

**Minutes of the St. Albans City Planning Commission**  
**St. Albans City Hall**  
**100 North Main St. St. Albans, VT**  
**Meeting Date: July 20, 2015**

*Approved August 17, 2015*

Meeting Called To Order At: 6:05 pm by C. Dermody, Chair.

PC Members	Present	Absent
Chris Dermody, Chair	x	
Jackie Deslauriers		x
David Barber, V. Chair	x	
Michael Gawne	x	
Tom Murphy	x	

**Staff Present:**

Chip Sawyer, Director of Planning & Development  
Robin Morrill, Minute Taker

**Public Present:** See attached sign in sheet

**AGENDA**

1. Discuss any additions or deletions to agenda. - None. With several Fairfield St. residents present, C. Dermody moved agenda item 4 to be the first item discussed. C. Dermody then reviewed, for the benefit of the public present, the previous meetings discussions, choices and options to date and that prior to this new proposed district, Clinics and Medical offices were allowed in the LDR Districts. With the proposed regulations Clinics and Medical offices would be removed from uses in the LDR. C. Dermody read a letter from the residents of 140 Fairfield St. which supported the medical offices neighboring their property stating that they have been good neighbors. A member of the public questioned notification of the residents who would be affected by the proposed changes. this resident stated that she was not notified, that her neighbor notified her of tonight's meeting. C. Dermody stated that notification by mail was not required, that notification is always in the Messenger and the flyers that did go out were above and beyond what is required.

2. Review of regulatory amendment procedures. C. Sawyer reviewed the Planning Commission's Role in Amending the Land Development Regulations discussing the following: Purpose of the Planning Commission, how roles differ based on the source of the proposed amendment, the written report, the roll of Staff, and the City Council's Adoption Process.

C. Sawyer and M. Gawne explained the process of being grandfathered including its advantages

and restrictions. The proposed new district has caused controversy with Dr. Payne's property on Fairfield Street and Fiddle Head Dentistry on Congress St. C. Sawyer discussed how these two property owners wanted something more substantial other than being grandfathered. J. Young questioned what specifically Fiddlehead & Dr. Payne were asking for. C. Sawyer explained the legal uncertainties of grandfathering a property and how those uncertainties make property owners uneasy and that the Planning Commission was requested by the City Council to see if they could come up with a solution in regulations that would work for these businesses while maintaining the preservation of the LDR.

3. Presentation on historic/important buildings and economic activity. C. Sawyer gave a presentation on Economic Activity and the Preservation of Historic/Important Buildings which included the following: Background Discussions around the Fiddlehead Family Dentistry, the former Owl Club property, and the role of the Planning Commission in creating a balance of economic use versus preservation of important buildings/areas, The Heart of the Owl Club issue, The Owl Club building deterioration and reasons why it happened, Key questions when Considering allowed uses, Historical vs. Contextual, The Key to Context ,the focus of Context in influencing renovations and new buildings, considering what is proposed for a rehab or new building and how restrictions can affect modern business, what historic buildings need in order to be utilized and recognizing expertise in decision making.

C. Sawyer ended with referencing the historic building occupied by Fiddlehead Dentistry and how the current owners who meticulously maintain this building ask that the current/new uses be considered to allow them to continue to maintain the property, and that he feels that the Planning Commission should give this serious consideration.

4. Land Development Regulation proposals, including presentations from staff, discussions of Planning Commission edits and reports, votes on whether to move forward, decisions on statutory hearing schedule.

a. Use and Character of Lower Congress St. C. Sawyer gave a presentation on the properties on Congress Street and the proposed a (B-3) Business-Neighborhood Transition District. C. Dermody read a letter dated July 9, 2015 from Fiddlehead Dentistry.

b. Uses and character of Fairfield St. C. Sawyer gave a presentation on Fairfield St. Districts defining the locations of HDR & LDR portions of Fairfield Street, the need for a new District (B-3) Business-Neighborhood Transition District and suggests that the Planning Commission consider adding "Office" to the B-3 District as an approved use.

Statements from the public present were in favor of the B-3 Business-Neighborhood Transition District and D. Barber stated that he would also be in support of the creation of this new district providing a written statement was provided by the one single family home owner on Fairfield Street that this change would affect.

C. Sawyer gave a presentation on Proposals for Bylaw Amendments Concerning Fairfield Street and lower Congress Street.

D. Barber suggested leaving the Fiddle head property in the LDR district so that should the lot ever change to a subdivided lot that multiple homes could be put there and it would preserve the integrity of the LDR in that area of Congress St.

C. Dermody suggested a site visit. J. Young questioned why the church and the doctor's office is not B-1 as it is surrounded on three sides by B-1 and it is conforming for B-1.

**Motion by David Barber to develop a proposal for the B3 (Business-Neighborhood Transition District) for the two easternmost properties on the South side of Fairfield Street and the two westernmost properties on the identified portion of lower Congress Street excluding the Fiddlehead property, second by Michael Gawne with three in favor and Chris Dermody opposed.**

c. Definitions of Medical Office/Clinic and Controlled Substance Dispensaries. C. Sawyer gave a presentation on the Proposal for New Definitions for the following:

Medical Office/Clinic & Controlled Substance Dispensary

**Motion by M. Gawne to develop a proposal and approve the staff-drafted report for New Definitions Dated July 20, 2015 to Distinguish between Medical Offices and Controlled Substance Dispensaries, second by David Barber with all in favor.**

d. Standards for allowing up-lighting. C. Sawyer gave a presentation on the proposed Amendment to Allow Up-lighting followed by discussion within the Board and comments from Jeff Young regarding up-lighting in Taylor Park.

**Motion by Tom Murphy to develop a proposal and approve the staff-drafted report to allow up-lighting as presented, second by Michael Gawne with three in favor and David Barber opposed.**

5. Discussion of grants, including areas for 2016 Municipal Planning Grant. C. Sawyer stated that Municipal Planning Grants are open again. A couple of ideas are to develop Fluvial hazard zones which would analyze and detail the sections of Stevens Brook that would be subject to erosion, and the second idea would be to write a grant to engage in a community discussion on what should happen next with the St. Albans City Pool.

6. Discussion of Tree issues - No discussion

7. Other Business

a. Action item list - No discussion

b. Approval of Minutes

**Motion by Michael Gawne to approve the Minutes of June 15, 2015, second by David Barber with three in favor & Tom Murphy abstained.**

c. Other - No other business

8. Public Comment

None

**Motion to Adjourn at 9:00pm by Michael Gawne, second by Tom Murphy with all in favor.**

Respectfully submitted,  
Robin Morrill  
Minute Taker

