



Mayor & Council of Berlin

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**Town of Berlin
Planning Commission Agenda
November 8, 2017 6:00 PM
Berlin Town Hall – Council Chambers**

1. Call to Order
2. Agenda Adoption
3. Approval of Minutes –September 20, 2017
4. Discussion of Commercial Architectural Design Standards & Guidelines
5. Comments from the Commissioners
6. Comments from the Chairman
7. Comments from the Public
8. Adjournment

Town of Berlin
Planning Commission
September 20, 2017

The Planning Commission Meeting for September 20, 2017 was called to order by Chairman Chris Denny at 6:00PM. In attendance were Chris Denny, Barb Stack, Pete Cosby, John Barrett, Newt Chandler and Phyllis Purnell. Staff present were Planning Director Dave Engelhart, Permit Coordinator Carolyn Duffy, Town Attorney David Gaskill and Town Administrator Laura Allen.

Chairman Chris Denny called for a motion to adopt the agenda. The motion to adopt the agenda was made by Barb Stack. Newt Chandler seconded the motion and it was unanimously accepted by the commission. Chairman Denny then called for a motion to approve the minutes from the June 14, 2017 meeting. Mr. Pete Cosby made the motion to approve the minutes from the June 14, 2017 meeting. Barb Stack seconded the motion and it was unanimously accepted by the commission.

The next item on the agenda was a revision to a site plan approval that was from April 12, 2017 for Burley Oak Brewery. Mr. Engelhart stated to the commissioners that it was a change to the original fence. He had notice they were constructing another fence on top of the existing fence. Which made it a 6 foot fence. He then issued a stop work order on 8-25-2017 and then again on the 28th. He stated that the ADA spots had not yet been constructed. He also stated that the construction to the second building had not been completed. Mr. Engelhart stated he was concerned about the parking. Mr. John Barrett asked about the ADA parking and if he still had time to complete it. Mr. Engelhart replied yes he still had time. He also stated Mr. Brushmiller had ignored the stop work order and had completed the fence. Mr. Newt Chandler asked if the occupancy permit was determined by the permit. Mr. Engelhart replied the Fire Marshall determines the occupancy of a building. Mr. Engelhart stated the lower fence if something happened people could not get over it. Mr. Chandler asked if the Liquor Board told him to put up a 6 foot fence. Mr. Engelhart replied they wanted a 5 foot fence. Mr. John Barrett asked what the reason was for him coming back before the commission. Mr. Engelhart replied because this was a change to what was approved before.

Mrs. Phyllis Purnell inquired about the noise ordinance. Mr. Engelhart stated there had been one incident related to noise. Mr. Barrett stated he had a stipulation on the time for Sundays while open. Mr. Chandler thought code wise it was done. Mr. Pete Cosby asked if he had taken down the Stop Work Order. Mr. Engelhart replied he didn't see him do it and there was a second time. Mrs. Stack asked if any grant money had been received. Mrs. Laura Allen Town Administrator replied not with this new addition to what he is doing. Mr. Cosby wanted to see the previous site plan approval from April 12, 2017. Mr. Cosby asked if the materials had been previously determined. Mrs. Stack told the commission she had noticed they were parking on the church property. Mr. David Gaskill Town Attorney replied that was not a Planning Commission issue. Mrs. Allen stated if they were having a problem with parking, they should call the police. Chairman Denny called for a motion to approve 6' fence. Mr. Newt Chandler made the motion to approve the 6' fence. Mr. John Barrett seconded the motion. The motion didn't pass it was a 3-3 opposed. Chris, Newt, John (yes) Pete, Barb, Phyllis (opposed).

Discussion continued: Mr. Barrett and Mr. Chandler both agreed that the fence was already there and would help with the noise. Mr. Barrett trying to convince Mrs. Purnell that the fence would help with the noise. Mr. Cosby replied he didn't like the revision. Another motion was made to approve the fence. Mr. Chandler made the motion to approve the fence. Mr. Barrett seconded the motion. It was a 4/2 vote Pete and Barb opposed.

Next on the agenda was the Review of the Commercial Architectural Design Standards & Guidelines Draft. Mr. Engelhart asked if the language was acceptable to the commission. Mr. Chandler replied he needed a little more time. Chairman Denny asked if everything they had discussed had been revised. Mr. Engelhart replied yes. Chairman Denny asked if they could go over it again and discuss at next month's meeting. Mr. Cosby replied for all to read and have comments for next month.

With no other comments the meeting was adjourned. Motion to adjourn made by Barb Stack and seconded by Newt Chandler. Meeting adjourned 6:38PM.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Carolyn Duffy".

Carolyn Duffy