

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, December 17th, 2020
6:30 p.m.**

On Thursday, December 17th, 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, Christina Boissoneault, Mike McKennerney, Tom Stanhope, Interim Zoning Administrator, Amanda Johnson, and Megan Sherlund
Absent: Clerk, Bruce Thompson

Zoom ID: 897 8656 1927

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

New Business:

Application of 798 Maquam Shore Road, LLC requesting Sketch Plan and Final Plat, of a 5 Lot Subdivision with 60' wide ROW in accordance with Sections 200-209 and 403 of the St. Albans Town Unified Development Bylaws. The property is located at 798 Maquam Shore Road, Across From in the Rural District and owned by the Applicant.

The Application was represented by Stephen Tetreault, TDH Surveying. The Applicant, Michele Bruso of 798 Maquam Shore Road, LLC joined mid-meeting. There were no Interested Parties. S. Tetreault was sworn in by Vice Chair, A. Omartian.

S. Tetreault explained the Applicant is requesting approval for a 5 Lot Subdivision. The property currently consists of open land. Each proposed lot will be served by on-site wells, and off-site wastewater systems that are located within an easement area on Lot 1. Water/Wastewater approvals have already been obtained by the Applicant. Access for each lot will be an individual driveway.

The remaining lands (Lot 1), which will be served by a 60' wide Right of Way (ROW), will remain undeveloped at this time.

B. Brigham asked if the Wastewater systems are proposed to be individual, or one large system. S. Tetreault reiterated there will be four individual systems located within the easement area on Lot 1. He explained the Applicant would have preferred to have them in a different area, but Lot 1 has the best slope of land.

B. Brigham asked if the Applicant has any intention to put a road over the 60' wide ROW at this time. They do not.

B. Brigham asked if there is a Solar farm proposed for the back lot. M. Bruso explained the road over the 60' ROW was a part of the agreement with the Solar Panel company in case they ever need to get a truck to the Solar farm. Brigham asked if the solar panels have been installed. They have. The company ended up getting a ROW from a neighbor, so the road was not needed.

C. Boissoneault recused herself from the Application as the Applicant is her husband's sister.

B. Brigham asked where the drainage from the Lots will go; will it be the Lake, or woods? S. Tetreault explained there is about a 1% slope where the homes are proposed. The water will drain into the roadside ditch which eventually makes its way into the Lake.

B. Brigham asked if one of the Lots has Lake frontage. S. Tetreault confirmed – Lot 6 will retain the frontage on the Lakeside.

B. Brigham asked if the proposed impervious area will be enough to require a Stormwater permit. S. Tetreault stated the impervious area is under 1 acre, and therefore not subject to Stormwater.

M. McKennerney asked if the Applicant has spoken with A. Mashtare, Director of Public Works, about curb-cuts. They have not.

S. Tetreault added that the Police impact letter has been received, but the Fire Department letter has not.

Application of Dexter Enterprises, Inc. and HSSA Realty Inc. requesting Site Plan and Conditional Use Approvals to construct an approximately 28,000 square foot automobile dealership with associated parking and display in accordance with Sections 406, 410, 802, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 429 Swanton Road in the Commercial District within a Designated Growth Center and owned by Dexter Enterprises, Inc.

The Application was represented by Sam Ruggiano, of Ruggiano Engineering, and George Haddad, owner. Brian Dumais of Subaru of New England appeared in support of the Application, but did not plan on providing testimony. The Applicants were sworn in by Vice Chair, A. Omartian.

S. Ruggiano began by saying the warning states the building is approximately 28,000 square feet, but an updated plan shows the building as approximately 32,000 square feet. The footprint is 28,000 square feet, but there is some second story storage space.

S. Ruggiano explained the proposal is for a car dealership on 9.7 acres within the Designated Growth Center. The project is proposed to be served by municipal water and wastewater, and natural gas.

The Stormwater pond has been designed to handle the proposed impervious area. S. Ruggiano stated that of the 9.7 acres, approximately 4.75 acres will be left open and undeveloped due to wetlands.

