

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, November 10th, 2022
6:30 p.m.**

On Thursday, November 10th, 2022 at 6:30 p.m., the Town of St. Albans Development Review Board met at Town Hall for the following hearings.

Present: Chair, Brent Brigham, Vice Chair Arthur Omartian, Clerk Mike McKennerney, Allison Hickey, Ellen Baker, Christina Boissoneault, Zoning Administrator, AJ Johnson, Director of Community Development, Megan Sherlund
Absent: Tom Stanhope

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

New Business

Application of Malone 75 Swanton Road Properties LLC represented by Beta Technologies requesting a Site Plan Amendment to construct 6 concrete testing bunkers, concrete landing pads, paving a new loading area, a concrete pad for outdoor air pollution control equipment, widening an existing gravel driveway, and construction of stormwater treatment facilities in accordance with Sections 4.7, 4.11, and 8.4 of the St. Albans Town Unified Development Bylaws. The property is located at 75 Swanton Rd. in the Commercial District within a designated Growth Center and is owned by the Applicant.

The Application was represented by Dereck Woolridge of Cross Consulting Engineers, Greg Leech, Art Klugo of BETA Technologies.

MOTION: M. McKennerney made a motion to grant Interested Party Status to Michael Burke, Sue Chase, Lenora Collins, & Teresa Benjamin as abutting land owners. C. Boissoneault seconded. All in favor, none opposed, motion carried.

Clerk, M. McKennerney swore in the Applicants and Interested Parties.

A. Klugo explained the background of BETA's project at the facility. They have been working with Tim Smith with Franklin County Industrial Development Corporation, and Mr. Malone to repurpose the building to a 21st century testing facility.

D. Woolridge gave an overview of plan. North of the site is the Franklin Park West business area with storage units, car dealerships. Route 7 to the west, south of the property is a residential West Vista Home Owners Association, to the east is agricultural land and the rail trail. The portion to be developed is a small former court yard located on the southern side of the building. There is an existing access drive with loading dock. The existing drive around the building will be upgraded and widened. The back of the building is proposed to have 4 test cells with 2 future test cells in the next 1-5 years. There is a concrete pad for the air scrubber equipment and piping from the test cells to the scrubber where air will be treated and then exhausted out of the 60' tall, 2' diameter tower. Gravel will need to be added to widen the truck access. The south end of building will have a couple of tanks and cooling towers, on a 10 x 10 pad. The storm water treatment system will be added to the front of the building which will collect any storm water before discharging into existing swale which goes across Route 7 then into Stevens Brook.

D. Woolridge explained that the improvements will additionally not be visible from the main road with the exception of the scrubber tower. He stated that there won't be much traffic except for deliveries from UPS or FEDEX There are proposed to be 10-12 employees for the initial phase and eventually up to 100 new jobs.

B. Brigham asked if everything shaded in grey is to be new? D. Woolridge confirmed.

B. Brigham asked if the testing cells are completely enclosed concrete structures? D. Woolridge explained the cells are essentially a concrete culvert with 10" thick walls. There is a fire door on one end and piping on the other end for equipment. There will be no one inside the cells when battery testing is occurring. There is a fire suppression system inside monitoring the equipment

B. Brigham asked if batteries are going in the test structure? G. Leech said yes, they will thermally destroy batteries to find failure points. The test batteries to find out how they fail, when they fail, and learn how to address damage to surrounding areas. The tests change depending on how each test goes. A. Klugo explained how the tests will occur and stated the test cells are 10' x 20'.

B. Brigham asked if there is only one battery pack being tested at a time? A. Klugo confirmed. B. Brigham asked if they self-destruct and what to expect when that happens? A. Klugo said the testing processes will not be heard from surrounding properties.

A. Omartian asked how thick concrete walls of the testing cells are going to be? G. Leech said 10”.

A. Omartian asked if modules will be assembled here and what will happen to the current tenants? A. Klugo stated the existing tenants are staying. BETA expects to grow but this facility will stay primarily a testing facility. When they need future manufacturing space, they may use more of the building then.

