

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, September 26th, 2019
6:30 p.m.**

On Thursday, September 26th, 2019 at 6:30 p.m., the Town of St. Albans Development Review Board met at Town Hall for hearings.

Present: Chair, Brent Brigham, Vice Chair, Arthur Omartian, Clerk Bruce Thompson, Christina Boissoneault, Mike McKennerney, Jonathan Giroux, Tom Stanhope and Zoning Administrator, Becky Perron

Absent:

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

New Business:

Application of Klein Family LLC requesting Conditional Use Approval for a multi-use building in accordance with Sections 407 and 802 of the St. Albans Town Unified Development Bylaws. The property is located at 650 Industrial Park Road in the Industrial District and is owned by the Applicants.

The Application was represented by Kelly Klein of Klein Family LLC. There were no Interested Parties. The Applicant was sworn in by Clerk, B. Thompson.

K. Klein explained they are requesting Conditional Use Approval for a multi-use building. The Applicant currently utilizes a Manufacturing use for her mead business. K. Klein has a tenant in place who is requesting to use 9,000 square feet of the building as a lab for Research and Testing, as well as some Manufacturing. The building was previously utilized for Research and Testing prior to the Klein Family obtaining it.

B. Brigham asked if the Applicant has made any changes to the portion they propose to rent. K. Klein said the space has remained set up for a lab as they knew they wouldn't utilize that space for their business. All they have done is sweep the floor in that area.

B. Brigham explained that the Bylaws had been recently updated to allow the Board to grant Conditional Use Approval for Multi-Use buildings, but the Board did not like to give "blanket approval" for all approved uses in the district as some uses aren't compatible. B. Brigham asked if K. Klein could foresee requesting other uses in the future. K. Klein reiterated there is currently a Manufacturing use, and there is a request for a Research and Testing use. After looking at the Conditional Uses in the Industrial District, K. Klein thought a Light Industry use or Storage and Distribution could be compatible uses in the future.

The proposed tenant would utilize the space for testing and manufacturing of CBD products. C. Boissoneault asked if the proposed Research and Testing use would emit any gases when testing the products. K. Klein was unsure, but did not suspect there would be any gases emitted. She explained the proposed tenant is a professional who currently has another business doing the same thing and is very focused on quality control and doing what is needed.

B. Thompson asked if there would be any retail from that building. There will not.

B. Thompson wondered how the CBD process works. Is the product stripped, cleaned, dried and mashed? K. Klein did not have the answer, but explained the proposed tenant is a physicist by training and uses raw hemp product to make high quality products to sell, as well as tests other companies hemp products.

A. Omartian asked why the proposed tenant was not at the meeting and wondered if the meeting should be continued to obtain more information about the proposed business. K. Klein was not sure, and stated even if this tenant does not work out, Klein Family LLC would still like to utilize that portion of their building as Research and Testing.

B. Brigham inquired if the tenant intends to buy local hemp. K. Klein knows the proposed tenant owns a farm, but is unsure if they can supply enough.

B. Thompson asked if the tenant will utilize a security system. K. Klein explained the proposed tenant has a very advanced security system that he will bring from his existing location in Essex.

B. Perron asked if the tenant would grow any product on site. K. Klein said no.

C. Boissoneault asked if the tenant is moving from his current location, or just expanding. K. Klein stated the current space the tenant is in now is far too large, and he is moving his business.

Application of Janet Cote requesting re-approval and Site Plan amendment in accordance with Sections 401, 403, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 612 and 612 ½ Maquam Shore Road in the Lakeshore and Rural Districts and owned by the Applicant.

The Application was represented by Janet Cote. There were no Interested Parties. The Clerk swore in the Applicant.

B. Brigham stated the Applicant is applying for re-approval and Site Plan Amendment. Site Plan Approval was granted on April 23rd, 2013 to reconstruct a store and apartment that had been severely damaged. The building permit was granted with the last extension of the building permit set to expire on October 15th of this year.

Slight changes to the access stairs are being requested and the compressor will be enclosed by a structure rather than a cage. Additionally, an amendment of the handicap ramp is being proposed.

J. Cote showed pictures of the proposed Site Plan.

J. Cote explained the inspector from the State wanted to have the stairs moved, but there was difficulty coming up with a design that would not be too close to the septic system.

A. Omartian asked if during J. Cote's last time before the Board, the mound system was shown behind the building. The mound system was not shown on the drawing, but the location has not moved. The system was approved by ANR as of November 2017 and has been tested.

J. Cote stated the front entrance will have an ADA compliant ramp. A. Omartian asked if the second story apartment needed an ADA compliant ramp. It is not required.

A. Omartian asked if the stairs could be wood, or if they needed to be metal due to fire codes. B. Perron explained she does not do inspections for fire safety. J. Cote explained the state approved the design that has wood stairs. Although not required, it was suggested that there be a roof over the stairs. Additionally, a proper sized egress window was placed over the roof of the front door as an emergency exit from the apartment.

