

Lyndon Development & Review Board

July 16, 2015 Minutes

Members	Public Official	Press	Public
Pauline Harris Sherb Lang Peter Morrissette Wilder Simpson Dave Keenan Dave Cobb	Laurie Willey Kaela Gray		Kevin Tanner Alan Brink Jr. Tanya Brink John Berry Sharon Amoroso Laura Silva Alvin Shulman Naomi Bossom Madeline Antonnuci Kurt Holmes Michael Silva

Mr. Morrissette called the meeting to order at 7:03 PM and advised there were 3 warned items on the agenda.

Mr. Morrissette gave a brief explanation of the process to the forum by explaining they would hear the presentation by the applicant, and questions would be asked by board members, as well as members of the public. Mr. Morrissette advised after all comments and questions were finished, the board would discuss and make the final decision in deliberative session. The applicant could choose to stay and wait outside the Conference Room to hear the decision or wait to contact the Zoning Administrator the next morning. Mr. Morrissette advised if the application was approved, there would be a 30-day appeal period, and if the applicant proceeded with their project before the 30-days were up, they would do so at their own risk. Mr. Morrissette swore in the applicants and interested parties.

2015-048: Kevin Tanner is proposing to build a 12' X 46' addition to his garage located at 734 Burrington Bridge Road. The Application requires approval to expand the automotive repair facility as a Conditional-Use in the Rural Residential District under section 3.1.2.20 of the by-laws, and site plan approval under section 9.1.

Mr. Tanner was present and explained to the board he needed to add more storage space to his existing garage. The addition he proposes will be 16' X 42' and will be added to the back side of his garage. Mr. Tanner will use the space to store equipment that is not used every day along with drums and other equipment that he currently has to leave outside.

Peter Morrissette asked what kind of material would be used to build the addition and Mr. Tanner answered wood.

Hearing no questions from the board or public Mr. Morrisette moved on to the next warned application.

2015-051: Alan Brink, Jr. is applying for a permit for an above ground pool on his property at 76 White Pine Lane. The pool does not meet the minimum setbacks and is seeking approval as a Conditional Use under section 4.4.3 of the by-laws and site plan approval under section 9.1.

Mr. Brink was present to explain to the board his pool was currently 4' from the property line and he proposes to move it 10' from the line. Mr. Brink noted there are other structures in the area that are only 10' from the property line. Mr. Brink used a map he drew of his property explaining why this area was the best fit for the pool.

Adjoining land owner Madeline Antonnuci asked what property line was Mr. Brink using.

At this time Peter Morrisette noted that it was not up to the board to discuss property lines.

Hearing no further questions the board moved on to the final warned item.

2015-054: Shon LaCoss is applying for a permit for an above ground pool on his property at 206 Charles Street. The pool does not meet the minimum setbacks and is seeking approval as a Conditional Use under section 4.4.3 of the by-laws and site plan approval under section 9.1.

Laura Silva representing Shon LaCoss presented a map noting where the pool was installed. Ms. Silva explained they met the setbacks on all sides but one and that side measured 22' from the property line. Ms. Silva noted she had checked with adjoining land owners and they did not have any problems with the position of the pool.

Adjoining land owner Alvin Shulman noted he owned the property to the east and was opposed to Mr. LaCoss having a pool. Mr. Shulman asked to read his letter to the board for the record.

Ms. Silva advised Mr. Shulman there were not any college students living on her property. Only her daughter and grandchildren.

Mr. Shulman apologized to Ms. Silva noting his letter addressed the wrong house.

2015-036: John Berry application. At this time Peter Morrisette recused himself and the board nominated Pauline Harris as Chair and the vote carried 5-0.

John Berry was present to explain to the board Keith Johnson has done an elevation map to prove the property is in the 500 year flood plain. Mr. Berry gave a re-cap of his previous presentation, which Kaela Gray summarized. Mr. Berry presented the signs he would like to have. One sign on the back of the building, and a smaller sign at the end of Hemlock St. to guide customers to his business.

At this time Peter Morrisette once again became Chair.

At this time Kaela Gray brought to the board's attention that Kurt Holmes was present to address the board about the letters he has been receiving from the Town.

Peter Morrisette gave a background on the property stating that Kaela is only doing what the board has instructed her to do. Mr. Morrisette noted that Mr. Holmes has a permit for two trucks, and not a permit to sell wood pellets from his property. Mr. Holmes must get a permit to sell the pellets.

Mr. Holmes explained to the board he has rented storage space from Jim Mc Donald located at 8 Dean's Lane to store the pellets, and space to park his trucks and trailers.

The board understand his position and noted as far as the board is concerned they are not able to address the fine issue. Mr. Holmes must address the Town Select board with his concerns.

Hearing no further questions from the board a motion to go into deliberative session at 7:56 PM with Kaela Gray present was made by Dave Keenan, seconded by Pauline Harris and the vote carried 6-0.

A motion to come out of deliberative session at 8:31 PM was made by Sherb Lang, seconded by Dave Keenan, and the vote carried 6-0.

A motion to approve the Kevin Tanner application as presented with one condition was made by Wilder Simpson, seconded by Dave Cobb and the vote carried 6-0.

1. Addition must be in compliance with Fire Marshall regarding heating system permits

A motion to approve the Alan Brink, Jr. application as presented was made by Pauline Harris, seconded by Dave Cobb and the vote failed 0-6.

A motion to approve the Shon LaCoss application as presented was made by Pauline Harris, seconded by Wilder Simpson and the vote carried 6-0.

A motion to approve the John Berry application with one condition was made by Sherb Lang, seconded by Dave Keenan and the vote carried 5-0 -1 with Peter Morrisette abstaining.

1. The signage must meet the requirements of the Lyndon Zoning Bylaws and State Regulations.

At this time the board moved on to other business.

The June 18, 2015 minutes were tabled until the next meeting.

The Dresser Notice of Decision was tabled until the next meeting.

A motion to approve the Dresser preliminary sub-division was made by Dave Keenan, seconded by Sherb Lang and the vote carried 5-0-1 with Peter Morrisette abstaining.

A motion to adjourn was made by Sherb Lang, seconded by Pauline Harris and the vote carried 6-0.

The meeting adjourned at 8:45 PM.