



Town of Georgia

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GEORGIA DEVELOPMENT REVIEW BOARD

APPROVED MEETING MINUTES

August 2, 2022

Minutes approved August 16, 2022

Board Members Present: Greg Drew, Suzanna Brown, Gilles Rainville, Jr., Glenn Sjoblom, James Powell, Jamie Comstock by Zoom

Board Members Absent: None

Staff Present: Emily Johnson, Zoning Administrator

Others Present in-person: Bryan Currier, Rick Bove, Nathan Bressette, Lisa Faure, Sara Powell, Todd Cadieux, Cindy & David Lang, Jessica Fike, Mary Stanley – Minute-taker, Adrien Criner – Videographer from LCATV

Others Present by Zoom:

Nathan Bressette, Mike Anderson, Ray Bouffard, Sherry Hanson, Mandy Alcon, Kyle Anderson, Thomas & Lorrene Palermo, Mike & Rebecca LaChance, Barb Dow, Zach Williams, Katie Leclerc, Mari Wetmore, Chris & Carrie Hungerford, Michelle Sarnowicz, Coralee Tye, Sara Walker, Kim Asch, John Schnupp, Don Dixon, Jana & Aaron Thuesen, John Stoughton, Jim Nichols

Suzanna Brown called the meeting to order at 7:00 p.m. and swore in participants present by Zoom and in-person.

Resignation of Cheryl Letourneau from the DRB

Suzanna explained that Cheryl Letourneau had taken another position and was regretfully too busy to continue with the DRB.

Introduction of Lisa Faure to the DRB as an individual interested in the open position on the Board. Lisa Faure introduced herself and stated that she would like to do something for the Town and was interested in learning more about the DRB.

Additions, deletions, or changes in order of agenda items: None.

Sketch Plan Review (SK-006-22) for 864 Ethan Allen Hwy, LLC at the former Homestead Campground at 864 Ethan Allen Hwy located in the South Village (SV) zoning district. The Applicant was proposing to subdividing the parcel into three lots, constructing a total of 45 two-bedroom units, and first-floor commercial space in a mixed-use building.

- Suzanna asked Mr. Currier if there was anything different tonight than what was in the packet. Mr. Currier replied that there was not. Suzanna then asked Mr. Currier to present the project to those in attendance.
- Suzanna identified what a sketch plan review was and explained that there would be more meetings in the future; this was just the beginning. Suzanna read the introduction of what the application contained.
- Mr. Currier introduced himself and agreed that there was nothing different tonight than what was in the packet. This was a redevelopment project of a property formerly known as Homestead campground. The Proposed development would consist of mixed-use, residential, and commercial properties along Rt 7.
- Mr. Currier stated they want to go for a sketch plan as part of the 3-step process. They were interested in discovering the viability of the project.
- Mr. Currier stated that it was the Applicant's position that Regulation 3.6(B)(2c) indicated that fiveplexes were allowed and did not have to be offset by an equal amount of commercial space withing the project.

Suzanna invited Board Member comments:

- There was discussion about the possible connection to the 60' ROW on the abutting property to potentially gain access across to 104A. Suzanna suggested orienting the buildings to allow for that in the design.
- There was discussion on the location, amount, and accessibility of parking within the project. Mr. Currier clarified that each unit, as initially proposed, would have one garage parking spot and enough space in each driveway for a second vehicle. Suzanna noted that it was recommended to avoid having residents have to back out of their driveway onto a road. Some suggestions of reorientating the buildings to be closer to the road, with parking behind the buildings in either garages or carports.
- The question of whether the residential units will be owned or rented was presented. Mr. Currier explained that it would depend on the market when the project began. There was pushback to this explanation, and the guests in the audience and on Zoom asked for more clarity.
- There was discussion regarding a road across from Ballard Rd., the necessity for a traffic study, and perhaps a roundabout in the future. Suzanna pointed out that a current traffic study by VTrans was being conducted for another project. Several people agreed this would be a good time to discuss this project with VTrans.
- Dollar General and Georgia Market have set aside funds for a left-turn lane. A traffic study would help discern how traffic flows. It was also noted that most projects in the South Village affect Ballard Rd.
- Suzanna questioned the septic, and Mr. Currier explains from his plans where they were. Suzanna asks if they had already perked, the answer was yes. Private wells were set up at this point. There was discussion about common wells or private and Mr. Currier explained they would prefer to do private wells.
- Suzanna pointed out that the South Village was where the Town would like to "grow." There should be consideration of surrounding areas that can grow without leaving pockets of isolation. In the future, that land should be accessible.
- The topic of public space was brought up. Mr. Currier pointed out an area of potential public green space with a 1/2 acre area identified, perhaps a child play area or dog park. (Public element). There was discussion on what that public space could look like. It was clarified that green space would need to be public, not just accessible to the businesses and residents in the development.

