

**Town of St. Albans  
Development Review Board Meeting Minutes  
Thursday, January 13<sup>th</sup>, 2022  
6:30 p.m.**

On Thursday, January 13<sup>th</sup>, 2022 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, Mike McKennerney, Christina Boissoneault, Tom Stanhope, Zoning Administrator, Megan Sherlund, Administrative Assistant, AJ Johnson

**Absent:** Allison Hickey

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

**New Business:**

**Application of City of St. Albans for a Site Plan Amendment to add a 1.2-million-gallon water storage tank adjacent to the existing tank in accordance with Section 403 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 0 Congress St. in the Rural District and is owned by the Applicant.**

The Application was represented by Wayne Elliot of Aldrich & Elliott and Marty Manahan of the City of St. Albans.

Dale & Gale McFeeters of the Eastview Homeowners Association were present and requested Interested Party Status.

**MOTION: A. Omartian made a motion to grant Interested Party Status to Dale & Gale McFeeters on behalf of the Eastview Homeowners Association. T. Stanhope seconded. All in favor, none opposed, motion carried.**

The Applicants and Interested Parties were sworn in by Clerk, M. McKennerney.

W. Elliott provided a slideshow with background information on the project. He outlined the existing site plan and tank. The existing tank, accessed from Congress Street, is a circular green tank that was constructed in the 1950's. The tank holds roughly one million gallons of water with a depth of around 38'.

The City of St. Albans received a sanitary survey in December of 2018 and was notified of insufficient finished water storage area. The amount of water storage is insufficient for domestic demands and fire suppression needs.

1.9 million gallons of finished water storage are required to meet the needs of the community. The existing tank can not be taken "off-line" to inspect the interior as many customers would experience a loss of water pressure, including the hospital, but the exterior of the existing tank has been inspected and with repairs and renovations can still have a significant useful life.

The City is proposing a new 1.2-million-gallon tank, an access driveway, site improvements, pavement, stormwater runoff controls and electrical control improvements.

The beginning elevation of the proposed tank will be placed about 8' higher than the existing tank and will be partially buried into the hillside.

The City of St. Albans passed a bond vote for 2.3 million dollars and is working on funding sources. Once funding is secured the City intends to bid out construction and hopefully begin in May of 2022. The construction will take most of the year before the new tank can be placed online.

B. Brigham questioned the height of the new tank. The water level will be the same in the two tanks, but the beginning elevation will be about 8' higher.

B. Brigham asked if a temporary easement will be utilized for hauling in equipment and supplies during construction. W. Aldrich explained there is a legal access to the east, but the City also utilizes access from the existing Bushey property. An expansion of the easement on the Bushey property will be utilized to access the newly acquired triangle of land purchased from the Zurn Sisters LLC. There will be temporary construction easements from Aldis Hill which is needed for excavation and grading of the site.

The sections of the proposed tank will be cast on site and a crane will be utilized to set the tank. There is a

sizeable construction area needed.

B. Brigham wondered if all of the easements are deeded or if they are “old fashioned gentleman agreements”. A state requirement mandates the easements be deeded and recorded.

B. Brigham asked once the construction is complete, how often will City staff need to visit the site. M. Manahan stated staff will be on site if an alarm goes off, and during the summer to do yard maintenance. The area around the tanks will be fenced in for security.

M. McKennerney asked if the new tank is being fenced in, or both? Plan C5 shows the fence which surrounds both structures. M. McKennerney questioned if there will be any security lighting. There will not.

B. Brigham wondered if blasting will be required during construction. It will be necessary due to all of the boulders on site. A geotechnical engineer will be assessing existing soils and work with the tank manufacturer.

M. McKennerney questioned if the foundation for the existing tank meets current standards, or if it will need to be updated. W. Aldrich explained if the foundation had to be replaced it would probably be cheaper to replace the whole tank. There are tanks in Chittenden County that only have a concrete ring wall on the ground. The existing tank will be refurbished once the new tank is running.

A. Omartian asked what the water sources are for the tank. There are 2 main sources, surface ponds and Fairfax Pond, as well as Lake Champlain. The water from the Lake is treated at the Maquam Shore station and then pumped-up Lower Newton and to the water storage tank.

A. Omartian questioned if the additional compacity will out demand the water sources. There is no concern, and the quality of water in the tank will improve.

D. McFeeter asked for confirmation the old tank will remain on site, and the new tank will sit north of it. The Applicant confirmed. D. McFeeter explained the existing tank is not visable to the homeowners of Eastview, and he expects a visual buffer along the fence line.