S. Ruggiano pointed out the man-made swale on the existing conditions plan. Army Corps of Engineer and State Wetland Office approval is required to impact the swale.

An 1111 utility permit from the Agency of Transportation is in the process. The Stormwater permit and Construction General Permit are also in the process. The water allocations have been approved by the Town and the City.

S. Ruggiano pointed out the lighting and elevation plans.

A. Johnson inquired where the employee parking will be. S. Ruggiano explained that car dealerships are constantly rearranging the parking and display areas. There will be designated employee parking, but it could move depending on the needs of the dealership. He explained that there is plenty of room on site to accommodate the parking. He confirmed employees will never park on the grass.

B. Brigham asked for confirmation if the man-made impact to the swale has been approved. S. Ruggiano stated the project has received Army Corps approval. He added that the fees have gone up astronomically; the Applicant will pay around \$50,000 to have the ditch filled in. The State will also charge him another \$27,000. M. McKennerney asked if it is a Class II wetland that is being impacted. S. Ruggiano explained because the ditch is hydraulically connected to the wetlands to the East, the ditch is being considered a Class II.

B. Brigham inquired if the Stormwater will drain into the wetland to the East. S. Ruggiano confirmed. B. Brigham asked what happens when the water leaves the wetland. S. Ruggiano explained the water will eventually hit Hungerford Brook, drain into Jewett Ave into Stephen's Brook.

B. Brigham asked if any screening is being proposed for the abutting Residential lot. The Applicant is not proposing any screening in that area. The only screening shown on the plan is along Route 7. Generally, car dealerships and landscaping do not mix well due to sap, leaves, needles around the vehicles, explained S. Ruggiano.

B. Brigham stated the dealership will impact the Residential lot on two sides of it. S. Ruggiano pointed out the existing hedge row along the property.

A. Johnson asked for explanation regarding a fuel pump shown on the plan. The original plan did not include this detail. Fire Chief, B. Cross issued a second impact letter which states the location shown on the plan is not acceptable, but he will give his approval if the Applicant agrees to work with him on a safer location for the pump. S. Ruggiano explained he has been working with B. Cross regarding the size of the tank. If it is too small, the tank will need to be filled more often. G. Haddad explained the projected sales indicate a 1,000- or 2,000-gallon gas tank will be most appropriate.

A. Omartian asked when the Applicant proposes to break ground. S. Ruggiano stated the Applicant hopes to start in the Spring.

S. Ruggiano reiterated the building will be closer to 32,000 square feet. A. Johnson inquired what the second-floor space will be used for. The Applicant stated it is proposed storage space. A. Johnson asked if the building will need to have a sprinkler system installed. S. Ruggiano confirmed.

B. Brigham asked if the lighting proposed is standard dealership lighting. The lighting fixtures are full cut off and will meet the State standards.

A. Johnson wondered if the proposed fuel tank is 2,000 gallons, how often will it need to be refilled, and how long will a truck idle filling the tank. G. Haddad explained the refueling will depend on how often each of the cars are being filled, but assumes the tank will be filled every couple of weeks.

C. Boissoneault asked if the Applicant has a second location in mind for the fuel tank. S. Ruggiano is going to sit down with G. Haddad and B. Cross to find the best location.

B. Brigham asked if the hydrants on the plan are existing or proposed. S. Ruggiano explained B. Cross chose the location of the hydrants, and they will be installed.

B. Brigham asked about signage. There will be building signage and signage out by the road. A. Johnson reminded the Applicant all signage needs to be out of the road Right of Way.

AOT is requiring the Applicant to install a signalized crosswalk across Route 7.

Application of Thomas & Serafina Stanhope requesting Sketch Plan Review of a Subdivision amendment with two additional lots in accordance with Sections 200, 201, 202, 205, and 206 (A) of the St. Albans Town Unified Development Bylaws. The property is located at 637 Maquam Shore Road and owned by the Applicants.