- Questions were presented regarding the mixed-use parking space facing Ballard Rd; could it be larger? Would it be possible to have each unit have two parking spaces in the garage and additional parking in front of the units? Mr. Currier explained they were open to all these ideas.
- Suzanna asks if there is a way buses could access the area, whether school buses or public busing. Mr. Currier says that would not be a problem.
- The question of building a privacy fence was posed to give adjoining properties privacy.
- There was a question of impact on the school, a school that was already at full capacity. Mr. Currier and Mr. Bove assured the meeting attendants that this project would be done in phases, not all at once. Other projects had been done in the same manner.
- It was pointed out that the scale of the project was larger than some other projects. There was a short debate about past projects built in this area.
- The question of whether the units would be rented or purchased was brought up again, and Mr. Courier restated that it would depend on the market at the time. Several townspeople were upset at this answer.
- There was a plan to build five units a year. Five children per year to impact the school. The units were proposed to be two-bedroom units, one bedroom for a child and 1 for a parent(s).
- Concern was raised about trash that had been “bulldozed” on or near the property of homes surrounding this proposed building site. There was also mention of alcohol bottles and remnants of bonfires. Concerns of people walking through the former campground and private residences adjacent to get to other properties were a concern.
- The question was asked, "How can people be held accountable if the units are rentals?"
- Privacy fences were encouraged by surrounding homeowners to keep people out of the woods.
- A concern was raised that the town does not have its own police force for accountability.
- Suzanna reminded the participants that this was just a sketch plan review at this point. Attention was being given to how the Applicants proposes they would meet the regulations.
- It was noted that in the Town of Georgia, 35 new dwelling unit are allowed each year, and each individual landowner is limited to no more than 5 (five) permits for new dwelling units per year.

Suzanna opens the meeting to questions from Zoom participants and guests.

Katie Leclerc: Stated that the school was already full. If the residential units were to be rented, how would this affect fire and EMS? She suggested addressing these issues now rather than later. She wanted to feel safe and not have services overloaded with 45 units.

Jana Thuesen: Reiterated Katie's points. She felt brushed off and concerned about rental properties. Jana stated she worked with at-risk and low-income populations. She was concerned that the Bove's were not providing adequate upkeep for their buildings. Jana also encouraged the Town of Georgia to decide if they wanted a huge building in the middle of a small town.

Lorraine Palermo: An abutting property owner, had concerns about septic and water because of their location. She also agreed with the concern about the schools and their overcrowding. She felt there was a need to look at the bigger impact. Lorraine also noted she had been hearing beeping from the Dollar General's septic alarm, which she felt was not being addressed. From 104A to the wood line, there was a trench with squatters and people walking through. Currently, there was no infrastructure or policing. Lorraine wanted to be heard now, not later.

Mandy Alcon: She stated she taught at the Georgia School; she was a homeowner and had a child. Mandy said she had previously lived next door to one of Mr. Bove's properties, and she had witnessed Mr. Bove as a landlord. Mandy was on the HOA Board that shared a driveway with Mr.

Bove's property and getting companies to plow and mow the shared access was difficult because they would not get paid (by Bove). It was stated that a property owned by Bove, and where he was the landlord, was not a property they wanted to live next to.

Sherry Hanson: Stated she lived on Highbridge Rd. She worried about the impact on the water table. Forty-five units would impact their water and reiterated that people were walking through her property, back and forth across the road, into the campground.

Jamie Comstock: People in the South Village were told they can't do what they wanted with their properties; this project must be held to the same standard.

