

MINUTES
ST. ALBANS CITY DEVELOPMENT REVIEW BOARD
REGULAR MEETING
ST. ALBANS CITY HALL, 100 NORTH MAIN STREET
6:30 PM, MONDAY, MARCH 4, 2024

DRAFT

Members of the Board Present: IN PERSON: Tanner McCuin, Acting Chair; Rick Coon; Dick Thayer; Janis Appel, Alternate

Members of the Board Absent: Rebecca Pfeiffer, Chair; Emily Biron; Dick Thayer; Becky Manahan, Alternate

Members of City Staff Present: Sara Bennett, Property Services Manager; Katie Haseltine, Minute Taker

Members of the Public Present: Ryan Wells; Scott Levick; Owen Levy; Wayne Jaycox; Heather Jaycox; Donald Conn; Maureen Conn; Colby Jaycox; Brian Toof VIA ZOOM: Michelle Bushey; Grant Butterfield; Erik Jutras

A. **BEGIN RECORDING AND OPEN MEETING** - T. McCuin called the meeting to order at 6:30 PM.

1. Pledge of Allegiance
2. Assign Alternates (as necessary) – Jan Appel
3. Consider any additions or deletions to agenda. - None

B. **DEVELOPMENT REVIEW SEGMENT - PUBLIC HEARINGS**

1. **Continuation: Case 2024-002 for Site Plan Review / Grant Butterfield - Lake & Maple LLC / 175 Lake Street / Parcel 23049167.** Changes to a previous site plan. This property is located in the B1 - Central Business District and the DR2-Downtown Expansion Design Review District.

1. T. McCuin opens the case and asks if any board members have any ex parte communication or conflict of interest. No one does. S. Bennett, E. Jutras, and G. Butterfield take their oath.
2. S. Bennett summarizes the staff report, which has been ammended, for the case.
3. T. McCuin asks if the board has any questions.
4. T. McCuin asks the applicant for a summary of the project. G. Butterfield explains that the original illustration was done by a 3rd party and not a complete rendition of what the property was. The architect has since updated the rendering to be a more accurate picture of the final proposed exterior of the building.
5. G. Butterfield mentions an economic concern that was addressed. T. McCuin asks for further detail on that concern. G. Butterfield describes the economic concern was that they were required to remove contaminated soil from the lot. They ended up raising the building 9 inches, due to concern around ground underneath, but that it is very common to do this type of thing in these situations.
6. G. Butterfield shares they are adding a fence on the western side (to protect the Lasalle lot and Midas property buildings). G. Butterfield asks if there is a requirement to install a gate to the dumpster. S. Bennett shares that the regulations say the dumpster needs to be "screened from view," which leaves it up to interpretation. S. Bennett also shares she has a public comment that was submitted to share when that time comes. T. McCuin asks G. Butterfield how shielded the dumpster would be. G. Butterfield says the dumpster is visible as you enter the lot, and to those driving by, but Midas would not be able to see it. G. Butterfield expresses concern with a locking gate and the limitations that it can bring, like winter snow removal.
7. J. Appel joins at 6:38 PM.
8. T. McCuin asks for confirmation of the increase in height not exceeding 68 feet. G. Butterfield confirms. T. McCuin asks what the exact height change was. E. Jutras confirms that the building is at 63 feet. T. McCuin asks if this delays completion date. G. Butterfield

shares that it doesn't. T. McCuin asks if it changed lighting heights. G. Butterfield shares it didn't make any major changes the rest of the site plan.

9. T. McCuin invites for public comment. S. Bennett shares public comment from Lorraine Wilson (9 Maple Street) about a noise complaint including shaking of the house due to construction, disturbing her dog, keeping her awake through the night, a heater that was quite loud. This resident contacted the police and was advised to seek City advice regarding the stated problems. S. Bennett spoke with G. Butterfield and M. Manahan about these complaints. G. Butterfield explains that heaters had to be brought in to keep the concrete at a consistent temperature while curing took place. G. Butterfield apologizes to the Board and explains that it was not in the original plan, but a cold snap required the last-minute use of a heater and since then, any reasons for noise complaints has been finished or reduced.
10. D. Thayer motions to close the hearing. R. Coon seconds. Motion passes with all in favor.

