

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, April 25th, 2019
6:30 p.m.**

On Thursday, April 25th, 2019 at 6:30 p.m., the Town of St. Albans Development Review Board met at Town Hall for hearings.

Present: Chair, B. Brigham, Vice Chair, Arthur Omartian, Mike McKennerney, Ashley Toof, Christina Boissoneault, Jonathan Giroux, Alternate, and Zoning Administrator, Becky Perron

Absent: Clerk, B. Thompson

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

Application of Michael & Armand Gregoire and Green Mountain Hemp Company requesting Conditional Use Approval for a change of use from Motor Vehicle Repair, Service or Sales to Light Industry in accordance with Sections 406, 410, and 802 of the St. Albans Town UDB's. The property is located at 122 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Gregoire's.

The Application was represented by Michael Gregoire, building owner and Michelle DeCarmine of Green Mountain Hemp Company. The Applicants were sworn in by Mike McKennerney. There were no Interested Parties.

M. DeCarmine explained her business is expanding and she is proposing to use the building located at 122 Swanton Road as a production facility; the building will be used for production, labeling and shipping of product. The production facility will generate less traffic than the previous use of Auto Sales.

A. Omartian asked the Applicant to describe the production process. M. DeCarmine stated the business will have no more than six employees. Material will be melted down and then used to make creams and tinctures. Most of the products made are topical but there are some products used internally. Two office spaces within the building will also be utilized.

A. Omartian inquired if the process will exhaust fumes into the air. The Applicant explained the material is melted using heated coils and plates; there is no fire used in the melting process.

B. Brigham wondered if the products will go to the front shop to be sold. The Applicant stated most of the products will be sold at the Vermont Grow Shop store, which is a different entity.

B. Brigham asked if there will be any changes made to the building. M. Gregoire stated he removed two lifts and a compressor from the building. He also redid the flooring and updated the lighting. The space does not require many updates as it will only be utilized by employees and not customers.

B. Brigham asked what the hours would be. M. DeCarmine was unsure but guessed 6:00 a.m. to 3:00 p.m., although someone could be there as late as 6:00 p.m.

B. Brigham inquired if a large amount of raw product would be delivered to the site. M. DeCarmine explained they will only take in as much product as they can ship back out and does not foresee a lot of traffic being generated.

B. Perron wanted to confirm that cars will not also be sold on the property, and there will be a change of use from Motor Vehicle Sales. M. Gregoire confirmed, and explained the cars for sale in the parking lot are his personal vehicles.

Application of FCIDC requesting Site Plan Amendment to reconfigure a previously approved warehouse within an existing PUD in accordance with Sections 407, 803, and 804 of the St. Albans Town UDB's. The property is located at 0 Industrial Park Road, Lot 9 in the Industrial District and owned by FCIDC.

The Application was represented by Peter Garceau of Cross Consulting and Tim Smith of FCIDC. T. Stanhope swore in the Applicants. There were no Interested Parties.

The Applicant explained they had previously received Site Plan Approval for a 50,000 square foot warehouse building. They are now proposing a 61,700 square foot building with changes to the layout of the parking area and truck access. There will also be more loading docks than previously approved.

A. Omartian asked if there is an anticipated occupant or use for the building. T. Smith stated there are negotiations at this time and it is under discussion. If the sale falls through the building will not be constructed at this time, and the lot will be put up for sale with the approvals to construct.

A. Toof inquired if the previously approved recreation path would be installed. T. Smith explained the path is a requirement of Act 250 but is unsure during which phase the path needs to be constructed. A road to the west will need to be constructed prior to the recreation path. B. Perron asked for confirmation the Applicant would like to waive the sidewalk requirements in lieu of the recreation path. T. Smith confirmed.

B. Brigham asked if the proposed use is a warehouse. The Applicant confirmed. There will be a limited amount of bathrooms and offices in the building, as well as a lounge area.

The DRB commented on the grade of the site. P. Garceau explained entering from the lower portion of the site will make it easier for trucks to arrive.

B. Brigham asked if the water line is in place. The Applicant confirmed. B. Brigham asked if the underground utilities are in place. The Applicant explained the vaults and conduit are installed, but the power has not been pulled.

