

**DEVELOPMENT REVIEW BOARD**  
**UNAPPROVED MINUTES**  
**Meeting of TUESDAY, FEBRUARY 5, 2008**

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

Members present: Robert J. Wernecke, Chairman; John Hurley, Vice-Chair; Muriel I. Morse; and Susan Gretkowski, Alternate. Absent: Robert G. Manley and Henry A. LaGue, Jr.

The Board welcomed Susan Gretkowski as an Alternate.

Staff present: Carla Preston, Recording Secretary.

Others present: James Fecteau and Josh Nicosia.

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

2. New Business

- A. **08-001 - Fecteau Residential, Inc.** submitted an application to amend the building styles at the Partridge Farms development. The property is located at Hideaway Drive, Berlin, in the Rural Residential (R-40) District, Tax Map R1-22. James Fecteau and Josh Nicosia were sworn in to give testimony on this matter.

Chairman Wernecke noted for the record that he was involved in the original engineering design of Partridge Farms. The proposal does not amend any of the engineering design. Ms. Getowski indicated that she resides there. No one expressed any concerns or conflicts of interest regarding their participation.

The following documents were submitted and admitted as exhibits. **Exhibit #1:** Town of Berlin, Application For Zoning Permit received on January 2, 2008; **Exhibit #2:** Site Plan (Previously Approved Site Layout), prepared by Chase & Chase Surveyors & Septic Designers Inc., dated February 12, 2007; **Exhibit #3:** Revised Site Plan (Buildings C, D & E), prepared by Chase & Chase Surveyors & Septic Designers Inc., dated December 21, 2007; **Exhibit #4:** Revised Utilities Plan (Buildings C, D & E), prepared by Chase & Chase Surveyors & Septic Designers Inc., dated December 21, 2007; **Exhibit #5:** The Applicant's Site Plan Review Narrative, dated December 28, 2007; **Exhibit #6:** Elevation Drawings; **Exhibit #7:** Lighting Cut-Sheets; **Exhibit #8:** Applicant's letters to the Berlin Police, Volunteer Fire, and Highway Departments, dated December 20, 2007, describing the proposed revised plans and requesting an impact statement; **Exhibit #9:** January 29, 2008 letter from the Berlin Volunteer Fire Department stating minimal impact on its department based on the proposed revision to the site plan; and **Exhibit #10:** January 2, 2008 letter from the Berlin Police Department stating that the proposed revision to the site plan would have no adverse impact on its department.

Mr. Nicosia said this portion of the development is located at the top of the hill to the far right in the area located behind the Friendly's restaurant. He said they want to reconfigure Buildings C, D, and E to a Townhouse style. They were approved for two-story buildings which house four units each in a top and bottom configuration. Building E is currently approved for a four unit townhouse style building with a detached garage. He said the flat style is not selling as well so they propose to amend the design to the Townhouse style. He said it would be the same number of units and buildings, just a different footprint. There would be a minimal increase in the impervious surface area do to a reconfiguration of the driveway layout. There would be no modification to the number of bedrooms and units associated with this development. All buildings will be placed on a slab as originally approved. They noted that the porches shown on the plans would be covered (roofed). The garage would not extend in the front, but would extend in the back. They are the same style as the buildings located in Barre on Country Way.

The applicants said that to accommodate the change one additional driveway off Hideaway Drive has been added for a total of six. They said Hideaway Drive is a private drive built to state and town standards. They indicated that Partridge Road is paved and is intended to become a town road as of next summer. The proposed units used to have a detached garage but were dropped to consolidate buildings. The garages would now be attached.

The applicants addressed the 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 the number of vehicles would not change with the revised site plan. This portion of the development is only comprised of twenty units and as a result traffic volumes will be low and unchanged from previous applications. The applicants indicated that they have added one driveway and revised the parking and building layout. They said Hideaway Drive and all private drives entering this roadway will meet B71 State standards. The access road is complete and the power is complete. The proposed two bedroom units include one den which could be converted to another bedroom.

The Board raised concerns about people having to back out onto the cul-de-sac and the spacing between the driveways. According to scale, there would be only 20 feet between the edges of the drives at Unit C. The Board asked if the third access point could be eliminated for safety reasons.

The applicants said the site is flat so there is no concern about sight distances. They believe that the spacing requirement between driveways or access points is not applicable for residential uses. The driveways meet B71 State standards. They said the two two-car garages are close, thus the driveways are close. They noted that there is an existing power pole with a guy wire and some drainage (retention pond) that could interfere with relocation or removal of a driveway to Unit C. They said there is no easy fix without creating more pavement, impervious surface.

Options were discussed for changing the driveway design. In the end, the applicants agreed to reconfigure the driveway at Unit C so that it serves five units off the driveway. Some trees would need to be relocated and a culvert would be eliminated. The change would result in less lawn area in the front yards. The applicants will submit revised plans to show the driveway reconfiguration as discussed.

- b. Adequacy of circulation, parking, and loading facilities.** The applicants said the plans show 40 parking spaces both in and in front of the garages, which is the same number as the original application. Traffic circulation is through the cul-de-sac. They acknowledged that under the current regulations, 47 spaces would be required. They noted that Section 3.12 (B) provides for the reduction of parking spaces under certain conditions. Since they are not modifying the number of units, and 40 spaces were originally approved, they are requesting a reduction under this section. They said each unit has four garages per building and space on each side of garage. They noted that a vehicle parked outside would have to move into the road or to the side to allow a car parked in the garage to exit.