Jessica Fike: Handed out an article from Seven Days about Mr. Bove to the board members. Jessica explained that this article allegedly blamed Mr. Bove for the lack of accountability in building maintenance and pest control and that Mr. Bove blamed the cockroach infestations on tenants. Jessica reported there were outstanding violations and citations in other towns (Essex). It was also noted that Essex had denied Mr. Bove's application in November 2021 due to the existing violations.

•Suzanna reminded the meeting attendees, again, that this was a sketch plan, and that the Town could not pick and choose who develops in Georgia if they met regulations. Suzanna pointed out that the DRB could not refuse to allow someone to build because of what had happened in other towns. This Applicant was not breaking ordinances in the Town of Georgia.

Nathan Bressette: Insisted that Mr. Bove was breaking an ordinance. He spoke about an abandoned building that he felt was a "blight" and questioned if there was a "blight" ordinance. Suzanna responded there had been a discussion regarding this situation and a proposed junk ordinance but that the Selectboard had opted to table the proposed ordinance. It was noted that there was an existing asbestos problem at this location that would need to be addressed before removal of the remaining structure. It was stated that environmental engineers had been hired and the State of Vt. had investigated.

Suzanna pointed out:

- Fire Dept. would get to weigh in on this
- Police was a Selectboard issue.
- Septic and Water were done through the State of VT.
- School, Suzanna would speak about development in general with the school, not just this project.

Jana Thuesen: Was concerned about a 45 Unit massive structure going into this Town. Concerned there was a history and doesn't feel "heard." Was it about money?

Jim Nichols: Raised a couple of points. First, impact on school was the dominant theme. Jim thanked Suzanna for doing her homework. He asked, "Who will put the genie back inside the bottle?" Jim said the DRB was providing lynchpin decision-making now, with no accountability in the future.

Candace (did not sign-in): It was mentioned five buildings per year. What was the waiting list for others? What other info was available, and what about waitlists? Emily explains that five units per developer were allowed, with a total of 35 new units per year in the Town of Georgia. The construction of 35 new units per year is rarely met; there were no waitlists.

- There was a question from a community member regarding a comment comparing the development of 45 units to 5 to 6 houses. The answer to the Interpretation of the question boiled down to:
 - There were larger developments that have been built as part of a single plan, but they were not built in "one fell swoop." The market influenced how quickly the units were to be built and regulatory limitations within the municipality.

Mandy Alcon: Two things, when would they know if the units would be rented or sold and when would the board reach out to the school about the impact and let everyone know?

- Suzanna explained that there would be at least two more meetings; by the end, the DRB would hopefully know if the units would be rentals or owned. The information would be available before any building happened.
- Greg Drew pointed out that this Board worked on a set of rules that guide the DRB. There was little to no preference that the Board was allowed to insert in this process. Disliking or liking was not the Board's option. This was a quasi-legal process that had requirements that all Applicants must jump through. Suzanna pointed out that certain elements, like the trash requirements, could be addressed specifically.
- Development regulations have to meet Vermont State Statutes.
- Ordinances were a bit faster to implement; for instance, the Planning Commission wrote a junk ordinance, and it was tabled by the Selectboard. It would give the Town the right to fine for infractions.

John Stoughton: Was a property owner in Overlake Community whose property butts up against the proposed development property. He was also concerned with the school issue and realized this is a sketch plan review. John questioned infrastructure, like a police force. And doubted Milton wanted to come to Georgia very often to cover police matters. John pointed out he moved to Georgia, like other community members, to escape Burlington and large developments.

Jamie Comstock: Asked if per the South Village, did each building have to be mixed with one commercial floor and one residential? The answer from Mr. Currier was that he believed there was an exception to that rule with the five and sixplexes.

Zo (did not sign-in) messaged in the Zoom chat: What were the rules for traffic patterns and increased traffic? Suzanna explained that some studies showed that and ideally there would be a road across from Ballard Rd and perhaps traffic lights or a roundabout. Most likely, a traffic study would happen before the finalized project but VTrans had the final say.

Jim Nichols: Asked, what about Sightline budgets, cost centers, and litigation costs? Ordinances prevent discriminatory rules. Would this project affect taxes? What would be put into place? Suzanna said they could recoup their fees through litigation.

