

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, January 12, 2017
6:30 p.m.**

On Thursday, January 12th, 2017 at 6:30 p.m., the Town of St. Albans Development Review Board met at Town Hall for hearings.

Present: Chair, Brent Brigham, Clerk, Bruce Thompson, Karen Drennen, Arthur Omartian, Mike McKenney, and Zoning Administrator, Becky Perron

Absent: Vice Chair, Jeff Jewett, Tom Stanhope

Chair, B. Brigham called the Development Review Board hearing to order at 6:30 p.m.

New Business:

Application of Andrew & Joann Bechard requesting an 801 Waiver to allow access to no more than two single family homes in accordance with Sections 403 and 801 of the St. Albans Town Unified Development Bylaws. The property is located at Patten Crosby Road 357 Next To (off Ouellet Drive) in the Residential District and is owned by the Applicants.

The application was represented by applicants Andrew and Joann Bechard. The Chair asked if anyone was in the audience to hear the application. William Gates, abutting landowner, wished to hear the application and requested Interested Party Status.

MOTION: K. Drennen made a motion to grant Interested Party Status to William Gates as an abutting property owner. A. Omartian seconded. All in favor, none opposed, motion carried.

MOTION: B. Brigham made a motion to grant Interested Party Status to Dan Desorcie who requested Interested Party Status via letter as an abutting property owner. A. Omartian seconded. All in favor, none opposed, motion carried.

The Clerk swore the applicants and Interested Party in. A. Bechard explained he and his wife had recently purchased 22 acres of a 7 lot subdivision. Three acres will be broken off and sold. The applicant proposes to use the existing driveway which briefly enters Lot 4 and turns east onto the proposed Lot 8. The applicant is requesting an 801 waiver to waive the road frontage requirements.

K. Drennen asked if there was an existing house. A. Bechard explained the 19 acres will be used to build his house once the three acres has been split off and sold to help with the expenses.

B. Brigham asked if the stormwater ponds shown on the plan are existing. A. Bechard confirmed they are existing ponds. He explained the stormwater plan was designed for Lot 4 and prior to building a house on the 19 acre lot the stormwater issue will need to be revisited. A meeting with David Tudhope is set up for January 20th to discuss the stormwater on site.

A. Omartian wondered if the proposed 19 acre lot was identified as Lot 8. A. Bechard confirmed. A. Omartian asked for confirmation Lot 4 was the lot proposed to be subdivided off. A. Bechard confirmed. A. Omartian asked if there is currently any developing on Lot 8. A. Bechard stated he had done perk testing and cleared trees and brush but did not intend to develop until the stormwater issues were identified and resolved.

B. Brigham asked for confirmation the applicant needed an 801 waiver because there was not enough frontage. B. Perron confirmed.

A. Omartian asked for the distance between lot 5 and lot 4 along the cul-de-sac. A. Bechard stated roughly 60 feet.

B. Brigham asked if W. Gates had any questions. W. Gates asked for confirmation any damage to the road from construction vehicles would be taken care of by the applicant and not absorbed by the HOA. A. Bechard confirmed. B. Thompson asked if the road was paved. A. Bechard stated the road is not paved.

Application of Dr. Leonard Tremblay requesting Site Plan Amendment to construct an addition and provide a sidewalk in accordance with Sections 404, 409, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 53 Fairfax Road in the Residential/Commercial District within a Designated Growth Center and owned by the Applicant.

The application was represented by S. Ruggiano of Ruggiano Engineers. He was sworn in by the Clerk. There were no interested parties.

S. Ruggiano explained the applicant was proposing a 3,123 square foot addition to the east side of the existing building. A parking lot expansion of 14 spaces and a sidewalk are also proposed. Drainage will be directed to the north side of the property where it will be discharged into a roadside swale. Drainage on the south side of the property will be maintained as it is now.

S. Ruggiano explained the expansion is for elbow room for Dr. Tremblay's existing practice. No new patients or employees are expected.

A letter was obtained from Fire Chief Cross and Police Chief Taylor. A 111 utility permit will need to be obtained for constructing the sidewalk in the Right of Way. B. Brigham wondered if that was a difficult permit to receive. S. Ruggiano stated it wasn't very difficult for a sidewalk and added the sidewalk was going in the Right of Way to keep it out of the swale. He added the grading along the south side of the building will be torn up during construction but will be replaced as it was.