A. Omartian inquired if these are lithium-ion batteries? G. Leech showed a smaller battery and confirmed they are lithium-ion batteries.

A. Omartian asked what are the pack amp hours? G. Leech stated they are around 65KW. A. Klugo explains how the batteries work in the planes; they were unsure of the exact size of the batteries but would be happy to bring that information back to the Board. A. Omartian questioned whether the air scrubber operates at EPA standards? A. Klugo confirmed. A. Omartian asked what the output from scrubber would be in reference to toxicity? A. Klugo wasn't sure exactly, but it would typically be water vapor. He can gather that information as well and bring it back to the Board. B. Brigham is that steam? Will people be able to notice it? A. Klugo thought it would not be seen unless the air is cold. D. Woolridge stated they are required to get air pollution control permit from state. B. Brigham asked if this was an Act 250 project? Dereck Woolridge confirmed.

B. Brigham asked about the storm water treatment and if this will be for water coming off new impervious? D. Woolridge yes, it will treat the new 5,000 square foot impervious areas. Most of the current water goes to the northwest side of the building. Total earth disturbance is 1.4 Acres.

B. Brigham asked where the cooling tower is located. D. Woolridge explained it will be on the scrubber pad in the center of the project area. Another cooling tower will be on the south end as well. Scrubber equipment has a 60' tower for air filtration. B. Brigham asked what the height limitations were? A. Johnson said 65' in the Growth Center. There are 2 existing towers one that is 100' tall and the 2nd tower is 60-65'. The new one will be 2' diameter by 60' tall. B. Brigham asked is that tower metal? D. Woolridge confirmed, it is stainless steel.

A. Omartian questioned if there will be noise from the fan? D. Woolridge said that the mechanical engineer states the fan is 30 HP, runs slow and will not produce much noise. There will be a compressor that will blow air onto a filter in the scrubber to drop the material down, but he was not sure of the noise from the compressor. A. Omartian stated that the edge of the property line is kind of far. D. Woolridge stated the edge of the property is 500' - 600' away, and does not think noise will be an issue. The area where this is going to be located is lower than the surrounding property. The air scrubber elevation is at 440', the top of bank at 451', which is an 11' change. The project is also screened from residential side by trees.

M. McKennerney asked if the scrubber dust collector waste will be hazardous and if there are plans to dispose of? G. Leech yes we will work with the State of Vermont on how to properly dispose of the waste. M. McKennerney asked what are you removing from the air? G. Leech stated the destroyed battery residue in very small particulates. B. Brigham asked when a battery is destroyed will it shake the land or make a sound at all? A. Klugo and G. Leech said no.

Interested party, S. Chase questioned the fire at the South Burlington facility and if there will be a requirement for additional training or equipment for our fire department. G. Leech stated that the South Burlington Fire Department met with them prior to any fire and they have all plans of buildings. The day of the fire, that fire department protected structures on either sides of the structure that was on fire and it was done so successfully. S. Chase asked if there were special measures that needed to take place, and if there was special equipment or product used to put out the fire, would our fire department have the same. A. Klugo said they have met with Chief Cross and the State Fire Marshal already, and the fire department is complimentary of BETAs planning for emergencies. He suggested the Board reach out to the S. Burlington and Williston Fire Departments, and ask any questions the Board might have. The Fire Departments are very transparent about what we are doing so they can protect community and only need water to put them out.

B. Brigham asked what was on fire at the South Burlington facility. G. Leech stated that a 20' shipping container caught fire that was holding batteries.

A. Omartian questioned if there will be storage containers located on this site? G. Leech said no, but was unsure and wanted to clarify that with their team. A. Klugo stated that they will most likely store batteries, prior to use, in one bunker and there will be low quantity.

A. Omartian asked what the intended uses of the batteries are. A. Klugo explained what BETA does and how their planes will be utilized. They use zero emission planes. A. Klugo offered to give Board a tour of their facility.

A. Hickey asked how are batteries being delivered to this facility? A. Klugo stated the batteries are purchased from Samsung or another vendor, they come with 30% charge and are transported to the project area for testing.

