

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

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

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

Absent: Ellen Baker & Christina Boissoneault

Chair, B. Brigham, called the Development Review Board hearing to order at 6:35 p.m.

Continued 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, and Art Klugo and Sean Donovan of BETA Technologies.

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

B. Brigham stated that the Board continued the previous meeting with a list of questions regarding the application and has received the requested information. A. Klugo stated that the helicopter pad is not part of this approval, nor do they currently have plans to build one at this location. B. Brigham asked if the Applicant met with the West Vista Homeowner's Association. A. Klugo confirmed. B. Brigham asked if they discussed their questions. Interested Party, Sue Chase confirmed. B. Brigham asked if their questions were answered. S. Chase stated that BETA answered most of their questions. B. Brigham asked the Applicant to continue with the Boards questions.

A. Klugo read question one. *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?* A. Klugo explained there is no water in the test chamber itself, and the fire will self-extinguish during the test inside the chamber. He also mentioned that there is water included in the scrubber equipment. B. Brigham asked where the water enters the scrubber equipment. A. Klugo stated that it comes in through a water line. He asked the Board to look at page 4 of the West Vista response packet, and explains that the water is separate from any domestic water. If there is an event for fire sprinkler, the water will be collected in the scrubber and will then be pumped out by a hazmat hauler. B. Brigham asked if this water enters the scrubber and not testing chamber. A. Klugo confirmed that they are separate.

A. Klugo read question two. *What fire suppression technique will be utilized in the "bunkers"? Is there a dry system in the bunkers?* A. Klugo stated that the batteries will self-extinguish and again confirmed there will be no water in the test chamber.

A. Klugo read question three. *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?* He asked the Board to look at page two of the West Vista response packet and explained that 25-kilogram battery pack is the maximum size, but most tests would be done on a single 7 kg battery. A. Klugo stated that 1% of the emissions will be particulate and 99% gaseous, which is natural to the environment already. The emission rate will be 25% - 99% below levels that would require continuous testing outside the stack. B. Brigham asked if the air will get tested periodically. A. Klugo explained that State regulations require the air to be tested an hour at a time but they are not able to do that because how the batteries will be tested, will not occur for a full hour. BETA will be required to create a testing methodology which will be approved with the air quality permit. The air scrubber stack has four ports for probes for air quality measurement. B. Brigham asked that if BETA gets approvals from the State, will this equipment get serviced annually? A. Klugo stated yes, they will be required to perform a preventative maintenance program.

A. Klugo read question four *What is the capacity of the scrubbers?* A. Klugo stated that BETA will only be testing 7 kg at a time and the scrubber is over designed for what they will be testing. B. Brigham asked at any time, only one 7 kg battery will be tested? S. Donovan stated that they have large packs and when a

test is started, it will trigger individual cells in order to understand the different battery failure modes. They want to make sure that when one single cell fails, it doesn't affect other batteries. B. Brigham questioned that at some point will there be a large pack that will be tested. S. Donovan stated that the largest pack ever to be tested will be 50 lbs. of batteries.

A. Klugo read question five. *What is the estimated noise level, in decibels, from the equipment at the perimeter of the property?* He then stated that in the West Vista response packet there is a diagram for the exhaust fan showing it has a 30 hp motor which noise level is at 75 dba. The air scrubber stack and exhaust fan are about 750' from nearest residence, and with acoustical calculations, the motor sound will be 12.5 dba which is the sound of rustling leaves. A. Omartian asked what the frequency of the noise would be. A. Klugo stated there will be no negative impact from noise.

A. Klugo showed the Board the lighting plan on pages E301 and E401. The lights are downward facing light packs on the building and they follow Dark Sky compliance regulations. The testing chambers are down in a gully about 10'-12' below the nearest residential homes. A. Klugo mentioned that when no one is working, the lights will be at lower watt range or off completely. A. Omartian asked if they will be motion lights for the night time. A. Klugo stated that this will be a secure facility with a perimeter fence any persons on the property must have authorization to be in there. A. Johnson asked if there would be an entrance to the fence. A. Klugo stated there will be some sort of security mechanism to keep unwanted people out. B. Brigham asked if there will be an emergency Knox Box. A. Klugo confirmed and stated that there will be an 8' fence.

A. Klugo read question seven. *The Applicant shall provide photographs of the existing vegetation along the border of the property closest to the West Vista development.* He stated that the stack is behind the trees and will not be able to be seen from the residences. He stated that BETA is willing to add vegetation if needed. B. Brigham stated he did a site visit and asked if the State and Local Fire Marshals were okay with the driveway being a dead end. D. Woolridge explained that they tried to connect the drives in the rear of the building, but are not able to with grade changes and location of infrastructure. A. Klugo stated that there is enough room for a fire truck to turn around.

A. Klugo asked the Board if they would like him to go over the meeting minute questions from the meeting on the 10th. B. Brigham stated that questions one, two and three were already discussed. He asked if there will be any metal storage containers on site and where will waste be kept. S. Donovan stated that they will stage batteries in one of the chambers for disposal. They disassemble the packs, hold them for a predetermined amount of time to ensure there are no issues with the batteries, then a hazmat collector takes them. B. Brigham confirmed the working hours are from 6am – 7pm but things are happening when people aren't there. A. Klugo confirmed.

B. Brigham asked how often batteries are cycled and if any of that occurs inside the building or only in the test chambers. S. Donovan stated that the chambers are used for safely conducting a controlled destructive test, while inside the facility they will do other standard tests.

A. Omartian asked if the chambers are connected to the building. A. Klugo said no, they are about 25' from the face of the building. B. Brigham asked if the chambers are completely self-contained. S. Donovan confirmed. A. Omartian questioned if some operations would occur inside building. S. Donovan confirmed. B. Brigham asked if the number of batteries tested depended on what they weighed. S. Donovan stated that they trigger individual cells or 2 or 3 at one time, and that weight will be added up to the total amount allowed.

A. Omartian asked what the timeline is for State approvals. A. Klugo stated that Act 250 is mostly done. D. Woolridge mentioned that the State approved the wetland delineation. A. Klugo stated that the last piece is finishing the air quality permit.

B. Brigham asked the members of the audience if they had any other questions. Interested Party Lenore Collins asked about storing batteries before testing. S. Donovan stated that they will only be located in the building or in the test chambers.

A. Johnson asked if they could send a site plan so the building permit can get started. D. Woolridge confirmed.

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: A. Omartian made a motion to come out of deliberative session at 7:35 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

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

MOTION B. Brigham made a motion to approve 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. The property is located at 75 Swanton Rd. in the Commercial District within a designated Growth Center and is owned by the Applicant, with the following conditions: 1. The Fire Department will be provided access to security fencing by Knox Box or security code; 2. Applicant shall enhance screening with evergreens along the top of the bank to the south of the project; 3. 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; 4. Prior to construction a local building permit will be obtained by the Applicant; 5. All previous conditions shall remain in effect unless otherwise amended by this decision; 6. All State and Federal Permits are the Applicants responsibility and a copy shall be given to the Zoning Administrator prior to the issuance of a Certificate of Compliance; 7. the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated November 22nd, 2022; and 8. 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. Seconded by M. McKennerney. All in favor, none opposed motion carried.

Minutes

MOTION: A. Omartian made a motion to approve the minutes from the meeting of November 10th, 2022. T. Stanhope seconded. All in favor, none opposed, motion carried.

Adjournment

MOTION: M. McKennerney made a motion to adjourn the DRB meeting at 7:45 p.m. A. Hickey seconded. All in favor, none opposed, motion carried.

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