

DEVELOPMENT REVIEW BOARD
UNAPPROVED MINUTES
Meeting of TUESDAY, August 5, 2008

1. The meeting was called to order at 7:05 p.m.

Members present: Robert J. Wernecke, Chairman; Muriel I. Morse; Robert G. Manley; and Henry A. LaGue, Jr.

Staff present: Jeff Schulz, Zoning Administrator and Carla Preston, Recording Secretary.

Others present: Bradley Tubbs, Robert Tucker, Kathleen Laird, Janet Chase, Charles W. Watson, II, John LaRosa, Lori T. Bibeau, Scott Fortney, Dave Luca, David Guadalupe, P.E., R. Cyr and Val Cyr.

The Board explained its Policy and definition of party status and interested persons to attendees.

2. Old Business

- A. **08-024 – Bradley Tubbs** submitted an application to replace a 22 foot by 30 foot garage with at 40 foot by 60 foot garage for auto repair. The property is located at 605 US RT 2 in the Highway Commercial (HC) Zoning District, Tax Map U7-12. Bradley Tubbs was sworn in to give testimony on this matter. This application, 08-024, was continued from the June 3, 2008 meeting.

The following documents were submitted and admitted as exhibits: **Exhibit #10:** Site Plan, C1, prepared by Dufresne & Associates, PC dated February 25, 2008, with revision date of June 11, 2008; **Exhibit #11:** Copy of Permit Application from the Vermont Agency of Transportation issued on November 22, 2006.

Mr. Tubbs provided an updated Site Plan prepared by Dufresne & Associates, P.C. He said the concrete pad which was shown on the original plan has been deleted. He said that pad was for future and not part of this application. He said the site plan now shows the location of shrubs (three Broadleafed Rhododendrons) and exterior lighting. He pointed out the specific location of the shrubs on each side of office and garage and the location of the three lights with downcast fixtures. The lights would be located at the main entrance to the shop and on the front and corner of the existing office building. He did not provide cutsheets for the lighting fixtures to be used. Mr. Tubbs said the only other landscaping would be existing lawn.

Mr. Tubbs addressed parking. He said he proposes six spaces in the rear of the building for employee parking. He said the other parking spaces are better laid out on the plans. He said once the new garage is built the current office building would be demolished, which would provide more parking spaces.

The Board observed that the plans did not show six spaces in the rear of the building. It was shown on the plans as what appeared to be two spaces, one at each corner of the building. The Board asked if there was sufficient room for six parking spaces. The plans do not show six spaces in the rear and the contours indicate that it is rather steep and runs uphill. The six parking spaces, and contours if changed by excavation, must be shown on the plan. The Board also asked about the stream and whether the 75 foot buffer requirement was met or applicable.

Mr. Tubbs said the existing bank has been excavated out which would provide for additional parking and for access to the rear of the building. He said it was tapered, no walls were created. He said there is room for six parking spaces at the rear of the building. Mr. Tubbs said there are three parking spaces in the front. He said he currently has five employees but plans to hire another person.

Mr. Tubbs said the brook/stream does not come back that far. He said it does not flow year around and in most years is dry in the summer months. It has been dry the last two years. The proposed new building would be partly within the 75 foot buffer zone.

Mr. Schulz noted that once the existing structure (office building) is removed parking requirements might be met. The building to be removed is 22 feet by 30 feet in size. Mr. Tubbs previously received Board approval for 25 spaces. He would need the six spaces in the rear for employees if wishes to maintain 25 spaces for showing vehicles. He could amend his existing site plan for showing 20 vehicles or so which would allow sufficient spaces for employees. Any proposed change to existing parking would require DRB approval for site plan review.

The Board mentioned that the size of the parking spaces shown on the plans is large. He could reduce the size of the parking spaces for displaying vehicles which would allow more spaces for employees. He might not need to excavate and bring in gravel to the rear. The Board noted that parking spaces must be shown on the plans. According to the formula used for required parking (based on the size of the buildings, use as a dealership and employees), he needs a minimum of 21 spaces. Since the office building he plans to demolish still exists and is part of the proposed site plan it must be included in the equation. Overall he needs 21 spaces for the shop, office and employees on site. If the plans showed six more spaces in the rear it would give him a total of 31 spaces, which would allow for 10 spaces for displaying vehicles. Allowances must also be made for customer parking and people leaving off their vehicles for service.

