

DEVELOPMENT REVIEW BOARD
108 Shed Road
Berlin, Vermont

APPROVED MINUTES
Meeting of August 18, 2020

1. The meeting was called to order at 7:06pm

Members present: Bob Wernecke (Chair), Karla Nuissl (Vice Chair), John Friedrich, Josh Fitzhugh (alternate), Polly McMurtry (alternate) and Ture Nelson (alternate)

Staff present: Tom Badowski, Zoning Administrator, Kristi Flynn, Recording Secretary

Others present: Abel Toll (applicant), Jeff Olesky (Engineer), Michelle Lambert (IP), Adam Lambert (IP), Marilyn Miller (IP), Mike Noyes (IP), John Connor (IP). Meeting is being recorded by ORCA.

Mr. Toll was sworn in. The Chair reminded all other parties that they are still under oath.

2. Old Business

A. 20-023 – Application by RHTL Partners LLC for a Site Plan and Conditional Use Review under Chapters 320 and 330 and Sections 4302 and 4303 associated with the development of a 22,500 sf car dealership and supporting parking. The project consists of three (3) properties (1189 US Route 2, 12 Marvin Road and 40 Goodnow Road, PIDs US002-003, 25-001, 23-002). The properties are in the Commercial (COM) and Residential (RL-40) Districts.

This is a continuation of the hearings from June 4, July 7 and August 4, 2020. Mr. Olesky with Catamount Engineering presented an overview of the changes:

- Applicants have received waiver to have a parking lot on a residential lot and has agreed to comply with conditions as noted by the DRB.
 - Lights will go off at 7pm on that lot
 - Lot coverage equals 4.5%
 - Balance of lot will be in permanent easement
 - 40 Goodnow Road is fully in RL-40; 12 Marvin Road is in Commercial and RL40 districts, but lot is fully in the Commercial district
 - The DRB would like to restrict GMC employees from parking in the Marvin Road lot; Mr. Toll noted that GMC employees already park there so the traffic wouldn't increase; he feels the GMC lot is too restrictive for employee parking
 - DRB questioned the need of employees to cross Route 2

- Mr. Toll noted that GMC, Mazda and VW inventory will be stored in the two new lots; Mr. Olesky noted that the plan is to decrease the amount of traffic crossing Route 2, will not cause additional traffic
- Neither dealership can support all inventory, employees and customers on their own lots
- Suggestion to include employee parking on Marvin Road lot for both dealerships
- Question regarding what causes more traffic, employee or inventory
- It was noted that the dealerships would prefer to have their inventory at their building
- Mr. Toll stated that they would make every effort to bring cars to customers to decrease customers having to cross Route 2
- Mr. Connor suggested that the DRB check the conditions for approval of the 1189 Route 2 lot; he believes it is for surplus parking only, though maybe on the Act 250 approval; he would also like to see a full traffic study done, including considering turn lanes on Route 2
- Mr. Lambert understood that no GMC employee parking was going to be allowed on the Mazda/VW side; the Chair noted that no employee parking will be allowed in the Goodnow lot
- Mr. Noyes thought that both lots were for surplus inventory only
- Landscaping Plan
 - Applicant has confirmed that the plan complies with the town standards
- Met with neighbors on 8/10/20
 - Mr. Olesky noted that 4-5 neighbors attended; based on the DRB conditions, neighbors appeared satisfied with the changes
 - Neighbors in attendance requested no changes
- Lighting Plan
 - The average foot candle (fc) should not exceed 2 fc
 - Marvin and Goodnow Road lot lights will go off at 7pm; both lots will have motion lights at the entrances
 - The DRB would like to know which specific lights will come on with the motion sensors
 - The Chair believes that most of the lights on the plan are above the maximum and don't meet the town light standards; he feels one of the lots is 7 fc not 2 fc; he noted that the average for the lot on Goodnow Road was 7.2 fc and the lot on Marvin Road was 6.5 fc not 2 fc
 - Mr. Toll noted that there is no intention to light up the lots like a showroom
 - The Chair insists that the applicant review the plan with the lighting manufacturer and bring a representative from the manufacturer to the next meeting
 - It was noted that glare shouldn't extend beyond property lines; the lights will all be fully-shielded but more shielding may be required if there are complaints

- Intersection of Marvin and Goodnow Road
 - The applicant would like to propose three-way stop signs at this intersection for safety
 - A stop sign at the end of Goodnow Road is strongly encouraged, along with signs on Marvin Road from both directions
 - The neighbors believe the Marvin Road signs are not needed but agree with the stop sign at the end of Goodnow Road

Additional Questions/Comments

- Mr. Noyes wondered about accommodations during construction on Marvin Road; Mr. Olesky noted that one lane traffic will be maintained
- There was some discussion regarding the bus stop at the Marvin Road/Route 2 intersection; Mr. Olesky noted there is a large flat space on the left side, but Mr. Noyes believes the kids would be safer on the right side because of how quickly traffic comes onto Marvin Road from Route 2; Mr. Olesky will create a small plateau on the right side
- Discussion regarding people parking along Marvin and Goodnow Roads to avoid talking to salesmen
- Not sure how this could be enforced, consider adding No Parking signs
- Advertising – applicant is fine with no balloons, banners, etc.

Open items – revised lighting plan; consider continuing to 9/1/20

Motion was made to continue the hearing for #20-023 by Mr. Fitzhugh to September 1, 2020, seconded by Ms. McMurtry; motion passed unanimously by roll call.

3. Review and approval of the Minutes

Tabled approval of July 21 and August 4, 2020 minutes to a future meeting.

Motion was made to go into deliberative session by Mr. Wernecke, seconded by Mr. Friedrich; motion passed unanimously by roll call

DRB entered deliberative session at 8:24pm; DRB exited at 8:50pm

4. Motion was made to adjourn by Mr. Friedrich, seconded by Mr. Fitzhugh; meeting was adjourned at 8:51pm.

Respectfully submitted by Kristi Flynn, Recording Secretary