

1 **PROJECT REVIEW COMMITTEE MEETING MINUTES**

2 **Wednesday, July 14, 2021**

3 The meeting of the Project Review Committee was held at the NRPC Conference Room, 75 Fairfield Street, St.
4 Albans. A remote option was also available. Chair B. Buermann called the meeting to order at 6:04 PM.

5
6 **ATTENDANCE:**

7 Commission: Garrett, Harold ; Speer, Neal ; Steen, Colleen ; Irwin, William ; Voegele, Albin ;
8 Buermann, Robert ; LaRocque, Alisha .

9
10 Staff: Emily Klofft.

11
12 Guests: None.

13
14 **Changes to Additions to the Agenda:**

15 None.

16
17 **Public Comment**

18 None.

19
20 **Minutes**

21 *A. Voegele motioned to approve the minutes of the June 2021 meeting. C. Steen seconded. The motion carried.*

22
23 **Project Reviews:**

24
25 **Act 250- Richard Louko- Sand Shed**

26 Project Details: The project is a sand shed associated with a home business located at 6 Goodman Road in
27 Fairfax, VT.

28
29 The Committee reviewed the applicant's response to the Committee's comment letter. The Committee
30 discussed how the project related to the Town and Regional Plans. A. Voegele stated that he believed that if a
31 project does not conform to a town plan, then it does not conform to the Regional Plan, since the two are
32 consistent. B. Irwin stated that he felt the project may not be in an ideal location, but that it is not necessarily
33 to the level where it would rise to not being in conformance with regional land use goals. B. Buermann stated
34 that he agreed that it would conform to regional land use goals, but that the Committee may want to note
35 their general concern with the potential for incremental growth of these types of businesses. C. Steen stated
36 that she believed the project would have a large impact on the residential neighborhood. The Committee
37 generally agreed that the project was more a local issue than a regional one.

38
39 *B. Irwin motioned that the project is in conformance to the Regional Plan with the comment that Act 250*
40 *should ensure that the project meets all other state and local regulations. A. Voegele proposed a friendly*
41 *amendment that to include that the project does not constitute a substantial regional impact. N. Speer*
42 *seconded. Motion carried.*

43
44 **Act 250- 2 Franklin Park West, LLC**

45 Project Details: The project is a 26,000 square foot car dealership located on a 4 acre parcel at 2 Franklin Park
46 West in St. Albans Town. The project parcel is currently permitted as a vehicle display area.

1 E. Klofft reviewed the project review sheet. The project does not propose adding a sidewalk along Franklin
2 Park West. A recreational path will be built between Parah Drive and Village Drive. There is a separate Act 250
3 application for the Recreation Path. E. Klofft reviewed the Regional Plan Complete Streets Policy for Regional
4 Growth Center. The policy states that “sidewalks shall be constructed in conjunction with new development or
5 redevelopment projects...”. E. Klofft stated that in past decisions about Franklin Park West the Committee had
6 determined that a project was not in conformance with the Regional Plan due to lack of sidewalks. In the case
7 of the Morse self-storage project, the Committee found that the project was in conformance with the Regional
8 Plan only if sidewalks were developed.

9
10 E. Klofft reviewed the definition of substantial regional impact for the regional growth center which is a
11 “commercial, retail, or industrial development involving employment opportunities for 40 or more individuals
12 or 30,000 square feet or more of gross floor area.” The project is 26,000 square feet and will employ 40
13 people.

14
15 A. Voegele stated that the Town of St. Albans generally held that a multi-use path was sufficient. E. Klofft
16 stated that in the past, the Commission requested sidewalks, while the Town did not. Because those projects
17 were not found by the Committee to be a substantial regional impact, the Town’s determination of
18 compliance with the Town Plan was of higher priority in the Act 250 process. If a project was found as a
19 substantial regional impact, then the Commission’s determination of compliance with the Regional Plan would
20 hold higher priority in the Act 250 process. B. Irwin stated that he believed this project met the definition of
21 substantial regional impact because of the number of employees.

22
23 C. Steen stated that it had been the Committee’s standard practice to require sidewalks in the regional growth
24 area. B. Irwin stated that as Village Drive is becoming more developed, sidewalks are increasingly important.

25
26 The Committee reviewed the site plan for the Recreation Path. B. Buermann noted that the Recreation Path
27 would cross through the Park, but not provide direct access to any of the currently developed parcels. B. Irwin
28 stated that he felt it was important to put a stake in the ground that sidewalks are required as the proposed
29 path would not be useful for reaching the businesses on Franklin Park West.

30
31 A. Voegele asked where the sidewalk would go, and whether it would become a sidewalk to nowhere. B. Irwin
32 stated that he believed it was about building for the future so that eventually there will be an interconnected
33 network.

34
35 *B. Irwin motioned that the project was not in compliance with the Regional Plan and constituted a substantial*
36 *regional impact; and that it could be in compliance if sidewalks were constructed along the property line with*
37 *Franklin Park West. C. Steen second. A roll call vote was held. H. Garrett- Yes, N. Speer-Yes, B. Irwin-Yes, A.*
38 *Voegele- No, B. Buermann- Yes. Motion carried.*

39
40 **Act 250- Malone Dorset Street Properties, LLC**

41 Project Details: The project is a pedestrian path that will connect Parah Drive to the Missisquoi Valley Rail
42 Trail in the Franklin Park West Industrial Park.

43
44 E. Klofft reviewed the draft project review sheet. The project will be a pedestrian path, but not wide enough
45 for bicycle use. E. Klofft reviewed the Regional Plan Complete Streets policy related to multi-use paths, and
46 the Town of St. Albans Bike and Pedestrian Master Plan for the area. The local plan calls for a multi-use path in

1 the area. According to the St. Albans Bike and Pedestrian Master Plan this path is required as part of a 2005
2 Act 250 approval.

