

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

**UNAPPROVED MINUTES
Meeting of TUESDAY, November 15, 2016**

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

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

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

Others present: Thomas J. Lauzon, Karen Lauzon, Brian M. Lane-Karnas, P.E., Richard B. Colburn, Brad McAvoy, Phil Gentile, Bernard X. Chenette, P.E., and Michael Vaupel.

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. 16-068 – Edgewood Development LLC submitted an application to amend its Site Plan to add additional parking, sidewalks and stairs, a paved drive and associated site grading. The property is located at 2178 Airport Road, Berlin, Vermont, in the Light Industrial District, Parcel ID SA4-045. Thom Lauzon and Karen Lauzon, owners, Brian Lane-Karnas, P.E. and Richard Colburn, with DeWolfe Engineering Associates, P.C., and Brad McAvoy with the State of Vermont were sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Zoning Permit, 06-068, received on 10/26/2016; **Exhibit #2:** Site Plans showing Parking and Site Improvements: Cover Sheet showing parking and site improvements, C0.01; Legend and General Notes, C0.02; Existing Conditions, C1.01; Site and Utility Plan, C1.02; Erosion Control and Grading Plan, C1.03; Pond Plan Profile and Details, C2.01; Drive and Ramp Plan and Profile, C2.02; Construction Details, C5.01, C5.02 and C5.03, dated 10/14/2016 with revisions on 10/24/2016, prepared by DeWolfe Engineering Associates, P.C.; **Exhibit #3:** Rendering – Presentation Plan, prepared by DeWolfe Engineering Associates, P.C., dated 11/14/2016; **Exhibit #4:** Letter dated 10/14/2016 from DeWolfe Engineering Associates, P.C. describing the project and addressing site plan review criteria; **Exhibit #5:** VT Agency of Natural Resources, Natural Resources Atlas, dated 10/05/2016; **Exhibit #6:** Letters from DeWolfe Engineering Associates PC to the Berlin Police, Highway, and Volunteer Fire Departments describing the project and requesting an impact statement; **Exhibit #7:** Lighting details and specifications from Spaulding Lighting, Cimarron LED; **Exhibit #8:** National Flood Insurance Program, Flood Insurance Rate Map, effective 03/19/2013; and **Exhibit #9:** Data re Parking Requirements and comparison figures under current regulations and proposed regulations, presented on 11/15/2016.

Brian Lane-Karnas, P.E. introduced himself and colleague Richard Colburn with DeWolfe Engineering Associates, owners Thom and Karen Lauzon, and Brad McAvoy with the Agency of Transportation. He provided an overview of the project which included additional parking and associated site improvements. The building used to be occupied by Capital City Press and is now being utilized by the Agency of Transportation, Materials and Research Laboratory. He presented a rendering that showed the changes made in the spring regarding parking and drives as well as the proposed expansion to parking, drives and stormwater improvements.

The proposed improvements include new paved parking areas, a paved drive to the rear of the building, sidewalks and stairs for access to the building, and associated site grading and stormwater management. The stormwater treatment structure is designed to meet the state's standards. He noted there would be minor changes to landscaping which included removal of some existing trees and shrubs along the western and northern sides of the building where grading would occur. They would be adding Hydrangeas along the parking area.

In response to the Board's question about another increase in parking, Mr. Lane-Karnas and Mr. Lauzon reported that there has not been a change in use. They advised that AOT is using more of the buildings which necessitated an increase in parking. AOT had relocated its lab to this site and is using the warehouse. For the sake of continuity and a designated facility, AOT wanted to bring over staff currently located at the National Life building. In addition, the large conference room is being used more which created the need for additional parking. Mr. Lauzon noted that if the need arose, areas at this site could be converted for an isolated area to house commissioners, secretaries and other state or government officials which is out of a flood hazard area, close to the airport, interstate system, and so on. In terms of build-out they could add another 25 employees at this space. The conference room area could be reconfigured to add more employees if needed but there are no immediate plans to do so.

a. Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network. The Applicants advised that there would be no change in access/egress to the site from Airport Road. The proposed parking areas are located on the west and north sides of the building and include pedestrian walks and stairs to the building entrances. The parking areas have been designed with at least 22 feet wide aisles for two-way circulation. No changes are proposed to the existing parking and loading areas to the south of the building. Vehicular and pedestrian circulation will be improved by storage space available along the northern area thus will not be in the way of parking. More space will be available for tractor trailer trucks to navigate on site which improves safety and circulation.

The maximum number of employees expected to be in the building is 120 people with a conference space that can accommodate up to 100 people (totaling 230 employees). The Applicants stated that even at maximum capacity it would not exceed the number of employees for the previous tenant (Capital City Press). Mr. McAvoy explained that not all employees are present at the site all day. About one third (40) of the employees arrive in the morning for a short time, leave to work in the field, and then return in late afternoon which would leave around 80 employees present during the day. Due to the nature of the work (materials lab), the site is not frequented by the public so very few additional spaces are needed for visitors.