The Application was represented by T. Stanhope, owner, and Ryan Wells of Cross Consulting Engineering. Dan Handy, his representative Peter Mazurak, and Robert Stucke all requested Interested Party Status.

T. Stanhope recused himself as he is the Applicant.

MOTION: M. McKennerney made a motion to grant Interested Party Status to D. Handy, P. Mazurak and R. Stucke. A. Omartian seconded. All in favor, none opposed, motion carried.

R. Stucke leases the land owned by D. Handy, and owns the land behind that.

A. Omartian swore in the Applicants.

R. Wells explained that in 2005 T. Stanhope did a 6 Lot subdivision. He is now requesting to re-subdivide the lots, and add two additional lots.

The Applicant is proposing drilled wells and shared wastewater system.

R. Wells explained they tried to use as many of the existing utility areas as possible. The large wastewater system was proposed to be shared by three lots. It is still proposed to be shared by three lots, however the lots utilizing the system have changed. Another two wastewater systems will each be shared by two lots. Lot 4 is proposed to have its own wastewater system.

R. Wells outlined the curb cut proposal. 801 waivers will be requested for Lots 1, 2, 3, and 8.

B. Brigham asked if the proposed wastewater systems are all mounds. R. Wells confirmed.

A. Johnson explained a Fire Department letter was not received since only Sketch approval is being requested, but B. Cross has reviewed the plan and will request hammerheads on a couple of the driveways. R. Wells stated a Police Impact letter has been received.

B. Brigham asked if any of the infrastructure exists currently. It does not.

B. Brigham inquired if the forced mains are schedule 40's. R. Wells confirmed.

B. Brigham wondered what the drainage for the area looks like. R. Wells explained the site has a relatively steady slope down towards the road. Drainage will mainly consist of sheet flow across the property until it hits the existing roadside ditch. From there it goes across the road through a culvert.

R. Stucke is worried about the drainage impacting his property. The existing drainage overwhelms his property and is moved through an 18" pipe into the Lake. A. Johnson asked if his property is classified as a wetland. It is not. If the pipe that moves the water to the lake freezes, it will flood his property.

P. Mazurak has a list of comments and concerns on behalf of his client. There are no stormwater controls depicted on the plan whereas the previously approved plan did show stormwater controls. He stated the Town requires a 2- and 10-year storm to be controlled. He also explained the driveways shown do not

reach the proposed houses and do not show any turn-arounds. He went on to say the shared driveways for lots 6, 1, and 8 are only 12' wide and contained in a 20' access easement. A 20' access easement is only allowed for 2 lots under the 801 waiver standards. Three lots will require a 60' easement. The easement over lot 6 should be 60' wide, followed by a 20' ROW to the other two lots. Lots 2,3,4, and 7 have a similar situation, he added.

A. Johnson explained that the Applicant will need to return to the Board within 6 months to apply for Final Plat, Site Plan, and 801 waivers. During this time all of the requested information will need to be shown. The purpose of Sketch is to hear any concerns the Board or Interested Parties may have.

P. Mazurak further explained that the lots do not have setbacks shown from where the access ROW's or easements are. He would argue that the lots would need to have the setbacks from the ROW's, weather it is a Town ROW or an access ROW. He stated the setback would need to be 40 feet. If you apply that to the Lots, the building envelopes will be much smaller.

A. Johnson stated she believes the Bylaws show the front yard setback as only being measured from where the lot is accessed (the front yard setback is only applied once), but she will check the bylaws.

P. Mazurak stated he has scaled the plan and came up with 40,000 square feet of impervious surface. This is just under the State threshold of needing to receive a Stormwater permit. He also noted a new culvert on the plan. He explained the new culvert appears to direct the water to the existing culvert that goes under Maquam Shore Road. He asked R. Wells to look into this. R. Wells explained they have done some calculations of the impervious surface and there is a little wiggle room. P. Mazurak also wondered if any of the development on the Coolbeth lot was taken into consideration regarding the pipe that goes under Maquam Shore Road.

