

## PLANNING COMMISSION MEETING

The meeting was called to order at 5:30pm by Chair Delahoz.

### ROLL CALL

Mike Giller	Mark Leas – <b>absent</b>	George Swintz	Allen Frechter - <b>absent</b>
Tanya Delahoz	Ethan Guerra	Steve Gerard	

### APPROVAL OF MINUTES

Mr. Gerard: On page six of the packet, comment that starts, “*even* having started your comments” was supposed to be “Ethan, having started your comments”.

With the above change, the September 20, 2022 Planning Commission Minutes were approved.

### APPROVAL OF AGENDA

With no changes, the October 4, 2022 Planning Commission Agenda was approved.

### PUBLIC COMMENT ON HISTORIC PRESERVATION ISSUES:

- No public comment.

### CONSENT CALENDAR:

1. Luknic-Wint Residence (SS), 14 White Cloud Drive, PL-2022-0402
2. Lawrence Cedars Hot Tub Room (SVC), 505 Village Rd. Unit 37, PL-2022-0437

With no call-ups, the Consent Calendar was approved as presented.

### PRELIMINARY HEARINGS:

1. Father Dyer Addition & Remodel (CK), 310 Wellington Rd., PL-2022-0461

Mr. Kulick presented a proposal to expand the church through a 635 sq. ft. addition to the non-historic part of the existing structure. The following specific questions were asked of the Commission:

1. Perceived Scale: Staff finds the proposed addition complies with Priority Design Standards 37.5 and 80 since it is subordinate in size and visibility to the historic church, does the Commission concur?
2. Building Height: Staff finds the proposed building height complies with Design Standards 81 and 142, does the Commission concur?
3. Windows: Staff finds the proposed windows and doors comply with Design Standards 95, 96 and 148. Does the Commission agree?
4. Final Review: Does the Commission support this application returning for a Final Hearing assuming changes are made to achieve a passing point analysis?
5. Does the Commission have any additional comments on the proposed project design or point analysis?

### Commissioner Questions / Comments:

Mr. Gerard: Procedurally, since the previous plans were approved and this actually changes what those plans would be if they were carried out. What does the applicant have to do, if anything, to go back to what they started with last December? (Mr. Kulick: When we were in discussion about this specific addition, the applicants wanted to make it really clear that this was a separate application. And did not affect and was not a modification of the previous permit but it was a standalone permit for a new design because they wish to retain the vesting for the previous permit. If they do really well on fund raising, they may go forward with that previous vested permit. That was probably the biggest

question upfront from the applicant was can we go forward with a separate standalone permit that does not impact the vesting of the previous permit. From researching that question there's no provision that says that they can't have a different open development permit for a different use. So they applied and that's how we're reviewing it. But this has no impact on the previous approval.) But let's just say they do this piece the way they're proposing now. Can they still use the prior application to do the rest? Which is now different because they've already done a little piece of it. You see what I am saying? (Mr. Kulick: Bobby could probably answer that best. I would have the applicant answer but it's possible they could go forward with submitting a separate building permit application. That's something that was asked and we made sure that was a point that this approval would not interfere with their previous approval.) I don't have any other questions. Thank you.

Mr. Giller: Certainly, this is a project we want to see succeed. Following up on Steve, good questions. Do we have a guesstimate on the timing of the phase after this? (Mr. Kulick: We don't. We don't know for certain if that phase will ever come. I think there were some concerns after it was approved that the cost of the project was significantly higher than what they anticipated when they embarked on that design. This new application really satisfies their minimum requirements of what they need to accomplish. Dave or Bobby could speak to the likelihood of fundraising or the possibility of that.)

