

**Town of St. Albans
Development Review Board Meeting Minutes
Thursday, September 9th, 2022
6:30 p.m.**

On Thursday, September 9th, 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, Ellen Baker, Christina Boissoneault, Allison Hickey, Tom Stanhope, Zoning Administrator, Megan Sherlund, Administrative Assistant, AJ Johnson

Absent:

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

New Business

Application of Commons Associates L.P. requesting Conditional Use approvals for a change of use from Retail and Fast Food to Light Industry for the production of cannabis infused products in accordance with Sections 406, 410, and 802 of the St. Albans Town Unified Development Bylaws. The property is located at 321 Swanton Road in the Commercial District within a designated Growth Center and is owned by the Applicant.

The Application was represented by Anthony Sorrentino, prospective lessee. There were no Interested Parties. Clerk, M. McKennerney swore in the Applicant.

A. Sorrentino presented the Board with an updated drawing that highlights the area and the square footage of the proposed light manufacturing area.

B. Brigham questioned what was in the space before. A. Sorrentino stated the space was previously two units, Sally Beauty Supply and Yogurt City. The Applicants are proposing to connect both spaces and utilize all of the square footage. The building formally used for Yogurt City has existing plumbing and electrical infrastructure as well as surface area for food grade production that will be utilized by the new tenants.

The Applicant is proposing a “high end candy shop” which will utilize a similar production as standard candy. The cannabis will be processed using a tool similar to a large hair straightener which will remove the desired ingredients and leave behind the rest. The ingredients will then be put into the candy, molded, and dried on racks. A. Sorrentino explained their company is different than other local cannabis production companies as they do not use combustible ingredients, additives, or chemistry. Instead, they utilize clean, natural heat. A. Sorrentino explained the process they use to make their products will not leave waste products that could be taken and used to smoke. The plant is frozen whole and packaged wet.

A. Omartian inquired if the Applicant is proposing to sell the products from the units as well. A. Sorrentino explained they hope to acquire a retail store front once the Bylaw changes go in effect at the end of the month. The Applicant will propose to use the front space located in the existing yogurt city building.

A. Omartian asked what the security plan is. A. Sorrentino stated the units will be under 24-hour video surveillance that is uploaded to the cloud. All products will be stored in a safe or a walk-in freezer which will be locked. In the future, if the Applicant proposes a retail use, there will be additional levels of security which are standard operation for retail marijuana sales.

A. Omartian questioned the front entry glass walkway. A. Sorrentino explained that is a vestibule around the whole mall and the lessees are not allowed to modify the space. In the future, if they pursue a retail marijuana use, the store front will be designed to create a flow which allows for a greeter.

A. Omartian inquired if this business use requires a State license to operate. The Applicants have already acquired theirs. Obtaining Local approvals is the last step.

B. Brigham wondered if Highgate Commons has had other Light Industrial Uses. They have not. B. Brigham asked if the Applicant will need to come back before the Board for retail use. A. Johnson explained the new Bylaws have a “Retail Marijuana” use, which is different than just “Retail”. The change of use will require Conditional Use Approval from the Board.

B. Brigham asked if the Applicants need to remodel the units. A. Sorrentino explained the layout they have selected includes the least amount of restructure possible. The Applicant is utilizing a lot of the decorative pieces left behind from Yogurt City. The plumbing is already in place and the utility room,

storage areas and bathrooms do not need to be relocated. Essentially, they will build a wall and open a wall.

M. McKennerney asked if the products are tested in a lab. A. Sorrentino explained the products are tested and are labeled per package and the State dictates the maximum potency per package.

B. Brigham asked if 30 parking spaces are enough. A. Sorrentino stated he does not expect a lot of foot traffic at this time and his employees are the only ones who need parking.

The Board had no other questions.

Application of Pete West Construction for Subdivision, Sketch Plan, Final Plat, Site Plan and an 801 Waiver for a subdivision of 11.49 acres into 3 separate lots to accommodate 3 new single-family homes in accordance with Sections 206-209, 403, and 801 of the St. Albans Town Unified Development Bylaws. The property is located at Lot 4, Olivia Lane in the Rural District and owned by the Applicant.

The Application was represented by Pete West. Abutting land owner, David Gagne, requested Interested Party Status.