P. Garceau pointed out the roof drainage which makes its way to the roadside ditch. Much of the stormwater will be piped into the infrastructure that leads to the stormwater pond; the entire Industrial Park is served by one stormwater pond, but the recharge area is handled lot by lot.

Application of FCIDC requesting Site Plan and Conditional Use Approval to construct an approximately 32,000 square foot production facility in two Phases in accordance with Sections 407, 802, 803, and 804 of the St. Albans Town UDB's. The property is located at 0 Industrial Park Road, Lot 2 in the Industrial District and owned by FCIDC.

The Application was represented by Peter Garceau and Tim Smith. The Applicants were sworn in by M. McKenney. There were no Interested Parties.

The Applicant in proposing a 32,000 square foot production facility to be constructed in two phases. The first phase is proposed to be 16,000 square feet. There will also be an outdoor storage area; it is unknown if the storage area will be gravel or paved.

B. Brigham asked what will be stored within the storage area? P. Garceau explained the proposed business is a startup company that takes recycled glass, heats it and uses the byproduct as a sub base for roads. The product is very lightweight and will be stored as bricks in totes.

B. Brigham asked where the glass comes from. The glass is all recycled material and a portion of it will come locally. If the second phase is constructed, the company will be able to crush the glass on site themselves. A railway spur has been proposed to transport inbound materials.

B. Perron asked if the crushing process is done indoors. The Applicant confirmed. B. Brigham asked if it is a dusty process. The Applicant explained that the company will require a State permit for air emissions prior to making the product. Air filters may be required. The product is not dusty once it is fully made.

B. Brigham asked what size the bricks end up being? P. Garceau stated the product comes out as a big sheet and then cracks into different size pieces.

A. Omartian inquired if this would be the first company like this in the United States. P. Garceau stated there is one similar in Philadelphia; this will be the second.

The company is proposed to employ between 12 and 15 employees. There will be two shifts, so the 11 proposed parking spaces should be sufficient.

The stormwater recharge area was shown as cross-hatching on the plan. Catch basins will direct stormwater flow to the roadside ditch which will lead to the pond. The permittee is responsible for keeping the catch basins cleaned out.

B. Brigham asked about site lighting. P. Garceau explained there will be a couple of lights near the parking area, but Benoit Drive and the un-named cul-de-sac are both well lit.

J. Giroux wondered how tall the silo shown on the plan is. P. Garceau estimated 42', but stated it is less than the height limit of 65'.

Application of Harbor View St. A LLC requesting a 2 lot subdivision and waiver of dimensional requirements within an existing PUD in accordance with Sections 206, 207, 208, 209, 403, and 804 of the St. Albans Town UDB's. The property is off Harbor View Drive in the Rural District and owned by the Applicant.

The Application was represented by Karl Marchessault of O'Leary and Burke. C. Boissoneault swore in the Applicant. There were no Interested Parties.

The Applicant is proposing to subdivide an existing lot into two lots. The existing lot 30 will be known as lots 30A and 30B. There will be a reduction of 1 unit from the previously approved 42 units. K. Marchessault explained the original approval was for 21 duplexes, but the duplexes are not selling as quickly as the developer would like. People are more interested in having smaller, single family homes known as carriage homes. The carriage homes will be condominiumized with their own driveways and will be on footprint lots.

The Applicant is also proposing to remove the proposed Lot 30B from the planned community located on the proposed Lot 30A. There will be two separate associations as there is a possibility the developer will sell the undeveloped lot. Both lots will be subject to the master association.

B. Perron explained that she was unable to do an administrative 2-lot subdivision as the lot was already subject to dimensional requirement waivers.

Although PUD's do not have interior setbacks, the Applicant has previously agreed to work with the Fire Chief and keep at least 10' between the units for a fire department personnel to pass through. The spaces will be left open and will not have fencing or landscaping.

Other Business:

Rules of Procedure – B. Perron provided a copy of the Rules of Procedure with proposed changes in yellow. The Conflict of Interest policy was removed as the personnel policy has one that covers all employees and volunteers of the Town. The DRB agreed to accept the Rules of Procedure with the amended changes.

MOTION: C. Boissoneault made a motion to accept the Rules of Procedure with the proposed changes. T. Stanhope seconded. All in favor, none opposed, motion carried.