The Board noted that Unit C would have difficulty with a 2<sup>nd</sup> or 3<sup>rd</sup> vehicle. Units D and E provide more parking area. The driveways are very close and people would be backing out onto the road.

The applicants said they could add more pavement but wanted to reduce the amount of paved area. They do not want to create a safety issue but rather not limit the number of vehicles per unit. The applicants said the driveways are 15 feet wide, not enough for two vehicles. They could widen the driveway at Unit C. They said it is a dead end road and expect that people will park on the side of the road. The private road is 24 feet wide so there would be room to park on the graveled shoulder. The Right of Way is 50 feet wide so there is ample room for overflow parking.

The applicants showed where snow plowing and piling would be located, off the lower edge of the road, between the buildings and in back of the buildings. Curbside pickup for refuse removal would be provided for owners. The association contracts for snow removal. If the road remains private, it would be the responsibility of the association.

- c. *Bicycle and Pedestrian Access.*** The applicants said they are not specifically providing for bicycle and pedestrian access on this plan. The private road will connect to the path below. They indicated that traffic volumes are very low on Hideaway Drive. Partridge Road has an additional four foot wide shoulder to accommodate pedestrian and bicycle access for the development.
- d. *Adequacy of landscaping.*** The applicants said they are proposing two maple saplings (one-inch caliber) to be planted along the front of each condominium (four trees per building), which were shown on the plans. There would be a stone bed along the front of the buildings. They noted that there was no landscaping plan with the original plans.
- e. *Hours of Operation.*** The applicants stated that the hours of operation are not applicable for a residential use and district.
- f. *Setbacks.*** The applicants indicated that setbacks are met. The proposed setbacks for the buildings are 50 foot front yard; 25 foot rear yard; 60 foot left side; and a 38 foot right yard setback. The property line is shown on the plans. The applicants indicated where the common land for the development is located.
- g. *Adequacy of Exterior lighting.*** The applicants noted that each unit would have downcast shielded cutoff light fixtures in front of the garage and at the entrance. Those lights might be motion sensor lights. There would be recessed switched lights on the covered porches. The proposed wattage of the pole lights had not yet been determined but expected that 70 watts would provide sufficient lighting. The applicants provided cut sheets and decided on one style that met the regulations. There are two street lights, one on each end, which the applicants drew on the plans. They said one street light currently exists, which is not located on their property and they are adding one pole street light of the same design. The applicants will submit a cutsheet for the streetlight that is proposed. The existing light was installed by Green Mountain Power Corporation and was approved by ACT 250. They said it is not shielded but the bulb shines downward. The applicants indicated that services to the buildings would be underground.
- h. *Stormwater and Drainage.*** Since the project would exceed 5000 square feet, the applicants indicated that this development is subject to a State stormwater discharge permit. Each unit is 1200 feet. There is not much change from the original plan. Stormwater for buildings A, B and C would be conveyed by open ditches and stone lined swales to a small retention area. This area discharges into an unnamed tributary of the Steven's Branch of the Winooski River. Stormwater for D and E would sheet flow through several hundred feet of undisturbed vegetation before ultimately flowing into an unnamed tributary to the Seven's Branch of the Winooski River. No modification from the approved discharge point is needed and the newly proposed building layout represents a minimal increase in impervious area.
- i. *Utilization of renewable energy resources.*** The applicants stated that the future availability of nearby property owners' access to renewable energy resources would not be diminished as a result of this amendment. The units would have propane fuel. The square footage of each unit is 1400 square feet. The last three units are proposed as townhouse style with two levels.
- j. *Municipal Services Impact Evaluation.*** The applicants said they have received letters from the Berlin Police and Volunteer Fire Departments. They have not yet received a letter from the Berlin Highway Department but it could have been sent directly to the Zoning Office. Neither department indicated any concerns about the proposed revision to the site plan.

*k. Flood Hazard Review.* The applicants indicated that the property is not located within a flood hazard area.

The applicants agreed to provide cut sheets for the pole light, impact statement from the highway department, and revised plans regarding the driveway to Unit C. The applicants said the amendment to ACT 250 has been accomplished and they expect the permit to arrive anytime.

Based on the documents presented and testimony heard, Ms. Morse made a motion, seconded by Mr. Hurley, to close the hearing in the matter of Application 08-001. The question was called and the motion passed unanimously.

3. Pubic Comment.

Mr. Fecteau asked about a road project across from Pizza Hut. The Board noted that it cannot offer an opinion but explained how to proceed.

4. The Chairman called for approval of the Minutes of the January 22<sup>nd</sup> meeting. Some corrections were discussed, however it was determined that there were not enough members present who participated on January 22<sup>nd</sup> to vote on their approval. Consequently, approval of the Minutes of the January 22, 2008 meeting, were tabled.

5. Other Business

6. Status of Findings.

The Board voted to go into deliberative session at 8:28 p.m. and out at 8:48 p.m. to discuss the status of Findings. The Board's decision with regard to (closed) adjourned applications will be reported in its Findings.

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

8. There being no further business, the meeting was adjourned at 8:50 P.M.

Respectfully submitted,

Carla Preston  
Recording Secretary  
Town of Berlin