

Lyndon Development & Review Board
Aug. 07, 2014 Minutes

Members	Public Official	Press	Public
Sherb Lang Pauline Harris Jen Gould Peter Morrissette Dave Keenan	Laurie Willey Justin Smith		Lionel Simard Alan Brink, Jr. Susan Teske Molly Moghari Vicky Scheufler Mike Ferrant

Mr. Morrissette called the meeting to order at 7:02 PM and advised there were 2 warned items and an appeal from Alan Brink, Jr. on the Zoning Administrations decision 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 noted anyone present seeking interested party status would need to be sworn in as well as applicants.

At this time Mr. Morrissette explained the DRB was a 7 member board, with only 5 members present at this meeting. Mr. Morrissette explained applicants would need 4 affirmative votes of the 5 to have their application approved. Applicants will be given the opportunity to have their application postponed to another meeting when more members would be present.

2014-61: Lionel Simard is proposing to add a 10' X 12' deck to his property located at 200 York Street. The Applicant is requesting a permit after the fact. The deck is located 23' off the edge of York Street and requires conditional use approval under section 4.4.3 for a non-conforming front setback. The Application also requires site plan approval under 9.1 of the by-laws.

Mr. Simard was present to explain he is trying to improve his property and that he has already built the deck.

Mr. Smith presented to the board maps of surrounding property owners noting many other structures did not meet the setback requirements.

Hearing no questions from the board or public Mr. Morrissette moved on to the next warned item.

2014-62: The Boy and Girls Club of the Northeast Kingdom is proposing to complete interior renovations to the Lyndon Outing Club Lodge located at Shonyo Park and use the space to operate a Boys & Girls Club. The proposed use requires conditional use approval under section 3.2.2.4 and site plan approval under Section 9.1 of the zoning by-laws.

Mike Ferrant presented to the board the Boy and Girls Club is a non-profit organization that would like to run an after school program as a licensed childcare facility through the State, on the property of the Town of Lyndon (Shonyo Park) within the lodge owned by the Lyndon Outing Club (LOC).

Susan Teske, President of LOC was present to note that there was some interior work relating to State codes that needs to happen within the building, but prior to spending any money on updates they were awaiting approval from the Development Review Board.

Mr. Ferrant explained the program will be offered to children in grades 5-8, 5 days a week from 3-6 PM after school. They will run full day programs during vacation and the summer. They have plans to be open only during school vacations for the 2014-2015 school year. They intend to offer a full summer program and build it into a year round program with the hope to be fully operational to start the 2015-2016 school year.

Ms. Teske noted that LOC sees this as a partnership, bringing in more of the population they would like to see use the building. Further noting it will not interfere with the times LOC is open for skiing.

Hearing no questions Mr. Morrissette moved on to Alan Brink, Jr.'s appeal of the ZA decision.

Alan Brink, Jr. is appealing the zoning administrator's decision under section 13.2.1 to require a zoning permit for his above ground pool which is located on his property at 76 White Pine Lane.

At this time Mr. Morrissette asked Mr. Brink why he felt a permit was not required for his pool.

Mr. Brink responded there were other pools in the Town without permits, and he previously had a pool without a permit. Mr. Brink went on to say that the Town by-laws do not state a permit is necessary, and should be more specific on the rules of above-ground pools. Mr. Brink continued by stating he felt the pool was not a permanent structure therefore did not require a permit.

Hearing no further questions from the board or public, a motion to go into deliberative session at 7:30 PM with Justin Smith present for Lionel Simard's and the Boys' & Girls' Club applications. The motion was made by Sherb Lang, seconded by Jen Gould and the vote carried 5-0.

A motion to come out of deliberative session at 7:45 PM was made by Sherb Lang, seconded by Jen Gould and the vote carried 5-0.

2014-61: A motion to approve the Lionel Simard application as presented was made by Jen Gould, seconded by Sherb Lang and the vote carried 5-0.

2014-62: A motion to approve the Boys' and Girls' Club application as presented was made by Jen Gould, seconded by Pauline Harris and the vote carried 5-0.

Mr. Morrissette announced the appeal from Alan Brink had been denied. Pauline Harris made the motion to approve the appeal. Sherb Lang seconded, and the motion failed 0-5.

A motion to adjourn was made by Jen Gould, seconded by Pauline Harris and the vote carried 5-0.

The meeting adjourned at 7:55 PM.