

MINUTES

ST. ALBANS CITY DEVELOPMENT REVIEW BOARD

REGULAR MEETING

ST. ALBANS CITY HALL, 100 NO. MAIN ST.

6:30 PM MONDAY, December 5, 2022

APPROVED

Board Members Present: Rebecca Pfeiffer, Chair; Tanner McCuin, Vice Chair; Dick Thayer.

Board Members Absent: Becky Manahan; Emily Biron; Matthew Preedom; Denis LaPointe.

Staff Present: Sara Bennett, Property Services Manager; Chip Sawyer; Carl Watkins, Minute Taker.

Members of the Public Present: Mick Leddy; Ed Adrian; David Sweeney; Margaret Sweeney; Keri Poquette; Susan LeClair.

A. OPEN MEETING – T. McCuin called the meeting to order at 6:30 PM.

1. Pledge of Allegiance - pledge was recited
2. Assignment of Alternate(s) – none
3. Consider any additions or deletions to agenda - none

B. DEVELOPMENT REVIEW SEGMENT – PUBLIC HEARINGS

1. Case #2022-021 for Conditional Use Review / Keri Poquette / 71 North Main Street / Parcel 14063071. This property is located in the Business 1 Zoning District, the DR1 – Traditional Downtown Review District and the Historic Review District.

R. Pfeiffer opened the hearing at 6:32.

Oath Administered.

S. Bennett read the staff report for the record.

R. Pfeiffer verified the reason this case came before the board and that there was no minimum lot size.

K. Poquette presented the project noting that the space is unfinished space on the third floor to finish and make two separate units (1, one-bedroom and 1, two-bedroom unit). All work will be interior except for replacing windows for glass doors, roof repairs and replacement of skylights. They will be adding two more due to no windows in the proposed bedrooms.

R. Pfeiffer asked if it had gone before the DAB.

S. Bennett answered not yet. They would potentially need to do so as they make the final proposal. At this time they were only coming for Conditional Use Approval.

K. Poquette noted that they don't plan on starting before the first of the year due to availability of contractors.

D. Thayer asked about parking.

K. Poquette answered there will be no parking available.

T. McCuin asked if the project would meet all other standards if approved.

R. Pfeiffer responded that the only thing being reviewed is the extra living space.

K. Poquette noted that fire safety did go through and with it being fully sprinkled it doesn't have the same restrictions. There is ample allocation for water and sewage.

R. Pfeiffer asked of a construction timeframe.

K. Poquette noted they look to complete in 12 months.

Public comment – It was noted that they will need an interior permit.

Hearing closed at 6:45

2. Case #2022-022 for ZA Decision Appeal / Margaret Sweeney / 20 High Street / Parcel 14040020. This property is located in the R75 – Residential 7500 Zoning District.

R. Pfeiffer opened the hearing at 6:47pm

Oath Administered.

It was disclosed that R. Pfeiffer had a discussion with C. Sawyer and S. Bennett to discuss the attorney's presence only.

S. Bennett read the staff report into the record.

M. Sweeney noted she has not had the ability to look at the documentation and would like a continuance.

S. Bennett read the attorney memo in the record.

Pictures with notes taken in 2022, taken by S. Bennett and C. Sawyer were submitted into record with markers noted.

Survey Report was submitted into record from Nov. 2021.

D. Sweeney expressed that the document is not a legal document.

Letter of public comment was read from 33 Bishop Street.

R. Pfeiffer asked if the survey report referenced in the public comment was recorded by 33 Bishop or if he was referencing the same survey report submitted into record because dates conflicted.

S. Bennett answered she was unsure.

There was question of whether the measurement on the document was accurate or existing.

R. Pfeiffer asked if the measurement based on the survey from 2015 and if they were able to see the marker.

C. Sawyer answered they were able to dig it up, the owner of 33 bishop brought them out and it matches what was noted in the document.

R. Pfeiffer asked if there was a monument

S. Bennett answered yes it was visible.

R. Pfeiffer noted the 20 and 22 High Street fence was on the property line. The issue is because it is directly on the boundary.

