

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

**APPROVED MINUTES
Meeting of TUESDAY, June 21, 2016**

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

Members present: Robert J. Wernecke, Chair; Karla Nuisl, Vice-Chair; Josh Fitzhugh, and John Friedrich. Absent: Henry A. LaGue, Jr.

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

Others present: Wayne Lamberton, owner, Chris Austin with Grenier Engineering, PC, Jessie Karp with Tesla Motors, Inc., Brian Grearson, neighbor, and Patricia McDonald.

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. Brian Grearson requested and was granted party status.

2. New business

A. 16-026 – Maplewood Limited of Montpelier submitted an application for site plan amendment for the installation of electric automobile charging units and associated infrastructure. The property is located at 159 Paine Turnpike North, Berlin, Vermont, in the Commercial Zoning District, parcel ID SA1-047. Wayne Lamberton, owner, Chris Austin with Grenier Engineering, PC, and Jessie Karp with Tesla Motors, Inc. were sworn in to give testimony on this matter. In addition, Brian Grearson, neighbor, was sworn in to give testimony.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Zoning Permit, 16-026, dated 06/01/2016; **Exhibit #2:** Site Plans – Overall Site Plan, C-1, Enlarged Site Plan, C-2, and Excavation Plans, C-3, prepared by Tesla Motors, Inc., Palo Alta, CA, dated 05/16/2016; **Exhibit #3:** Site Elevation & Landscaping Detail, A-1, prepared by Tesla Motors, Inc., Palo Alta, CA, dated 05/16/2016; **Exhibit #4:** Signage Details, A-2, prepared by Tesla Motors, Inc., Palo Alta, CA, dated 05/16/2016; **Exhibit #5:** Letter from Henry A. LaGue, Jr. authorizing persons to present this application dated 06/02/2016; **Exhibit #6:** Letter dated 06/13/2016 from Chris Austin with Grenier Engineering, PC describing the project and addressing site plan review criteria.

Overview:

Wayne Lamberton explained that the proposed project would be constructed on a parcel owned by LaGue, Inc. and that they received authorization from that corporation to present their application. Maplewood Limited of Montpelier has a thirty (30) year lease from LaGue Inc. to utilize the property.

Mr. Lamberton advised that they propose to amend the previously approved site plan for the installation of electric automobile charging units and associated infrastructure. The project would utilize the existing northern entrance to the existing Maplewood store and the existing Comfort Inn. He mentioned that some of the previously approved light poles had to be removed for the stormwater retention pond, thus would be placed on this site.

Chris Austin described the information on each sheet of the plans provided. Sheet C-1, Overall Site Plan, showed existing structures and parking areas as well as proposed extended parking areas. Sheet C-2 is an enlarged site plan showing details of the eight proposed charging stations, dimensions, locations of light posts, curbing, Tesla Equipment and utilities, parking, non-illuminated signage, and so forth. Sheet C-3 is an overall excavation plan. He noted that due to the elevations there would be no vehicular access to the new Maplewood store. Mr. Austin advised that Sheet A-1 shows site elevation and landscaping detail and Sheet A-2 pertains to non-illuminated signage details for Tesla.

Jessie Karp with Tesla Motors, Inc. advised there would be eight (8) Tesla illuminated charging stations on concrete pads. He estimated around ten vehicles per day to begin with which would increase over time. The word "Tesla" is on the top of the charging station and there would be directional signs with the Tesla logo (T). He advised that quick charge times are around 45 minutes to an hour while full charges take several hours. People would be able to utilize the amenities (convenience store, restaurant, hotel) in the area while charging occurs. He described the cabinets and referred to the plans for further details. Mr. Karp mentioned other Tesla locations in Vermont.

The applicants addressed Site Plan Review Criteria.

- a. Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network.** The Applicants explained that the proposed vehicle charging station would be located within the existing gravel lot that lies in between the existing Maplewood store and Comfort Inn, and the new store under construction. Access to the project would be via the existing northern curb cut at the existing Maplewood site which also serves as the main entrance to the hotel. The southern curb cut currently serving the Maplewood store would be eliminated pursuant to the new Maplewood store permit by the State. Pedestrian access to the new Maplewood store and the Comfort Inn would be available via a new internal sidewalk network which was previously approved.
- b. Adequacy of circulation, parking, and loading facilities.** The proposed vehicle charging station is within an existing gravel parking lot. Vehicles would enter and exit via the same existing curb cut. The parking spaces would be 24 feet wide to allow ample space for vehicles. The proposed charging station is in an area of existing shared parking between the Maplewood store and the Comfort Inn. The lot contains multiple parking spaces for other vehicles likely utilized as overflow parking for the hotel and restaurant. The vehicle charging station would be handicap accessible. There are no loading or delivery areas proposed for this project. No refuse containers are proposed for this site. However, the current location of the dumpsters for the hotel was discussed. The Applicants wish to locate them out of view of the hotel or add screening around them.