3
4 The Committee questioned why the path was not being built wide enough for bicycle access.

5
6 *A. Voegle motioned to send a comment letter to the applicant asking the proposed width of the recreation
7 path and why it would not be able to accommodate bicycles, with reference to the 2005 Act 250 requirement.*

8 *C. Steen seconded. Motion carried.*
9

10 **Section 248a- Bell Atlantic and Cellco Partnership**

11 Project Details: The project is a 60-day notice for a 130-foot Verizon cell phone tower located in Fairfax near
12 Fairfax Village. The project will be located on a 50-acre parcel which is owned by the Town of Fairfax.

13
14 E. Klofft stated that the Committee had reviewed a previous 60-day notice for this project. The new 60-day
15 notice is substantially similar, with some additional information about stormwater mitigation and the location
16 of an identified bat tree. E. Klofft stated that the applicant had not responded to the Committee's previous
17 comment letter, or the letter the Committee had sent jointly to the applicant and New Cingular Wireless
18 about co-location.

19
20 C. Steen stated that the Committee should resend the comment letter, since it was not previously addressed.
21 The Committee discussed sending a new separate letter regarding co-location, but decided to delay a decision
22 on that letter until reviewing the Industrial Park Tower and Wireless project.

23
24 *B. Irwin motioned to resend the Committee's prior comment letter. N. Speer seconded. Motioned carried.*
25

26 **Section 248a- Industrial Park Tower and Wireless**

27 Project Details: The project is a 60-day notice for a 155' telecommunications tower to be located at 22 Toof
28 Road in Fairfax, VT. The project will be accessed via an existing access road off Route 104.

29
30 E. Klofft reviewed the draft project review sheet. The applicant holds an FCC license, but is not currently
31 providing service in Vermont. The project is located at the outer edge of a high priority forest block. The tower
32 will be 155', significantly above the tree line at the project location. The project will create 8,657 sq. ft. of
33 impervious surfaces.

34
35 C. Steen asked if this was the same telecommunications project as had been proposed earlier. E. Klofft stated
36 that this was a different project. The New Cingular Wireless applicant withdrew its application. Both projects
37 were proposed for the area to the south of VT 104, but this project is not as close to the Cambridge border.
38 This is also a different applicant.

39
40 B. Irwin stated that this project seems relatively close to the Bell Atlantic and Cellco Partnership project. B.
41 Buermann stated that the applicants should be required to determine whether or not they can co-locate on a
42 single tower.

43
44 The Committee discussed the applicant's statement that they did not currently provide service. B. Irwin stated
45 that some companies are prospectors, which can lead to redundant towers. He requested that the applicant

1 provide information on how they will provide service and if they intend to lease the tower, what carriers have
2 committed to providing service from the tower.

3
4 The Committee discussed project safety. The compound for the project is 80' by 80' but the tower is 155' tall.
5 It will be important to ensure that the tower is engineered to fall only in the fenced area.
6

7 B. Buermann stated that a balloon test should be conducted in order to better determine aesthetic impacts. N.
8 Speer stated that based on his understanding of the topography in that area, a person driving on VT 104 would
9 be unlikely to see the tower.

10
11 Questions/Comments the Committee had for the applicant:

- 12 • Please provide a viewshed analysis for the project, including a balloon test
- 13 • Who will provide service from the tower? What areas will experience better cellular service?
- 14 • What is the fall zone of the tower? In the event of a fall, would any portion of the tower fall outside of
15 the 80' x 80' fenced area?

16
17 *C. Steen motioned to send a comment letter to the applicant that addresses the above comments. B. Irwin
18 seconded. Motion carried.*

19
20 *C. Steen motioned to send a joint letter requesting that the applicant and the Bell Atlantic and Cellco
21 Partnership applicant consider co-location. A. Voegele seconded. Motion carried.*

22 23 **Section 248- SMS Solar Array, LLC**

24 Project Details: The project is a 45-day notice for a 150 kW net-metering solar array to be located at 428 S.
25 Main Street (Route 7), St. Albans, VT. The project will utilize an existing access road. An existing parcel will be
26 subdivided into 3 parcels, the other two parcels will be used for residential development.
27

28 E. Klofft reviewed the draft project review sheet. The project is estimated to take 4 to 6 weeks to construct.
29 After construction there will be no staff presence. No screening is proposed, but there is existing vegetation
30 on the project parcel that will create screening. The overall project site is .88 acres.
31

32 B. Irwin asked if the project is located in a prime or base solar area from the Northwest Energy Plan. E. Klofft
33 stated it was not located in a prime or base solar area.
34

35 The Committee questioned how many houses & businesses would benefit from the net-metered system.
36 Green Mountain Power would be the customer for the power.
37

38 The Committee generally approved of the project location due to the natural screening on site.
39

40 *N. Speer motioned to send a comment letter asking how many homes & businesses a part of the net-metered
41 system. A. Voegele seconded. The motion carried.*
42

43 44 **Updates**

1 E. Klofft provided an update on the PurposeEnergy-St. Albans project. The applicant provided a response to
2 the Committee’s questions about odor impacts. The Committee generally agreed that there was no need to
3 request a hearing for the project.
4

5 E. Klofft provided an update on the PurposeEnergy-Enosburg Falls project. The stay that was previously part of
6 the project is no longer in place. Staff will ensure the Committee’s questions get answered in discovery.
7

8 **Other Business**

9 The Committee briefly discussed electing a vice chair. The Committee decided to wait until committee
10 assignments are finalized.
11

12 **Adjourn**

13 *C. Steen motioned to adjourn. A. Voegele seconded. The Committee adjourned at 7:55 PM.*

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