Interested Party, M. Burke questioned if there was a concern with compatible with existing uses? He questioned why there was no landscape plan, and the current plans shows some trees to remain. M. Burke also stated that a year ago, the area was cleared of trees along southern property line. B. Brigham asked if that property they cleared was part of this property. D. Woolridge said yes A. Klugo said they can talk to property owner about putting more screening up.

M. Burke asked what the hours of operation will be and if there is proposed lighting for security? D. Woolridge stated they will utilize existing lighting. A. Klugo stated that any lighting added will be down shielded. G. Leech stated there could be lights on test cells. B. Brigham asked what are the working hours? A. Klugo predicted 6 am – 7 pm for this phase of the work.

A. Omartian questioned the intention to test the batteries continuously until failure? G. Leech stated the facility will cycle the batteries, fill the battery with energy and drain it, until it self-destructs or stops charging. A. Omartian asked if the facility will have employees 24 hours a day. A. Klugo said they will not have around the clock employees present but the monitoring system alerts a number of people on a call tree if there is an event. He was unsure of how often the cycling of the battery happens within a 24-hour period, but they could ask them team and bring back the information for the board.

B. Brigham asked if there is a danger of increased fire department calls? G. Leech explained BETA has had 2 fires 1 in November of 2019 was an employee error, and 1 in August of 2022, which was a battery malfunction. B. Brigham questioned whether testing at this site will occur within the concrete bunker. A. Klugo said yes. B. Brigham confirmed there will be no shipping containers with batteries at this location. A. Klugo confirmed.

M. Burke questioned the noise, and if there could be a decibel specification for equipment and also what odors and possible fluoride gas emissions will be of the equipment? He stated that the wind blows almost always towards the houses south of facility and odor moves much quicker than sound. M. Burke also questioned if a runaway battery situation occurs, what is the plan for suppressing that fire. He is concerned it takes a large amount of water to suppress. He questioned where the water that was used to suppress a fire will go, and what type of pollutants might be released if a runaway battery occurs? M. Burke also discussed the response time of the Fire Department. B. Brigham asked if there was intent to have a built-in fire suppression system. G. Leech stated BETA is preparing to install a dry system in the storage containers and was not certain that system would be installed in the concrete test cells at this location. He stated he would talk to the team and bring the information back to the Board, but typically the system will self-extinguish without water introduction. A. Klugo stated that once the test cells are used, after a certain amount of time, they have to be tested to ensure they are still effective by NFPA standards.

B. Brigham asked if the test cells are precast? G. Leech: yes, they will be brought in on a truck. B. Brigham asked if they are self-contained? G. Leech: yes there is a man door similar to a bank vault which is a heavy-duty steel door.

M. Burke asked when there is a runaway battery, will the scrubber equipment handle toxic gases? G. Leech: yes, the air scrubber is designed to handle worst case scenario. M. Burke asked if there were calculations to certify that? A. Klugo stated they will get that from the manufacturer and bring it back for the Board's information. M. Burke questioned if a dry system will be effective since the St. Albans Fire Department is volunteer. He assumes there will be a 20-minute delay.

Interested Party, T. Benjamin mentioned that operations are limited and questioned how that is measured? G. Leech stated that each bunker is limited to 1.2 tons of batteries to be tested in a given year. T. Benjamin: how many batteries you will test per year? G. Leech: not sure total number but the team worked with the federal regulations to ensure they would be well within regulations. T. Benjamin mentioned that conservative emissions are being used from other projects? G. Leech stated that they used information from larger facilities from larger states with more restrictive regulations, and are applying that to their facility. T. Benjamin questioned the efficiency of the scrubber. G. Leech stated that they will be given standards from the EPA in which they will test for and will not go beyond those numbers.

T. Benjamin questioned how much will be visible from the homes to the south. G. Leech stated that with the 10' berm the most you will see is the 60' stack and they are willing to add more screening to hide them. T. Benjamin asked if the retention pond is in the front. A. Klugo: yes. D. Woolridge showed on the

plans the drive into facility from Route 7 and mentioned it will be located between that driveway and building.

