

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, February 11th, 2016
6:30 p.m.**

On Thursday, February 11th, 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, and Zoning Administrator, Becky Perron

Absent: Tom Stanhope and Karen Drennen

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

New Business:

Application of Malone Properties requesting Re-Subdivision, Site Plan Amendment and Boundary Line Adjustment in accordance with Sections 204, 210, 211, 303 and 315(8) of the 2009 St. Albans Town Zoning Bylaws and Subdivision Regulations and in accordance with Sections 204, 206(A&B), 207, 208, 209 and 405 of the 2015 proposed Unified Development Bylaws. The property is located at Franklin Park West Land Of and 8 Franklin Park West in the Commercial and Light Industrial District (2009 Bylaws) and Commercial District (Proposed 2015 Bylaws)

This application was represented by Pete Garceau of Cross Consulting Engineers. The audience was asked who was requesting Interested Party Status.

MOTION: J. Jewett made a motion to grant Interested Party Status to Karen Drennen, Christine Pignona, Diana Pillsbury, Joan Wood, Mary Foster, as property owners within a PUD abutting Malone Properties and Evan Wisell of Alltech Sue Chase of Care Partners, and John Bonnette of F. W. Webb. B. Thompson seconded. All in favor, none opposed, motion carried.

The Clerk swore in the applicants and Interested Parties.

The property is owned by Malone Properties and was previously owned by Phil Gerbode.

The property is located on Franklin Park West and is an existing subdivision. There are currently 21 Commercial lots. The applicant is proposing to revert back to a plan from 2001 which reconfigures 7 lots, remove an approved loop road, removes all previously approved phasing of the project, and conveys 2.2 acres to lot 5 (owned by Peter Morse) from lot 22. The proposed reconfiguration will result in 16 Commercial lots and one open-spaced lot.

The storm water permit will be slightly different than the original subdivision plan. A very large stormwater pond had been approved in between lots 12 and 13 and was never constructed. Instead, P. Gerbode constructed a small pond which had not been permitted. Malone Properties is going through the State Stormwater process to have that reconciled. The existing pond is proposed to be enlarged so it can handle the stormwater from the entire upper part of the development and the proposed pond will be constructed to be much smaller than the original plan.

B. Thompson asked if the proposed development on lots 29 and 30 had already been built. P. Garceau confirmed it had.

A. Omartian asked for clarification of which stormwater pond would be expanded. P. Garceau showed the location of the pond on open Lot C and added it would only be expanded by fifteen or twenty percent.

J. Jewett asked which lots had already been built out. P. Garceau stated the connecting road had not been built but the road that serves the entire Franklin Park West had been. Lots 29 and 30 are built, Lot 19 has Champlain Equipment, Lot 7 has F.W. Webb, Alltech and the Legion are currently built, Paquin has lots 2 and 4 and Morse has lot 5. People's Trust is constructed on Lot 1. All other lots are vacant.

B. Thompson asked for a further explanation of what is being proposed for Lot 5. P. Garceau explained that Lot 5 is P. Morse's existing property and has storage units. P. Morse will be obtaining more land as part of the proposed boundary line adjustment and will likely appear before the Board with his own project for Lot 5. An existing pavilion is proposed to be removed. The pavilion was constructed but has never been used and does not have water and sewer. B. Perron clarified that the removal of the pavilion was not a part of this application and would have to come before the Board at another time.

B. Thompson asked if the Town had taken over a portion of the road yet. P. Garceau stated the request had been put in to the Selectboard and was currently being reviewed. The Selectboard is waiting on the completion of the Stormwater permit before the request is heard but ditching and paving had been completed to bring the road to Town standards. Currently the Town maintains the road from Swanton Road to F.W. Webb. If approved, the Town would be in control from Swanton Road to the rail-trail track, but not the Village of Franklin Park West.