P. Mazurak pointed out the access road widths show they are proposed to be 12'. He has contacted the States Division of Fire Safety and asked what they would like to see for shared driveways. They quoted NFPA 1 which is a 20' width for fire truck access. He understands B. Cross will need to review the plan.

R. Wells explained this project is still early in the process.

P. Mazurak stated if the driveways are widened and extended to the homes, or if turn-arounds are added, the impervious area will increase and the State stormwater permit will be required.

B. Brigham asked if there were any proposed stormwater approvals on the original, approved Site Plan. R. Wells confirmed the original plan shows some grass lined swales.

Deliberative Session

MOTION: A. Omartian made a motion to enter deliberative session at 7:38 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

MOTION: A. Omartian made a motion to come out of deliberative session at 9:30 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

Application of 798 Maquam Shore Road, LLC requesting Sketch Plan and Final Plat

MOTION: B. Brigham made a motion to approve the Application of 798 Maquam Shore Road, LLC requesting Sketch Plan and Final Plat, of a 5 Lot Subdivision with 60' wide ROW in accordance with Sections 200-209 and 403 of the St. Albans Town Unified Development Bylaws. The property is located at 798 Maquam Shore Road, Across From in the Rural District and owned by the Applicant with the following conditions: 1) A copy of the Fire Department impact letter shall be provided to the Zoning Administrator, 2) All State and Federal permits are owner's responsibility, 3) The Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated December 10th, 2020. T. Stanhope seconded the motion. All in favor, none opposed, motion carried.

Application of Dexter Enterprises, Inc. and HSSA Realty Inc. requesting Site Plan and Conditional Use Approvals

MOTION: A. Omartian made a motion to approve the Application of Dexter Enterprises, Inc. and HSSA Realty Inc. requesting Site Plan and Conditional Use Approvals to construct an approximately 28,000 square foot automobile dealership with associated parking and display in accordance with Sections 406, 410, 802, and 803 of the St. Albans Town Unified Development Bylaws. The property is located at 429 Swanton Road in the Commercial District within a Designated Growth Center and owned by Dexter Enterprises, Inc with the following conditions: 1) A copy of all State permits shall be submitted to the Zoning Administrator 2) A Letter of Credit in the amount of \$40,000 shall be provided in favor of the Town of St. Albans prior to the issuance of a building permit. 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) Upon the issuance of certification by a registered engineer that the project has been completed as per the DRB approvals, the letter of credit may be reduced to 10% of the original and held by the Town for 2 years from the date the reduced Letter of Credit is issued 5) All State and Federal permits are Owner's responsibility, 6) The Board accepts the amended findings of facts and conclusions of law as provided in the Interim Zoning Administrators staff report dated December 10th, 2020, 7) Although the footprint of the building is approved as 28,000, the DRB has approved a total of approximately 32,000 square feet. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Application of Thomas & Serafina Stanhope requesting Sketch Plan Review

MOTION: B. Brigham made a motion to continue to the meeting of January 14th 2020 the Application of Thomas & Serafina Stanhope requesting Sketch Plan Review of a Subdivision amendment with two additional lots in accordance with Sections 200, 201, 202, 205, and 206 (A) of the St. Albans Town Unified Development Bylaws. The property is located at 637 Maquam Shore Road and owned by the Applicants with the requests that the Applicant provide the following: 1) The Applicant shall provide a new Site Plan showing Right-of-Ways that conform with Section 801 of the St. Albans Town Unified Bylaws, and a Front yard Setback shown from the edge of the Right-of-Way at the Lot access point, and any proposed Stormwater mitigation plans, and 2) A Fire Department impact letter. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Adjournment

MOTION: A. Omartian made a motion to adjourn the DRB meeting at 9:47 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

Respectfully Submitted,

AJ Johnson, Administrative Assistant

Brent Brigham, Chair

Arthur Omartian, Vice Chair

Tom Stanhope

Christina Boissoneault

Mike McKennerney