

DEVELOPMENT REVIEW BOARD
108 Shed Road
Berlin, Vermont

APPROVED MINUTES
Meeting of January 7, 2020

1. The meeting was called to order at 7:00pm

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

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

Others present: Evan Hinchcliffe (ORCA), Paul O'Leary (engineer), Jose Oliver (abutter).
Meeting is being recorded by ORCA.

2. Old Business

- A. 19-066 – Continuation of Application by the Estate of Henry Perrin** for a Preliminary and Final Plan Review of a Minor Two Lot Residential Subdivision. The property is located along Scott Hill and Comstock Roads, Tax Map ID: R02-075.000; PID SA5-004. The Property is in the Rural 40 (R40) and Residential (RES) Districts. **THIS APPLICATION HAS BEEN WITHDRAWN**

The applicant, Ben Zabriskie, wrote in an e-mail to the Berlin ZA: "Our lawyer and surveyor are in agreement that two lots exist and no subdivision is needed. The surveyor has recorded an updated plat with the town. Therefore we withdraw our application for subdivision."

3. New Business

- B. 19-070 – Application by Berlin Mall LLC** for Final Plan Review of a Minor Two (2) Lot Subdivision of 1.94 acres and 63.83 acres. The Property to be subdivided is on Berlin Mall Road, currently referenced as Outlot "B". Tax Map ID: R02-033.B00; PID SA6-003. The Property is in Town Center District.

Applicant was sworn in at 7:06pm.

Mr. O'Leary stated that the subdivision was approved on March 27, 2019, but the applicant neglected to file the plat with the Town within the required 180 days. The plan is substantively the same, but they are coming back to the DRB for re-approval. No one is seeking party status. Mr. O'Leary noted that there are no changes to the plat

nor the development requirements since the March approval. Some changes just apply to the Site Plan, not the subdivision, such as the water hook-up. At the February 2019 hearing, the application was reviewed under both sets of regulations, but as there are no changes, the board agrees that they don't need to hear additional testimony. The ZA can approve any minor changes to the Site Plan.

There was discussion regarding the intersection to the far side of the mall. It will be a four-way stop, as well as proposing a reduction in the radius of the curb cut. Act 250 was concerned with the ability of trucks coming out of that intersection. VTrans suggested not reducing the radius, but the applicant would prefer to keep the reduction in radius. Mr. O'Leary hopes to have an Act 250 decision by the end of the month.

Motion was made by Ms. McMurtry to close the hearing, seconded by Mr. Friedrich; motion passed unanimously

4. Review and approval of the Minutes

The Chair called for the table of the Minutes of the December 17, 2019 meeting to the next meeting.

Motion was made by Mr. Friedrich, seconded by Ms. McMurtry, to table the approval until the next meeting; motion passed 4-0

5. **Motion was made to adjourn by Mr. Friedrich, seconded by Ms. McMurtry; meeting was adjourned at 7:20pm.**

Respectfully submitted by Kristi Flynn, Recording Secretary