

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

**APPROVED MINUTES
Meeting of TUESDAY, May 16, 2017**

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

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

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

Others present: Pam Benoit, John Benoit, Joel Page, Rich Colburn, Brian Lane-Karnas and Krister Adams.

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. 17-017 – Benoit Properties, Inc. submitted an application for Site Plan Review associated with a 3,159 square-foot building expansion. The property is located at 254 Industrial Lane, Berlin, Vermont, in the Light Industrial District, Parcel ID: 73-008.000. Brian Lane-Karnas, P.E. and Richard Colburn with DeWolfe Engineering Associates, Incorporated, Joel Page, Architect with Scott + Partners, Inc., and owners Pam Benoit and John Benoit, were sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Zoning Permit, 17-017, received on 04/25/2017; **Exhibit #2:** Site Plans, dated 04/24/2017, prepared by DeWolfe Engineering Associates, Incorporated consisting of: Cover Sheet, C0.01; Legend and General Notes, C0.02; Existing Conditions, C1.01; Site Plan, C1.02; Grading & Erosion Control Plan, C1.03; Construction Details, C5.01 and C5.02; **Exhibit #3:** Architectural Drawings, dated 04/19/2017, prepared by Scott + Partners Architects, consisting of: Cover Sheet, A0.0; Proposed Floor Plan, A2.0; Existing Exterior Elevations, A4.0; and Proposed Exterior Elevations, A4.1; **Exhibit #4:** Letter dated 04/24/2017 from Brian Lane-Karnas, PE describing the project and addressing site plan review criteria; **Exhibit #5:** Vermont Agency of Natural Resources location map, dated 04/21/2017; **Exhibit #6:** List of Abutters; **Exhibit #7:** Flood Insurance Rate Map for project location; **Exhibit #8:** Lighting Specifications; **Exhibit #9:** Pre development and Post development catch basin data; **Exhibit #10:** Google Map – project location; **Exhibit #11:** Vermont Agency of Transportation, Transportation Data Management System, traffic data; **Exhibit #12:** Parking Analysis calculation based on current and proposed zoning requirements; and **Exhibit #13:** Letters dated 04/24/2017 to the Berlin Highway, Police and Volunteer Fire Departments describing the project and requesting an impact statement.

Brian Lane-Karnas, P.E. presented a rendering showing the existing structure and proposed 3,159 square foot addition for office and warehouse space. He explained that the existing drive goes along the edge of the building where the addition will be located. He indicated there would be a small expansion in parking near the access point, which is considered the back of the building, as well as two additional parking spaces at the front of the building. He pointed out neighboring businesses in the area. They are preserving existing landscaping on site, consisting of mature pine trees. One Crabapple tree will be relocated.

a. Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network. Mr. Lane-Karnas advised that there is no change in access to the site however the driveway will be widened as part of this project to accommodate deliveries via tractor trailer trucks. Vehicle circulation on site is divided into two areas between field and warehouse employees entering at the back of the building and office employees and visitors entering at the front of the building. He noted that field workers and electricians, some with employer-owned vehicles, will arrive to gather supplies and then leave the site. There is a sidewalk around the building with two man-doors. He noted that due to the nature of the business, they do not have many visitors or walk-in customers, mostly subcontractors.

Mr. Lane-Karnas advised that they will increase the number of employees by 20 people (maximum of 12 office employees and maximum of 40 field employees). He explained his efforts in calculating what the traffic impact would be and concluded 10 additional trips would result. He noted that the hours of operation differ for field and office employees. The Applicants believe there would be negligible impact on traffic based on this project and increase in employees.

b. Adequacy of circulation, parking, and loading facilities. Mr. Lane-Karnas advised that based on parking requirements for this type of business only 14 spaces are required, however they have 49 spaces. He handed out his parking analysis data based on current zoning regulations as well as proposed zoning regulations. Based on the number of employees, they feel the number of spaces is more than adequate. He noted that the total required parking is low due to the warehouse use. Two accessible spaces, including new striping and signage, are also provided.

c. Bicycle and Pedestrian Access. Mr. Lane-Karnas advised there is no existing pedestrian or bicycle facilities along Industrial Lane. They do not have customer/client visitors on foot or via bicycle. They acknowledged however, that there is considerable pedestrian traffic along that road mid-day. They are extending the sidewalk to provide pedestrian access from the expanded southern parking area to the front of the building. In response to concerns about the future need for pedestrian access, Mr. Lane-Karnas advised that the project does not impact the right-of-way thus would not impede the ability to add a sidewalk along Industrial Lane at some point.

d. Adequacy of landscaping. Mr. Lane-Karnas confirmed that the majority of the existing landscaping on the property will be maintained. There are several mature pine trees along the Industrial Lane frontage as well as a small landscaped area round the existing sign. The landscaped area will be extended along the face of the addition. The major change to landscaping is the relocation of a Crabapple tree and flagpole on the west end of the existing office parking area to the end of the proposed parking extension. He noted that the trees are away from airport. Landscaping is in character with the other developments in the area.