Mr. Tubbs asked about the parking space size requirement for displaying vehicles. The plans show spaces at 9 feet by 19 feet. He said 20 vehicles are the most he has displayed at one time.

The Board indicated that the size of the parking spaces could be reduced for display vehicles. In doing so customers could not remove cars from lot, employees would need to remove the vehicle from the display parking space. It is not considered customer parking for display vehicles. If he wants to use 10 or 12 spaces for display he needs show how he can fit six spaces behind the proposed new building. The change in grade and parking spaces needs to be drawn on the plans.

Mr. Tubbs provided a copy of his Permit from the Vermont Agency of Transportation as requested. He said he is not applying for a sign as part of this application and would return in the future.

The Board was satisfied with the applicant's landscaping and setbacks regarding the stream. The Board concluded that based on the applicant's testimony the stream shown on the plans was not a perennial stream subject to the 75 foot riparian buffer requirement. The Board reiterated the additional information needed and explained that it could close the hearing subject to receipt of those documents and address any other outstanding issues with conditions. Conditions would include submitting revised engineering plans regarding parking, including parking spaces at the rear of the building and the grading necessary to accomplish it. The Board also requested that the applicant provide cut sheets for the proposed exterior lighting.

Based on the documents presented and testimony heard, Ms. Morse made a motion, seconded by Mr. Manley, to close hearing in the matter of Application 08-024, subject to receipt of revised plans showing the parking in rear, grading to change contours to allow for it, and lighting cutsheets. The question was called and the motion passed unanimously, 4-0.

3. New Business

- A. **08-025 – Roger Chase Estate/Robert Tucker** submitted an application for a Boundary Line Adjustment. The property is located at Junction Road, in the Industrial Zoning District, Tax Map R8, 18A. Robert Tucker, Kathleen Laird, and her sister Janet Chase were sworn in go give testimony on this matter.

This matter was considered on June 3, 2008 as a proposed two lot subdivision. It was concluded that this application should be re-warned and presented as a request for a boundary line adjustment.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application For Boundary Adjustment, , 08-025, dated July 14, 2008; **Exhibit #2:** Power of Attorney (90-days), Kathleen M. Laird, Executor of the Estate of Roger Chase, appointing Robert Tucker as her Agent, dated June 9, 2008; **Exhibit #3:** Boundary Line Adjustment Plan survey, prepared by Wayne D. Lawrence, P.E., L.S., dated 24 February 2000; and **Exhibit #4:** June – September 1993 survey prepared by A. Brookins Delano, L.S.

Robert Tucker said he wishes to amend the boundary line of his and the Estate property by increasing his lot by 1.4 acres. He explained that the arrangement to purchase that property had been years ago with Roger Chase. He said his two acre lot (Lot 2) would be increased by 1.4 acres making Lot 2 a total of 3.4 acres. He said he provided a copy of the Power of Attorney and noted that Roger Chase's sisters were also present.

Kathleen Laird indicated that her sister, Janet Chase, and she currently reside on their brother's Estate. Kathleen Laird said she is the Executor of their brother's Estate. They asked many questions to obtain a clear understanding of the process.

Mr. Schulz explained that it was originally warned as a two lot subdivision. After Board review on June 3rd it was concluded that it should be re-warned as boundary line adjustment. He noted that the Board wanted to see the entire parcel or property survey.

Mrs. Laird and Ms. Chase presented copies of several maps they had on file. Robert Tucker believed that he also had copies of those maps. Mrs. Laird and Ms. Chase reviewed the revised plans showing the proposed boundary line adjustment. They indicated that Gladys and Thomas Nartowicz were the previous owners of their brother's estate.

The Board reviewed the 1993 survey prepared by Brookins Delano (deceased). It did not show the total acreage on those plans. The survey agrees with Wayne Lawrence's up to the power line.

Robert Tucker said he believes that the Estate is close to 26 acres. He said the Stridbergs own the bordering property on the Montpelier side. The Stridbergs and Bryants have access to their properties through a Right of Way. He said their access is not through the Estate property. Mr. Tucker said Roger Chase did not have access to the 1.4 acre lot from his property, which is why he wanted to sell it.