B. Thompson wondered what the width of the parking area was. S. Ruggiano stated 64 feet. B. Thompson wondered if construction would commence during 2017. S. Ruggiano was hopeful construction would be finished in 2017, but stated it could go longer.

Application of Comb Assoc./F.W. Webb Co. requesting Site Plan Amendment to expand an outdoor storage area and provide for a sidewalk in accordance with Sections 405, 409 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 5 Franklin Park West in the Commercial District within a Designated Growth Center and owned by the Applicants.

The application was represented by Peter Cross and Peter Garceau of Cross Consulting Engineers, and Darrell Reed and John Bonnette of F.W. Webb. The applicants were sworn in by the Clerk. P. Garceau explained the applicant is proposing to fence in an area to be used as outdoor storage of building materials as well as provide for a future sidewalk within the Franklin Park West Right of Way. The sidewalk is proposed to be constructed within 5 years of the Town Zoning approvals and permitting. The application will effect some Class III wetlands. New security lighting and minor landscaping is also being proposed.

After reviewing the plans, K. Drennen wondered the distance between the wetlands and Steven's Brook. P. Garceau explained the tributary K. Drennen was noticing flowed into Hungerford Brook. The tributary runs under the interstate and the swale runs behind the shopping center where it collects and runs under Route 207.

B. Brigham wondered what kind of permitting would be needed to fill in the Class III wetland. P. Garceau replied the Army Corp would need to grant the permit which had already been submitted. B. Brigham inquired if a pipe would go under the wetland or if they would just be filled in. P. Garceau confirmed the wetland would be filled. He added the wetland is a small pocket, roughly 9,000 square feet, it does not run anywhere. B. Brigham asked where the drainage from the additional storage area would go. P. Garceau stated the drainage will go the same place it currently does. A swale along the western perimeter of the parking lot will be increased. The swale runs into a Franklin Park West roadside ditch.

A. Omartian asked if the additional storage area would be paved. J. Bonnette confirmed. B. Thompson asked if a handicap parking space was added. P. Garceau explained the parking space had been there, but an extension of the parking area would be paved. B. Thompson asked for the additional lighting to be pointed out; 7 added lights were shown.

B. Perron asked for the proposed landscaping. 8 pine trees are being added, 3 on the west side and 5 on the south side.

B. Thompson asked for clarity as to why the sidewalks would not be built now and why the applicant was requesting 5 years to get them built. P. Garceau explained Franklin Park West was complicated since some of the road was Town owned and some was private road. The portion the sidewalk would run along is Town owned road and therefore the Town would need to be a co-applicant on the permit. Sidewalks proposed in another area of Franklin Park West are not covered by a stormwater permit. P. Garceau is suggesting the whole association of Franklin Park West alongside the Town come together to permit all projects at once. B. Thompson asked how the Town would monitor the sidewalk being installed within 5 years. P. Garceau suggested the Town use similar language as that used in another recent Franklin Park

West application and stated the applicant would be in violation if it did not comply with the Town's decision. B. Brigham asked how much of the road was Town owned. P. Garceau stated to the end of the Webb property but before the Morse property.

The applicant stated the current fence is ten foot high. The plans submitted describe an eight foot high fence but the applicant intends to match the current fence height.

B. Perron asked for confirmation the \$300,000 price estimate given includes the sidewalk. P. Garceau confirmed.

Application of Franklin County Industrial Development Corp. and Peerless Clothing requesting Site Plan Amendment to construct additions & provide a sidewalk in accordance with Sections 406 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 200 Industrial Park Road in the Industrial District and is owned by FCIDC.

The application was represented by Peter Cross and Peter Garceau of Cross Consulting Engineers as well as Gary LeRoux of Peerless. E. Ciemniewski, representative of Teknor Apex, asked for Interested Party Status.

MOTION: M. McKenney made a motion to grant Interested Party Status to Eric Ciemniewski, representative of Teknor Apex as an abutting business. K. Drennen seconded. All in favor, none opposed, motion carried.

