

**DEVELOPMENT REVIEW BOARD
MINUTES**

December 10, 2018

MEMBERS PRESENT:

Phil Carter, Chair	Julie Nicoll	Dana Wilson
John Boehrer	Linda Petty	

STAFF PRESENT:

Rose Goings

OTHERS PRESENT:

Gerry Sheehan	Ed McEneaney – Okemo Valley TV
John Marchica	Lisha Klaiber, Recorder

I. CALL TO ORDER

1. Meeting opened at 6:00 p.m. by Chairman, Phil Carter, all members present.

II. OPEN THE PUBLIC HEARING FOR JOHN MARCHICA

1. Phil Carter advised that this is an application to consider an amendment to a Conditional Use Permit to change the use from a bakery to an office. The project is located at 28 Main Street in the Village Residential Commercial District
2. Rose Goings advised that this is application 247-04-CU, Amendment #5. Posted in the Town Hall bulletin boards, the Berkshire Bank Bulletin Board and the Post Office Bulletin Board and on the website on November 13, 2018, advertised in THE VERMONT JOURNAL on November 21, 2018 and abutting property owners were notified on November 13, 2018. She advised that all letters are in.
3. Phil Carter administered the oath to all (Gerry Sheehan and John Marchica) wishing to speak at this hearing.
4. John Marchica said that he as the applicant wants to convert the space into a law office.
5. Phil Carter noted that the board has been to the building on previous occasions. He asked if Mr. Marchica would be making any changes to the exterior of the building.
6. John Marchica said no, other than a sign.
7. Phil Carter said Mr. Marchica would need to go to Rose Goings for that.
8. Julie Nicoll asked about exterior lighting.
9. John Marchica said there would not be changes. The only change to the space would be a temporary, interior wall
10. Gerry Sheehan said there is existing exterior lighting.
11. Phil Carter asked about parking.
12. John Marchica said parking would continue to be behind the building.
13. Phil Carter said that there is an existing sign directing people where to park, he asked if it would stay.

14. John Marchica said yes.
15. Phil Carter noted that all required letters from town departments are in. He asked about a letter from the Fire Marshal.
16. Rose Goings said a letter from the Fire Marshal has been submitted.
17. Julie Nicoll asked the hours of operation.
18. John Marchica said 9:00 AM to 5:00 PM.
19. Julie Nicoll asked if he would ever be working late and if so, he would have to come back for a change in the permit.
20. John Marchica said the hours of operation would be 24/7 and that he does work late sometimes.
21. Rose Goings said that she and John Marchica had spoken and he requested a motion on the record. She said that Gerry Sheehan is leaving town.
22. Phil Carter asked the board if they would be in favor of an up/down vote.
23. Board members agreed.
24. **Phil Carter polled the board and all were in favor of granting the permit application. Motion passed unanimously.**
25. Phil Carter advised that the board would write up their decision and get it to John Marchica.

III. **OTHER BUSINESS**

1. There was none.

IV. **APPROVE MINUTES**

1. Phil Carter advised that the minutes to be reviewed are from October 22, 2018.
2. The following corrections were noted:
3. Page 1, item II, 7, should read "Phil Carter asked about the letter from the Fire Marshal."
4. Page 1, item II, 10, should read "the inspection and expiration dates were not clear on the copy they received."
5. Page 2, item III, 4, should read "Phil Carter asked Rose Goings what the violation was." He added that item III, 5 should read "... they don't meet the 50-foot setback from the lake requirement."
6. Page 2, item III, 8, should read "...that the construction that is taking place is moving away from the lake."
7. Page 2, item III, 9, should read "...roof with less than a two-foot extension and away from the lake."
8. Page 2, item III, 11, should read "... and part of the property is not intruding into the setback."
9. Page 2, item III, 12 should read "how the people would go between..."
10. Page 3, item III, 18 should read "Phil Carter said that to avoid a variance, why can't you just block..."
11. Page 3, item III, 24 should read "about 10 years ago the roof and alley..."
12. Page 3, item III, 28c should read "...most of the structure is within the setbacks."
13. Page 3, item III, 29, should read "...given the test of hardship, are they discussing ice."
14. Page 3, item III, 33, should read "Phil Carter asked where are they going to enter the house?"
15. Page 3, item III, 34, should read "...through the front door."
16. Page 4, item III, 46, should read "Rose Goings said the proposed new structure is within the FEMA flood area. The two existing buildings are not..."
17. Page 4, item III, 48, should read "... the proposed structure would be in the flood zone."

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18. Page 4, item V, 1, d, should read “mechanical engineers, engineers working on the elevation drawings and other consultants.”
 19. **MOTION by Phil Carter and seconded by Linda Petty to approve the minutes from October 22, 2018 as corrected. Motion passed unanimously.**

V. **ADJOURN**

1. **MOTION by John Boehrer and seconded by Dana Wilson to adjourn. Motion passed unanimously.**
2. Meeting adjourned at 6:18 p.m.

Respectfully submitted,

Lisha Klaiber

Phil Carter, Chairman

Julie Nicoll

John Boehrer

Linda Petty

Dana Wilson