According to the proposed boundary line adjustment, which was hand drawn on the February 2000 survey plans prepared by Mr. Lawrence, Mr. Tucker would increase his two acre lot by 1.4 acres and the Estate property would be decreased by 1.4 acres. Based on the information provided, the Board assumed that the remaining acreage of the Chase Estate would be approximately 19 acres. The total acreage of the Chase Estate was not shown on the plans.

Mr. Schulz noted that the reference line on the plans must be removed. The revised survey must be recorded along with the proper deeds.

Mr. Tucker said he wanted to move his property line (resulting in 1.4 acres) up to power line which would be added to his property, Lot #2. There would be a deed transaction to show that the line is gone. Mr. Tucker said his surveyor, Mr. Lawrence, would prepare a survey plat for recording. Mr. Tucker said Charley Grenier had previously prepared a survey of some portions of the property. He had no specific details.

The Board reviewed the criteria for boundary adjustments. The proposed boundary adjustment would not create any new lots or roads nor would it impact access (roads or rights of way). The resulting changes in the size of the lots would still meet the size requirements for the district.

It was noted that the dimensions of the properties shown on the 1993 and 2000 surveys do not agree. It appears to show the same property but the metes and bounds are not the same. Mr. Lawrence did not survey the rest of property, only the portion Mr. Tucker was purchasing and having transferred via a boundary line adjustment.

The Board will not attest that metes and bounds are correct. It will rely on reasonable testimony. Mr. Tucker provided a copy of Wayne Lawrence's 24 February 2000 survey that had been sealed. The property was only surveyed up to the power line (Green Mountain Power). The other survey was prepared in 1993 by Brookins Delano. The Board advised that the Chase Estate needs to be confident in that what is being transferred to an abutting property owner is in fact properties of the Estate and legally transferred. Revised deeds and plats must be drawn up and filed.

The Board asked that a copy of the 1993 Delano survey be made part of this application. Mrs. Laird said they would provide a copy of it.

The Board noted that typically conditions for approval of a boundary line adjustment would include proper filings of the deeds and plats with the town clerk. The revised survey must show that Lot #2 has merged and is now 3.4 acres.

The Board noted that it was still unclear as to the true boundaries of the remaining property and advised that the property be surveyed separately if any of the applicants wanted specific records. The applicants were also advised to check with the town offices to see what records (maps, deeds, etc.) have been filed. They should also verify what the tax maps represent, particularly since the tax maps were recently updated.

Based on the documents presented and testimony heard, Ms. Morse made a motion, seconded by Mr. Manley, to close the hearing in the matter of Application 08-025. The Board will issue its written decision within 45 days. The question was called and the motion passed unanimously, 4-0.

B. 08-046 – Berlin Elementary School submitted an application for Site Plan Review to erect a temporary office and storage unit. The property is located at 372 Paine Turnpike, in the Village Center District, Tax Map R2-25. Lori T. Bibeau, Business Administrator for Washington Central Supervisory Union, Charles Watson, Principal of the Berlin Elementary School and John Larosa were sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application For Zoning Permit, 08-046, dated July 7, 2008; **Exhibit #2:** Sketch of lot showing existing school, access, parking lot, and the locations of the proposed mobile office and storage unit; **Exhibit #3:** July 11, 2008 Memorandum to the Town of Berlin stating background information and permit requested; **Exhibit #4:** Specifications for the Portable Storage Containers provided by Williams Scotsman; **Exhibit #5:** Specifications and layout for the Mobile and Modular Storage and Space Solutions (Mobile Office) provided by Williams Scotsman; **Exhibit #6:** Copy of the June 16, 2008 *Draft* Berlin Elementary School Board Meeting Minutes; and **Exhibit #7:** Copy of the June 25, 2008 Unapproved Minutes of the Executive Committee of the Washington Central Supervisory Union.

Lori Bibeau referred to their July 11th Memorandum which outlined their proposal. She said WCSU is seeking a temporary solution by doing a one year lease for a mobile office unit to be located on the edge of the parking lot of the Berlin Elementary school. She said due to staffing needs they are requesting approval for a permit to locate a temporary mobile office and a small storage unit in the parking lot at the Berlin Elementary School for

six staff members. She said the staff members to be housed there spend much of their time traveling to the five other elementary schools in the district. They have approval for a three year lease. She said the temporary office would accommodate six persons who would spend the majority of their time in schools but require time on a daily basis for telephone contact, lesson planning, material preparation and meetings. Weekly meetings with other paraeducators and these staff members would also take place.