S. Chase asked if there will be landscaping around pond? D. Woolridge stated they will keep the trees and protect during construction of pond. A. Klugo also stated that if a tree gets damaged during construction they will have to replace it. S. Chase stated that this is only phase 1 and questioned what plans were next. G. Leech we have ordered equipment to test other things besides batteries that will occur within the building, but that is 9-12 months out for delivery. They could start testing wing bending etc. S. Chase asked what else might be tested at the facility. A. Klugo stated they won't be flying planes unless we get proper approvals, and they utilize other locations for other testing areas of the business.

A. Johnson asked when they planned to occupy. G. Leech stated late 1st quarter of 2023 and they still need all State and Federal permits but they want to set the test cells before ground freezes. A. Klugo asked about the Boards process, and if these questions will be a condition of the permit or if we would have to have a second meeting. B. Brigham suggested there is a good chance of a second meeting.

B. Brigham asked about the weight of each battery pack being tested G. Leech stated they won't test the whole pack because its expensive and testing is designed to minimize waste.

Application of Malone Dorset Street Properties, LLC requesting a Site Plan Amendment to relocate the proposed pedestrian path for the Village at Franklin Park in accordance with Sections 4.7, 4.11 and 8.4 of the St. Albans Town Unified Development Bylaws. The property is located at 0 Franklin Park West in the Commercial District within a designated Growth Center and is owned by the Applicant.

The Application was represented by Dereck Woolridge of Cross Consulting Engineers.

MOTION: C. Boissoneault made a motion to grant Interested Party Status to Sue Chase as a representative for Care Partners an abutting land owner. E. Baker seconded. All in favor, none opposed, motion carried.

Clerk, M. McKenney swore in the Applicant and Interested Party.

D. Woolridge explains the history of the walking path. The Town previously required sidewalks along the road, but over the years with development sidewalks were not done. The last few years the Board and the property owner agreed to do a recreation path along the back of the property. That original path was 5'-6' wide, but ACT 250 required it to be 8' wide with an 8' grass shoulder for storm water runoff. There are wetlands on the western side by the American Legion, and the path will cross two streams. There is some wetland mitigation required. There is no lighting or no signage. The path connects Parah Dr. to the Rail Trail.

B. Brigham mentioned there is another road intended in the development. D. Woolridge confirmed. B. Brigham stated the walking path does not provide pedestrian access to businesses in the development but instead provides connection from villages to Parah Dr./Hannaford. D. Woolridge confirms, he stated that it is difficult to do along Franklin Park West because of storm water controls and already existing infrastructure.

B. Brigham asked after approval of new plan when is the expected construction start date. D. Woolridge stated the Applicant would like to start in April 2023 but they still have to get all new State permits. B. Brigham asked if they needed wetland permits. D. Woolridge confirmed, they were close to getting approvals with minimal comments when it was 5'. B. Brigham asked if there was a sidewalk along Parah. M. Sherlund stated if it doesn't connect it will be very close.

M. McKenney questioned the maintenance of path. D. Woolridge stated that the development corporation will maintain the path, there will be no easements to other entities so the land owner will do that. B. Brigham questioned whether this will be for snowmobiles. D. Woolridge stated the landowner does not want to allow that currently.

S. Chase asked if the VAST trail still go through field. B. Brigham stated that as long as land owners allow it, it will remain. S. Chase asked that if it is approved, will property owners still be required to install sidewalks if they make changes to their facilities. B. Brigham stated that the Town had a sidewalk policy that is still in the works to be amended, but currently there is no requirement for sidewalks.

B. Brigham asked if the path could be done with a completion date? D. Woolridge confirmed as long as they get the proper permits.

Application of Ingleside Equity Group represented by Saint Albans BTS Retail, LLC requesting Site Plan and Conditional Use Approval for a 10,640 square foot retail building in accordance with Sections 4.7, 4.11, 8.3, and 8.4 of the St. Albans Town Unified Development Bylaws. The property is located at 353 ARND Fairfax Rd in the Commercial District within a designated Growth Center and is owned by the Applicant.