Mr. Giller: Follow-up question, if at any point in the future they think they might add onto this, has there been a phasing study and particular the roof form, this gable? It's very different than the form of what we saw previously. They could be painting themselves into a corner in terms of the addition, or require a substantial roof modification of this to work with any other future addition. That may fall above or beyond our purview here. You'd like to see them design this in such a way that they could add on to it in the future and make this existing phase work well. If Bobby could speak to that, that would be great. And then my other thoughts a little bit beyond our scope here, but accessibility and ADA. If you would speak to the accessible route and where you plan on putting accessible parking and some things like that. It doesn't seem to be covered in the drawings.

Mr. Swintz: The previous thing that was approved, is it an all or nothing kind of approval? You can't do part of what was previously approved because we're modifying it this way? We fiddled with the entry door and windows and bellyband and so forth. Is that a correct assumption on my part? (Mr. Kulick: Yes, if I understand it correctly. This is really a separate application that they're just going back to what they think they need at a minimal level for going forward with the church. Even if the other addition never went forward, but all the other elements that they had in the previous one, this is a really stripped down version. I think if they did go forward they would have to provide all the other elements that were shown on the plans for the previous approval unless they got an approved modification from that permit. Which would be yet another step. As it was explained to me, this is what they think they need at a minimum level, and then if they get to a point where they could build the other one, then they'll build the other addition.) So can you take an element like the solar panels and put it onto the 70s vintage addition without doing the rest of what was approved? (Mr. Kulick: So you're asking if they could put solar panels on?) Mr. Swintz: Any part of it but I just used that as an example because this wouldn't modify what they wanted to do to the 70s vintage expansion. (Mr. Kulick: I mean, I think since that would be a modification, yes, the solar panels is an interesting one because, you basically did give the head nod of a location for that. I think that if you weren't doing the whole addition, that probably would be another application which would be a Class C since it's in the historic district,

- where you would have another look at the solar panels. Having said that, you would have precedent for re-approving them in the in the same location.)
- Mr. Swintz: On the West elevation, previously were the windows staggered up the stairs? Feel uncomfortable with the placement of the windows. I realize why they're going up the stairs there, but they don't really pattern anything of the existing windows which are all parallel against the finished floor elevation. (Mr. Kulick: You know, it's a good question. I think we really looked at just the overall type of windows and then also the solid to void ratio. So I throw that question out to the other Commissioners.) Is it common that, I haven't seen this in the last year, we bifurcate the difference between a dumpster and a trash enclosure not to allow the positive point. Is that common? Have you done that before? (Mr. Kulick: We did with this specific application, I think because the dumpster ordinance as written is somewhat new, so we haven't applied that often but I think that there is a definition in the town code for a trash dumpster enclosure and this design does not meet that definition. And since it specifically has that language that's why we decided it would be ineligible for the positive point.) Maybe look at that again. In regards to the Town Engineer comments, if the major expansion was done, that one of the curb cuts would have to be closed. I don't understand why that would happen. (Mr. Kulick: In the original approval the Briar Rose curb cut was to be blocked off in the alley behind, and was supposed to become a prayer garden. It was voluntarily being taken out. I think it was to allow a couple extra parking spots where that curb cut is. Just from a precedent standpoint, this is such a small addition relative to the overall programming on site that the Engineer could go along with them and waive the requirement to lose the third curb cut. If it were to be a significant project, she wanted to reserve the right to eliminate the third curb cut. In the scope of this project the addition isn't going to have that much effect on the operations of the church.) If the applicant decides they don't want the prayer garden but wanted to keep the access? (Mr. Kulick: The applicants had a meeting on Friday. The Engineer's initial reaction was to take the third access point out. She agreed at the end that they could keep the third access point for this particular application.)
- Ms. Delahoz: When you talk about vesting, the original application, is that simply the timing of when it was approved, within the 18 months? (Mr. Kulick: It was a Class A which is 3 years. If there was any chance that they would use that, they did not want to throw that away.) I think a lot of us have questions. The applicant's presentation may answer a lot of questions. Do you have the imagery of what the windows looked like in the original application?
- Mr. Kulick: We are really looking at the application in front of us. We should really treat this like a separate application.

