

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, October 22nd, 2020
6:30 p.m.**

On Thursday, October 22nd, 2020 at 6:30 p.m., the Town of St. Albans Development Review Board met at Town Hall and via Zoom for hearings.

Present: Chair, Brent Brigham, Vice Chair, Arthur Omartian, Mike McKennerney, Tom Stanhope, and Zoning Administrator, Amanda Johnson

Absent: Clerk Bruce Thompson, Christina Boissoneault,

Zoom ID: 838 8742 7104

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

New Business:

Application of Jeffrey & Tammy Boissoneault requesting Sketch Plan, Final Plat, 801 Waiver, and Site Plan Approval of a 3 Lot Subdivision in accordance with Sections 200-209,403,801, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 1055 Brigham Road in the Rural District and owned by the Applicant.

The Application was represented by Jeffrey Boissoneault, owner and Stephen Tetreault of TDH Surveying. Interested Parties appeared via Zoom. The following requested Interested Party Status: Stephanie Blouin, Tammy Morin, Mark Luman, Shannon Trainer and Ethan and Jeanine Kichura. B. Brigham asked for confirmation that everyone requesting Interested Party Status is an abutting landowner. All confirmed.

Motion: M. McKennerney made a motion to grant Interested Party Status to Stephanie Blouin, Tammy Morin, Mark Luman, Shannon Trainer, and Ethan and Jeanine Kichura as abutting landowners. A. Omartian seconded. All in favor, none opposed, motion carried.

A. Omartian swore in the Applicants and Interested Parties.

S. Tetreault explained that J. & T. Boissoneault wish to create two additional building lots on their property located off Brigham Road and Cody Drive. The Applicant is proposing Single Family Dwellings to be served by municipal water and individual septic systems. A shared driveway is being proposed along with an access and a utility easement.

A. Omartian asked if the proposed lots are Lots 11 and 12 on the Site Plan provided by the Applicant. The Applicant confirmed.

S. Tetreault explained the actual house locations shown are arbitrary and could be developed anywhere within the building envelope, as long as all setbacks are met.

B. Brigham asked if there are any additional stormwater proposals. S. Tetreault explained stormwater plans are forthcoming. Ruggiano Engineering did the stormwater work for the original development. Plans for the new development had not been received as of the DRB meeting. S. Tetreault explained the two proposed lots sit a little bit lower than the existing stormwater structures that are on site. J. Boissoneault recalled Ruggiano stating the stormwater controls will stay on the two lots, and the other (existing) stormwater structure will not be utilized.

B. Brigham asked if mound systems will be utilized. The Applicant confirmed there will be two individual mound systems which have received State approvals.

A. Omartian inquired if the mound systems will be within the area labeled "proposed wastewater disposal easement". The Applicant confirmed; it is shown on Lot 8, the proposed remaining land. A. Omartian asked if it is safe to assume from the back boundaries of Lots 11 and 12 to the mound systems there will be no additional construction. S. Tetreault stated there is an existing easement for wastewater facilities and it would be tough to squeeze a house in between two easements, although he was not confirming it couldn't happen.

A. Omartian noted there are no contours shown on the plan, and wondered what the nature of the existing grading is. S. Tetreault stated Lots 11 and 12 are relatively flat. Once you get beyond the brush line, into the corn field, the land gently slopes 6-8% down through the cornfield.

A. Omartian questioned if the portion of road servicing Lots 11 and 12 would be gravel, or if there is any

plan to pave it. J. Boissoneault confirmed the road will be gravel. B. Brigham inquired if all of Cody Drive is stone. The Applicant confirmed.

B. Brigham called on the Interested Parties to ask questions.

T. Morin asked for clarification regarding where the proposed mound systems will be located. B. Brigham explained the new systems will be north of the existing system. T. Morin asked if the mound will be visible, or underground. B. Brigham explained it will be the same as the existing system. S. Tetreault stated it will be smaller than what is existing.

T. Morin asked which way the proposed homes would be facing. S. Tetreault explained that will be a decision for the future landowner; as long as the structure is meeting the setbacks, it can face whichever direction they choose. T. Morin asked if the existing owners could have any say in which way they would like it situated. The Applicant reiterated it will be the decision of the new owner.

A. Omartian asked if the homes will be built prior to having an owner. J. Boissoneault intends to sell the lot; he does not intend to construct the homes.

T. Morin expressed concerns over the stormwater control.

S. Trainer shared concern regarding the strong wind within the neighborhood. She explained many people have lost shingles and flashing from their roofs. There is also an extreme amount of dust from the road. She anticipates additional dust from the increase in traffic and does not think the current road in its existing condition can withstand the additional traffic – especially large vehicles such as a garbage truck, or delivery vehicles. She is requesting the road be paved. Additionally, she has concerns regarding screening and how vehicle headlights will affect neighboring properties. She explained they are requesting screening along the back property of the Trainer's, the Kichura's, the Morin's, and the Luman's. She noted there are wastewater lines that run along the back properties that are served by an easement and wondered if the root system of plant screening would be an issue. Another concern is stormwater. S. Trainer explained her lot has been graded five times. An excessive amount of money has been spent to drain the property and put in swales. She is concerned if Brigham road is higher than their property, and the proposed new road is higher, all the water will funnel back into their property. She is requesting additional information on the stormwater and drainage.

