

MEETING MINUTES
ST. ALBANS CITY DEVELOPMENT REVIEW BOARD
CONTINUATION OF A REGULAR MEETING
ST. ALBANS CITY HALL, 100 NORTH MAIN STREET, ST. ALBANS, VT
6:30 PM MONDAY, OCTOBER 7, 2020

APPROVED

Board Members: Denis LaPointe; Rebecca Pfeiffer, Chair; Dick Thayer

Staff Members Present: David Southwick, Planning & Permitting Administrator, taking Minutes; Chip Sawyer, Director of Planning & Development; Marty Manahan, Director of Operations & Business Development / Public Works Director

Public Present: Oscar Thayer, Peter Decker, Alan Cunningham, JoAnne Tabor, Mike McCarthy

- A. OPEN MEETING R.Pfeiffer opened the meeting at 6:30 PM
1. Pledge of Allegiance – The Pledge was recited
 2. Consider any additions or deletions to agenda – none

B. DEVELOPMENT REVIEW SEGMENT – PUBLIC HEARINGS

1. **Case #2020-013 / Nutra Blend, LLC / 79 Walnut Street / Parcel #22088167**
CONTINUATION Applicant seeks approval for a Site Plan revision. This property is located in the Service - Industrial (S-Ind) Zoning District.

R.Pfeiffer invited all new participants to come forward and swore in those wishing to submit testimony. She also reminded other participants that they were still under oath.

D.Southwick re-introduced the application and stated that there were no changes to the staff report as presented on October 5, 2020.

D.Southwick read into account the email and submitted photos from Alan Cunningham, resident of 147 Pearl Street.

The applicant was represented by; Oscar Thayer, the general contractor of the project and Peter Decker, plant manager.

O.Thayer stated they were applying for a new fire lane as directed by the fire department to extend from current lane along the south side of the new warehouse.

R.Pfeiffer reminded the applicants of the request for a privacy fence.

P.Decker stated that he had no problem putting in a fence or cedar trees. He is concerned with knowing the actual boundaries. We would be looking into an 80 foot fence. He asked about permitting and stated that he would not be able to do it right away. It was confirmed that he would need a permit only.

R.Pfeiffer stated that an updated site plan might be part of a decision.

R.Pfeiffer reiterated that since this was a request between a Service- Industrial district and a residential district, it could be a condition to have screening between the properties. And since the application is open, screening could be considered.

D.LaPointe stated that this project would warrant a discussion between property owners to determine the best type of screening. He also asked about the employees taking their breaks and parking on the south side of the building.

R.Pfeiffer asked for public comment.

Alan Cunningham, resident of 147 Pearl Street. He is a direct neighbor to the south, right near the new warehouse, stated that he had no preference to a fence or hedge. He would be open to a natural barrier to increase privacy.

P.Decker stated that he is open to a fence and cedar combination.

Board and participants reviewed the photos submitted by A.Cunningham.

P.Decker stated that he might have challenges with access to maintain the area.

A.Cunningham stated that he was open to the location and would help with access for maintenance.

R.Pfeiffer confirmed that a combination of fence and hedge was acceptable with the applicant.

P.Decker reiterated that he might not be able to get it installed immediately.

With no further comments, R.Pfeiffer closed the hearing.

2. **Case #2020-014 / JoAnne Tabor / 103-105 Fairfield Street / Parcel #14031103**
CONTINUATION Applicant seeks approval for a Zoning Administrator Decision Appeal. This property is located in the Low Density Residential (LDR) Zoning District.

R.Pfeiffer invited all new participants to come forward and swore in those wishing to submit testimony. She also reminded other participants that they were still under oath.

D.Southwick re-introduced the application and stated that there were no changes to the staff report as presented on October 5, 2020. He stated that he has shared with the applicant all of the materials presented at the first hearing, a copy of the draft minutes from that meeting and a link to the Zoom video from that meeting as well.

