, Jan Ohlsson, Anne Winchester, Walt Amses, and Tim Scandale Secretary. Others present were Denise Wheeler, John McCullough, Donna Fitch, Dot Naylor and Rose Pelcheck.

Donna Fitch presented a supplemental information packet to the DRB at the hearings. John McCullough provided a report on the proposal for the new front entrance stairs to be built and attached to the front of the building with a safety designed guard rail and the approval of the

Calais Design Advisory Board (DAB) for the design and trim work. John also provided the DRB with the Sewer Design by Grenier Engineering and the approval by the State of Vermont for said system. The DRB received a copy of the letter submitted to the Town Hall neighbors regarding the new Cultural Facility. The DRB has copies of the deeds of conveyance for both the building and the property to the Town of Calais officially proving the Town of Calais owns the property and the Town Hall building. Denise Wheeler also provided the DRB with a Draft of the future Town Hall Rental Agreement if approval of the Cultural Facility was granted, and we had an interesting verbal report by Chris Colt of the Friends of Town Hall Group regarding the same. Jeremy Ingpen, a landowner who owns the property across the road from the Town Hall, gave the DRB an explanation of his concerns for the future use and requested the Town address the issues he provided.

Findings of Fact and Conclusions:

Under Subsection 5.3 Conditional Use Review:

(D) Required Standards

1. The Capacity of existing or planned community facilities and services. The Town Hall is located within the Rural Residential District which requires the DRB approve the proposal submitted to change the existing Public Facility to a Mixed Use of Public Facility and Cultural Facility. In reviewing all of the information provided, the DRB agrees that this change will not have an adverse impact to community facilities and services as the future use of the building will be under a rental agreement for cultural events and there have been public and private donations received for the required renovations.

2. Character of the neighborhood. Several neighbors submitted letters in support of the project as presented to the DRB. One neighbor expressed concerns regarding the potential for noise, unsafe or nuisance conditions due to excessive use of alcohol, and roadside parking. The DRB finds that with the conditions imposed under sections 1 and 2 of discretionary standards below, the project will be in keeping with the quiet rural character of the neighborhood.

The development within the Kents Corner-Old West Church Design Control Overlay District (KCO) regarding all phases of the Town Hall project was reviewed and approved by the Calais Design Advisory Board (DAB) and does not change the character of the neighborhood.

3. Traffic on roads. DRB finds there to be little effect on the maintenance of the roads with this change.

4. Bylaws in effect. The Town in anticipation of adding the Cultural Use in the building had a new complete sewer system designed by Grenier Engineering. The same was approved by the State of Vermont, Department of Environmental Conservation and meets the zoning requirements of Section 3.7 and all the future uses of the building as requested by this application.

5. Utilization of renewable energy. The use of the Town Hall does not interfere with neighboring property owner's access to such resources as solar or wind power.

(E) Discretionary Standards:

1. Health and Environmental Standards. To ensure that the building is used in a safe manner and in a way that minimizes the potential for nuisance to the neighbors, *the following conditions shall be applied:*

- a) there shall be no smoking in the building,
- b) no alcohol shall be consumed on premises unless the Selectboard has approved use of alcohol for an event, and the person or person in charge of the event have received a permit from the State Liquor Control Board and proof of liability insurance,
- c) there shall be no music played after 10:00 PM and
- d) events shall end by 11:00 PM unless a later time is approved by the Selectboard.

2. Access and Circulation Standards.

Accessibility: Access and parking issues were reviewed carefully to ensure the safety of vehicular and pedestrian traffic on and off site.

The plan includes access to the building site with one existing curb cut. There are two entrances on the east side of the building that are accessed from the existing gravel parking lot. The rear entrance is designated for people with disabilities, which is where a lift has been installed on the ground floor that provides access to the second floor.

There is a large set of entrance stairs that is being rebuilt on the front of the building meeting the new code requirements that will allow for a vehicle to stop and the passengers to get out and move up the stairs to the second floor.

Parking to accommodate a maximum of 130 people, as established by septic limitations, shall be accommodated using the applicant's rendering labeled "Calais Town Hall Parking Layout, DRB Exhibit 2", attached to this decision. That plan calls for 13 cars in the graveled lot East of the Town Hall, 18 cars parking along the south side of Kent Hill Road, 10 -14 cars at the Calais Town Office parking lot, with overflow parking in the mowed field on the West side of the building. There are a total of 69-73 parking spaces in this plan.

The Calais Selectboard has approved parking only on the south side of Kent Hill Road to be used as needed.

The DRB evaluated the circulation patterns using this parking plan.