In response to questions from the Board about height restrictions with respect to being near an airport, Mr. Lane-Karnas elaborated on the requirements. He noted that they have to have approval from the State's aviation division and the Federal Aviation Administration to determine the potential impact. He believes they will be required to add a light but does not yet know the specifications.

- e. Hours of Operation.** The hours of operation for the office and warehouse staff are from 7:00 AM to 5:00 PM Monday through Friday. Field staff may arrive at the site by 4:30 AM. Ms. Benoit mentioned adding a timeframe for Saturdays as well. After further discussion, the Applicants asked to amend the hours of operation as follows: 4:30 AM to 6:00 PM, Monday through Saturday.
- f. Setbacks.** The Applicants advised all setbacks are met and are shown on the application and site plans.
- g. Adequacy of Exterior Lighting.** Mr. Lane-Karnas advised that there are eight 20-foot high pole lights and three building mounted lights currently on the site, as well as recessed lights under the overhang along the south face of the building, four ground mounted lights at the existing sign and flagpole and two bollard lights at the sidewalk to the main building entrance. They propose to add one pole light, relocate two existing pole lights, add two new building mounted lights, new recessed lights where the overhang on the south side of the building is extended, and relocate the flagpole lights. The new lighting will match existing lighting with downcast and shielded fixtures and LED illumination. Since the light poles will be located further apart, they believe overall lighting will be reduced but still sufficient for safety and security. Mr. Lane-Karnas advised that lighting specification cut sheets were provided. Mr. Benoit advised that the lights are controlled via photocell and timeclock (shut off at 9:00 PM via photocell, and turn on at 5:00 AM via timer).
- h. Stormwater and Drainage.** Mr. Lane-Karnas advised that the project results in a small increase in impervious area but is still under the one acre threshold at 0.94 acres. They do not need an operational stormwater discharge permit from the state. He advised that runoff will be managed the same way as existing. The impervious area on the site currently drains to either a shallow grassed drainage swale on the west side of the building or to a grassed swale along the eastern property line, and then to a closed drainage system along the edge of the airport. He indicated that their modeling was shared with the state and no concerns were raised. They do not believe that this increase in stormwater flow will have an adverse effect on downstream drainage facilities.
- The Applicants were made aware of the proposed new regulations noting that the town is embarking on a stormwater management plan which has identified the airport for review. Chair Wernecke advised that the town is concerned about connecting to a state system without attenuation (nothing to reduce the rate of runoff).
- Mr. Lane-Karnas appreciated the heads-up regarding the regulations and will double check on the requirements. He noted that with respect to this application, they are not increasing the rate of runoff by very much.
- i. Utilization of renewable energy resources.** The project will not interfere with the sustainable use of renewable energy resources on adjacent properties. No renewable energy use is contemplated for the proposed project. The existing electric car charging station in the front will remain.
- j. Municipal Services Impact Evaluation.** Letters were sent to the Town Police, Highway and Volunteer Fire Departments requesting an impact statement. Zoning Administrator Badowski advised that he spoke with Road Foreman, Tim Davis who expressed no concerns about the

project. A letter was received from the Police Department indicating no impact on that department. He did not receive a response from the Berlin Volunteer Fire Department. The Applicants advised they will also need approval from the State's Department of Labor and Industry but have not yet submitted an application.

k. Flood Hazard Review. The property is not located within a flood hazard area.

The Board revisited bicycle and pedestrian use along Industrial Lane since many people from Blue Cross Blue Shield walk the area during lunch breaks. Chair Wernecke noted that the town has not really studied it. There is a 50-foot right-of-way, thus there would be room on either side of the road within the right-of-way for a walkway or sidewalk in the future. He explained that the town is guarding against uses within the right-of-way that could prevent it.

Mr. Lane-Karnas confirmed that they were widening the driveway to improve tractor trailer traffic but it would not impede a future walkway or sidewalk along Industrial Lane. He noted that there is not a lot of vehicular traffic on that road.

Based on documents presented and testimony heard, Mr. Fitzhugh made a motion, seconded by Ms. Nuisl, to close the hearing with respect to Application 17-017. The question was called and the motion passed unanimously.

