

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, January 28th, 2016
6:30 p.m.**

On Thursday, January 28th, 2016 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, Jeff Jewett, Clerk, Bruce Thompson, Mike McKennerney, Arthur Omartian, Karen Drennen and Zoning Administrator, Becky Perron

Absent: Tom Stanhope

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

New Business:

Application of Bonnette Properties, LLC requesting Site Plan Amendment to amend a previous approval in accordance with Sections 303, 315(6 & 7) and 417 of the 2009 St. Albans Town Zoning Bylaws and Subdivision Regulations and Sections 405, 803 and 804 of the 2015 Proposed St. Albans Town Unified Development Bylaws. The property is located at 400 & 402 Lake Road in the Commercial and Commercial/Residential Districts (2009 Bylaws) and the Commercial District (2015 Proposed Bylaws) and owned by the Applicant.

Corrin Bonnette represented this application on behalf of her father, Maurice Bonnette. The applicant was sworn in by Clerk, B. Thompson. The Chair asked C. Bonnette to describe the application.

Bonnette Properties, LLC had appeared before the Board September 2015 for approval on an 18,000 gallon storage tank to be used by Bourne's Energy. A condition of approval was that no customer tanks be stored on the premises for more than 24 hours. Bonnette's properties, LLC is now proposing a portion of their parcel be used to store customer tanks and Bourne's Energy relocate their business to the existing office space on the parcel.

C. Bonnette explained the proposed storage area for customer tanks abuts an easement given to Vermont Gas along the western side of the property. C. Bonnette and M. Bonnette met with a representative of Vermont Gas; they did not foresee a problem if the storage of customer tanks were approved and only anticipated a problem if Bonnette's built on or near the easement.

B. Brigham wondered if the tanks being stored would be new tanks or used tanks. C. Bonnette stated the tanks would be new tanks as well as purged customer tanks; the old tanks would be sent somewhere else. The letter of approval from the Fire Department stated the tank storage would only be allowed if they were purged. Bourne's Energy will only move forward with the storage and distribution if the entire business is moved to this location. C. Bonnette stated Bonnette's should be able to store anything on the premises. She added that Bonnette's used to store oil tanks and septic tanks on location.

B. Brigham asked if the storage space was fenced. C. Bonnette stated the area was not fenced in; only the Vermont Gas easement area was fenced.

B. Thompson wondered why a previous Fire Department condition of needing to install a fire hydrant had been removed. B. Perron confirmed the letter had been amended to state a hydrant would not need to be installed if a "Fire Department Only" lane was put in. Bonnette's has received a curb cut and the Fire Department tankers can access the location and the buildings with ease. If the lane is used for traffic other than the Fire Department's vehicles Bonnette's may be asked to install a knox box and fence at their expense.

B. Brigham asked if the distribution tank had been placed yet. It had not.

J. Jewette wondered how the traffic would be affected. C. Bonnette did not anticipate any changes.

Application of Cronulla Development, Inc. requesting Site Plan Amendment, waivers, and a two lot subdivision within a PUD in accordance with Sections 203, 303, 315(4), 401 and 417 of the 2009 St. Albans Town Zoning Bylaws and Subdivision Regulations and Sections 203, 402, 801, 803 and 804 of the 2015 Proposed St. Albans Town Unified Development Bylaws. The property is located at 51-59 Pinewood Drive in the Rural District of both current and proposed bylaws and owned by the Applicant.

P. Mazurak of Cross Consulting Engineers represented the application. B. Brigham asked if anyone in the audience was interested in receiving Interested Party Status. Joe Trombly and Cheryl Gordon, two members of 9T's LLC came forward. The clerk swore in the applicants and the Interested Parties.

MOTION: M. McKenney made a motion to grant 9 T's LLC, abutting property owners, Interested Party Status. 9T's LLC is being represented by Cheryl Gordon and Joe Trombly. K. Drennen seconded. All in favor, none opposed, motion carried.

P. Mazurak explained that the property located at 50-59 Pinewood Drive is an existing PUD on 10.75 acres in the Rural District. The applicant intends to perform a subdivision to separate a vacant old building from the other nine units. The building was previously referred to as the "NCO" building.