The proposed temporary office space is 50 feet with three rooms that would house desks, shelving, work tables, computers and phones. There would be no plumbing of any kind so the staff would utilize the bathrooms and other facilities in the Berlin Elementary School. The heat would be electric.

The applicants said this is solely for office space. There would be no additional traffic. They said the mobile office would be leased from their vendor for one year with an option to extend it for a period of three years. The School Board and WCSU's Executive Committee both approved the proposal in June of 2008. Copies of the Minutes stating the approvals will be provided.

John Larosa said the temporary office unit would be at the back corner of the parking lot and to the right would be the 10 foot by 20 foot storage unit. The shed shown on plans currently exists. He confirmed that there would be no plumbing, only heat. Power would be run underground from the school.

The Board advised the applicants to verify the issue of no plumbing/restrooms in a public building with the State.

The applicants said if plumbing was mandated, it would not prevent the project. They would connect to the school's system. There would be electricity and phones.

The applicants addressed site plan review criteria.

- a. **Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network.** The applicants said there would be no change in access. People would enter through the same drive as for the school. Those employees are not there full time as they travel to five or six other elementary schools. People will be there every day for a short period of time before traveling to other schools.
- b. **Adequacy of circulation, parking, and loading facilities.** The applicants said there would be a total of six employees. The school has adequate parking. They would lose two parking spaces with the temporary office but have more than adequate parking. The dumpsters are located in front of the existing shed. There is plenty of room to fit the trailers at that location. It would not prevent the delivery of woodchips for the school. Access to the pump station would remain.

Mr. Schulz said the regulations allow for temporary construction but not for temporary office space. He said the school has always had sufficient parking available.
- c. **Bicycle and Pedestrian Access.** The applicants said there would be no change to existing conditions.
- d. **Adequacy of landscaping.** The applicants are not proposing any additional landscaping. The trailer (mobile office) would be raised off its wheels and skirted.
- e. **Hours of Operation.** The applicants said no change in hours of operation from the school's hours. The hours would range from 6:30 AM to 10:30 PM. After hour activities would be rare for this facility.
- f. **Setbacks.** The applicants meet setback requirements.

- g. Adequacy of Exterior lighting.** The applicants said a safety light is located on the building which would light up that section of the parking area. The lights on the temporary structure are similar to those on a home. The applicants said exterior lights would be shielded.
- h. Stormwater and Drainage.** The applicants said there would be no change from current conditions.
- i. Utilization of renewable energy resources.** The applicants said they would not be blocking sunlight, wind, etc. from any abutters. They will heat the temporary office with electricity, which comes standard with these facilities. It is costly to change the heating system.
- j. Municipal Services Impact Evaluation.** The applicants said they did not request impact evaluations from the Berlin Police, Fire or Highway Departments. Some of these employees were housed within the Berlin Elementary School building but their location is no longer permitted by fire code. The applicants explained that as standard practice the fire department performs a walk through of the entire building. In addition, the fire department is an abutter and should have received notice of the school's proposal.

The Board concluded that impact statements were not required for this application. The applicants were advised to verify the sewer allocation for the school. They agreed to verify it.

- l. Flood Hazard Review.** Not applicable.

The applicants verified that their application is for a 10 foot by 20 foot by 8 foot high cargo box for storage. There is no hitch on them. They plan to remove the hitch from the temporary office structure. The applicants said they were given a sample with a range that shows multiple sizes. They verified that the proposed structure would be 56 feet from the school building.

The Board asked that the correct information be stated on their application. The applicants' representation is that the storage unit would be 10 feet by 20 feet and the temporary office would be 10 feet by 46 feet.

The applicants verified that their application is for a period of three years, the maximum allowed by the lease agreement. They were considering taking the annual lease option since they were unsure how long it would take the Town of Berlin to approve the school's future proposal of a building renovation project to expand permanent office space, bring the school into compliance with the American Disabilities Act, and so on. They requested a permit for a period of three years.

Based on the documents presented and testimony heard, Ms. Morse made a motion, seconded by Mr. Manley, to close the hearing in the matter of Application 08-046. The Board will issue its written decision within 45 days. The question was called and the motion passed unanimously, 4-0.