2. Continuation: Case 2024-003 for Site Plan Review / Grant Butterfield - 18-22 Lasalle Street / Parcel 23049177. Creation of a 28-unit apartment building. This property is located in the B1 - Central Business District and the DR2-Downtown Expansion Design Review District.

1. T. McCuin opens the case. S. Bennett explains that an additional case (2024-008) was created for this address and if they go into review together in this sharing, they will be considered joined. T. McCuin asks if any board members have any ex parte communication or conflict of interest. No one does. S. Bennett, G. Butterfield, and E. Jutras take their oath.
2. S. Bennett reminds that J. Appel has joined and should now be considered an active board member for the remaining cases.
3. S. Bennett summarizes the staff report for each case.
4. G. Butterfield leaves the meeting. E. Jutras explains the changes were to ensure that car traffic was easy and accessible, referring to trash removal and general traffic flow.
5. T. McCuin asks if the board has any questions.
6. T. McCuin asks if the units in this building are substantially different in square footage from the other property. E. Jutras explains the units are very similar in size. T. McCuin asks if the two buildings are meant to be very similar in design. E, Jutras confirms, saying that in terms of the unit and layouts, those are different on the interior, but the goal is a similar product and market. S. Bennett asks if these units are meant to for 55 years and older residents. E. Jutras confirms that is his understanding. S. Bennett asks about the most recently submitted plan and if the Maple Street side is an exit only. The Lasalle Street side shows a one way entrance and the Maple Street would be a one way exit. The plan shows it as a 2 way exit and due to the 10' buffer it would only be possible to have it as a one way exit. E. Jutras confirms that the Maple St. side would only be a one way exit. It would only be used as two-way traffic for emergency vehicles and trash removal.
7. S. Bennett explains that she only has one rendering of the East side elevations, but no others, and asks if E. Jutras has that information. E. Jutras shares they do not have that information yet.
8. R. Coon asks if the building is higher than 65 feet. E. Jutras shares it is 56 feet. R. Coon asks if the new packet given out supersedes all renderings from the previous submission. S. Bennett confirms that it does. R. Coon believes the elevation of the building is depicted wrong in the rendering and is showing over 60 feet (the allowable height). S. Bennett clarifies the numbers for R. Coon explaining the applicant is under the 60 foot allowable height.
9. S. Bennett asks the applicant if any thought has been given to the DAB's recommendation to consider measures be taken to ensure safe foot/vehicle traffic. E. Jutras explains they are happy to do what is needed to ensure that safety, but believes they were holding off in case the City might have plans to put in a sidewalk along that road.

