

**MEETING MINUTES
ST. ALBANS CITY DEVELOPMENT REVIEW BOARD
REGULAR MEETING
ST. ALBANS CITY HALL, 100 NORTH MAIN STREET, ST. ALBANS, VT
6:30 PM Tuesday, September 8, 2020**

FINAL

Board Members: Denis LaPointe; Owen Manahan, Vice-Chair; Rebecca Pfeiffer, Chair; Dick Thayer, Tanner McCuin

Board Members Absent: Matt Freedom

Staff Members Present: David Southwick, Planning & Permitting Administrator; Chip Sawyer, Director of Planning & Development; Tammi DiFranco, Property Services Assistant, taking Minutes

Public Present: Heather Garceau, Richard Trombley, Reba Lemnah, Reverend Monsignor Peter Routhier

- 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
 - i. Chip Sawyer will go over the proposed amendments to a new bylaw to the Land Development Regulation.
 - ii. The schedules board orientation will be at the October DRB meeting.

B. DEVELOPMENT REVIEW SEGMENT – PUBLIC HEARINGS

1. **Case #2020-010 CONTINUATION / Tanya Lovely – Elite Gems Cheer / 1A Lemnah Drive / Parcel # 26093001 Applicant seeks approval for a Conditional Use- School, Commercial. This property is located in the Service – Industrial (S-Ind) Zoning District.**

The applicant was not present.

D.Southwick stated that he did not receive any public comments. There is no change to the request.

No public comment.

Motion by O Manahan to close the hearing, second by D.LaPointe with all in favor.

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

2. **Case #2020-012 / Almond Blossom – Heather Garceau / 233-235 Lake Street / Parcel #23049235 Applicant seeks approval for a Site Plan. This property is located in the Business 1 (B1) Zoning District and the Downtown Expansion (DR-2) Design Review District.**

R.Pfeiffer invited the applicant, Heather Garceau, to come forward and swore in those wishing to submit testimony.

D.Southwick introduced the application and submitted the staff report for the record (*including the recommendation from the Design Advisory Board (DAB)*).

O.Manahan asked D.Southwick how many parking spaces total after the demolition of the garage. D.Southwick stated it is just gravel and the parking spaces have not been defined.

D.LaPointe asked to have the sidewalk that the DAB recommended repairing pointed out on the sketch. D.Southwick directed him to the sidewalk on the sketch that is on the front right of the building and will cross under the fence. O.Manahan pointed out that the repairing and maintenance is just a recommendation and not a requirement. D.LaPointe stated that he agrees with DAB recommendations except for the point about the sidewalk; he is unsure of their reasoning. O.Manahan stated that they are coming from a design and aesthetic standpoint.

R.Pfeiffer invited the applicant to explain her request.

H.Garceau explained that the child care is currently downstairs and that they are expanding to the upstairs and addressing the outside. The garage is a safety hazard and they would like to remove it and replace the area with gravel parking. They would also like to replace all the chain link fence with a black aluminum fence. R.Pfeiffer stated that it looks like the fence will go come along the front. H.Garceau stated that it will start near the front corner of the building, cover the entire grassy area along the front and go along the side of the lot to the fencing in the back. R.Pfeiffer stated that there is existing chain link fence behind the garage. H.Garceau stated that she wants to replace all the chain link fence, including the fence behind the garage.

T.McCuin asked if the applicant could explain the flow of traffic for pick up and drop off. H.Garceau stated that the drop off and pick up are spaced out, not all the parents come and drop off or pick up at the same time: the drop offs start at 6:30 am and they go until 9:00 am and the pick-up is between 2:00 pm-5:30 pm. At most they only have 3 or 4 people there at a time. Parents usually use the parking on the street in front of the building. She is hoping that some of the parents will start parking in the back once there is additional parking.

D.LaPointe asked the applicant what she thinks about the sidewalk recommendation. H.Garceau stated that the satellite image makes the sidewalk look like it is in worse condition that it actually is. It is dark colored because of the trees dropping on it. She is going to start by washing it and see what it looks like then. D.LaPointe asked if there would be a gate at the sidewalk. H.Garceau answered no.

O.Manahan asked what the total number of parking spaces would be after the garage is removed. H.Garceau stated that she is unsure but could ask the engineer and get back to them. O.Manahan asked how much staff she has. H.Garceau stated that there will be 6 staff after the expansion. They currently park in the Holy Angels parking lot, which was part of the agreement when they started the child care center. O.Manahan stated that if the parking increases to 8 spaces or more, it would need to be paved and lined. He asked the applicant if she would be ok with paving if it was required. H.Garceau stated that it

didn't sound like she would have a choice. She would like to keep the space gravel and have the use of the space open ended. In the future they may build on the space. If she has to make a decision today, it would be that the area will just be gravel and not designated as parking.

R.Pfeiffer addressed the DAB recommendations for plantings. H.Garceau stated that she thinks plantings are a great idea, but she has not gotten to the point of choosing what she will plant.

R.Pfeiffer asked for public comment.