The applicants and Interested Party were sworn in.

P. Cross explained Peerless Clothing has been in business in the Town of St. Albans for over twenty years, during which four major expansions have occurred. There are currently four buildings on site. One building on the site is a roughly 85,000 square foot, pre-engineered, 25 foot high building. The applicant is proposing to remove that portion of the facility and replace with a 90,275 square foot building with a height of 65 feet. The new addition will include 9 loading docks in the front and 8 in the rear. The applicant is also proposing to reconfigure the parking area. Letters from the Fire Chief and Police Chief have been received.

The overall square footage between buildings will be close to two million square feet. This is a major project and will take around two years from start to finish. The applicant is proposing to start May of 2017. Partial demolition and construction will take place several times as the project is so large and will require multiple processes.

Peerless Clothing is proposing a temporary stone parking lot on the Teknor Apex property. The parking area will have temporary drainage and lighting and will be returned to grassy area once the project is complete.

The drainage for the redevelopment will not change substantially as paving is being substituted for roofing. The current drainage discharges under Benoit Drive into Rugg Brook. Additional water and sewer allocations have been approved by the City.

An additional 50 employees are being proposed. The applicant is proposing some new landscaping and lighting.

Currently Peerless has around 305 parking spaces. Around 60 spaces go unused daily. The applicant is proposing a reduction in parking and a total of 264 parking spaces are proposed. Many employees take advantage of public transportation.

K. Drennen asked for a timeline of construction. P. Cross estimated the new building would take fourteen months to construct and the new sorter would take around a year to construct. The total construction time is estimated at two years.

B. Brigham wondered if the existing stormwater ponds would suffice. P. Cross stated they would, and reiterated the square footage of impervious surface was not changing much.

B. Brigham asked if the entire structure would be built to the sixty five foot elevation. P. Cross estimated around ninety percent of the building would be built to that elevation.

K. Drennen wondered what the temporary parking area would consist of. P. Cross explained the parking lot would be made out of stone and be roughly 160 spaces. The parking area will also include temporary lighting and perhaps a fence.

E. Ciemniewski asked for confirmation the green space in front of Teknor Apex being used for temporary parking would only be used for two years. P. Cross estimated 20 months, but stated it would not go over two years. E. Ciemniewski asked for confirmation trucks would still be able to access the back of Teknor Apex for deliveries. P. Cross stated the plans could be reviewed with Teknor Apex but he understood Teknor Apex did not want their driveway being used to access the temporary parking area.

B. Perron asked how far the smoking structure would be from the Right of Way. P. Garceau stated it would be 70 feet away. B. Perron reminded him the structure would need to be at least 75 feet from the ROW. P. Garceau confirmed the smoking structure would be moved to at least 75 feet.

Application of Michael Gosselin requesting a side yard variance to convert an existing accessory structure into a dwelling to replace a destroyed dwelling previously located elsewhere on the lot in accordance with Sections 404 and 805 of the St. Albans Town Unified Development Bylaws. The property is located at 204 Pearl Street in the Residential/Commercial District and is owned by the Applicant.

The application was represented by Michael Gosselin. The Clerk swore him in. There were no interested parties.

M. Gosselin explained he had purchased 204 Pearl Street which consisted of .65 acres, an existing two story garage and a burned mobile home. A variance was received for the garage in 2002 due to a failure to meet the side yard setback.

He has removed the unusable mobile home and is proposing to turn the second story of the existing garage into a studio apartment. M. Gosselin explained the second story of the garage was built very well and he assumes the previous owner intended to use it as living space as well. It is already partially framed and much of the wiring is done.

M. Gosselin explained the current garage structure would not meet the side-yard setbacks of a single family home. According to a survey there is approximately 13' to the side yard. If M. Gosselin were to replace the pre-existing trailer and meet the current setbacks, the structure could only have a width of twelve to thirteen feet. M. Gosselin was unsure if mobile homes were still being built at that width.

M. Gosselin spoke with the neighbors and they are all comfortable with him using the existing structure for a single family use. M. Gosselin stated he would use the garage and studio apartment as a rental. K. Drennen asked if the garage would be utilized by the tenant. M. Gosselin confirmed.