B. 17-018 – The Housing Foundation, Inc. submitted an application for Site Plan Review associated with a 144 square-foot building expansion to Building D. The property is located at 25 Spruce Street, Berlin, Vermont, Parcel ID: SA1-001.000. Krister Adams, Property Manager, with the Vermont State Housing Authority, Development Division, was sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Zoning Permit, 17-018, received on 04/25/2017; **Exhibit #2:** Site Plans dated 04/18/2017, prepared by NBF Architects, consisting of: Cover Sheet; Building D – Floor Plans, etc., A1; and Building D- Elevations, etc., A2; and **Exhibit #3:** Memorandum dated 04/26/2017 addressing site plan review criteria.

Krister Adams advised he was before the DRB two years ago when they applied for a laundry room addition on Building B. He noted they did not request full scale architectural plans for this project since it is the same as the previous design. The addition would not be visible from Paine Turnpike. The laundry room is handicap accessible with tenant keyed entry and will have two coin-operated washing machines and two dryers. There is no access from the existing building to the laundry room area; it can only be accessed from the outside entrance.

Mr. Adams noted that conduit needed for solar energy was installed in the existing building but funding for such a project is not yet available. He advised they keep looking at that option.

a. Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network. There is no change in access or parking as a result of this addition. Mr. Adams confirmed that access to the laundry room addition is only available from the outside of the building. He noted that the buildings do not have common hallways or corridors. They are individual units with two levels. The area is paved and will have a handicap accessible ramp up to the door.

- b. Adequacy of circulation, parking, and loading facilities.** Mr. Adams advised there would be no change as a result of this project. He noted that traffic, vehicular or pedestrian, to the new laundry addition would be from tenants only. Due to the change in elevation, it is possible that tenants may drive closer to the laundry room. He advised that parking is adequate. They do not anticipate any increase in traffic as a result of this project.
- c. Bicycle and Pedestrian Access.** Mr. Adams advised that bicycle/pedestrian circulation within the site as well as access through the site to adjacent properties and along public roads has been provided. Nothing additional is being proposed.
- d. Adequacy of landscaping.** Mr. Adams advised that appropriate landscaping is installed at the entire property consisting of a combination of shade and street trees, shrubs, planting beds, grasses, and so forth. No additional landscaping is being proposed.
- e. Hours of Operation.** There would be no change in the hours of operation for this residential area, 24/7.
- f. Setbacks.** All setbacks are met and exceed 50 feet from any property line. Mr. Adams advised that the drawings presented provide an adequate representation of property lines but are not exact.
- g. Adequacy of Exterior lighting.** Mr. Adams advised that they are not proposing any additional exterior lighting. There is adequate lighting in the parking area from the existing pole lights. After further discussion, Mr. Adams asked to revise the application to include an entry light over the entrance to the laundry room. Since tenants could access the laundry room all hours of the day or night it was recommended the light have a timer running dusk to dawn for safety purposes. Mr. Adams agreed to share lighting specifications with Zoning Administrator Badowski to ensure the exterior light fixture meets the zoning requirements.
- h. Stormwater and Drainage.** Mr. Adams advised that the location for the proposed laundry room addition is currently paved. He did not believe the small addition would create a significant increase in stormwater drainage. The Applicant was made aware of the stormwater management requirements.
- i. Utilization of renewable energy resources.** Mr. Adams advised that the small addition should not interfere with the sustainable use of renewable energy resources by diminishing the future availability of such resources or by eliminating nearby property owners' access to such resources. He reiterated that they have looked into solar energy but do not have the funding for it right now. During a previous renovation project, steps were taken to be ready for it in the future.
- j. Municipal Services Impact Evaluation.** Zoning Administrator Badowski advised he spoke to the Berlin Police Chief, Volunteer Fire Chief, and to the Road Forman, all of whom expressed no concerns about the proposed project.
- k. Flood Hazard Review.** The project is not located within a flood hazard area. Based on documents presented and testimony heard, Mr. Fitzhugh made a motion, seconded by Ms. Nuisl, to close the hearing with respect to Application 17-018. 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 2, 2017 meeting.

On page 2, the third full sentence in the top partial paragraph was amended to read: They set up seismographs when blasting occurred near the closest neighbors. The last sentence in the top partial paragraph regarding final grades was deleted.

On page 5, under 17-013, Exhibits 5 – 9 were deleted since they were not applicable to that application.

At the top of page 7, the following sentence was added after the first sentence in that paragraph: The existing subsurface disposal system is located under the driveway.

Chair Wernecke made a motion, seconded by Mr. Fitzhugh, to approve the Minutes of the May 2, 2017 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 8:16 P.M. and out at 8:24 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 6, 2017.**

8. There being no further business, the meeting was adjourned at 8:25 P.M.

Respectfully submitted,

Carla Preston

Carla Preston
Recording Secretary
Town of Berlin