D.LaPointe stated that he had reviewed the photos and asked for confirmation that there is a driveway on the east side of the property with access to a parking area to the rear behind the house.

JoAnne Tabor, owner of 103-105 Fairfield Street represented the applicant.

J.Tabor confirmed that there was a driveway on the east side that goes behind the house.

D.LaPointe asked if it was possible for the occupants of 103 could use the parking area to the rear of the property.

J.Tabor stated that it was a distance and that access was curtailed by wet land, drainage, trees and fencing and can't connect one from the other. The west driveway provides direct access to the entryways on the west side.

D.LaPointe stated that there is a photo with a car parked to the west of the property and asked if access to that spot was through the 101 Fairfield driveway or over the sidewalk.

R.Pfeiffer reiterated that the grandfathering of the parking is the question before the board and that a curb cut or access would be an issue for the City Council.

J.Tabor restated her case and read into account support letters from neighbors. She stated that the house was purchased in disrepair and she has maintained the house and that there has always been a driveway on the west side of the house. She added that after she had received a letter from the ZA she was advised not to add stone until the hearing was over.

J.Tabor read into account a letter from Jesse Gedutis, her son tenant of 103 Fairfield St.

J.Tabor read into account a letter from Jamie Malone, her sister and a former tenant of 103 Fairfield St stating that she had lived there for 2 years and confirmed a driveway since 1979.

J.Tabor read into account a letter from Tom & Alina Corbiere, neighbors at 107 Fairfield Street.

J.Tabor read into account a letter from Neil Gallagher, a neighbor at 101 Fairfield Street since July of 2019.

J.Tabor read into account a letter from James Brace, neighbor at 101 Fairfield Street for three years.

J.Tabor stated that there was no way that it was not used. It has been used continuously.

R.Pfeiffer asked for questions from the board. None.

R.Pfeiffer asked for public comment.

Chip Sawyer - nothing in addition to the testimony presented on October 5, 2020.

Martin Manahan, Director of Public Works, reiterated that we would be using the curb cut from 101 Fairfield to access a driveway on the west side of 103 Fairfield. He stated that Dr. Roberts has done a tremendous job with drainage and has helped with keeping the land dry. He agreed that J.Tabor has done a terrific job with the upkeep of the

property. He stated that fill had been brought into the rear. He added that it was the observation of staff that the driveway had not been used for over one year.

Michael McCarthy, City Alderman, stated that J.Tabor had reached out to him for support. He is conflicted as a neighbor and as someone that understands the objective of the city plan. He would hope that the DRB would see a way treat J.Tabor the same way we would anyone else even though our objective is to have properties conform.

M.Manahan stated that there were other instances where curb cuts have been grandfathered. And he felt that J.Tabor has been treated the same as other neighbors.

R.Pfeiffer stated that the charge of the board is to determine the grandfathering of the use.

J.Tabor stated that the curb cut was not an issue for the driveway before or after the street work on Fairfield. She re-stated that the driveway has been in continuous use.

R.Pfeiffer stated that the support of the neighbors was helpful in the testimony in support of the case.

D.LaPointe asked again if it was possible to have the east side of the house be accessed from the driveway on the west.

J.Tabor stated that it is too wet and that the west driveway provides direct access for that side of the duplex.

D.LaPointe stated that there has been no neighbor comments against the driveway.

R.Pfeiffer offered the option to continue the hearing. J.Tabor stated she would prefer to close the hearing.

With no further comments, R.Pfeiffer closed the hearing.

C. OTHER BUSINESS

- 1. Confirm next meeting date and time. Monday, November 2, 2020 6:30 PM**
- 2. Other - None**

D. PUBLIC COMMENT - None

E. ENTER DELIBERATIVE SESSION

Motion by D.LaPointe to enter Deliberative Session. Second by D.Thayer and approved with all in favor at 7:36 PM.

January 4, 2021, motion by D.LaPointe to approve minutes as presented. Second by D.Thayer and approved unanimously.