- It was asked if the Applicant could be forced to put money in escrow in the case of future litigation? Suzanna replied that she was unsure if that could be done legally but agreed to research it.
- Topic of required commercial space: Mr. Currier discussed the proposed commercial space and its 54,000 sq ft. Suzanna pointed out that the hope was for smaller shops and more neighborhood-oriented businesses. The small single-owner business, small tenant situation. The intention was not to attract big chain stores but small office areas. Considerations included but were not limited to hairdresser, laundromat, coffee shop, etc.

- For 54,000 sq ft., they had limited water and sewer on site. Mr. Currier and Mr. Bove spoke to conserving proposed Lot 1 for commercial space once the residential development could support the commercial. Regulations spoke to a mixed-use. Buildings should have both. Mr. Currier points out that mixed-use doesn't necessarily have to be in the same building and that separation can be vertical or horizontally.

Jamie Comstock: Many people in the SV wanted to add additions to their own properties but could not because there was a commercial obligation. He encouraged the DRB to hold the Applicants to the same standard.

Mr. Currier: There was a concern about the mix-use requirement. The scales did not look balanced. There was a huge need for people to have a place to live. They wanted to develop the residential side of things first and when there was a need for businesses, those could be developed at that point. There needed to be a balance. Mr. Currier said he believed there could be a balance, but the one-to-one ratio was not a requirement, per their interpretation of the regulations.

- Greg Drew said there needed to be more of a neighborhood aspect, like St. Albans. A Community Center was mentioned.
- Mr. Currier voiced his concern about the visibility of businesses within the project if they were to be placed on Lot 3 instead of keeping them on Lots 1 and 2. Again, Mr. Currier noted his concern around the required commercial for the mixed-use and maintained that by his interpretation of the development regulations, one-to-one residential to commercial was not required. The Board told Mr. Currier this would be discussed.
- Suzanna said she felt that some of the commercial units could be completed while the residential units were being built.
- Mr. Currier mentioned a drive-thru option for the mixed-use building on Lot 2. Several people present pointed out that a drive-thru was not allowed in the town of Georgia.
- Jessica Fike asked about washers and dryers in the residential units and was there a need to understand the impact on water usage at this time? Mr. Currier said they did not know if washers and dryers would be in-unit at this time.
- Mr. Currier went on to explain that without municipal water and sewer, a project would have more (well) shield area. There was a lot of unused space within the project and as the need arose, there would be the opportunity to drill another well or septic system. The use of the building was important to consider. There was general discussion on how different (commercial) uses put different stressors on septic systems.

A question was posed as to whether there was a risk assessment for the Town, not just this location. School, water, sewer?

There was general discussion on the nearby aquifers and mapping that had been done for previous developments.

Greg Drew motioned to close the hearing; Gilles Rainville seconded. All were in favor. The hearing for Sketch Plan review (SK-006-22) was closed at 8:58 p.m.

The July 19, 2022, DRB draft meeting minutes were reviewed. Gilles Rainville motioned to accept the minutes, with corrections. James Powell seconded. All were in favor.

James Powell motioned to go into deliberative session, seconded by Gilles Rainville. All were in favor. The DRB entered deliberative at 9:01 p.m.

• Items discussed in deliberative: Sketch Plan review SK-006-22

Greg Drew motioned to exit deliberative session, seconded by Glenn Sjoblom. All were in favor. The DRB exited deliberative at 10:22 p.m.

Greg Drew motioned to end the meeting. Gilles Rainville seconded. All were in favor. The DRB ended the August 2, 2022, meeting at 10:23 p.m.

Selectboard Concerns:

1. Lack of guidance from the Selectboard regarding cannabis and cannabis businesses in Georgia.
2. Status of the drafted *Town of Georgia Ordinance Regulating the Disposal of Solid Waste and other Outdoor Storage of Junk and Junk Vehicles* aka the “Junk Ordinance”.

DRB Coordinator Task: Draft sketch letter for SK-006-22

Next DRB meeting is August 16, 2022. At 7:00 p.m.

Respectfully submitted,

Mary Fletcher Stanley, Minute-taker
Emily R. Johnson, Zoning Administrator