

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

**APPROVED MINUTES
Meeting of TUESDAY, June 5, 2018**

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

Members present: Karla Nuissl, Vice-Chair; John Friedrich; Shane Mispel; and Paul Irons, Alternate.
Absent: Robert J. Wernecke, Chair; and Josh Fitzhugh.

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

Others present: Day Kokarev, Josie Kokarev and Fred J. Connor, III.

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. Old business

A. 18-015 – Mr. Day Kokarev & Josephine Kokarev; and Laura Malone McEnerney & Kevin McEnerney submitted an Application for Boundary Adjustment. The properties are located at 1954 and 1890 Crosstown Road, Berlin, Vermont, in the Rural Residential (R-40) and Highland Conservation (AR) Zoning Districts; Parcel ID: 27-037. Day Kokarev and Josie Kokarev were sworn in to give testimony on this matter. This matter was continued from the May 15, 2018 hearing.

The following documents were submitted and admitted as exhibits: **Exhibit #3:** Survey – Lot Line Adjustment for Kokarev and Anderson [McEnerney], prepared by Richard W. Bell Land Surveying, Inc., dated 09/2017, revised on or before 06/05/2018.

Zoning Administrator Badowski advised that Mr. and Mrs. Kokarev found that their swimming pool and shed were actually located on the neighboring property and have been working with the McEnerneys to correct the situation. The matter was recessed from the last hearing to verify that the setback for the garage was met.

Mr. Kokarev confirmed that the Land Surveyor they hired, Rick Bell, redrew the property line to show that the 25-foot setback for both structures are met. There was no change in total acreage for either parcel, the same amount of property was exchanged.

In response to the Applicants questions about other requirements including onsite wastewater, the Board advised them to follow up with the state and/or zoning administrator once their permit from the town was issued.

Based on documents presented and testimony heard, Mr. Friedrich made a motion, seconded by Mr. Mispel, to close the hearing with respect to Application 18-015. The question was called and the motion passed unanimously.

3. New business

A. 18-024 – Connor Realty, LLC submitted an application to illuminate an existing 33.15 square foot wall sign (*Union Bank*). The property is located at 1028 US 302, Berlin, Vermont, in the Highway Commercial Zoning District; Parcel ID: US302-037. Fred J. Connor, III was sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Zoning Permit, 18-024, received on 05/14/2018; **Exhibit #2:** Preliminary Site Plan showing existing structure, parking, access and drawing showing elevations, prepared by Connor Contracting, Inc.; **Exhibit #3:** Sign design and specifications; and **Exhibit #4:** Lights, three Warehouse Shades to be placed over the sign to illuminate the sign.

Board Member Shane Mispel disclosed that he is an employee of Union Bank and offered to recuse if requested. No one expressed any objections to Mr. Mispel serving on the hearing panel for this application.

Fred Connor advised that he wants to illuminate the existing wall sign on the building for Union Bank. There is an existing pedestal sign on the other side of the building which was previously approved by the DRB. They changed the name on the pedestal sign from the previous bank (*Vermont State Employees Credit Union*) to reflect *Union Bank*.

Mr. Badowski confirmed that approval by the DRB was not required for the non-illuminated wall sign or the change in name on the pedestal sign. The frontage of the building is 95 feet thus the proposed 33.15 square foot sign is well within the square footage allowed (180 square feet).

Mr. Connor advised that the whole sign would be illuminated by the three lights above the sign. The sign is not internally illuminated. The three lights above the sign consist of light emitting-diode (LED) illumination. He advised that the pedestal sign is also illuminated.

In response to questions from the Board regarding whether the signs would be on all night, Mr. Connor advised that he did not want any restrictions. He advised that the tenant has not indicated any desire to curtail the hours that the signs would be illuminated.

Based on documents presented and testimony heard, Mr. Friedrich made a motion, seconded by Mr. Mispel, to close the hearing with respect to Application 18-024. The question was called and the motion passed unanimously.

4. Review and approval of the Minutes.

The Chair called for approval of the Minutes of the May 15, 2018 meeting.

Mr. Mispel made a motion, seconded by Mr. Friedrich, to approve the Minutes of the May 15, 2018 meeting as submitted. The question was called and the motion passed unanimously.

5. Public Comment

Persons present participated in the meeting as noted above.

6. Other Business

7. Status of Findings.

The Board voted to go into deliberative session at 7:13 P.M. and out at 7:20 P.M. to discuss the status of Findings. The Board's decision with regard to (closed) adjourned applications will be reported in its Findings.

8. The next meeting of the Development Review Board is scheduled for **Tuesday, June 19, 2018.**

9. There being no further business, the meeting was adjourned at 7:21 P.M.

Respectfully submitted,

Carla Preston

Carla Preston
Recording Secretary
Town of Berlin