The Board advised that Capital City Press operated on two to three shifts thus traffic and parking needs were offset. The comparison is not applicable because of the business operations in shifts versus all employees present at one time. With that in mind, there would be more people and traffic now than with the prior business. The Board asked the Applicants if a traffic analysis during peak hours had been performed.

The Applicants advised that they did not perform trip generation analysis with respect to this application. Mr. Lane-Karnas explained that part of the parking is dedicated to fleet storage of 36 vehicles. They anticipate up to 50 more trips during the hour that overlaps for the 25 additional employees.

The Board raised concerns about the proximity of the access drive to this site to the driveway located indirectly across the street for the Airport. The Board noted that the issue of having off set drives may need to be addressed in the future.

Mr. McAvoy noted that traffic impacts with the drive across the street were reduced with the relocation of around 12 employees and that fact that there is no longer a restaurant in operation there. He estimated about six employees currently working out of that terminal.

b. Adequacy of circulation, parking, and loading facilities. Mr. Lane-Karnas advised that there are currently 108 parking spaces on site which includes five handicap accessible spaces. Eight of those spaces will be relocated as a result of this project. They propose to add 82 new parking spaces for total of 190 parking spaces and asked the Board to consider an alternate calculation of the parking requirement since it is not the standard office and involves mixed uses at the site. As an example, he explained that the lab is a large area with big equipment thus the space per every 200 square feet does not really apply. They request one space per employee for 120 spaces, one space for every three of the available seating in the conference area which results in a total of 154 spaces. The remaining 36 proposed spaces would be used for motor pool vehicles (fleet storage). There is another area to which fleet vehicles could be relocated if needed during a large event. The Applicants presented a comparison for parking requirements under the current regulations and proposed regulations. When considering the square footage of the Lab, Lab-Mezzanine, Warehouse, Office, and Conference Room with 100 seats, under the current regulations 202 spaces would be required and under the proposed regulations with further breakdowns only 59 spaces would be required. The Applicants noted that the comparison calculations did not include the 36 spaces for fleet storage. When added in, the results would be at total of 238 spaces versus 190 spaces for comparison. The Applicants believe that their numbers are closer to the current requirements.

The Board acknowledged that parking requirements have been excessive in the past and confirmed that they are being amended. The Board found the comparison interesting.

Mr. McAvoy noted that for the most part there would be about 80 employees on site from around 7:00 AM to 3:30 PM. Once in a while during large events vehicles have had to park across the street. He advised that parking is an issue at National Life which has been alleviated some by moving employees to this site. They will be adding 25 employees to this site; 95 employees have been at this site since June of 2016.

The Applicants acknowledged that snow storage would be more difficult and pointed out areas along the edges of the parking lot for some snow storage. During a heavy snow storm they may need to bring in a bucket loader to move snow to the south side of the site. There is currently one loading dock for the lab and an overhead door for storage of signage, paints, etc. which would not change.

c. Bicycle and Pedestrian Access. The Applicants advised that new concrete pedestrian walks and stairs are provided from the new parking areas to the building entrances. Given the nature of operations at this site they do not expect much pedestrian or bicycle traffic. They are not proposing a cross walk over Airport Road where they have had overflow parking on occasion.

- d. Adequacy of Landscaping.** The Applicants advised that there is existing landscaping along Airport Road including a row of mature pines and landscaped areas to the north of the existing drive. The west side of the building is landscaped with a series of beds containing shrubs and trees. As much as possible of the landscaping, including mature trees, will be maintained to the west of the building. Some of the trees and shrubs to the north will be removed to regrade for the parking and driveway. Mr. Lauzon pointed out landscaping details on the map. He noted that some trees in that area are located on an abutting property. He advised that only one of the nine mature trees would have to be removed. They are proposing a row of Annabel Hydrangeas between the new parking area and Airport Road. The Applicants advised that the landscaping plan was not designed by a landscape architect but by someone with experience in that area. The landscaping is maintained by a landscaper who may need to make slight changes in the proposal.
- e. Hours of Operation.** The Applicants advised that the hours of operation would typically be from 7:00 AM to 5:00 PM noting that some offsite employees access the site at different times. Mr. McAvoy noted that during the winter months, there could be one or two people onsite. He advised that the conference room is not utilized during off hours. After further discussion, the Applicants advised that the potential is there for the facility to be active 24/7. The Applicants requested that the application be amended to 24/7 to cover storm events or disasters that might require relocation of state/government officials.
- f. Setbacks.** The Applicants advised that no new structures are being proposed as part of this application. All setbacks are met.
- g. Adequacy of Exterior Lighting.** Mr. Lane-Karnas advised that they are proposing the minimum amount of exterior lighting for safe access to parking areas after dark. He clarified that they are adding three new pole lights for a total of five 20-foot high pole lights and pointed out their locations on the plans. There are currently six lights (wallpacks) mounted to the buildings which will be added into the proposal if not previously approved. All lights will be shielded and downcast with cut off optics consisting of light emitting diode (LED) fixtures. He explained the difference in measurements between lumens (metric) and footcandles (American), noting that they used the more typical program in footcandles.
- h. Stormwater and Drainage.** Mr. Lane-Karnas advised that they have applied to the State of Vermont for approval which qualifies as low risk. He explained that the site is split between two watersheds. He indicated where the area currently drains to and ends up in the Stevens Branch. Treatment of stormwater runoff is provided in two new grass lined treatment channels alongside the drive and parking areas and in a new stormwater pond. Runoff from the expanded parking will outlet differently than it currently does. He agreed to provide a copy of the Stormwater and Drainage application submitted to the State. They have received a construction permit from the State but have not yet received operational approval. They have provided for erosion control best management practices designed to meet State requirements.

