

TOWN OF LYNDON
DEVELOPMENT REVIEW BOARD

April 1, 2021

Minutes

DRAFT

Members

Jon Prue
Brandon Carpenter
Curtis Carpenter
Kevin Cole
Pauline Harris
Craig Weston (6:10pm)
Kevin McKeon (6:20pm)

Public Officials

Denise Montgomery

Press

Public

Dan Daley
Jake Simpson
Allen Young
Chris Scott
Michelle Piluso
Nate Sicard
Beth Quimby
Patti Royer

Jon Prue chaired the meeting which was brought to order at 6:01 pm.

Mr. Prue wanted to add a preliminary sub-division for Allen Young to the end of the meeting.

Mr. Prue gave a brief explanation of the development review process, explaining that the Board hears presentations by the applicant(s), asks questions of the applicant(s), and then opens the floor to public comment. Once the Board has received all relevant information the public hearing is closed, and the Board has up to 45 days to deliberate prior to issuing a written decision on an application. Applicants and all interested persons are notified of the decision by the Zoning Administrator and all decisions by the Board are subject to a 30-day appeal period. Mr. Prue then provided an explanation of “interested persons’ and their ability to appeal a decision issued by the Board. Mr. Prue then swore in anyone wishing to provide testimony.

Mr. Prue opened the public hearing on **2021-007**: Rocco & Michelle Piluso are proposing to operate a hot dog cart on their property on a part-time basis when they are not operating it at events. The cart would include having one picnic table set up where a customer could sit and eat if they chose. The use requires site plan approval under 9.1 of the Bylaws. The Piluso’s will run a New York Style hot dog cart. They have an old-fashioned rolling cart they will use to sell the hot dogs. They will have 6 parking spots available at the carriage house for customers. Curtis Carpenter asked about signage. Ms. Piluso stated she would like to use something that can brought in and out every day (sandwich board style sign). With hours of operation being 11:30am - 5:30pm. Curtis expressed his concern about cars coming around the corner too fast and running in to cars slowing down to turn in to the Piluso’s property for a hot dog. Michelle said there will be parking available and people should be in and out quick enough that traffic should not get backed up. Pauline Harris let Ms. Piluso know that she should her hours now at the maximum that she would use so she does not have to come back to the board to make adjustments. Michelle decided to set hours from 11:00 am - 7:00 pm, 7 days a week but that is weather dependent. Ms. Harris asked if this was going to be a seasonal operation only and Michelle advised she would like to be out there in late Spring through early Fall but no Winter hours. MS Harris asked about lighting since it does get dark earlier in the Fall. Ms. Piluso advised she would only be out until sundown in the Fall hours. Craig Weston asked the applicant to send a revised plan as it was presented tonight since it is different than the original. Michelle will send to Justin Smith. The board will make this conditional until the plan is

revised to show the correct parking. Kevin Cole **made a motion to close the public hearing on application 2021-007**. Curtis Carpenter seconded the motion. The Board voted **7-0**.

