

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

**APPROVED MINUTES**  
**Meeting of TUESDAY, October 4, 2016**

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

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

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

Others present: Ronald C. Lyon, P.E.

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.

2. New business

**A. 16-056 – Christina Castegren** submitted an application for Site plan and Conditional Use review of a rural enterprise which engages in agri-tourism and direct marketing of locally produced, value added farm products. The property is located at 4373 VT Route 12, Berlin, Vermont, in the Rural Residential Zoning District, Parcel ID VT12-038.

The Applicant requested and was granted a continuance to the November 1, 2016 meeting.

**B. 16-059 – Central Vermont Medical Center** submitted an application to erect an Accessory Structure (utility shed). The property is located at 130 Fisher Road, Berlin, Vermont, in the Commercial District, Parcel ID SA6-006. Ron Lyon, PE with DuBois & King, Inc. was sworn in to give testimony on this matter.

The following documents were submitted and admitted as exhibits: **Exhibit #1:** Application for Zoning Permit, 16-059, dated on or about 09/12/2016; **Exhibit #2:** Proposed Site Plan C-1, prepared by DuBois & King, Inc. dated 09/2016; **Exhibit #3:** Letter dated 09/12/2016 from Ronald C. Lyon, PE with DuBois & King, Inc. describing the project; **Exhibit #4:** Letter dated 07/07/2016 from Nancy R. Lothian, COO with the University of Vermont Health Network, Central Vermont Medical Center, describing CVMC's Health Care Share Program in conjunction with the Vermont Farm at the Vermont Youth Conservation Corps; and **Exhibit #5:** Two photo simulations of the 125 square foot shed.

Ron Lyon presented a rendering showing the CVMC campus and location of the 125 square foot shed. He advised that Building E was recently removed which will be the location of the proposed shed. He explained that CVMC has an agreement with Vermont Youth Conservation Corps which raises food on its farm in Richmond. The food (vegetables, fruits, herbs, and poultry) is taken to the agricultural shed for distribution to families in need. Boxes of food are prepared with the name of the family on it and brought to the shed to be picked up on Thursdays during the growing season (approximately 12 weeks, May to September). There would be no CVMC member staffing the shed. This previously took place at Building D which was reestablished as offices and no longer had space available for the brief storage and pick up of the food boxes. Mr. Lyon advised that 43 people were involved in the program this year.

Mr. Lyon explained that there was some question about whether a permit was required for this shed due to its size and agricultural use. The initial request was for a temporary structure because it would not be located on a cement pad so it could be moved if necessary. They determined that there was no other good place for the shed on campus thus the shed would be there for some time.

The Board noted that the application is technically for the modification of an existing site plan to add an accessory building.

Mr. Lyon advised that there will be no running water to the shed. The food arrives prepared and boxed with the name of the family selected on it. The produce consists of vegetables, herbs, fruits and pasture raised chicken which is frozen. He advised there would be no freezer at the facility. The recipients are advised of the time to pick up their boxes. Coolers are used to store the frozen chicken which has worked out fine since it is a short time. Mr. Lyon advised that Program personnel inspect and clean the area. This is one of five locations in Vermont providing this service.

The applicants addressed Conditional Use Review Criteria.

- a. Safety of vehicular and pedestrian circulation on site and any adverse impacts on the adjacent street network.** Mr. Lyon advised that existing drives would be utilized. There would be no change in traffic pattern and very little traffic to the site. The area around Building D will be repaved and resurfaced. There would be grass around the small shed (formerly Building E).
- b. Adequacy of circulation, parking, and loading facilities.** Mr. Lyon advised that persons picking up product would park in the front. There is sufficient space for public transit buses as well in the event participants do not have other transportation available. There would be no water or sewer available on site. It is an unmanned, self-service facility.
- c. Bicycle and Pedestrian Access.** The site would accommodate bicycle or pedestrian traffic if applicable. Participants park in front of the shed.
- d. Adequacy of landscaping.** No additional landscaping is being proposed. There are two existing apple trees on site.
- e. Hours of Operation.** The hours of operation would be one day a week for a few hours, approximately 1:00 PM to 4:00 PM on Thursdays. The program takes place during the growing season around May to October depending upon the weather.
- f. Setbacks.** All setback requirements are met.
- g. Adequacy of Exterior lighting.** Mr. Lyon advised that as part of a recent permit, they added additional security lighting around the perimeter of the parking area because the lot in the back is used for hospital employee parking. The light poles are shown on the site plan. Lighting would be changed to light-emitting diode (LED) fixtures. The distribution or pick-up of the food boxes only occurs during the growing season when the days are longer. After some discussion, Mr. Lyon wanted to add a proposed light on the shed in the event the growing season extended a bit longer. The proposed light on the shed would be downcast and shielded and otherwise meet the regulations.

- h. Stormwater and Drainage.* Mr. Lyon advised that no additional changes in stormwater or drainage were proposed as a result of this shed. There is more grass now than before with the former Building E. Runoff will sheet flow over the grass and other areas to existing swales.
- i. Utilization of renewable energy resources.* Not applicable.
- j. Municipal Services Impact Evaluation.* Since the application consisted of replacing a structure there would be no impact on municipal services.
- k. Flood Hazard Review.* The site is not within a flood hazard area.

Mr. Lyon advised that no signage is being proposed.

Mr. Fitzhugh made a motion, seconded by Mr. LaGue, to close the hearing with respect to Application 16-059. 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 August 16, 2016 meeting. The first paragraph on page 2 was corrected to reflect that a total of 24 new spaces were being added. On page 2, under a, it was corrected to reflect that the distance between this curb cut and the one for Applebee's is less than 100 feet thus does not meet town standards. On page 3, under c and d, the correct route is Paine Turnpike, not Route 62. On page 6, the first sentence in the first full paragraph was amended to read: The Board reiterated that the name of the campus, Cherry Hill Plaza measures 1.7 square feet and the rest of the proposed sign measures 60.5 square feet for a total of 62.2 square feet.

Mr. Fitzhugh made a motion, seconded by Mr. Friedman, to approve the Minutes of the August 16, 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

The Board reviewed the information from the Vermont League of Cities & Towns announcing the *2016 Fall Planning and Zoning Forum* to be held on November 2, 2016. Members interested in any of the sessions being presented may attend.

6. Status of Findings.

The Board voted to go into deliberative session at 7:34 P.M. and out at 7:35 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, October 18, 2016.**

8. There being no further business, the meeting was adjourned at 7:38 P.M.

Respectfully submitted,

*Carla Preston*

Carla Preston  
Recording Secretary  
Town of Berlin