MOTION: T. Stanhope made a motion to grant Interested Party Status to D. Gagne. A. Omartian seconded. All in favor, none opposed, motion carried.

P. West explained he has an existing six lot subdivision which he is now proposing to take one of the lots and further subdivide it. He is currently constructing the fourth house within the subdivision.

B. Brigham wondered if the existing mound system serves the previously approved six lots. The Applicant confirmed and stated another mound system will be constructed to serve the newly proposed lots. The homes will utilize on-site wells.

P. West disclosed he intends to subdivide again in the future but due to Act 250 constraints, he is only requesting these lots. A single-family home is proposed on each lot.

The proposed Lot 8 will require a frontage waiver and will be accessed using the 60' Right of Way known as Olivia Lane.

The Board asked if the Interested Party had any questions. D. Gagne inquired about additional drainage and if his property will be affected. He explained prior to the subdivision drainage from the field crossed his back yard into a ditch. He would like to verify additional drainage will not impact his property. P. West stated everything from the road will drain toward Brigham Road and he does not expect to impact D. Gagne's property.

B. Brigham noted the hedge row between the two parcels. D. Gagne stated the hedges were previously a stone wall and are very thick.

Deliberative Session

MOTION: A. Omartian made a motion to enter deliberative session at 6:55 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

MOTION: C. Boissoneault made a motion to come out of deliberative session at 7:20 p.m. M. McKennerney seconded. All in favor, none opposed, motion carried.

Application of Commons Associates L.P requesting Conditional Use Approval

MOTION: C. Boissoneault made a motion to approve the Application of Commons Associates L.P. requesting Conditional Use approvals for a change of use from Retail and Fast Food to Light Industry for the production of cannabis infused products in accordance with Sections 406, 410, and 802 of the St. Albans Town Unified Development Bylaws. The property is located at 321 Swanton Road in the Commercial District within a designated Growth Center and is owned by the Applicant with the following conditions: 1), The Applicant shall provide the ZA with an explanation of how waste will be handled 2) The Applicant shall provide screening on all windows facing the retail and manufacturing spaces, 3), The Applicant shall receive a letter from the Sheriff's office approving the project, 4), Upon completion of the project, the Applicant shall apply for a Certificate of Compliance from the Zoning Administrator, 5,)The Applicant shall agree to and comply with all findings of fact and conclusions of law listed in the staff report dated September 8th, 2022, 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), All State and Federal Permits are the Applicants responsibility and a copy shall be given to the

Zoning Administrator for the file, and 8) the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated September 2nd, 2022. M. McKennerney seconded the motion. All in favor, none opposed, motion carried.

Application of Pete West Construction requesting Sketch Plan, Final Plat, Site Plan, and Frontage Waiver

MOTION: A. Hickey made a motion to approve the Application of Pete West Construction for Subdivision, Sketch Plan, Final Plat, Site Plan and an 801 Waiver for a subdivision of 11.49 acres into 3 separate lots to accommodate 3 new single-family homes in accordance with Sections 206-209, 403, and 801 of the St. Albans Town Unified Development Bylaws. The property is located at Lot 4, Olivia Lane in the Rural District and owned by the Applicant with the following conditions: 1) The Applicant shall provide the ZA with a copy of the State water permits , 2) The Applicant shall return all infrastructure to pre-construction conditions in the event of any damage, 3) Upon completion of the project, and prior to the issuance of a Certificate of Compliance, the Applicant shall receive certification by a registered engineer that the project was completed as per DRB approved plans, 4) The Applicant shall agree to and comply with all findings of fact and conclusions of law listed in the staff report dated September 2nd, as well as all conditions of approval in the decision, 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 for the file, and 7) the Board accepts the amended findings of facts and conclusions of law as provided in the Zoning Administrators staff report dated September 2nd, 2022. C. Boissoneault seconded the motion. All in favor, none opposed, motion carried.

Minutes

MOTION: T. Stanhope made a motion to approve the minutes from the meeting of July 14th, 2022. C. Boissoneault seconded. All in favor, none opposed, motion carried.

Adjournment

MOTION: T. Stanhope made a motion to adjourn the DRB meeting at 7:30 p.m. A. Omartian seconded. All in favor, none opposed, motion carried.

Respectfully Submitted,
AJ Johnson, Administrative Assistant