MOTION: M. McKennerney made a motion to grant Interested Party Status to Cooper Hayes of MSK Attorneys representing R L Vallee Inc as abutting land owners. A. Omartian seconded. All in favor, none opposed, motion carried.

The Application was represented by Dan Heil, of TCE Matt Casey of Zaremba Group, and Sam Smith property owner. Clerk, M. McKennerney swore in the Applicants and Interested Parties.

C. Hayes read the letter submitted by MSK Attorneys for ease of recording the letter was submitted as follows:

Dear Administrator Johnson,

This firm represents R.L. Vallee, Inc. ("Vallee"). Vallee owns the "Milk and Maple" facility located at 555 Fairfax Road in St. Albans Town (Span 552-174-13248). At this time, Vallee does not oppose the development proposed by BTS Retail, LLC. It does however want to highlight some areas that Vallee asks the DRB to focus on.

By way of reference, the Milk and Maple facility is located immediately to the south of the proposed development. The Milk and Maple facility is accessed of Route 104 via a driveway / private road just to its north. Vallee's access is granted by deeded easement from Applicant the Ingleside Equity Group dated December 21, 2004 and recorded at Book 177 Pages 234-246 of the Town of St. Albans Land Records. The development before the DRB for 353 ARND Fairfax Rd. proposes to use this driveway/private road for access. Such use will increase traffic on the driveway and at its unctioin with Route 104 that may impact Vallee's safe ingress and egress if not managed properly. Vallee therefore has an interest in the development and is an "interested person" as the term is defined by Title 24 and Title 10 of the Vermont Statutes with a right to participate in this appeal. Please consider these comments Vallee's participation in this appeal. Vallee will also have a representative at the DRB hearing as well.

Vallee's first concern is the increased traffic. Vallee asks that the DRB clearly define the expected level of trip generation for this specific project and make an express finding as to the number of trips or trip ends that are expected during the peak hour.

Second, Vallee asks that the DRB clearly state that no development is authorized on the subdivided 14.73 acre lot as part of this application.

Third, Vallee notes that the plans include a "future sidewalk" with "grading and drainage to be designed by others." Vallee is unclear about this reference and whether or not the sidewalk is planned as part of this application or is planned as part of an overall Town sidewalk project. Additionally, Vallee is unclear whether or not it is designed to connect with the Vallee property to the south. (It should be.) Vallee asks that the DRB clarify this note and sidewalk plan/details. Fourth, the site plans shows possible future EV Charging stations. Such use would fall under "Motor Vehicle Sales and Service" and/or "Service Station" per the St. Albans Unified Development Regulations, Article IX, Definitions. Such uses are not applied for. Accordingly, charging stations are inconsistent with the application and the DRB should note they are not approved as part of this application.

Fifth, the location of discharge for the gravel wetland and diversion swale should be specified. It appears they discharge towards the shared driveway. Is this correct? If so, the DRB should inquire as to whether this will have any impact on the functioning of the shared driveway and whether culvert sizing is appropriate. Further, Vallee just constructed a very large gravel wetland on its property. The DRB should inquire as to whether any discharges from the proposed development will co-mingle with Vallee's discharges in Vallee's wetlands.

Sixth, Vallee does not believe any changes (i.e. expansions) to the shared driveway are necessary for this this application. Certainly none are proposed. Should the DRB conclude otherwise, Vallee would ask that it be given an opportunity to review and comment on any expansion / modification plans before a final decision of the DRB.

These are Vallee's initial comments and questions. Vallee reserves the right to comment further and does not waive or intend to waive any claims or defenses with this letter.

*Sincerely,
Alexander J. LaRosa, Esq.
Counsel for R.L. Vallee, Inc.*

S. Smith stated that the R L Vallee project was part of a larger project they were aware of the intent to develop the other areas and use the road as access. He stated the agreement with R L Vallee and Ingleside was to work with other development and join an association if necessary. There are also restrictions of appeal of any other development within their deed.