In response to concern expressed by the Board with respect to access to the dumpsters with the new parking, Mr. Austin explained that there was space to the south of the parking area to provide access.

- c. Bicycle and Pedestrian Access.** The Applicants advised that this criterion is not applicable for the proposed vehicle charging stations but noted that pedestrian/bicycle access to the neighboring Maplewood store, Comfort Inn and Applebee's restaurant will be available, including a pedestrian way along Paine Turnpike.

- d. Adequacy of landscaping.** The Applicants advised that the existing landscaping in the area of the stormwater pond will screen the site as well as the landscaping that will be installed along Paine Turnpike when the southern curb cut to the existing Maplewood site is eliminated. The vehicle charging station infrastructure will be screened by landscaping directly adjacent to it that will surround the necessary electric cabinet that serves the charging station. The Applicants referred to Sheet A-1 for further details. There is no screening between the site and the Berlin Town Garage.
- e. Hours of Operation.** The Applicants advised that the hours of operation for the charging station would be 24/7, the same as currently approved for the Maplewood store and Comfort Inn.
- f. Setbacks.** The Applicants advised that all setbacks are met for the district. The front yard setback is 277 feet, left side yard setback is 42 feet, right side yard setback is 42 feet and the rear yard setback that abuts a residential district is 150 feet.
- g. Adequacy of Exterior lighting.** The Applicants advised that four light poles previously approved for the new Maplewood store had to be eliminated due to the expanded stormwater retention pond. They propose to place two of them on this site which are shown on the plans.
- h. Stormwater and Drainage.** The Applicants advised that the proposed vehicle charging station site is within an existing gravel parking lot that drains to the adjacent, previously approved stormwater pond. No additional impervious surface will be created with the installation of the vehicle charging station.
- i. Utilization of renewable energy resources.** The Applicants advised that the site contains infrastructure that allows for the installation of renewable energy resources should they become feasible.
- j. Municipal Services Impact Evaluation.** The Applicants and Zoning Administrator advised that impact statements were not requested. The Applicants do not anticipate the installation of the vehicle charging station to cause unsafe or negative effects on municipal services.

The Board recommended sharing the plans with the Berlin Volunteer Fire Department due to the high voltage involved in the project. Mr. Lamberton advised that they would invite members of the Fire Department to visit the site as they have in the past for various projects.

- k. Flood Hazard Review.** The project is not located within a flood hazard area.

The Board asked the Applicants to revisit the proposed signage. The Board advised that directional signs cannot contain business names, logos or any other form of advertising.

Mr. Karp advised that signage on the charging station cabinets would consist of the word *Tesla*. He indicated that the word *Tesla* was necessary to the directional signage since the charging stations are specifically for *Tesla* vehicles. The parking signs (1 foot by 1 foot 6 inches) would consist of the word *Tesla* and logo (shape of a T) and the words: *Vehicle Charging Only*. There would also be directional signs, two square feet or less, with just the logo on them.

Mr. Lamberton asked what would be needed with respect to permitting once the existing Maplewood store has been demolished. He mentioned turning the area into additional parking since it is already

impervious. He wanted to be sure to obtain additional permits if needed in advance. The location of the single access to the site was also discussed. Mr. Lamberton indicated that the previous permit specified the existing north access.

The Board advised Mr. Lamberton to discuss his plans with the Zoning Administrator to determine what, if any, additional permitting was needed.

Mr. Friedrich made a motion, seconded by Mr. Fitzhugh, to close the hearing with respect to Application 16-026. The question was called and the motion passed unanimously.

3. Review and approval of the Minutes.

The Chairman called for approval of the Minutes of the June 7, 2016 meeting. On page 2, the last 2 sentences in the first full paragraph were amended to read: The measurements taken are represented by the dotted line around the letters. The frontage of the building measures 51 feet and 4 inches, thus a total of 102 feet and 8 inches or 102.7 square footage of wall signage would be the maximum allowed.

The dimensions in the last few sentences in the third paragraph on page 2 were corrected to read: He noted that taking the letter D (encompassing the letters T, L and part of A) of the proposed signage at a height of 31 5/8 inches, would be a total of 56 square feet when using a block measurement. By using minimal dimensions for the proposed sign on the side of the building the measurement would be 50.7 square feet, not 43 square feet as proposed bringing the total square footage to around 106.7 square feet, exceeding the amount allowed.

Mr. Friedrich made a motion, seconded by Mr. Fitzhugh, to approve the Minutes of the June 7, 2016 meeting as corrected. 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 8:25 P.M. and out at 8:47 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, July 5, 2016.**

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

Respectfully submitted,
Carla Preston

Carla Preston, Recording Secretary
Town of Berlin