Organizational Meeting:

MOTION: C. Boissoneault made a motion to allow all officers to remain in their current roles. B. Thompson shall remain Clerk, A. Omartian shall remain Vice Chair, and B. Brigham shall remain Chair. All in favor, none opposed, motion carried.

The Board welcomes new alternate Board member, Jonathan Giroux.

Deliberative Session

MOTION: A. Omartian made a motion to enter deliberative session at 7:37 p.m. A. Toof seconded. All in favor, none opposed, motion carried.

Application of Michael & Arman Gregoire and Green Mountain Hemp Company requesting Conditional Use Approval

MOTION: A. Toof made a motion to approve the Application of Michael & Armand Gregoire and Green Mountain Hemp Company requesting Conditional Use Approval for a change of use from Motor Vehicle Repair, Service or Sales to Light Industry in accordance with Sections 406, 410, and 802 of the St. Albans Town UDB's. The property is located at 122 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Gregoire's with the following conditions: 1. All previous conditions shall remain in effect unless otherwise amended by this decision, 2. The Board accepts the Fire Department's letter and, 3. To accept the amended findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated April 12th, 2019. A. Omartian seconded the motion. All in favor, none opposed, motion carried.

Application of FCIDC requesting Site Plan Amendment

MOTION: C. Boissoneault made a motion to approve the Application of FCIDC requesting Site Plan Amendment to reconfigure a previously approved warehouse within an existing PUD in accordance with Sections 407, 803, and 804 of the St. Albans Town UDB's. The property is located at 0 Industrial Park Road, Lot 9 in the Industrial District and owned by FCIDC with the following conditions: 1. Prior to receiving a Certificate of Occupancy, the recreation path shall be constructed as approved in the Land Use Permit 6F0591, 2. The Board accepts the Fire Departments letter, 3. Prior to receiving a Certificate of Occupancy, certification by a registered engineer shall be provided to the ZA certifying the improvements have been completed as per the DRB approved plans, 4. Full sized plans with accurate zoning data shall be submitted to the ZA 5. All previous conditions shall remain in effect unless otherwise amended by this decision, and 6. To accept the amended findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated April 12th, 2019. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Application of FCIDC requesting Site Plan and Conditional Use Approval

MOTION: C. Boissoneault made a motion to approve the Application of FCIDC requesting Site Plan and Conditional Use Approval to construct an approximately 32,000 square foot production facility in two Phases in accordance with Sections 407, 802, 803, and 804 of the St. Albans Town UDB's. The property is located at 0 Industrial Park Road, Lot 2 in the Industrial District and owned by FCIDC with the following conditions: 1. This approval is for Phase I only, Phase II shall return before the DRB for Site Plan Approval, 2. Certification by a registered engineer shall be provided to the ZA certifying the improvements have been completed as per the DRB approved plans 3. New plans shall be submitted to the ZA showing the placement of the fire hydrant as per the Fire Department letter, 4. To accept the amended findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated April 12th, 2019. T. Stanhope seconded the motion. All in favor, none opposed, motion carried.

Application of Harbor View St. A LLC requesting a 2 lot subdivision

MOTION: A. Omartian made a motion to approve the Application of Harbor View St. A LLC requesting a 2 lot subdivision and waiver of dimensional requirements within an existing PUD in accordance with Sections 206, 207, 208, 209, 403, and 804 of the St. Albans Town UDB's. The property is off Harbor View Drive in the Rural District and owned by the Applicant with the following conditions: 1., All previous conditions shall remain in effect unless otherwise amended by this decision and 2. To accept the amended findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated April 12th, 2019. A. Toof seconded the motion. All in favor, none opposed, motion carried.

Minutes:

MOTION: T. Stanhope made a motion to accept the minutes from the DRB meeting dated March 14th, 2019. M. McKennerney seconded. All in favor, none opposed, motion carried.

Adjournment:

MOTION: A. Omartian made a motion to adjourn the DRB meeting at 9:05 p.m. T. Stanhope seconded. All in favor, none opposed, motion carried.

Respectfully Submitted,
AJ Johnson, Administrative Assistant

Brent Brigham, Chair

Arthur Omartian, Vice Chair

Mike McKennerney

Tom Stanhope

Ashley Toof

Christina Boissoneault

Jonathan Giroux, Alternate