D. Heil explains project. This is a commercial development on an existing 16.18-acre parcel with 80' ROW that is located approximately 1/10 mile north of the Route 104 & SASH intersection. Existing condition of the land is undeveloped. There are class 2 and 3 wetlands confirmed with delineation, but the proposed improvements will not impact wetlands or their 50' buffers. They are proposing to subdivide a 1.4-acre lot for a commercial development. Lot 2 is to be undeveloped at this time.

The proposed project is a 10,000 ± square foot building with parking, storm water treatment, and extension of municipal water and sewer located within the Growth Center. The site will be accessed through the 80' ROW. 32' driveway with pending approvals from VTRANS. The Towns requires 14 parking spaces; the plan proposes 35 spaces which is a developer requirement. The City of St. Albans granted water and sewer allocations in July. Storm water from impervious will be collected along Route 104 in a gravel wetland to treat and detain, then will discharge into an existing swale which goes under Route 104 into the field. There is more than ½ acre of impervious surface therefore a State permit is required. State Erosion control permit is also required. The site is subject to an existing Act 250 permit so an amendment will be required.

The plans show a proposed future sidewalk to facilitate connection if a multi-use path is built along this side of the road. It will not be constructed immediately, but the plans show where it could go in the future.

B. Brigham asked if the drainage off this site will impact the R L Vallee property. D. Heil stated this site has an entirely separate system and will not connect to the R L Vallee system. The car charging stations are not being installed but ACT 250 requires conduit placed for future stations. B. Brigham asked if this will be standard in the future. M. Casey confirmed.

B. Brigham asked if the structure is similar to Fairfax. M. Casey very similar except this building is a little larger and its a metal frame building.

B. Brigham asked if the drainage coming from the rear of the structure will be bypassing the storm water? D. Heil drainage from building will be collected and treated, drainage from field to east will be directed with a berm to bring it along the existing ditch along driveway.

B. Brigham asked about landscaping. D. Heil stated the proposed landscaping is dense in order to provide screening. The landscaping will be comprised of ornamental and evergreen trees.

B. Brigham asked about exterior lighting D. Heil stated that all lighting will be down shielded. There are proposed to be 3 poles in the parking lot and some wall mounted light fixtures. M. Casey stated that the parking lot lighting will be turned off when the store closes and only wall packs will stay on 24 hours a day for safety.

B. Brigham asked if the water and sewer allocations were done. D. Heil confirmed that the City approved it last July.

B. Brigham stated that presently there is 1 fire hydrant. D. Heil confirmed and said 2 hydrants are existing adjacent to the site: one across Route 104 and another along the access drive. B. Brigham asked if the Fire Marshal has looked at it. The Fire Chief finding states that they are installing fire hydrant at driveway. B. Brigham questioned if it is new or existing. D. Heil stated they are existing. D. Heil stated that the letter from the Fire Chief mentioned the Fire Department has lost staff which creates a burden. He recommended the building be sprinkled but that is not within the State regulations. D. Heil also mentioned that a State permit will be applied for, and they will make sure to follow all conditions from that permit. B. Brigham asked if there would be a dry suppression system. M. Casey said no, but there will be fire rated walls etc. and they will do any recommendations from the State Fire Marshal.

B. Brigham asked about vehicle trips. D. Heil stated there is projected to be 52 PM peak hour trips. B. Brigham asked if VTRANS was ok with the project. D. Heil: VTRANS has issued a statement they have no concerns and they would not require traffic impact study.

B. Brigham stated that the Site Plan shows the word stop painted and a stop sign at the driveway connection with the access road. D. Heil confirmed.

B. Brigham asked if the storm water permit has been applied for with the state. D. Heil said the gravel wetland has not been applied for yet. That wetland will not hold water for long, there will be a pool of water underground but that will not be visible from surface.

Deliberative Session

MOTION: M. McKennerney made a motion to enter deliberative session at 8:35 p.m. C. Boissoneault seconded. All in favor, none opposed, motion carried.

MOTION: M. McKennerney made a motion to come out of deliberative session at 9:10 p.m. A. Hickey seconded. All in favor, none opposed, motion carried.

