

I. Call to Order

Members Present: Matt Bacewicz, Chair; Harland Miller, Vice-Chair; Elsie Goodrich, Secretary; David Weissberger; Jordan Matte; Emily Morse

City Staff Present: Eric Vorwald

Guests Present: In person and online: Bob DiPalma, Peggy Lasage, Sue O'Brien, Joe Gamache, Pettie Gamache, Judy Lance, Jeff Barron, Louise Rochileau, Britta Tonn, Tom McCormick, Drew Eden, Ann Cousins, Maximus, Steven Berbeco, Barb Pitfido, Terry Zigmund, Mike O'Brien, Jess Goerold, Scott Newmann, Matt Shoen

Call to Order by: Matt Bacewicz

Meeting Start Time: 6:33 PM

Minutes Recorded by: Eric Vorwald

II. Changes to the Agenda

None

III. Public Comment

None

IV. Approve Previous Meeting Minutes

Decision: 5 - 0

Motion by: Mr. Miller

Second: Ms. Goodrich

Motion by Mr. Miller, seconded by Ms. Goodrich to approve the February 16, 2023 minutes as presented. All were in favor.

V. Reopen Public Hearing on Appeal of Decision of the Zoning Administrator – 115 Barlow Street

Mr. Bacewicz provided an overview and introduction of the Development Review Board and the members. He then introduced the matter before the Development Review Board and stated that the Board was interested in receiving information related to the question of whether or not St. Stephen's Church was listed in a National or State Register of Historic Places. He indicated that other testimony would be accepted, but requested the focus be related to the specific question at hand

Following this introduction and overview, Mr. Weissberger made a motion that was seconded by Mr. Matte to open a hearing to take testimony as to whether or not the St. Stephen's Church was

listed in the State Register of Historic Places. All were in favor. A hearing was opened at 6:38pm. With the hearing open, Ms. Tonn, as the appellant was invited to provide information on the question at hand.

Ms. Tonn provided information related to qualifications needed to make determinations on historic properties. She referenced the Secretary of the Interior's Standards, including educational and professional qualifications needed for these determinations to be made. Ms. Tonn also provided information on her qualifications as a historic preservation professional, including her appointment to the Advisory Council on Historic Preservation. Ms. Tonn referenced information that was submitted, including letters and credentials from other historic preservation professionals and indicated that all of these experts indicated that St. Stephen's Church was listed, therefore it is listed.

Mr. Weissberger asked for clarification on this and asked if anyone with the qualifications indicated by Ms. Tonn can make this determination. Ms. Tonn indicated that they could, however the State is the entity that makes the final decision. Mr. Weissberger asked if this was the process in other states as well, to which Ms. Tonn indicated that it was. Following additional questions, Ms. Tonn concluded her testimony.

Following Ms. Tonn's testimony, Mr. McCormick presented information on behalf of the applicant. Specifically, Mr. McCormick stated that the easiest way to determine if the church was listed was to show it in the listing. He further noted that this was not done, so the church is not listed. Mr. McCormick cited other examples of survey forms where structures listed as "related structures" were also individually surveyed. He also referenced the emails between the Zoning Administrator and the State of Vermont related to the status of the church. Mr. McCormick further referenced State Statute related to municipal authority to regulate churches, and indicated that the City may have overreached in their regulations. Members of the DRB asked if the building was still considered a church since it was no longer operating in that capacity, and reference that the statutory protections only apply to churches. With that, Mr. McCormick concluded his testimony.

Mr. Bacewicz invited Ms. Tonn back to respond. She indicated that just because a form didn't exist did not mean the church was not listed. She referenced a letter provided by Mr. Robert McCullough related to the process for surveying properties when the rectory was surveyed. Mr. Miller questioned why some properties had multiple surveys, such as St. Francis Xavier Church and Rectory, which were surveyed in the same week, by the same person.

Following additional testimony by the applicant and the appellant, Mr. Bacewicz asked for comments from the public. Two members spoke, but did not offer any information related to the question at hand. With no additional testimony, Ms. Goodrich made a motion that was seconded by Mr. Matte to close the hearing. All were in favor and the public hearing was closed at 7:35pm.

VI. City Updates

Mr. Vorwald noted that a new Council was seated and had their orientation on Monday night.

VII. Other Business

Mr. Vorwald stated that the next meeting of the DRB would be on April 20th, and he expected to have one hearing. He also indicated that the deadline for that meeting was March 24th so he would follow-up with the Board after that date to confirm if an April meeting was needed.

VIII. Adjourn

Motion by: Mr. Miller

Second: Ms. Goodrich

Meeting End Time: 7:39 PM

DRAFT