

**Town of St. Albans  
Development Review Board Meeting Minutes  
Thursday, November 18<sup>th</sup>, 2021  
6:30 p.m.**

On Thursday, November 18<sup>th</sup>, 2021 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 (Via Zoom), Clerk, Mike McKennerney, Allison Hickey, Tom Stanhope, Zoning Administrator, Megan Sherlund (Via Zoom), Administrative Assistant, AJ Johnson

**Absent:** Christina Boissoneault

Zoom ID: 817 9146 5011

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

**New Business:**

**Application of Fairfax Rd. LLC for a Site Plan and Conditional Use Approvals to change the use of an existing structure to a multi-use building, increase the size of the building by 484 square feet, reduce parking from 18 spaces to 14 spaces, add stormwater detention, and adjust landscaping and curbing in front of the building in accordance with Section 405, 410, 802 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 141 Fairfax Rd in the Mixed Commercial/Residential District within the Growth Center Overlay and is owned by the Applicant.**

The Application was represented by Matt and Tori Tabor and Ralph Madison. There were no Interested Parties. The Applicants were sworn in by Clerk, M. McKennerney.

R. Madison explained they purchased the building from the Humane Society (FCAR) and intend to divide the building down the center to allow for more than one use. An insulation business is being proposed in half of the building and the other side will be rented out. R. Madison explained the driveway was pre-approved under the previous owner so the Applicants will move forward with the same design.

B. Brigham questioned if the DRB had seen this building under another Applicant. A. Johnson explained the building received approvals when it changed uses from research / testing to a spay and neuter clinic through FCAR.

B. Brigham inquired about the stormwater section of the Application. R. Madison explained a retaining pond needs to be constructed close to the road. B. Brigham questioned if there is room for the project. The Applicant confirmed and added the pavement will be cut back four feet. M. Tabor explained the pavement is being removed due to impervious square footage on site. T. Tabor mentioned there is a small detention pond being added.

B. Brigham questioned the part of the Application that states the building square footage will increase. R. Madison explained there has been some confusion. The increase shown on the Application is for the impervious surface.

B. Brigham noted the uses the Applicant is requesting approval for as Building Contractor Shop, Indoor Storage, Modular Mobile Home Sales, Publisher/Printer, Agribusiness, Artist Studio, Business Services, Educational Facility, Equipment Sales and Services, Essential Public Services, Indoor Storage, Multi-Use Building, Professional Office, Recreation Center, Retail Business and Social Services.

B. Brigham stated there is only one Residential use in the immediate area.

A. Johnson questioned if the Applicant would ever utilize outdoor space for storage – for example, if a building contractor shop was approved, would the Applicant utilize the outdoor space for piles of dirt or mulch. The Applicant declined, and explained there is not a lot of outdoor space.

B. Brigham explained one of the proposed uses is Equipment Sales and Service. Any business where you had goods stored outside might not be acceptable for the neighborhood. The Applicant agreed.

**Application of Tabor Investments 4, LLC for Site Plan and Conditional Use Amendment to allow for a multi-use building in accordance with Sections 406, 802, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 19-21 Beaugard Rd in the Commercial Districts and is owned by the Applicant.**

The Application was represented by Matt and Tori Tabor. They were still under oath from the previous application. There were no Interested Parties.

M. Tabor explained the building previously had a multi-use approval, but the most recent business changed the use to a single use.

M. Tabor will utilize half of the building as his shop, and the other half will be potentially utilized by another business. B. Brigham questioned if anyone is currently in the building. M. Tabor stated a landscaping business. B. Brigham asked if the doors are big enough to get equipment in and out. M. Tabor confirmed.

B. Brigham wondered if there are storage containers on site. The Applicant explained that a couple storage containers were hooked to the building and will remain, but the ones that were not attached are gone.

M. Tabor stated the building is already broken up into separate business spaces. B. Brigham noted the proposed uses as Building Contractor Shop, Business Services, Equipment Sales and Service, Indoor Storage, Modular or Mobile Home Sales, Motor Vehicle Repair, Service or Sales, Multi Use Building, Professional Office, Publisher / Printer, Social Services, Storage and Distribution Facility, Transportation Terminal, Warehousing, Agribusiness, Artist Studio, Educational Facility, and Recreational Center. M. Tabor explained they will likely keep the other use “low-key” but wanted to have options available if need be.

M. Tabor questioned if the Board will approve the entire application minus some uses the Board finds unacceptable. B. Brigham confirmed the Board could eliminate some uses they don’t find appropriate.

M. McKennerney wondered if there will be any additional signage added. The Applicant confirmed. A. Johnson reminded the Applicant to obtain a building permit prior to installing the sign.

The Board had no other questions.

**Application of Jeff & Michelle Dussault for Conditional Use Approvals for a multi-use building to allow a tap room, with light food and entertainment in one area of the building and brewing and testing in another area of the building in accordance with Sections 406 and 802 of the St. Albans Unified Development Bylaws. The property is located at 16 Beaugard Dr. in the Commercial District and owned by the Applicant.**

The Application was represented by David & Joyce Fitzgerald, prospective owners. There were no Interested Parties. The Applicants were sworn in.