S. Tetreault explained he cannot speak to the drainage and directing the water. This will be handled by Ruggiano's office. He acknowledged the request for screening and confirmed there is a wastewater pipe and easement that runs along the requested screening area. Careful consideration into what type of screening be necessary.

S. Trainer added the two proposed homes will not be a part of the existing Homeowner's Association (HOA). The existing home owners are requesting the two new homes be a part of the existing HOA due to the fact they will share the road. S. Trainer also feels the new homes should be subject to the HOA Bylaws so the new homes match the current homes, as well as the considerations to not have Home Businesses that would create additional traffic. She stated adding the additional homes to the HOA will require the HOA Bylaws to be rewritten, which she does not feel the current homeowners should have to pay for. She requests that the fees be taken care of by J. & T. Boissoneault.

S. Trainer stated a fire hydrant will need to be installed. She has concerns over the placement of the proposed hydrant. She is also concerned that the electric box may be struck by a vehicle. B. Brigham explained that the letter submitted by the Fire Chief states the two hydrants on site are sufficient to meet the Department's needs.

S. Trainer questioned why one of the Lots was allowed to be land-locked. She inquired if all properties in the Town required frontage along a road. B. Brigham explained the Applicant is requesting an 801-waiver which allows two houses to be built on a ROW as small as 20 feet.

B. Brigham inquired if the easement for the wastewater pipe was on the actual lots. S. Tetreault explained there are within an easement on the existing Lot 8 as Lots 11 and 12 have not technically been created. There is an existing 20-foot easement that runs along the backside of the Trainer, Kichura and Morin property. B. Brigham asked if the pipe is an SDR35. S. Tetreault assumes so, but has not dug it up. B. Brigham asked if it is an 8-inch or 6-inch pipe. It is an 8 inch.

S. Tetreault returned to S. Trainer's previous comment regarding upgrading the electric/transformer pad. Ultimately that will be the decision of the electric company. J. Boissoneault thinks there is enough room in the transformer for the new homes.

A. Omartian asked if lots 11 and 12 are intended to be a part of the existing HOA. J. Boissoneault stated they could be, but the intent was for them to have their own Association and join the road. M. Luman

stated that because the new home owners will be utilizing part of Cody Drive, the existing home owners would like new owners to be a part of the existing Association. He does not feel the three owners currently paying for maintenance and plowing should be solely responsible for paying.

M. Luman stated many of the questions by the Interested Parties were submitted to the Town and to J. Boissoneault. He asked for confirmation all have received the letter. B. Brigham stated the Board received it as part of the Application. A. Johnson stated it is exhibit 13.

M. Luman stated if the new owners will not be a part of the existing stormwater permit or wastewater permit, the current HOA doesn't expect new owners to pay for those. The specific concern is the new owners paying into road maintenance, plowing, and drainage issues within the road ROW. He reiterated the additional traffic is a concern for current home owners.

B. Brigham asked S. Tetreault's opinion regarding if screening trees will affect the wastewater pipe. S. Tetreault explained if there are no cracks in the pipe the roots likely will not affect the pipe. A cedar hedge would probably be okay, but you wouldn't want them close to a manhole.

S. Tetreault stated the HOA issue is between the Boissoneault's and the existing landowners. Aside from the road maintenance, the new owners will have no shared expenses with the existing HOA. S. Tetreault recalled a concern that the new homes have a similar design. B. Brigham questioned if the present HOA Bylaws prohibit single or double-wide mobile homes. They are prohibited. B. Brigham questioned if without becoming a part of the existing HOA, a deed restriction could be implemented to prevent the construction of mobile homes. J. Boissoneault stated it may be easier.

T. Morin stated she believes when she purchased her home, she was told the land in the back would never be developed. She has been unable to locate the paperwork confirming that. She questioned if the Town would do anything if this was the case. A. Johnson explained the Town could only enforce this if it was part of a DRB decision when the first development was constructed. The Town also cannot enforce the HOA or Bylaws. It is reviewed by the DRB to ensure there are no intentions for the Town to take over the Road or other infrastructure. Otherwise, reaching out to her attorney would be the best course of action.

M. McKennerney asked if the Applicant intends to bring fill into Lots 11 and 12 or raise their elevation. This is not being proposed by the Applicant.

S. Tetreault stated the list of concerns of the current home owners will be taken into consideration.

Deliberative Session

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

MOTION: M. McKennerney made a motion to come out of deliberative session at 8:15 p.m. T. Stanhope seconded. All in favor, none opposed, motion carried.

MOTION: A. Omartian made a motion to continue to the November 19th, 2020 hearing the Application of Jeffrey & Tammy Boissoneault requesting Sketch Plan, Final Plat, 801 Waiver, and Site Plan Approval of a 3 Lot Subdivision in accordance with Sections 200-209, 403, 801, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 1055 Brigham Road in the Rural District and owned by the Applicant with the request that the Applicant provides the following to the Board : 1) a copy of the proposed stormwater plan, and 2. A plan showing privacy screening for the East side of the new road easement and the South side of Lot 11. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Adjournment

MOTION: M. McKennerney made a motion to adjourn the DRB meeting at 8:30 p.m. T. Stanhope seconded. All in favor, none opposed, motion carried.

**Respectfully Submitted,
Amanda Johnson, Interim Zoning Administrator**

Brent Brigham, Chair

Arthur Omartian, Vice Chair

Mike McKennerney

Tom Stanhope