The subdivision would apply 2.41 acres to the vacant building and 8.3 acres to the remaining 9 units. The applicant is requesting to add a 20 foot right of way (ROW) next to the NCO building. The ROW will go from Bellevue Carriage Road to the 9T's LLC property. One of the nine units will be rebuilt.

K. Drennen wondered if all the units were occupied. P. Mazurak thought they were with the exception of one unit that is for sale. It is unknown if it has sold.

B. Brigham asked if the back of the NCO building was being removed. P. Mazurak confirmed it was to make room for the proposed ROW.

The Chair asked the Interested Parties if they had anything to add.

J. Trombly stated parcel owner, G. Henderson, has an obligation to provide a ROW to 9T's LLC so they can access their abutting land. J. Trombly stated an agreement had been signed but 9T's had been unable to get ahold of G. Henderson. They had appeared before the board to assure any alterations to the parcel would not affect their abutting property and access. 9T's lands have no frontage on any road other than the Interstate at this time.

P. Mazurak showed 9T's where the proposed ROW is.

B. Perron stated the proposed ROW across Cronulla's property does not grant 9T's any rights to the ROW. It is still something that would need to be agreed upon by the two parties. The DRB cannot require a ROW be put in. The Board advised 9T's receive legal counsel.

B. Thompson asked P. Mazurak if he had gone to the site. P. Mazurak confirmed he had. B. Thompson asked if there was a road leading to the 9T's parcel. P. Mazurak stated there was a road, but it would need a lot of work if it was going to be used as a driveway.

B. Thompson asked who owned the Airforce Road. J. Trombly stated the road was not owned by anyone but there was an agreement in place to share the maintenance and plowing.

K. Drennen asked if all of the buildings have sewer. P. Mazurak confirmed they have a very large wastewater system.

Deliberative Session

MOTION: B. Thompson made a motion to enter deliberative session at 7:15 p.m. A. Omartian seconded. All in favor, none opposed, motion carried.

Application of Bonnette Properties, LLC requesting Site Plan Amendment

MOTION: B. Brigham made a motion to approve the Application of Bonnette Properties, LLC requesting Site Plan Amendment to amend a previous approval in accordance with Sections 303, 315(6 & 7) and 417 of the 2009 St. Albans Town Zoning Bylaws and Subdivision Regulations and Sections 405, 803 and 804 of the 2015 Proposed St. Albans Town Unified Development Bylaws. The property is located at 400 & 402 Lake Road in the Commercial and Commercial/Residential Districts (2009 Bylaws) and the Commercial District (2015 Proposed Bylaws) and owned by the Applicant with the following conditions: 1) to remove condition number three of the DRB meeting of 9/29/15 which states no customer tanks may be stored on the premises, 2) to include a 50x100 storage area as shown on exhibit 3, 3) all previous conditions stay in effect, and 4) to accept the amended proposed findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated January 20th, 2016. K. Drennen seconded the motion. All in favor, none opposed, motion carried.

Application of Cronulla Development, Inc. requesting Site Plan Amendment, waivers, and a two lot subdivision

MOTION: B. Thompson made a motion to approve the Application of Cronulla Development, Inc. requesting Site Plan Amendment, waivers, and a two lot subdivision within a PUD in accordance with Sections 203, 303, 315(4), 401 and 417 of the 2009 St. Albans Town Zoning Bylaws and Subdivision Regulations and Sections 203, 402, 801, 803 and 804 of the 2015 Proposed St. Albans Town Unified Development Bylaws. The property is located at 51-59 Pinewood Drive in the Rural District of both current and proposed bylaws and owned by the Applicant with the following conditions: 1) there shall be a 5' waiver from building 55 to the new property line and a 5' waiver from the former NCO building to the new boundary and 2) to accept the proposed findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated December 3rd, 2015. T. Stanhope 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 December 10th, 2015. K. Drennen seconded. All in favor, none opposed, motion carried.

Adjournment

MOTION: K. Drennen made a motion to adjourn the DRB meeting at 8:30 p.m. B. Thompson seconded. All in favor, none opposed, motion carried.

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

Brent Brigham, Chair

Jeff Jewett, Vice Chair

Bruce Thompson, Clerk

Arthur Omartian

Karen Drennen

Mike McKennerney