Mr. Prue opened the public hearing on **2021-008**: Kingdom Campground, LLC, is proposing to add an additional 74 sites to their existing 100 site campground. The expansion will include 50 RV sites, 24 tent sites, a bathroom facility, basketball court, and baseball/softball field. The application requires conditional use approval under 4.2.2 for the expansion of a previously approved conditional use. It also requires site plan approval under section 9.1 and conformance with the Performance Standards under 4.5 of the Bylaws. Jake Simson, owner of Kingdom Campground, LLC, advised that they will be adding 50 RV sites in 2021 and 24 tent sites in 2022. Nate Sicard, engineer for the project, put together the environmental permitting and site layout including the water, wastewater, and stormwater permits. The 50 RV sites to the South of the existing campground has buried water and wastewater lines for all sites. The ballfield is an existing gravel pit which will be reclaimed for the ballfield and will be revegetated and reshaped. The current entrance to the campground will be used to get these additional sites. The tenting area to the East of the existing campground will be built around the existing stormwater area. The road to access the tent sites will be the current trail that from the upper campground that will be improved to a 20' road. Each tent site will have water and electric hookups. Kingdom Campground, LLC has applied for Act 250 permit, water and wastewater permits, erosion control permits and stormwater permit. They will not apply for an access permit as there will be no change in access. They will have to pay an impact fee to VTrans due to increased traffic with the additional sites being added. Craig Weston wondered if there was going to be water and electric hookups if a smaller RV could use a tent site. Mr. Simpson advised a small pop-up would be the only RV that would potentially fit on one of the sites. Pauline Harris asked if the hours of operation would change and Mr. Simpson advised they will remain the same with quiet time being at 10pm. Opening weekend will be May 14, 2021 and they will close the weekend after Columbus Day. Brandon Carpenter asked how the sandy makeup of the soil impacted the proposal for adding the extra sites. Mr. Sicard said that the soil is highly permeable and a field infiltration test for the stormwater design was done and had limited impact required for the stormwater infrastructure. Ms. Harris if there would be any additional lighting that might impact the neighborhood and if there would be any lighting for the baseball field or if that was for daytime use only. Mr. Simpson advised there would not be lighting for the baseball field as that will be for daytime use only. They will have the normal lighting around the buildings being built for the additional sites. Mr. Weston asked if the ball field would be used as an extra field for LYBS or other teams or if it was campers only. Mr. Simpson said it will be for camper use only. Mr. Prue opened the discussion up to the public at which time Dan Daley asked Mr. Sicard if VTrans put any stipulation on moving the entrance further toward Lyndonville. He was thinking it needed to be moved for better visibility. Mr. Sicard advised that during the original project that the driveway was moved 25' to improve visibility. Mr. Daley made some comments as a property owner in the Lyndon Heights neighborhood which abuts the Kingdom Campground property. He had concerns about the noise level on nights they had a DJ or band playing. Some nights they want past 10pm which made it hard to enjoy an evening on the porch. There have also been people from the campground coming through the neighborhood on their golf carts while intoxicated and the smoke from having up to 100 active campsites at once is a lot for a neighborhood. Chris Scott who lives in the neighborhood agreed with Mr. Daley on the noise and smoke complaints. He is also worried that the campground will keep expanding each year due to the amount of land that is still there. Mr. Simpson replied saying he thought they had done a good job keeping the noise down by 10pm. He wants anyone with any issues to please call him or come talk to him so he can help work with them to make things good for all. Beth Quimby spoke about the noise from the bands as well. She had to close her doors and windows on a couple of occasion on summer nights due to the noise. Patti Royer a homeowner in the neighborhood enjoyed having the music from the bands

during the summer and hasn't noticed any issues with the multiple campfires at one time. Brandon Carpenter asked the neighbors if the noise was every night past 10pm or if it was occasional on special event nights, it was unanimous that it was only on nights with the live music. Mr. Simpson is thinking of moving the entertainment to the baseball field as it is further away from the neighborhood and would cut down on the noise. Mr. Weston asked if there were plans for any additional campsite additions in the future to which Mr. Simpson replied "no". Kevin McKeon asked if Mr. Simpson would be willing to do a decibel check on one of the nights he has a band to which he agreed. Pauline Harris **made a motion to close the public hearing on application 2021-008**. Kevin McKeon seconded the motion. The Board **voted 7-0**.

The Board discussed a preliminary subdivision submitted by Allen Young. Mr. Young currently owns a 10.33-acre parcel, and his brother Mike owns an 11.53-acre parcel and together they own a total of 31.10 acres. They have owned these 3 lots for over 30 and are looking to make them in to two total lots. Allen would own a total of 21.96 acres and Mike would own a total of 23.10 acres. Curtis Carpenter wants them to make sure all lots have access and wanted to know where the Right of Way was. Allen advised that the surveyor has plotted that but not sure if it has been pinned yet. It currently starts on Old Coach Rd and goes to the end of Mike's property. Mike is looking to build a house on his parcel. Jon Prue said if it meets the setback and Right of Way requirements it should be ok but will need a separate permit. He would prefer the lots to be pinned and have that language put in the deed since it will not always be owned by Mike & Allen and in the future when the 31-acre lot is purchased that they can access the parcel.

Next meeting will be scheduled for April 15th.

Meeting adjourned 7:34 pm

Respectfully submitted by: DMontgomery