10. D. Thayer asks about S. Bennett's staff report where many aspects of the application where information could not be found and if that information needs to be clarified before approving. S. Bennett explains that is the decision of the board and if they feel they need that information to make a decision they can request the hearing to be recessed until that information.
 11. D. Thayer motions to recess the hearing until more information around stormwater, drainage, etc. is determined. J. Appel seconds. Motion passes with all in favor.
3. **Continuation: Case 2024-004 for Conditional Use Review / Wayne Jaycox, JR / 10 Savage Street / Parcel 22075010.** Requests for approval of additional accessory structures. This property is located in the R95 - Residential 9500 Zoning District.
1. T. McCuin opens the case and asks if any board members have any ex parte communication or conflict of interest. No one does. S. Bennett and W. Jaycox take their oath.
 2. S. Bennett explains that the staff report has already been submitted and will not repeat that, but summarizes the City memo submitted for this case.
 3. W. Jaycox explains that he and his wife have decided to take the carport down. His neighbor has graciously offered the use of his land for that carport in the future should they have a need for it.
 4. T. McCuin asks if the board has any questions.
 5. S. Bennett explains that pending removal of the car port, the board will now just be considering the gazebo as an accessory structure.
 6. R. Coon asks if the 5 foot boundary was addressed. S. Bennett confirms that it was.
 7. R. Coon asks about the water line and other concerns that were previously brought up. W. Jaycox explains the photos he submitted, and that he spoke with DigSafe around those concerns, and none were found. W. Jaycox explains that M. Manahan (City Staff) refused to mark out the location of the water lines.
 8. S. Bennett explains the city can permit up to 2 accessory structures, but anything more than that must come to the DRB for approval. T. McCuin asks if the right of way plays into granting the gazebo as an additional accessory structure. S. Bennett explains that her previously submitted staff report states an accessory structure cannot be within the right of way.
 9. H. Jaycox voices her frustration that the right of way leaves very little room in their fenced in yard to allow for any accessory structure, even the gazebo.
 10. J. Appel asks if adding wheels makes the structure compliant. S. Bennett explains that previous conversations were around the intent of the structure once wheels are added.
 11. T. McCuin opens for public comment. S. Levick explains his 50 foot right of way is his right of way and he is concerned about the need for potentially digging up water lines if something were to happen and repairs were needed. O. Levy asked if any further discussion was had around the definition of intent. T. McCuin explains that the board will not discuss until they enter deliberative session. S. Bennett confirms that the board cannot discuss until they enter deliberative session. D. Conn explains that his shed is moveable, and it is on runners. C. Jaycox asks about the 3 fences and a few trees that are also in the right of way. S. Bennett explains that if there are additional structures in the right of way that the City isn't aware of, permitting would need to be issued for them. If they are outside of the purview of the City, it would require legal action.
 12. R. Coon motions to close the hearing. D. Thayer seconds. Motion passes with all in favor.
4. **Case 2024-007 for Subdivision / Michelle Bushey - Joyce E . Bushey Revocable Trust / 143 Congress Street / Parcel 11022137.** To subdivide parcel into 3 lots. This property is located in the R95 - Residential 9500 Zoning District.
1. T. McCuin opens the case and asks if any board members have any ex parte communication or conflict of interest. No one does. S. Bennett, M. Bushey, and R. Wells take their oath.

2. S. Bennett summarizes the staff report for the case. S. Bennett shares additions that were not included in her staff report. S. Bennett recommends that the Board confirm with the applicant if they are seeking a combination of a preliminary and final review.
3. R. Wells (Cross Consulting Engineers) submits his summary and provides additional information that was not included in the staff report.
 1. Timeline is unknown. The purpose of the subdivision is to sell as lots only.
 2. A list of adjoining land owners has been obtained and shared with board.
 3. The intended layout of the lots lends it to be conducive to single family dwellings, but R. Wells explains that the buyers of those properties will have final decision.
4. T. McCuin asks if the board has any questions. J. Appel asks about the driveway. R. Wells explains that the proposed driveway is to serve and provide access to the subdivided lots.
5. D. Thayer motions to close the hearing. J. Appell seconds. Motion passes with all in favor.

C. OTHER BUSINESS

1. Planning & Development update.
 1. S. Bennett shares an update to the regulations which is primarily around trailers being parked in front set-backs (prompted a wording change), requirement of performance bonds has changed (wording has changed that now allows the board to decide when such bonds are required).
2. Enforcement update.
 1. S. Bennett does not have any.
3. Approval of Meeting Minutes. T. McCuin moves to table meeting minutes until next meeting. R Coon seconds. All are in favor.
 1. 11/6/2023 Minutes - review of minutes tabled until April meeting
 2. 1/3/2024 Minutes - review of minutes tabled until April meeting
 3. 2/5/2024 Minutes - review of minutes tabled until April meeting
4. Confirm next meeting date and time. - Monday, April 1st, 2024.
5. Other.

D. PUBLIC COMMENT - None

E. ENTER DELIBERATIVE SESSION

- A. J. Appel motions to enter deliberative session. R. Coon seconds. Motion passes with all in favor.
- B. T. McCuin adjourns the meeting at 8:22 PM and enters deliberative session.