Deliberative Session

MOTION: K. Drennen made a motion to enter deliberative session at 8:10 p.m. A. Omartian seconded. All in favor, none opposed, motion carried.

MOTION: K. Drennen made a motion to come out of deliberative session at 8:50 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

Application of Andrew & Joann Bechard requesting an 801 Waiver

MOTION: B. Brigham made a motion to approve the Application of Andrew & Joann Bechard requesting an 801 Waiver to allow access to no more than two single family homes in accordance with Sections 403 and 801 of the St. Albans Town Unified Development Bylaws. The property is located at Patten Crosby Road 357 Next To (off Ouellet Drive) in the Residential District and is owned by the Applicants with the following conditions: to accept the findings of fact and conclusions of law listed in the Zoning Administrator's amended staff report dated 1/9/2017. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

MOTION: B. Brigham made a motion to grant Interested Party Status to Dan Desorcie who requested Interested Party Status via letter as an abutting property owner. A. Omartian seconded. All in favor, none opposed, motion carried.

Application of Dr. Leonard Tremblay requesting Site Plan Amendment

MOTION: B. Thompson made a motion to approve the Application of Dr. Leonard Tremblay requesting Site Plan Amendment to construct an addition and provide a sidewalk in accordance with Sections 404, 409, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 53 Fairfax Road in the Residential/Commercial District within a Designated Growth Center

and owned by the Applicant with the following conditions: to accept the findings of fact and conclusions of law listed in the Zoning Administrator's amended staff report dated 1/9/2017. A. Omartian seconded the motion. All in favor, none opposed, motion carried.

Application of Comb Assoc./F.W. Webb Co. requesting Site Plan Amendment

MOTION: K. Drennen made a motion to approve the Application of Comb Assoc./F.W. Webb Co. requesting Site Plan Amendment to expand an outdoor storage area and provide for a sidewalk in accordance with Sections 405, 409 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 5 Franklin Park West in the Commercial District within a Designated Growth Center and owned by the Applicant with the following conditions: 1) to provide the Zoning Administrator with a copy of the Army Corp permit, 2) to provide the Zoning Administrator with a new plan showing accurate fence heights, and 3) to accept the findings of fact and conclusions of law listed in the Zoning Administrator's amended staff report dated 1/9/2017. A. Omartian seconded the motion. All in favor, none opposed, motion carried.

Application of Franklin County Industrial Development Corp. and Peerless Clothing requesting Site Plan Amendment

MOTION: M. McKennerney made a motion to continue to January 26th, 2017 the application of Franklin County Industrial Development Corp. and Peerless Clothing requesting Site Plan amendment to request the following: 1. A site plan showing the temporary parking as well as the lighting within the temporary parking area, 2) a cost estimate of the temporary improvements including lights and fencing, 3) a timeframe for construction as well as removal of the temporary parking area, 4) building elevation plans, and 5) proof of an agreement between Peerless Clothing and Teknor Apex regarding the temporary parking. K. Drennen seconded the motion. All in favor, none opposed, motion carried.

Application of Michael Gosselin requesting a side yard variance

MOTION: K. Drennen made a motion to approve the Application of Michael Gosselin requesting a side yard variance to convert an existing accessory structure into a dwelling to replace a destroyed dwelling previously located elsewhere on the lot in accordance with Sections 404 and 805 of the St. Albans Town Unified Development Bylaws. The property is located at 204 Pearl Street in the Residential/Commercial District and is owned by the Applicant with the following conditions: to accept the findings of fact and conclusions of law listed in the Zoning Administrator's amended staff report dated 1/9/2017. B. Thompson seconded the motion. All in favor, none opposed, motion carried.

Minutes

MOTION: K. Drennen made a motion to accept the minutes from the DRB meeting dated December 15th, 2016. B. Brigham seconded. All in favor, none opposed, motion carried.

Adjournment

MOTION: K. Drennen made a motion to adjourn the DRB meeting at 9:25 p.m. A. Omartian seconded. All in favor, none opposed, motion carried.

Respectfully Submitted,
AJ Johnson, Administrative Assistant

Brent Brigham, Chair

Bruce Thompson, Clerk

Arthur Omartian

Karen Drennen

Mike McKennerney