

DEVELOPMENT REVIEW BOARD
108 Shed Road
Berlin, Vermont

UNAPPROVED MINUTES

Meeting of November 17, 2020

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

Members present: Bob Wernecke (Chair), Karla Nuissl (Vice Chair), John Friedrich, and Polly McMurtry (alternate)

Staff present: Tom Badowski, Zoning Administrator, Kristi Flynn, Recording Secretary

Others present: Gerald Stauff. Meeting is being recorded by ORCA.

2. New Business

- A. Permit 20-072: Application by Gerald Stauff for a request to add an Additional Use of Home Business (Auto Repair and Service) to a Residential Use Property. The property is located at 22 Lovers Lane and is in the Rural 40 (RL-40) Zoning District, Tax Map ID: R05-032.000, PID 61-001.

The hearing was opened at 7:01pm by the Chair. The applicant and the ZA were sworn in. The applicant would like to use his property as an auto repair and inspection business. He needs zoning board approval and a state permit to be able to do auto inspections. He plans to do oil and tire changes, exhaust, brake and transmission repairs, but not body work. There is a 2-step process for unlisted uses in the town's districts.

Chapter 310 Special Use Standards

Section 3103 Home Business

The unlisted use must be reasonable use-based, must be compatible with the general character of other uses and not detrimental to the area. The property is out of sight of Route 12 and Lovers Lane, which is a town road. It is not dissimilar to a contractor's yard and qualifies under the definition of Home Business. The applicant will have no other employees besides himself. No parts cars will be stored on the property, only registered vehicles. The DRB sees this use as having less impact than a contractor's yard and agrees it is appropriate for the area.

Chapter 320 Site Plan Review

Section 3202 Parking

Parking is available on-site for at least six cars. The site is about ¼ mile from Lovers Lane. The applicant doesn't plan to have more than one car on site overnight, as most work will be by appointment only. There will be some traffic from parts store delivery trucks.

Section 3203 Access & Circulation

The access is on a private driveway, which is maintained by the applicant. Lovers Lane is not a through-road and the driveway is the first one on the right. The applicant anticipates about 6 customers per day.

Section 3204 Landscaping & Screening

There are railroad tracks between the parcel and Route 12. No additional screening is necessary.

Section 3205 Outdoor Lighting

There will be motion-sensor lights over each of the three bay doors in the form of wall sconces. The applicant will be adding a light for the sign on the building, which he planned to turn off manually by 9pm. The DRB requested he add a timer to the light.

Section 3206 Signs

The sign is not part of this application, will be reviewed by the ZA.

Section 3207 Outdoor Use Areas

The applicant noted that there will be no outdoor storage of any junk, materials, goods or equipment.

Section 3208 Performance Standards

The closest neighbor to the property is at least ¼ mile away, the closest one is across the river.

Section 3209 Erosion Control

There is no planned change to the property that would affect erosion.

Chapter 330 Conditional Use Review

Section 3303 Traffic

There will not be an impact here, as there will not be much of an increase from current levels.

Section 3304 Character of the Area

The property is near the Amtrak tracks. The DRB determined the use to be appropriate.

Section 3305 Natural Resource Protection

According to the applicant the area has not flooded and is not in the floodplain. The proposed use is regulated by the Vermont Department of Motor Vehicles and there are rigorous rules to follow in order to do auto inspections. For waste disposal, the applicant will use a self-contained unit. The oil is pumped into the 55-gallon drum for storage; once full, a local company comes by to empty the drum to use the oil for fuel.

Motion was made by Ms. Nuisl to close the hearing, seconded by Mr. Friedrich; motion passed unanimously by roll call.

3. Approval of Minutes

The Chair called for the approval of the Minutes of the September 1, 2020 meeting.

Motion was made by Mr. Wernecke, seconded by Ms. McMurtry, to approve the minutes as written; motion passed unanimously by roll call

The Chair called for the approval of the Minutes of the September 15, 2020 meeting.

Motion was made by Mr. Wernecke, seconded by Ms. McMurtry, to approve the minutes as amended; motion passed unanimously by roll call

Motion was made by Ms. Nuisl to enter deliberative session, seconded by Ms. McMurtry; motion passed unanimously by roll call.

DRB entered deliberative session at 7:35pm; DRB exited at 7:40pm.

4. Motion was made to adjourn by Ms. Nuisl, seconded by Mr. Friedrich; meeting was adjourned at 7:41pm.

Respectfully submitted by Kristi Flynn, Recording Secretary