B. Brigham asked if this Application is for the Mill River Brewing Building. D. Fitzgerald stated it is the building right behind the existing Mill River Brewing.

D. Fitzgerald explained they would like to open a taproom next year. The existing location is a restaurant so it is hard for people who want to come in and have a couple of drinks and hang out and chat when other patrons need the tables to consume food.

B. Brigham wondered if it is a 2-story building. D. Fitzgerald stated there are two conference rooms above the open space on the bottom – The conference rooms are really one room which is probably 12’ x 28’.

D. Fitzgerald does not foresee moving the brewery to the new building for a while. B. Brigham asked if the brewing is occurring in the other building. The Applicant confirmed.

B. Brigham noted the proposed uses as “Club, Community Garden, Fast Food Restaurant, Light Industry, Public Facilities, Research and Testing Facilities, Restaurant, Retail Business, Storage and Distribution Facility and Warehousing”. A. Johnson explained the definition of Public Facilities includes Public or Private Schools, Churches, Hospitals, Solid Waste Management etc. D. Fitzgerald explained he was not sure what the definition of Public Facilities was, but he was comfortable removing it from the application.

B. Brigham questioned the Community Garden use. D. Fitzgerald explained the runoff from both sites collects in one general area and he is considering putting a rain garden in that location.

There were no other questions.

**Application of 2 Franklin Park West, LLC for Conditional Use Approval to allow the increase of a building with a non-conforming use in accordance with Sections 406, 410 and 802 of the St. Albans Unified Development Bylaws. The property is located at 59 Parah Dr. in the Commercial District**

**within the Growth Center Overlay and owned by the Applicant.**

The Application was represented by Brendan Deso of D&H Housing. There were no Interested Parties. The Applicant was sworn in. B. Deso explained the Bokan Brothers own the property. The Applicant purchased the lot with an unoccupied dilapidated house on site and is requesting to remove the house and bring in a manufactured double wide home on a slab.

B. Deso explained the existing home is one bedroom, but they intend to seek approvals from the City of St. Albans and obtain a State Wastewater Permit for a 3-bedroom allocation. B. Deso stated there is an existing pressure sewer line from the city across road for a pump station down Parah drive and beyond that is a manhole. Either way the Applicant will be going under the road, a gas line and sewer line to get to either of them. He expects there will be an onsite pump station for the new home. He expects a majority of construction to be done in December.

B. Deso stated the proposed structure is a little larger than the existing structure and the proposed structure will be oriented differently for aesthetics.

B. Deso explained if the Applicant had constructed a home on the same footprint the Applicant would only need to obtain a building permit, but the expansion has triggered a review from the Board. B. Brigham asked how large the lot is. It is around a quarter of an acre.

A. Omartian wondered if the house will be utilized as a residence or an office space. B. Deso stated the structure will be a primary residence. A. Omartian asked if the property will be a rental or will it be sold after the structure is on the lot. B. Deso explained an immediate family member is moving in to the home, but he is unsure if the property will transfer owners.

There were no other questions.

**Application of Justin Daniels for Conditional Use in a Flood Hazard Overlay Approval to build a 12' x 28' deck on an existing camp in accordance with Sections 401, 408, and 802 of the St. Albans Unified Development Bylaws. The property is located at 89 Gallagher Rd. in the Lakeshore District and Flood Hazard Overlay and owned by the Applicant.**

The Application was represented by Justin Daniels. There were no Interested Parties. The Applicant was sworn in by Clerk, M. McKennerney.

J. Daniels explained he intends to construct a deck off the camp he purchased last spring. J. Daniels explained he had to fix up the inside quite a bit and now wants to expand the usable outdoor space. He received an elevation certificate and measured the camp from the lake for a distance of 212'. The elevation certificate noted the camp at an elevation of 103' and the land at 100'.

B. Brigham asked if this project would be done this Fall or the Spring. J. Daniels stated it depends on lumber costs, but Spring at the latest.

B. Brigham asked if the deck will just sit on cinder blocks up against the building. J. Daniels confirmed. B. Brigham wondered if the deck will be at floor level or one step down. J. Daniels expects it to be an inch or two below. B. Brigham asked if J. Daniels is worried the deck will float away in a flood event. J. Daniels is not worried and will find a way to secure the deck into the ground with heavy duty anchors if need be.

B. Brigham asked if anything was being removed from the camp. It is not.

A. Omartian asked what the elevation of the deck is in relation to the lake. The camp is at 103' and the deck will be an inch or two below.