- B. 08-048 – Edward F. Knapp State Airport** submitted an application for Site Plan Review to expand the taxiway and reconstruct and expand the terminal area. The property is located at 1979 Airport Road, in the Light Industrial Zoning District, Tax Map R2, 73.300. David Guadalupe, P.E. with Hoyle, Tanner & Associates, Inc. (Manchester, New Hampshire), Scott Fortney, Aviation Program, Operations Division, Vermont Agency of Transportation, and Dave Luca, consultant were sworn in to give testimony on this matter.

Ms. Morse stated for the record that she works for the same agency as VTrans' representative, Mr. Fortney. She said she does not work in the aviation program division. No one expressed any objections to Ms. Morse serving on the Board. She said if a conflict arises because of her work at VTrans, she would advise the Board and the parties.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application For Zoning Permit dated July 14, 2008; **Exhibit #2:** Site Plan, Title Sheet, prepared by Hoyle, Tanner & Associates, Inc.; **Exhibit #3:** Site Plan Design, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #4:** Site Plan, Section Design, Sheet 7 of 90, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #5:** Site Plan, Grading, Sheets 31 – 37 of 90, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #6:** Site Plan, Stormwater Plan, Sheet 6 of 90, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #7:** Site Plan, Erosion Control, Sheets 1 through 7, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #8:** Site Plan, Construction Specifications, Sheets 11 and 12 of 90, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #9:** Site Plan, Lighting, Sheets 38 – 44 of 90, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #10:** Site Plan, Electrical Design, Sheets 45 – 47 of 90, prepared by Hoyle, Tanner & Associates, Inc. dated July 9, 2008; **Exhibit #11:** Applicant's Narrative addressing Site Plan Review Criteria; **Exhibit #12:** Applicant's Notice of Intent to Discharge Stormwater (Permit #3-9015); **Exhibit #13:** July 1, 2008 letter from the Berlin Police Dept. stating that the proposed project would not significantly impact the services it provides; **Exhibit #14:** June 30, 2008 letter from the Berlin Road Superintendent, Highway Department, stating concerns about the amount of material to be removed, its destination, and which routes would be involved for hauling; and **Exhibit #15:** Copy of PowerPoint presentation documents (Site Plan, Purpose and Need, Runway 5-23, Terminal Apron, Proposed Taxiway, Construction Phasing Plan, Design Features, Environmental Permits, and Site Plan Review), dated August 5, 2008.

Scott Fortney, with the Aviation Program, Operations Division of the Vermont Agency of Transportation said this is a six million dollar project. He said there would be no additional increase in the use of the airport. To meet safety requirements of the Federal Aviation Administration the improvements must be made to the airport. The first phase is two million dollars.

David Guadalupe, P.E. with Hoyle, Tanner and Associates provided an overview of the project. He presented plans which showed the existing roads, the proposed new aircraft apron, reconstruction of the narrow runway, reconstruction and expansion plans of the terminal apron, the new parallel taxiway and so on. He said the project plans cover a period of a few years and is in three parts/phases. He said the apron is undersized and needs to be increased. One runway is 4000 feet and is actually longer than it needs to be. It will be narrowed and shortened to 3075 feet and reduced by 12.5 feet on each side. It is used by small aircraft. He said they would replace the paved areas to be removed with topsoil. He indicated which end of the runway would be shortened, which is where it connects to other runway. They explained that runway 5-23 was used for driver training and not aircraft but the FAA no longer allows it.

Mr. Guadalupe indicated that the primary purpose is to improve safety and to maintain the airfield in good working condition. He provided views which showed the current condition of the pavement that needed repair or reconstruction. He said there would be no changes to runway 17-25 which was reconstructed in 2000. He said there are some wetland areas that must be taken into consideration.

Mr. Guadalupe provided an overview of the project's construction and phasing over the three-year period. He said the first phase for 2009, shown in yellow on the large scale plans, includes obtaining necessary permitting, the northern side of the taxiway and the apron. In 2010, the focus would be on the southern side and in 2011 on the remainder. He said they are hoping to acquire funding but continued phases would be dependant upon it. He said the design features' materials are FAA type materials. They have to remove the sandy material that could cause potholes.