Application of Malone 75 Swanton Road Properties LLC requesting Site Plan Amendment

MOTION A. Omartian made a motion to continue the Application of Malone 75 Swanton Road Properties LLC represented by Beta Technologies requesting a Site Plan Amendment to construct 6 concrete testing bunkers, concrete landing pads, paving a new loading area, a concrete pad for outdoor air pollution control equipment, widening an existing gravel driveway, and construction of stormwater treatment facilities in accordance with Sections 4.7, 4.11, and 8.4 of the St. Albans Town Unified Development Bylaws, with the following requests: 1. If there is a fire, and water is used to suppress the fire, how are the pollutants (water runoff) being contained/controlled? Will the water flow into the stormwater system? 2. What fire suppression technique will be utilized in the “bunkers”? Is there a dry system in the bunkers? 3. In a “worst case event”, what will the composition of the emissions be from the scrubber? Will the air be as clean as it was prior to the event? 4. What is the capacity of the scrubbers? 5. What is the estimated noise level, in decibels, from the equipment at the perimeter of the property? 6. The Applicant shall provide a lighting plan. 7. The Applicant shall provide photographs of the existing vegetation along the border of the property closest to the West Vista development. Seconded by E. Baker. All in favor, none opposed motion carried.

Application of Malone Dorset Street Properties, LLC requesting a Site Plan Amendment

MOTION E. Baker made a motion to approve the Application of Malone Dorset Street Properties, LLC requesting a Site Plan Amendment to relocate the proposed pedestrian path for the Village at Franklin Park in accordance with Sections 4.7, 4.11 and 8.4 of the St. Albans Town Unified Development Bylaws. The property is located at 0 Franklin Park West in the Commercial District within a designated Growth Center and is owned by the Applicant with the following conditions: 1) Completion date of November 1st, 2023, 2) Upon completion of the project, and prior to the issuance of a Certificate of Compliance, the Applicant shall provide certification by a registered engineer that the project was completed as approved by the DRB, 3) All previous conditions shall remain in effect unless otherwise amended by this decision, 4) All State and Federal Permits are the Applicants responsibility and a copy shall be given to the Zoning Administrator for the file, 5) the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 3rd, 2022. 6) The Applicant shall agree to and comply with all findings of fact and conclusions of law listed in the staff report as well as all conditions of approval in the decision, A. Omartian seconded the motion. E. Baker, A. Omartian, M. McKennerney, C. Boissoneault in favor, B. Brigham opposed, motion carried.

Application of Ingleside Equity Group requesting Site Plan and Conditional Use Approval

MOTION M. McKennerney made a motion to approve the Application of Ingleside Equity Group represented by Saint Albans BTS Retail, LLC requesting Site Plan and Conditional Use Approval for a 10,640 square foot retail building in accordance with Sections 4.7, 4.11, 8.3, and 8.4 of the St. Albans Town Unified Development Bylaws. The property is located at 353 ARND Fairfax Rd in the Commercial District within a designated Growth Center and is owned by the Applicant with the following conditions: 1) Applicant must work with the Fire Chief and State Fire Marshal to determine design requirements for the building, 2) Upon completion of the project, and prior to the issuance of a Certificate of Compliance, the Applicant shall provide certification by a registered engineer that the project was completed as approved by the DRB, 3) All State and Federal Permits are the Applicants responsibility and a copy shall be given to the Zoning Administrator for the file, 4) the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 3rd, 2022. 5) The Applicant shall agree to and comply with all findings of fact and conclusions of law listed in the staff report as well as all conditions of approval in the decision, 6) All previous conditions shall remain in effect unless otherwise amended by this decision, 7) No outdoor storage of goods shall be permitted. E. Baker seconded the motion. All in favor, none opposed, motion carried.

Minutes

MOTION: A. Omartian made a motion to approve the minutes from the meeting of October 20th, 2022. C. Boissoneault seconded. All in favor, none opposed, motion carried.

Adjournment

MOTION: M. McKennerney made a motion to adjourn the DRB meeting at 9:30 p.m. A. Omartian seconded. All in favor, none opposed, motion carried.

**Respectfully Submitted,
Megan Sherlund, Director of Community Development**