**Deliberative Session**

**MOTION: M. McKennerney made a motion to enter deliberative session at 7:10 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 7:45 p.m. A. Omartian seconded. All in favor, none opposed, motion carried.**

**Application of Fairfax Rd. LLC for a Site Plan and Conditional Use Approvals**

**MOTION: M. McKennerney made a motion to approve the Application of Fairfax Rd. LLC for a Site Plan and Conditional Use Approvals to change the use of an existing structure to a multi-use building, increase the size of the building by 484 square feet, reduce parking from 18 spaces to 14 spaces, add**

stormwater detention, and adjust landscaping and curbing in front of the building in accordance with Section 405, 410, 802 and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 141 Fairfax Rd in the Mixed Commercial/Residential District within the Growth Center Overlay and is owned by the Applicant with the following conditions: 1) All recommendations from the Fire Chief must be followed, 2) While conceptually approvable, the Board will require further Site Plan Review for Mobile Home Sales and Services, Agri-Business, Equipment Sales and Services, and Recreational Center – the Board approves the uses of Building Contractor Shop, Indoor Storage, Publisher / Printer, Artist Studio, Business Services, Educational Facility, Essential Public Services, Professional Office, Retail Business and Social Services, 3) The findings of fact and conclusions of law shall be amended to reflect the Applicant is not requesting additional square footage to the building at this time, 4) The Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 12<sup>th</sup>, 2021, 5) The Applicant shall agree with all findings of facts and conclusions of law listed in the staff report, 6) All State and Federal permits are owner's responsibility and 7) The Zoning Office must be notified in writing when a change of use occurs. A. Omartian seconded the motion. All in favor, none opposed, motion carried.

#### Application of Tabor Investments 4, LLC for Site Plan and Conditional Use Amendment

MOTION: B. Brigham made a motion to approve the Application of Tabor Investments 4, LLC for Site Plan and Conditional Use Amendment to allow for a multi-use building in accordance with Sections 406, 802, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 19-21 Beaugard Rd in the Commercial Districts and is owned by the Applicant with the following conditions: 1) While conceptually approvable, the Board will require further Site Plan review for Mobile Home Sales and Services – The Board approves the uses of Building Contractor Shop, Business Services, Equipment Sales and Services, Indoor Storage, Motor Vehicle Repair Service or Sales, Professional Office, Publisher / Printer, Social Services, Storage and Distribution Facility, Transportation Terminal, Warehousing, Agribusiness, Artist Studio, Educational Facility and Recreational Center, 2) All recommendations from the Fire Chief must be followed, 3) The Zoning Office must be notified in writing when a change of use occurs, 4) The Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 12<sup>th</sup>, 2021, 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. McKennerney seconded the motion. All in favor, none opposed, motion carried.

#### Application of Jeff & Michelle Dussault for Conditional Use Approvals

MOTION: B. Brigham made a motion to approve the Application of Jeff & Michelle Dussault for Conditional Use Approvals for a multi-use building to allow a tap room, with light food and entertainment in one area of the building and brewing and testing in another area of the building in accordance with Sections 406 and 802 of the St. Albans Unified Development Bylaws. The property is located at 16 Beaugard Dr. in the Commercial District and owned by the Applicant with the following conditions: 1) The Board approves all requested uses with the exception of Public Facilities, 2) All recommendations from the Fire Chief must be followed, 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 November 12<sup>th</sup>, 2021, 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. A. Hickey seconded the motion. All in favor, none opposed, motion carried.

#### Application of 2 Franklin Park West, LLC for Conditional Use Approval

MOTION: M. McKennerney made a motion to approve the Application of 2 Franklin Park West, LLC for Conditional Use Approval to allow the increase of a building with a non-conforming use in accordance with Sections 406, 410 and 802 of the St. Albans Unified Development Bylaws. The property is located at 59 Parah Dr. in the Commercial District within the Growth Center Overlay and owned by the Applicant with the following conditions: 1) Prior to any construction, a building permit must be obtained through the Zoning Office, 2) A copy of any agreements or permits regarding the wastewater must be presented to the Zoning Office, 3) The Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 12<sup>th</sup>, 2021, 4) The Applicant shall agree with all findings of facts and conclusions of law listed in the staff report, 5) All previous conditions of approval shall remain in effect unless otherwise amended by this decision and 6) all State and Federal permits are owner's responsibility. A. Omartian seconded the motion. All in favor, none opposed, motion carried.

#### Application of Justin Daniels for Conditional Use in a Flood Hazard Overlay

MOTION: B. Brigham made a motion to approve the Application of Justin Daniels for Conditional Use in a Flood Hazard Overlay Approval to build a 12' x 28' deck on an existing camp in accordance

with Sections 401, 408, and 802 of the St. Albans Unified Development Bylaws. The property is located at 89 Gallagher Rd. in the Lakeshore District and Flood Hazard Overlay and owned by the Applicant with the following conditions: 1) The deck must be anchored to the ground substantially, 2)The Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 12<sup>th</sup>, 2021, 3)The Applicant shall agree with all findings of facts and conclusions of law listed in the staff report, and 4) All State and Federal permits are owner's responsibility. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

#### **Adjournment**

MOTION: T. Stanhope made a motion to adjourn the DRB meeting at 8:20 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

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