Most people parking in the graveled lot adjacent to the building and anyone parking in the mowed lot to the west of the building will use the entrances on the East side of the building. If the mowed lot on the west side of the building is used, cars will drive between the graveled lot and the rear door and around the south side of the building. The DRB finds this to be a dangerous situation because:

1. people walking from and to the mowed parking lot will walk on the south side of the building and will not be visible to nor able to see cars turning at the southeast corner until they are very close to each other,

2. people parked in the graveled parking lot and using the rear door, including those with mobility issues and who need to use the elevator, will have to cross traffic trying to access the parking on the west side of the building, and
3. cars coming from the mowed parking lot will have limited visibility of the southeast corner where people with limited mobility may be trying to cross to or from the rear door.

Because the parking lot adjacent to the building can only accommodate 13 cars, it will be necessary for cars to park on Kent Hill Road and in the parking lot at the town clerk's office. People will then need to walk along Kent Hill road back to the town hall while other people are arriving and parking their cars. Both drivers and pedestrians will need to proceed carefully to avoid an accident.

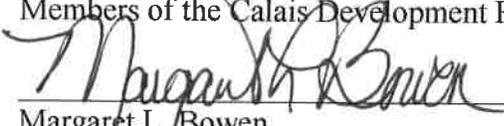
The DRB finds that the following conditions are necessary for the safety of vehicles and pedestrians:

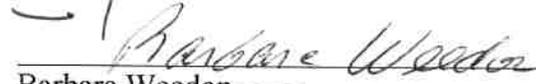
1. the mowed area around the town hall shall only be used as a parking area of last resort in the event parking requirements for those attending a function exceeds available parking in the historically designated graveled parking area adjacent to the Town Hall, Kent Hill Road, and the Town Clerk's Office parking lot on Pekin Brook Road.
 2. if the mowed area is to be used, an attendant will be stationed at the southeast corner of the building to direct vehicular and pedestrian movement.
 3. during functions open to the public in which the number of vehicles is likely to exceed the capacity of the graveled parking area on the east side of the town hall, parking attendants and signage will be provided, safely directing drivers to initially park in the graveled lot, then on Kent Hill Road, and finally at the Town Clerk's Office, and directing pedestrians to proceed in a safe manner.
3. Landscaping & Screening. In reviewing the scope of the outside plans, it was noted that the town people do not want the building enclosed in screening materials or anything which would prevent visibility of the public vantage points from inside and outside of the structure. The Gospel Hollow Edible Park members have been planting on the land between the Town Hall structure and the stream on the back side of the building. Such plantings will give the area to the stream some protection from any runoff and at the same time manage the edible garden project.
4. Required Buffers & Open Space. The DRB approves what has been considered in section 3 and for the buffer area. At the same time the DRB agrees that there is no need to impose any additional protection of adjoining properties as well as natural and cultural features from the development as proposed.
5. Erosion Control is required in the completion of the project including the installation of the new sewer system, the creation of the entrance walkways and the final grading of the site prior to the grass growing.

ORDER:

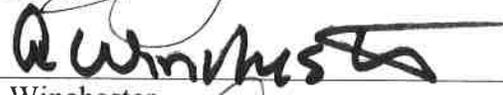
Based upon the evidence submitted from the various hearings, copies of minutes and information provided by the Town of Calais Selectboard, the Calais Town Hall Renovations Committee, the Calais Design Advisory Board (DAB) and Friends of the Town Hall Group the DRB hereby approves of the complete development of the Calais Town Hall as submitted in this application and subject to the conditions herein. This also includes the building being used as a Public and Cultural Facility in the future.

Members of the Calais Development Review Board:

 _____ Date 6/21/19
Margaret L. Bowen

 _____ Date 6-25-19
Barbara Weedon

 _____ Date 21 June 2019
Janice Ohlsson

 _____ Date 6/24/2019
Anne Winchester

 _____ Date 6/24/19
Walt Amses

Attachment: Calais Town Hall Parking Layout, DRB Exhibit 2

Notice of Right to Appeal:

In accordance with 24VSA section 4471 and 4472, this decision may be appealed within 30 days to the Environmental Court. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy to the Calais Zoning Administrator and to every interested person who appeared at the DRB hearings. Failure of any interested person to appeal within the specified 30 days period shall result in the interested person being bound by this decision. Thereafter the interested person shall not contest either directly or indirectly the decision of the DRB in any subsequent proceeding, including any enforcement action brought under the provision of 24 VSA, Chapter 117. See also Town of Calais Land Use Development Regulations, Section 1.7, Appeals.