J. Cote pointed out a drawing showing an approved shed under a deck. The drawing does not show a door on the shed, but there is one there.

B. Perron made it clear that if the Board approves this Application, J. Cote will still need to obtain a building permit.

B. Thompson asked if the inside of the store was almost done. J. Cote estimated it is fifty percent done. The contractors advised her to wait until the State is done the ground work to finish the inside.

Continued Business:

B. Perron stated Malone Dorset Street Properties, LLC has requested another sixty-day extension. Thomas Carpenter has also requested an extension. Both applicants could still settle without going before the Board to address the appeal of the Notice of Violations.

Continued appeal of Malone Dorset Street Properties, LLC in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 0 Franklin Park West in the Commercial District within a Designated Growth Center and owned by the Appellant.

Continued appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 0 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant.

Continued appeal of Thomas Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 447 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant.

Continued appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 457 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant.

Continued appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 465 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant.

Continued appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 497 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant.

Deliberative Session

MOTION: A. Omartian made a motion to enter deliberative session at 7:20 p.m. T. Stanhope seconded. All in favor, none opposed, motion carried.

MOTION: A. Omartian made a motion to come out of deliberative session at 7:50 p.m. T. Stanhope seconded. All in favor, none opposed, motion carried.

Application of Klein Family LLC requesting Conditional Use Approval

MOTION: B. Thompson made a motion to approve the Application of Klein Family LLC requesting Conditional Use Approval for a multi-use building in accordance with Sections 407 and 802 of the St. Albans Town Unified Development Bylaws. The property is located at 650 Industrial Park Road in the Industrial District and is owned by the Applicants with the following conditions: 1. The Multi-Use approval is only for Heavy Industry, Light Industry, Research and Testing and Storage and Distribution, 2. All previous conditions remain in effect unless otherwise amended by this decision. 3. To accept the amended findings of fact and conclusions of law listed in the Zoning Administrators staff report dated September 18th, 2019, and 4. All State and Federal Permits are the Owner's responsibility. T. Stanhope seconded the motion. J. Giroux, C. Boissoneault, B. Brigham, B. Thompson, T. Stanhope, M. McKennerney in favor, A. Omartian opposed, motion carried.

Application of Janet Cote requesting re-approval and Site Plan amendment

MOTION: C. Boissoneault made a motion to approve the Application of Janet Cote requesting re-approval and Site Plan amendment in accordance with Sections 401, 403, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 612 and 612 ½ Maquam Shore Road in the Lakeshore and Rural Districts and owned by the Applicant with the following conditions: 1. All previous conditions remain in effect unless otherwise amended by this decision. 2. To accept the amended findings of fact and conclusions of law listed in the Zoning Administrators staff report dated September 18th, 2019. 3. Upon completion of the project, the Applicant shall provide certification by a registered engineer that the project has been completed as per the plans approved by the DRB, and 4. All State and Federal Permits are the Owner's responsibility. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Appeal of Malone Dorset Street Properties, LLC

MOTION: B. Thompson made a motion to continue the appeal of Malone Dorset Street Properties, LLC in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 0 Franklin Park West in the Commercial District within a Designated Growth Center and owned by the Appellant to the meeting of December 12th, 2019. C. Boissoneault seconded. All in favor, none opposed, motion carried.

Appeals of Thomas M. Carpenter

MOTION: B. Brigham made a motion to continue the appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 0 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant to the meeting of December 12th, 2019. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

MOTION: B. Brigham made a motion to continue the appeal of Thomas Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 447 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant to the meeting of December 12th, 2019. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

MOTION: B. Brigham made a motion to continue the appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 457 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant to the meeting of December 12th, 2019. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

MOTION: B. Brigham made a motion to continue the appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 465 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant to the meeting of December 12th, 2019. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

MOTION: B. Brigham made a motion to continue the appeal of Thomas M. Carpenter in accordance with Section 806 of the St. Albans Town Unified Development Bylaws. The property subject to appeal is located at 497 Swanton Road in the Commercial District within a Designated Growth Center and owned by the Appellant to the meeting of December 12th, 2019. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Minutes:

MOTION: A. Omartian made a motion to accept the minutes from the DRB meeting dated September 12th, 2019. C. Boissoneault seconded. All in favor, none opposed, motion carried.

Adjournment:

MOTION: J. Giroux made a motion to adjourn the DRB meeting at 8:00p.m. B. Thompson seconded. All in favor, none opposed, motion carried.

**Respectfully Submitted,
AJ Johnson, Administrative Assistant**

Brent Brigham, Chair

Arthur Omartian, Vice Chair

Bruce Thompson, Clerk

Christina Boissoneault

Jonathan Giroux

Mike McKennerney

Tom Stanhope