The Board requested copies of drawings or plans of all public utilities including storm drains for the record.

Mr. Lauzon advised DeWolfe Engineering Associates prepared all of the plans or drawings for this site which should be on file. Mr. Lane-Karnas referred to the plans that showed some of the information. They mentioned that the waterline is new which was recently constructed. The Applicants agreed to submit copies of the plans as requested.

- i. Utilization of renewable energy resources.* The Applicants advised that 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.
- j. Municipal Services Impact Evaluation.* Zoning Administrator Badowski advised that he received responses from the Berlin Police and Highway Departments both of which reported no concerns with respect to the proposed project. The Berlin Volunteer Fire Department wanted to be sure that the facility would be sprinkled. The Applicants confirmed that the building has a sprinkler system.
- k. Flood Hazard Review.* The site is not located within a flood hazard area.

In response to a question from the Board about the location of the propane tanks, the Applicants confirmed that the tanks are being relocated because they were installed too close to the electrical transfer. They noted that the prior application included relocation of the propane tanks but due to the new parking area they will again be relocated. They confirmed that the tanks will meet setback requirements (about 65 feet).

Mr. Lauzon asked if they would need to return to the DRB if they decided to add a larger propane tank (increase from 2000 gallons to 5000 gallons) and put it underground. He was advised to discuss the matter with the Zoning Administrator when he was ready to make that change.

Based on documents presented and testimony heard, Mr. Friedrich made a motion, seconded by Ms. Nuisl, to close the hearing with respect to Application 16-068. The question was called and the motion passed unanimously.

- B. Michael Vaupel and Mary Stridsberg; and Bernard Chenette, Michael Chenette, Bradley Chenette and David Chenette* submitted an application for Boundary Adjustment. The properties are located off Belknap Road, Berlin, Vermont within the Highland Conservation (AR) District, Parcel IDs 65-003 and 65-005. Bernie Chenette and Mike Vaupel were sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Boundary Adjustment received 10/26/2016; and **Exhibit #2:** Survey re Shared Drive Entrance & Boundary Adjustment prepared by Chase & Chase Surveyors & Septic Designers Inc., dated 10/11/2016.

Mr. Chenette advised that the landowners who own the two parcels are proposing a boundary adjustment for access to their properties off a Class IV Road. The Town of Berlin maintains Belknap Road up to a point and then stops where the road becomes very steep. The proposed boundary adjustment is designed to improve access to those lots. He advised that abutter Nina Shoenthal resides at the end where the road is very steep. Mike Vaupel and Mary Stridsberg have approval to build a house. He advised that the curb cut has been approved by the Berlin Select Board. The proposed new driveway has been designed to meet B71 State standards. The existing steep, unsafe shared driveway will be eliminated. Mr. Chenette advised that the Berlin Road Foreman visited the site to review the proposed changes in location of the driveway and removal of a culvert and agreed that drainage would be improved.

Mr. Chenette advised that to accomplish this, the Applicants propose to exchange about one acre (0.98) of land. The Chenettes will give an acre to Vaupel/Stridsberg behind their proposed new house in exchange for an easement which will become the new property line. This new access point will avoid having to come in before the culvert at a very sharp turn which is where stormwater runoff will be collected. As a result, the parcel owned by Vaupel/Stridsberg will increase (8.43 + 0.98) for a total of 9.41 acres, and the parcel owned by the Chenettes will decrease (16 plus/minus - 0.98) for a total of 15 plus/minus acres.

The Applicants confirmed that no new lots are being created and no lot would become non-conforming as a result of the proposed boundary adjustment. All setbacks are met.

In response to questions from the Board about a maintenance agreements among residents for the road, the Applicants advised that there are none in place at the time. Mr. Vaupel advised that at the moment only he and Ms. Shoenthal reside there. He advised that there would be an agreement in place to ensure maintenance of the road.

Based on documents presented and testimony heard, Ms. Nussl made a motion, seconded by Mr. Friedrich, to close the hearing with respect to Application 16-069. 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 November 1, 2016 meeting.

Chair Wernecke made a motion, seconded by Mr. Friedrich, to approve the Minutes of the November 1, 2016 meeting as presented. 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 8:55 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, December 6, 2016.**

8. There being no further business, the meeting was adjourned at 8:58 P.M.

Respectfully submitted,

Carla Preston
Recording Secretary
Town of Berlin