

## **WATERBURY DEVELOPMENT REVIEW BOARD**

### **General Minutes—December 18, 2019**

Board members present: David Frothingham (Chair), David Rogers, Bud Wilson, Andrew Strniste, and Alex Tolstoi. Staff present: Dina Bookmyer-Baker (ZA/Acting Secretary).

David Frothingham, the Chair, opened the meeting at 6:30 p.m., with a quorum present, in the Steele Community room in the Municipal Center, at 28 North Main St., Waterbury, VT. The agenda was approved as presented.

- 1) **#076-19: Crescent Ridge Development LLC / Eric Morris** (applicant), and **Laurie & Dan Brady** (owner). After-the-fact setback waiver request and Ridgeline review for an existing dwelling and deck addition at 1045 Ring Road, Waterbury Center, VT. (CNS/RHS zoning/overlay districts) —continued from 8/7 (review), 9/18 (no review), & 10/16 (no review). —Applicant requests to be continued to 4/15/20 for additional time to revise the proposal.

The Board granted the request and continued the review to April 15, 2020, at 6:30 p.m.

#### **2) Agenda items as scheduled by the Chair:**

- Consultation with ZA:  
Would a mural, that is not a sign, painted on the side of a building (not facing the main road) that is located in the DDR overlay, be exempt from DDR review, as per Section 1102(a)?  
  
General discussion: If the building were to be painted all one color, then the project would not require DDR, due to the provision in Section 1104(a)(2), routine maintenance. Note, however, that this section states “changes in paint color,” which indicates painting a surface that is already painted. Once bare brick has been painted, depending on the type of paint used, it cannot be unpainted, that is, restored to its original historic state. The size of the mural matters, as this helps determines if the structure is considered “substantially altered” and therefore subject to DDR review as set forth in Section 1102(a). Section 1108(1)(A) specifies that original materials shall be preserved. A paint material that naturally deteriorates, such as wheat paste, would be preferred then, as it wouldn’t change the historic appearance. As long as the mural is not a sign, it doesn’t matter what is depicted.
- Review minutes and decisions from the previous meeting:  
David Rogers moved, and Alex Tolstoi seconded the motion, to approve the general minutes for December 4, 2019, and the decisions for applications #105-19 (Mack), and #093-19 (Scherk), as amended.

**Vote:** Motion approved: 5–0.

**Adjournment:** There being no other business, the meeting was adjourned at 7:30 p.m.

David L. Fretz Hughes,  
(Chair) (Vice-Chair) (Acting Chair)

1/8/2020  
(date)

These minutes were approved on January 8, 2020.

**Notice of upcoming meetings:**

Wednesday, January 8, 2020, **7:00 p.m.** (*Note: Mtg. on 2nd Wed. & 30 mins. later than usual.*)

(January 22, 2020 meeting cancelled.)

Wednesday, February 5, 2020, 6:30 p.m.