Holy Angels Church had three representatives present: Richard Trombley, Reba Lemnah, and Reverend Monsignor Peter Routhier. Monsignor Routhier stated that the parking arrangement with the child care center was made when the applicant's property was owned by the church. With the sale of the property, that arrangement cannot continue. R.Pfeiffer asked the applicant if she is no longer able to park at the church, would the gravel area need to be designated as parking. H.Garceau stated that the gravel area would have to be a designated parking area. R.Trombley asked what is required for parking in that area. H.Garceau stated that there are no parking requirements.

Chip Sawyer stated that the DRB did not require parking in the original decision and being able to park at Holy Angels was not a part of that approval either. The applicant has not come to change any of the original conditions; she is seeking approval to tear down a garage. The requirement for paving according to Section 515.3 is only if 8 or more parking spaces were required as part of the DRB decision. Since no parking is required, she does not need to pave the parking area. R.Trombley asked for clarification about what this means. R.Pfeiffer clarified that even if the applicant does have more than 8 parking spaces, there will be no requirement for paving the parking. The gravel area can be used for whatever purpose the applicant chooses. Any additional discussion about parking between the child care and Holy Angels Church can happen outside of current meeting.

R.Trombley stated that they have no issue with the gravel parking.

Motion by D.Thayer to recess the hearing to September 10, 2020 at 6:30 PM, second by D.LaPointe with all in favor.

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

C. OTHER BUSINESS

1. Planning & Development update

- i. Staff is all back working regular business hours in the office.
- ii. C.Sawyer explained the proposed amendments to the Land Development Regulations. They will be adding Section 418 and will be calling it a program because it is so specific. There still needs to be at least one more hearing with the Planning Commission and then at least 2 hearings with the City Council. The new amendments are intended to help address blighted historic homes in the LDR that have lost their grandfathered status. There is public good in fixing up these homes in residential neighborhoods. The DRB would be able to approve more units in these

homes that are normally allowed. The city will be allowed to make recommendations, but has no say in the approval of any projects.

O.Manahan thinks that this will be a positive thing for the city. It seems well thought out and there will be these situations that come up.

T.McCuin likes the strong language about eligibility. He asked if there is and consideration in this for Section 8. C.Sawyer stated that any rental can become Section 8 since the voucher moves with the person. The property would just need to pass the state inspection criteria. D.Thayer asked if he could have another copy of the amendment sent to him.

C.Sawyer stated he would send it. D.LaPointe stated that he thinks there are good elements to the proposed amendment but thinks it will worry people who live in LDR areas. The public will want to be involved in this process and it may not be the best time to move forward with all the COVID restrictions. He also thinks it could be an open invitation to absentee landlords. Someone could purchase the property, get all the approvals, fix it up, and then sell it to someone else who may not be as diligent. He asked how many blighted buildings are in the city. C.Sawyer answered that there are about a dozen.

D.LaPointe used 99 High Street as an example of a blighted property and the impact that an absentee landlord can have on a neighborhood.

O.Manahan stated that with the wording and all the regulations that it is intentionally difficult to get the bonuses. The intention of this is only for buildings that have no other alternatives. C.Sawyer stated that they have to prove that they are an exception to the rule.

D.Southwick stated that his concern would be that someone interested goes through this process, which could last over 170 days, and someone else comes in and purchases the property. C.Sawyer stated that it is not supposed to be easy to get an exception to the rule. If someone purchases the property and improves it to meet current land development regulations, the city and neighborhood still benefits.

Discussion about the city's role in the process continued. C.Sawyer stated that the city can access things in the public domain: police complaints, zoning violations, complaints, and other people's opinions on any of the applicants. D.Southwick added that any financial information would be kept private.

R.Pfeiffer suggested that the input from the city not be called a 'recommendation' but instead the City Analysis. It would be putting the board in a weird position if they say no to something the city approves. D.LaPointe agrees with the city providing analysis and not a recommendation. R.Pfeiffer stated that there is some language in the city historic building section that could be helpful. She agrees with the need of the city being heavily involved to vet out the applicants who could be problems. She asked if there are any other Vermont communities already doing this. C.Sawyer stated that he is not sure. He doesn't know of any other Vermont communities that address blighted buildings like ours does.

R.Pfeiffer requested that if there are any big changes to the amendment by the Planning Commission that the DRB would like to be made aware of them.

2. Enforcement update
 - i. 239-241 North Main Street has a hedge issue
 - ii. Parking in front setbacks
3. Approval of August 3, 2020 Meeting Minutes – D&V

Motion by D.Thayer to approve the minutes, as edited. Second by O.Manahan and approved with all in favor.

4. Confirm next meeting date and time. **Monday, October 5, 2020 6:30 PM. September 10, 2020 at 6:30 PM will be the continuation of the Almond Blossoms case.**
5. Other
 - i. The DRB cannot have deliberation of a case before the case has been closed.
 - ii. Board Orientation has been postponed until the October meeting.

D. PUBLIC COMMENT- none

E. ENTER DELIBERATIVE SESSION – D&V

Motion by O.Manahan to move into Deliberative Session. Second by T.McCuin and approved with all in favor 8:18 PM.

On October 5, 2020, Denis LaPointe made the motion to accept September 8, 2020 minutes as presented with corrections, O.Manahan seconded, the motion passed unanimously.