

Town of Berkshire Vermont

DEVELOPMENT REVIEW BOARD

Thursday, June 8, 2023

UNAPPROVED MINUTES

DRB Members Present: Dustin Broe, Claude Charon, Jason Doe, Jason Jutras, Kris Lantz, Margo Sherwood, Carl Ruprecht

DRB Members Absent: Russ Ford

Zoning Administrator / DRB Clerk: Ann Lavery

Interested Parties: Lita Martel, Bernard Martel, Emie Minetti, Lynn Minnetti, Connor Nesbitt, Janice Chartier, Laurence Chartier, Todd Forty, Annabelle Ship, Claudine Safar, David Caudill, Dorothy Leach, Patrick Leach, Alex Smith

Meeting called to order at 7:05 PM.

➤ NEW BUSINESS

- **Final Hearing – BERNARD and LITA MARTEL – Wedding Venue**

- The DRB visited Bernard Martel's proposed site at **485 Mine Road** on May 25, 2023. At this same time the DRB also visited Annabelle Ship's property, **530 Mine Road**. Carl offered DRB members an opportunity to comment or question their observations at this time. Carl questioned specific areas of Berkshire Bylaws in relation to this application. Bernard responded to these concerns, with the DRB offering questions and suggestions as follows: **1) 3.1 C Traffic**, Mine Road is a Class 3 Road. Markers could be required to warn of ledges close to travelled portion of road. **2) 4.3 B Rural Lands District**, Rural residential development and compatible and commercial establishments at a density the land can support that maintains the forest and agricultural character of the Town... Buildings are already in place. There will be no further development of the land. This is a fifty (50) acre parcel. **3) 5.4 Parking Requirements**, The Vermont Fire Marshal will determine maximum capacity of this building and ample parking will be allotted. ADA requirements have been met. **4) 5.5 Sign Regulations**, No permanent signs will be erected on this property. **5) 5.7 Performance Standards**, No odors, noise, dirt, noxious smoke or gasses or other disturbances that are uncharacteristic to the surrounding area, or which endanger the health, safety, or welfare of the neighborhood. Noise will be monitored at all times. Most activities will occur inside the barn. Sound rises and this site is at the top of the hill. The DRB may stipulate operational times. **6) 8.2 Landscaping**, Many trees and shrubs have and will be planted to enhance the aesthetics of the site. **7) 8.5 G Traffic**, Project shall not create unreasonable traffic congestion or cause unsafe conditions on public roads. The DRB may request a traffic impact study to ensure road safety. Mine Road is a Class 3 Town Road determined by VTrans and the Select Board. Mr. Martel has planned clearly marked entrance and exit driveways, with a one way traffic pattern.
- **Annabelle Ship**, Abutting Property Owner, offered concerns regarding a dumpster placed by Mr. Martel. She is opposed to this proposal. Ms. Ship had presented the DRB with a multipage essay in which she stated her concerns with Mr. Martel's plans.
- **Claudine Safar**, Attorney for Ms. Ship, presented the DRB with a letter dated June 8, 2023. In this letter she outlines her concerns with the Martel's application: **1) The application is incomplete,** **2) The Rural Lands District prohibits mixed uses,** **3) The regulations do not specifically list wedding venues as a category.** **4) Performance Standards emitting noise** For these reason Ms. Safar states this application must be denied.
- **Janice Chartier**, who lives on Center Hill Road, expressed concerns over excessive dust.
- The DRB **postponed a decision** on The Martel's proposal until more information is attained.

- **Final Hearing – BRADLEY and MEGAN ST. PIERRE – 3 LOT SUBDIVISION**
 - Alex Smith representing Barnard & Gervais presented the final plans for a 3 Lot Subdivision at 4008 Watertower Road. Lot 1 is 5.9 acres, Lot 2 is 5.0 acres and Lot 3 is 7.9 acres. All lots meet Berkshire requirements.
Moved by Jason D. and seconded by Jason J. to approve Subdivision. Unanimous approval
- **Sketch Plan Hearing – DENNIS and TYLER SHERIDAN - Wedding / Party Venue**
 - The DRB visited the Sheridan's proposed site at 27 Cross Road. This is a 2/3 Acre Lot with The former Methodist Church. It is Dennis' plan to convert the church to a Rental Venue. Water and sewer are already existing. The Fire Marshal has determined that the site could hold a maximum of 100 seats. Parking seemed to be an issue. Carl requested that all, legal size parking spaces be shown on the plat, and the handicapped ramp and designated handicapped parking. Many concerns were expressed with the intersection of Cross Road and VT Rte. 108. Dennis will encourage traffic to use Potato Hill.
 - Abutting property owners, Ernie and Lynn Minetti were present. Ernie was concerned that the water line crosses his property. He and Dennis will need to solve this issue. Lynn questioned parking and where the overflow parking would be. This concern appears to be addressed with Carl request for specific parking spaces labeled on a Plat. The noise from an event was discussed and that quiet time would happen at 11PM and be enforced. The Minetti's also suggested a stockade type fence be erected to protect them from noise and sight pollution. Dennis seemed willing to limit the number of activities to two (2) per week.
Final Hearing will be warned for July 13, 2023.
- **Other New Business**
 - Margo Sherwood informed the DRB that the Town of Enosburg wants to install 13 Acres of Solar Panels on land they own on the Reservoir Road. There will be site visit on June 21 at 5:30PM.

➤ **RECOGNITION OF VISITORS**

- Dorothy Leach would like to groom dogs in the barn on her property. She needs a Change of Use.

➤ **OLD BUSINESS**

- Minutes of March 9, 2023 were approved as written by acclamation.
- Minutes of May 11, 2023 Margo requested the line..."This plan appears to be in compliance...." Be changed to "Mr. Martel believes this is in compliance..."

Moved by Jason D, Seconded by Jason J. to approve minutes with amendment. Unanimous

➤ **ADJOURNED**

- 10:35 PM

➤ **NEXT MEETING – JULY 13, 2023**

Respectfully submitted,

Ann E. Lavery