B. Brigham inquired what the existing vegetation is like. There is brush along the fence and berry bushes.

B. Brigham asked how much higher the new tank sits compared to the existing tank. The new tank will be approximately the same height; it is slightly bigger around but the height is similar.

B. Brigham asked if the applicant would consider additional screening. M. Manahan stated it could be a possibility.

D. McFeeter questioned an easement that is staked out.

B. Brigham noted the elevation of Eastview is quite a bit lower than the proposed tank location.

M. Sherlund explained Chief Cross had written a letter stating the access is sufficient and the project will not create an additional burden on the Town. He is requesting the City Fire Department be dispatched along with the Town any time there is an alarm notice.

**Application of Anita Morin – Life Estate for a side yard setback variance to construct a 16’ x 40’ addition on the north side of the existing home in accordance with Sections 402 and 805 of the St. Albans Town Unified Development Bylaws. The property is located at 111 Lord Rd. in the Rural District and is owned by the Applicant.**

The Application was represented by Nathan Morin & Rachel Flanagan. There were no Interested Parties. The Applicants were sworn in by Clerk, M. McKennerney.

N. Morin explained their home was constructed in the 1800’s and is currently 22’ from the Swanton boundary line. He is requesting to put a 16’ x 40’ addition on the house to accommodate an elderly family member. He explained they own the land on the other side of the Swanton town line, and the land is in Land Trust and therefor will never be subdivided.

The Applicant did not create a hardship since the house was created prior to local zoning and there is no other place to put the addition that will meet the requirements.

M. Sherlund explained for Zoning purposes, a Town line becomes a boundary even if the applicant owns on either side of it.

M. McKenney questioned if the Applicant has spoken to Swanton Zoning. N. Morin stated Swanton advised him to deal with St. Albans Town. M. Sherlund sent notice of the meeting to Swanton.

A. Omartian asked if the property is surveyed. It is not.

#### **Deliberative Session**

**MOTION: C. Boissoneault made a motion to enter deliberative session at 7:03 p.m. M. McKenney seconded. All in favor, none opposed, motion carried.**

**MOTION: M. McKenney made a motion to come out of deliberative session at 7:20 p.m. C. Boissoneault seconded. All in favor, none opposed, motion carried.**

#### **Application of City of St. Albans for a Site Plan Amendment**

**MOTION: C. Boissoneault made a motion to approve Application of City of St. Albans for a Site Plan Amendment to add a 1.2-million-gallon water storage tank adjacent to the existing tank in accordance with Section 403 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 0 Congress St. in the Rural District and is owned by the Applicant with the following conditions: 1) The Applicant shall plant evergreen screening on the Eastern property line, 2) The Applicant shall follow the recommendations of the Fire Department and the Stormwater Coordinator, 3) All previous conditions of approval shall remain in effect unless otherwise amended by this decision, 4) the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated January 7<sup>th</sup>, 2022, 5) The Applicant shall agree with all findings of facts and conclusions of law listed in the staff report, and 6) All State and Federal permits are owner's responsibility. M. McKenney seconded the motion. All in favor, none opposed, motion carried.**

#### **Application of Anita Morin – Life Estate for a side yard setback variance**

**MOTION: M. McKenney made a motion to approve Application of Anita Morin – Life Estate for a side yard setback variance to construct a 16' x 40' addition on the north side of the existing home in accordance with Sections 402 and 805 of the St. Albans Town Unified Development Bylaws. The property is located at 111 Lord Rd. in the Rural District and is owned by the Applicant with the following conditions: 1) The Board approves a 19' side yard variance, 2) Prior to construction the Applicant must obtain a building permit, 3) the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated January 7<sup>th</sup>, 2022, 4) The Applicant shall agree with all findings of facts and conclusions of law listed in the staff report, and 5) All State and Federal permits are owner's responsibility. T. Stanhope seconded the motion. All in favor, none opposed, motion carried.**

#### **Minutes**

**MOTION: A. Omartian made a motion to approve the minutes from the meetings of June 24 2021, July 8<sup>th</sup>, 2021, September 9<sup>th</sup>, 2021, October 14<sup>th</sup>, 2021, October 28<sup>th</sup>, 2021 and November 18<sup>th</sup>, 2021. C. Boissoneault seconded. All in favor, none opposed, motion carried.**

#### **Adjournment**

**MOTION: T. Stanhope made a motion to adjourn the DRB meeting at 7:30p.m. M. McKenney seconded. All in favor, none opposed, motion carried.**

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