T. McCuin asked if it was determined that the marker at 31-33 Bishop was official?

C. Sawyer answered it's not a great marker but it was a piece of stone that matches the measurements on the survey plot.

R. Pfeiffer asked if the iron pipe from the TBH survey report was still present.

C. Sawyer answered not that they could see. They know nothing other than what's described in the letter. They were not allowed to look for it by the property owner.

M. Sweeney noted there was never a pipe when they looked.

D. Sweeney noted there was a pipe that wasn't documented. There was a police officer present when they set up the fence according to the tax records.

D. Sweeney and M. Sweeney submitted tax records and City maps to support his claim. He claimed they pay taxes for the land fenced in. They noted they have an agreement with 20 – 22 High Street and that the fence was a replacement of the previous fence.

It was clarified again that the DRB can't determine the property line.

R. Pfeiffer noted they can vote on a continuance.

M. Sweeney acknowledged that is what they would like.

D. Sweeney noted he feels the tax records aren't being honored.

E. Adrian, an attorney, representing the DRB provided clarification for the process and the role of the DRB. He noted that the city is unable to determine the outcome of a dispute. He recommends holding the hearing open until a letter from the neighbor is submitted at the next hearing. He suggested resolving the issue in court.

R. Pfeiffer noted the problem is that there is a dispute that cannot be resolved without a court order.

D. Thayer made a motion to hold the case open until the next hearing. T. McCuin seconded.

Motion approved with all in favor at 7:30 PM.

3. Case #2022-023 Conditional Use Review / Susan LeClair / 20-22 Stebbins Street / Parcel 26082022. This property is located in the Business 1 Zoning District, the DR2 – Downtown Expansion Review District.

R. Pfeiffer opened the hearing at 7:32 pm

Oath Administered.

S. Bennett read the staff report for the item.

R. Pfeiffer confirmed this case was brought before the DRB because there would be a dwelling unit on the ground floor.

S. LeClair presented her case. She noted she is planning on keeping the garage intact for personal storage and create a dwelling unit. There is a separate building for catering on the property which creates the two uses on one lot.

R. Pfeiffer clarified there are no parking changes.

S. LeClair noted the process should take 6-8 weeks to complete

S. Bennett noted that the façade changes would have to come before the DAB and additional site plan changes would have to come back to the DRB.

T. McCluin made a motion to close the hearing. D. Thayer seconded.

Motion approved with all in favor at 7:46 PM

C. OTHER BUSINESS

1. Planning & Development update –

S. Bennett noted that Hangry the Donut Bar will be opening Dec 23rd and the courthouse project was backed up due to acquiring electrical components.

T. McCluin asked about the internet/email outage.

C. Sawyer noted Rackspace had a security incident. He also noted that the Planning Commission was creating a special section along North Main Street that would create a new zone. Best Ct. will be rezoned along with one side of Federal St. as B2. It should create better direction regarding lot splits between the two different zones. There is also talk to rezone the Fonda site to allow for housing. There is also a proposal for more direction on fencing in the Regs.

R. Pfeiffer noted there is a new land use information document.

C. Sawyer noted that any site plan and conditional use is good for two years to comply with the state.

T. McCuin asked what is determined "finished."

C. Sawyer answered substantial use of the requested project. He noted the DRB can give more time if it is requested. The document is currently before City Council.

2. Enforcement update

The DAB would like the DRB to review whether the Hometown Beverage stockade fence was how they envisioned the fence when it was approved.

Approval of Meeting Minutes

Motion by D. Thayer to approve the minutes of October 3, 2022, as presented. Seconded by T. McCuin. Minutes approved with all in favor at 7:03 PM.

The board agreed to leave January minutes as draft.

3. Approval of Meeting Application Schedule- 2023

January 11, tentative July 12, September 6, January 3, 2024

4. Confirm next meeting date and time

Will wait to hear from other board members if they can make the January 11th Hearing.

5. Other - None

D. PUBLIC COMMENT –

C. Watkins thanked R. Pfeiffer for being a great chairperson and noted it is not an easy job.

R. Pfeiffer thanked Denis LaPointe for all the time spent on the board and everyone for their participation.

E. ENTER DELIBERATIVE SESSION -

Motion by D. Thayer to enter deliberative session. Seconded by T. McCuin. Meeting was moved to deliberative session with all in favor at 8:25 PM.

Approved