

**DEVELOPMENT REVIEW BOARD**  
**108 Shed Road**  
**Berlin, Vermont**

**APPROVED MINUTES**  
**Meeting of TUESDAY, June 2, 2015**

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

Members present: Robert J. Wernecke, Chair; Karla Nussli, Vice-Chair; John Friedrich and Paul Irons, Alternate. Absent: Henry A. LaGue, Jr.

Staff present: Thomas J. Badowski, Zoning Administrator and Carla Preston, Recording Secretary.

Others present: Craig Chase and Josh Fitzhugh.

The Board explained its Policy and definition of party status and interested persons to attendees. Copies of the Rules and Policies and Procedure were available as handouts. No one present requested party status.

2. New business

**A. 15-037 – Nature Preserve, LLC** submitted an application for Concept Plan Review and Minor Subdivision Final Review of a three lot subdivision involving an approximate 1112.8 acre parcel. The property is located on Chase Road, Berlin, Vermont, in the Rural Residential and Highland Conservation Zoning Districts. Craig Chase, Senior Technician, with Chase & Chase Surveyors & Septic Designers, Inc. was sworn in to give testimony on this matter.

Board Member John Friedrich advised for the record that he is an abutter. Member Paul Irons advised that he recently hired Chase & Chase to complete survey and design work for his property. Chair Wernecke advised that he is good friends with Kris Jurentkuff who is involved in this project. No one expressed any concerns or objections concerning these disclosures.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Subdivision Application, 15-037, received on 05/04/2015; **Exhibit #2:** Survey, prepared by Chase & Chase Surveyors & Septic Designers, Inc., dated 08/01/2014 with revisions on 03/19/2015; **Exhibit #3:** Site Plan showing proposed lots, contours, and onsite wastewater design, prepared by Chase & Chase Surveyors & Septic Designers, Inc., dated 08/01/2014 and revised on 03/19/2015; **Exhibit #4:** Letter dated 04/17/2015 to the DRB requesting a waiver of showing contours on the large portion of the parcel (Lot #1); **Exhibit #5:** Project Narrative; and **Exhibit #6:** Letter dated 03/20/2015 from Michael Tragner with POA for the Nature Preserve, LLC authorizing Craig Chase or Kris Jurentkuff to represent the Applicant in this matter.

Mr. Chase advised that this large parcel of land was comprised of many parcels that have been merged together and then donated the development rights to create the conservation easement. Two parcels were separated out for the purposes of transfer. The large parcel to be subdivided consists of approximately 1112.8 acres and is located in Berlin and in Moretown. The proposed subdivision would consist of approximately 1109.5 acres (Lot #1) which represents the balance of the existing parcel, 2.0 acres (Lot #2), and 1.3 acres (Lot #3). Lot #1 contains an old sawmill which is no longer being used. Lot #2 has an existing residence (care taker's) with a proposed easement along Bean Road for access to Lot #1 and a proposed water supply easement onto Lot #1. Lot #3 is also developed with an existing cabin residence.

Zoning Administrator Badowski advised that both of the smaller lots being subdivided out are in the Rural Residential District and meet the zoning requirements. He noted that very little of the area of the two smaller lots is within the Highland Conservation District which is dictated by the contour or elevation.

Mr. Friedrich advised that his residence is at about 1220 feet in elevation. Based on review of the maps it was estimated that the districts along Chase Road are separated at about 1500 feet in elevation.

Mr. Chase confirmed that both lots being subdivided out of the large parcel are located in the Rural Residential District thus require a minimum of 40,000 square feet. He advised that he has not yet received approval from the state for replacement wastewater areas which are shown on Sheet 2 of the plans. He indicated that the system has been designed as a miniature sewage treatment plant in a box (Filtrate System). This scaled down septic system was necessary due to the slopes. They had to stay within a 20% grade so the system had to be smaller in order to work. The Filtrate System requires maintenance of the mechanical components (re-circulator and aquarium diffuser). He confirmed that the limitation in this situation is the slope not the quality of the soil. Mr. Chase advised that they have maintained an isolation setback from the existing brook at 54 feet.

Mr. Chase advised that the intent for creating the lots is to sell them noting that these areas were held out the conservation easement on purpose. Multiple structures ended up on the parcel due to the merging of several lots. He advised that the entire parcel was not surveyed.

The Board noted that the final plat lacks state approval of replacement wastewater systems. Contours on the two smaller lots are shown. The Board recommended filing both Sheet 1 and Sheet 2 with the town since they show different information which would add clarity.

Based on documents presented and testimony heard, Chair Wernecke made a motion, seconded by Ms. Nussl, to close the hearing with respect to Application 15-037 regarding a Minor three-lot subdivision. The Board reiterated that state approval regarding the replacement wastewater systems is needed. The question was called and the motion passed unanimously.

### 3. Review and approval of the Minutes.

The Chair called for approval of the Minutes of the May 19, 2015 meeting. The last paragraph on page 4 was amended to read: In response to the Board's comment that the site plan lacked dimensions and distances between the structures, Mr. Svagzdys advised that he believes there is about 14 feet of driveway behind the proposed new 40 foot by 150 foot structure, 30 feet between the existing structures, and 24 feet between the ends of the existing structures and the proposed new 25 foot by 150 foot structure.

The 3<sup>rd</sup> paragraph under 15-030 on page 7 was clarified to read: Mr. Simon advised that they had previously requested two non-illuminated signs, one of which was approved by the Zoning Administrator. This application is for two illuminated commercial signs, the previously approved non-illuminated 29.4 square foot freestanding sign, *NSB Northfield Savings Bank Drive Thru ATM*, and one 4.6 square foot professional sign, *Northfield Savings Bank ATM*. He advised that they are not proposing any building signs at this time.

Mr. Friedrich made a motion, seconded by Ms. Nuisl, to approve the Minutes of the May 19, 2015 meeting as amended. The question was called and the motion passed unanimously.

4. Public Comment

Persons present participated in the meeting as noted above.

5. Other Business

6. Status of Findings.

The Board voted to go into deliberative session at 7:23 P.M. and out at 7:30 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, June 16, 2015.**

8. There being no further business, the meeting was adjourned at 7:37 P.M.

Respectfully submitted,

*Carla Preston*

Carla Preston  
Recording Secretary  
Town of Berlin