Mr. Bobby Craig, Architect:

I'm here with Dave Pringle representing Father Dyer church. After our approval in January we got our budget numbers back and found that the budget was significantly over our fundraising ability. There was a push among the congregation to do something quickly, so the task was given to us to work within the budget that they did have. The biggest wants were ADA access and improved circulation for food pantry items and garbage in and out; currently it doesn't function very well. The other thing that was eating up our budget, was the interior renovation of the church; specifically, fire sprinklers and ventilation, rebuilding the kitchen and rooms on the lower level. It was a priority and we felt we had to do that. Can we do a small addition and fit it within the budget? That is what you see here. Could we keep the original approval in place and not have to go too far backwards? Timing is also an issue. In an ideal world, we would have enough funding to proceed with the full addition. That may not happen and if it doesn't we'll go ahead with this addition. We want our cake and eat it too, if we get the funds. This elevator will provide ADA access from the lower and upper level. You currently have to go outside, down the sidewalk

and down the ramp so we're taking care of that. The previous approval of the exterior elevation works well. That is fine. Driving access, right now we do not have any site work in our budget. In the ideal world, we would get rid of the third access from Briar Rose, build the prayer garden, improve parking. Any other questions I didn't answer there?

Mr. Giller: Will you over or under frame the roof, so it could be readily changed to the other addition? (Mr. Craig: Correct.) Back to the ADA, typically you put the accessible parking spots close to the accessible entrance. You might consider the ADA spots closer to the north side entrance. If this is an ADA addition here, you want to think through all the aspects of the ABAAS (Architectural Barriers Act Accessibility Standard).

Mr. Guerra: No questions.

Mr. Gerard: I pulled up the old drawings. It looks like you squished it back together and kept the windows in the front and added an extra one in the back. The two side windows are the same. If you did it in two steps, the roof would be somewhat problematic.

Ms. Delahoz: No other questions.

Mr. Kulick: If anyone is watching on Zoom, these two windows here are on the western façade. What was shared with the other Commissioners, this design is similar to the previous windows of the application approved in January.

Mr. Swintz: The bottom sill of the new windows, it does not look like they line up with the bottom of the sills for the historic church and the other addition. Is there a reason that they don't? (Mr. Craig: The larger addition we had a different series of windows on the west elevation and all those would be lining up.)

Ms. Delahoz opened the hearing for public comment.

Mr. Dave Pringle, Representing Father Dyer Church:  
We agree with the staff report and thank you.

Public comment was closed.

Mr. Guerra: I do not have any questions. I find that all the questions conform to the design standards. Yes, yes, yes, yes, yes. No additional questions.

Mr. Gerard: 1-3 yes, 4 yes, I think we are ready for a final hearing. 5. I think that this is a good addition for the budget constraints.

Mr. Giller: 1-4 yes, 5. Consider ADA issues and I recommend you work through those.

Mr. Swintz: 1-4 yes. 5. I have made my comments. I like the gothic arched window being sized like those in the historic church. I appreciate what you are up against. I echo what everyone says here. Get some of the ADA and safety things taken care of. I am supportive of your project.

Ms. Delahoz: 1-4 yes. I think it is a great way to meet the church's needs without the full addition and renovation. I hope that you do meet those goals. If this solution is where you end up, great. Best of luck.

#### **OTHER MATTERS:**

1. Town Council Summary- Ms. Puester went over the changes Council requested to the Mass Policy which will return to Council as a work session on Oct. 25<sup>th</sup>. The Subdivision code changes were also reviewed and will be modified as it related to irregular shaped lots and master plans and open space parcels. Also the Planning Commission application period has closed, we have three incumbants and three additional applicants. Allen Fretcher, Mark Leas, Mike Giller, Ian Hamilton, Ally Doolin, and Susan

Propper. They will be interviewed by Town Council October 25 and join the Planning Commission meeting on November 1<sup>st</sup>.

**ADJOURNMENT:**

The meeting was adjourned at 6:26 pm.

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Tanya Delahoz, Chair