B. Thompson asked if Malone Properties owned the Village. P. Garceau stated Malone Properties owned the balance of the lots, sixty six undeveloped footprints. The current residents of the built out lots own their foot print. Malone Properties also owns the infrastructure until it is fully in place. The infrastructure for Phase I is complete, five units are prepped and will be started in spring.

Interested party, K. Drennen wondered if the parking lot of the pavilion would become Town owned property. P. Garceau stated it would not be owned by the Town, but an easement would be provided for the plow trucks to turn around.

K. Drennen stated the application references water and sewer are provided by the City of St. Albans. Many of the residents of the Village of Franklin Park West were under the impression the water lines coming in along Franklin Park West used to be owned by GSD and were never turned over to the City of St. Albans. P. Garceau confirmed the statement was true. It was always intended that the City would take the lines over and former owner, P. Gerbode had had discussions with them and had the City present during water testing but had never formally requested they be taken over. Malone Properties has made the request to the City and it has been a slow process.

B. Brigham asked for confirmation the request before the Board was to reconfigure three lots, and if approved, a boundary line adjustment with Morse. P. Garceau stated the first request is to eliminate the proposed loop road; the second request is for the boundary line adjustment and to reconfigure the lots. B. Brigham asked if the boundary line adjustment was clearly laid out on the maps that had been provided. It was confirmed it was.

B. Perron asked for confirmation that the conditions that the Fire Department requested would not be a problem. An Interested Party asked what the Fire Department letter stated. The letter requested the current fire hydrants near the rear be pushed forward as lots are being developed. They currently are sitting in an open meadow. P. Garceau explained the hydrants could be brought closer but could not be moved to the other side of the ditch. The board wondered if the driveways on the newly developed houses could be reconfigured to more easily access the fire hydrants.

An Interested Party wondered how this application would affect the stormwater for Franklin Park West. P. Garceau explained that this particular application would not affect the stormwater. He added that there are three stormwater permits on the Park; the original permit from the nineties when the plans for the park were submitted which had about 44 acres of impervious surface, the "Phase II" permit which was generated when the tractor dealership and roadway were proposed which was another 4 acres of impervious surface, and Phase III which was the large pond approved through P. Gerbode for another 11 impervious acres. The permit will need to be reapplied for as an association which is a complicated process, but will not be hindered by this proposed application.

There are lots on Phase I and II that have not been built. P. Garceau is suggesting no longer referring to the project in phases and instead, moving forward, referring to what has and has not been built. This is not a PUD, rather a straight Subdivision.

Deliberative Session

MOTION: J. Jewett made a motion to enter deliberative session at 7: 30 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

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

MOTION: B. Brigham made a motion to approve the Application of Malone Properties requesting resubdivision, Site Plan Amendment and Boundary Line Adjustment in accordance with Sections 204, 210, 211, 303 and 315(8) of the 2009 St. Albans Town Zoning Bylaws and Subdivision Regulations and in accordance with Sections 204, 206(A&B), 207, 208, 209 and 405 of the 2015 proposed Unified Development Bylaws. The property is located at Franklin Park West Land Of and 8 Franklin Park West in the Commercial and Light Industrial District (2009 Bylaws) and Commercial District (Proposed 2015 Bylaws) with the following conditions: 1) all previous conditions as J. Phil Gerbode with the exception of lot 5 are still in effect unless otherwise amended, 2) the previously approved phasing for Franklin Park West shall be removed, 3) the project is not a PUD and 4) to accept the

proposed findings of fact and conclusions of law listed in the Zoning Administrator's staff report dated February 2nd, 2016. J. Jewett seconded the motion. All in favor, none opposed, motion carried.

Minutes

MOTION: J. Jewett made a motion to accept the minutes from the DRB meeting dated January 28th, 2016. M. McKennerney seconded. All in favor, none opposed, motion carried.

Adjournment

MOTION: M. McKennerney made a motion to adjourn the DRB meeting at 7:55 p.m. A. Omartian 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

Mike McKennerney