Mr. Guadalupe said in addition to the aprons, runway and taxiway site improvements also include fencing, signs, and lighting. They would replace the lights along one runway with LED lights which are pilot controlled lights. He said there would be signage for aircraft on the ground.

Mr. Guadalupe said proposals for permit applications would be ready to submit within a week. They would be reviewed by Scott Fortney who will forward it on to the Agency of Natural Resources. He said they have conditional use for Class II and III wetlands. The total disturbance is less than one acre (.83 acres). He mentioned two stormwater detention ponds and construction access and erosion prevention. He said they are not required to comply with the 100 year storm, only the 10 year storm.

Mr. Guadalupe said they are in the Light Industrial District and plan to do some of the construction at night, dawn to dusk, 7:00 PM to 5:00 AM. He said they would build a temporary/permanent taxiway to deal with traffic while it is being constructed. He said Comstock Road is the main haul route through the gate. He said the contractor would be allowed to access Comstock Road as well. He said the proposed grading is shown on the plans. The amount of fill to be removed during Phase 2 in 2010 would be approximately 70,700 cubic yards. He said they do have complete set of borings. He said the proposed taxiway would require removing the hill which contains a great deal of ledge. He said they do not know exactly how much ledge there is would do plan to reuse it. He said they propose to use Comstock Road from May to October. They would also use Airport Road. He said one key issue is that the contractor must maintain the roads. The amount of truck traffic on town roads was a concern raised by Berlin's Road Foreman.

The applicants addressed site plan review criteria. They indicated that the large plans do not match exactly what was initially provided to the town and included in the packets. There are lots of engineering details that are not included as they do not pertain to the site plan.

- a. ***Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network.*** The applicants said Comstock Road and Airport Road would be used for hauling. There are three points of access, two on Comstock and one on Airport Road. Since they do not know the destination of the fill materials, they are unsure from which direction it would leave the site. They expect most of it to be trucked to the north. The roads would be used for phase 1 of the project. They believe the trucks would go down Comstock Road. The weight limits are greater, up to 100,000 pounds on Granger Road.

The Board is concerned about the intersection at the hospital and adding 100 truck trips per day. The Board noted that since the number of truck trips was dependant upon the size of the trucks used, it was anticipated that it would be more than 100 trips a day. It would be a lot of truck traffic on Granger Road and Comstock Road. It was suggested that the applicants research the possibility of utilizing an old gravel pit in the area. The applicants must mitigate road damage. Removal of that amount of fill would be a significant impact on the roads. Any roads utilized must be repaired, Comstock, Paine Turnpike, Granger, etc. The Board asked for a plan to deal with the maintenance and repair of those town roads.

The applicants said only about 5,000 cubic yards of the material could be disposed of onsite. They have little option due to the wetlands. The applicants said the Berlin Select Board expressed the same concerns. They said models were used to determine the life expectancy of the pavement. Mr. Fortney said Airport Road is maintained by the State of Vermont and is being considered for hauling materials from the site. The applicants agreed to look at their options further.

The applicants advised that they do not have a stormwater discharge permit but are in the process of preparing the application for submittal to ANR. The applicants agreed to return before the Board with more information regarding truck traffic. The applicants indicated that they preferred the Board to hear the full application to identify any other issues that must be addressed.

The Board asked for one complete set of drawings for filing and noted that 11 by 17 is acceptable. Based on the documents presented and testimony heard, Ms. Morse made a motion, seconded by Mr. Manley, to recess the hearing in the matter of Application 08-048 to the August 19, 2008 meeting. The question was called and the motion passed unanimously, 4-0.

3. Pubic Comment.

4. The Chairman called for approval of the Minutes of the June 17th meeting. Mr. Morse made a motion, seconded by Mr. Manley, to approve the Minutes of the June 17, 2008 meeting as revised. Motion passed unanimously.

5. Other Business

6. Status of Findings.

The Board voted to go into deliberative session at 10:17 PM and out at 10:40 PM to discuss the status of Findings. The Board's decision with regard to (closed) adjourned applications will be reported in its Findings of Facts and Conclusion.

7. The next meeting of the Development Review Board is scheduled for **Tuesday, August 19, 2008.**

8. There being no further business, the meeting was adjourned at 10:43 P.M.

Respectfully submitted,

Carla Preston
Recording Secretary
Town of Berlin