

**Lyndon Development & Review Board
March 5, 2015 Minutes**

Members	Public Official	Press	Public
David Keenan Jon Prue Craig Weston Jen Gould Sherb Lang Pauline Harris	Laurie Willey Kaela Gray		Brendan Mold Jin Li Chan Steve Murphy Pauline Dwyer Mark Dwyer Jackson Dwyer

Vice-Chair Jon Prue called the meeting to order at 7:02 PM and advised there were 2 warned items on the agenda.

Mr. Prue 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. Prue 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. Prue 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. Prue noted anyone present seeking interested party status would need to be sworn in as well as applicants.

Mr. Prue swore in the applicants and interested parties.

2015-03: Brendan Mold is seeking to construct a catering kitchen at his property located at 37 Ledge Road. The applicant is seeking Conditional Use approval in this commercial zone as under 3.6.2.26. The building 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 of the by-laws.

Mr. Brendan Mold was present and explained to the board, he and his wife would like to build a small structure to house a commercial kitchen. All food would be taken off site. There would not be any delivery trucks, employees or any external noise. The kitchen would be in use from early morning until 7-8 PM.

Pauline and Mark Dwyer spoke as interested parties noting that the very steep bank presents a water issue from the run off that flows down it into Mr. Mold's property. Ms. Dwyer also expressed concern with trees that were on the bank. Where would the responsibility fall if a tree was to damage the proposed property?

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

2015-06: Stephen J. Murphy is seeking to build a carport at his property located at 15 Alpine Street. The property is zoned for Residential Neighborhood. The carport 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 of the by-laws. The lot is also covered under section 8.1.1 as a small lot.

Mr. Murphy was present and explained the carport was a simple structure 22' wide and 24' deep. The structure would be set on concrete piers, have no walls, and the floor would be stay-mat material.

Hearing no further questions from the board a motion to go into deliberative session at 7:24 PM with Kaela Gray present was made by Craig Weston, seconded by Jen Gould and the vote carried 6-0.

A motion to come out of deliberative session at 7:48 PM was made by Pauline Harris, seconded by Craig Weston and the vote carried 5-0.

A motion to approve the Brendan Mold application as presented with the following conditions was made by Pauline Harris, seconded by Craig Weston and the vote carried 5-0.

1. All applicable state permits received
2. Site plan is adjusted to meet the required side setback of 25 feet.
3. Municipal water and wastewater permits are applied for and received.

A motion to approve the Stephen J. Murphy application as presented was made by Dave Keenan, seconded by Craig Weston and the vote carried 5-0.

At this time the board moved on to other business.

A motion to approve the February 19, 2015 minutes was made by Dave Keenan, seconded by Craig Weston and the vote carried 3-0-1 with Jen Gould voting via email.

A motion to approve the ABFB Corp dba The White Market Notice of Decision was made by Dave Keenan, seconded by Craig Weston and the vote carried 3-0-1 with Jen Gould voting via email.

At this time Kaela Gray explained to the board a sign change request from Ben McCormack. A motion to approve the Ben McCormack sign change was made by Pauline Harris, seconded by Dave Keenan and the vote carried 5-0.

Kaela Gray submitted a Site Plan Waiver from Danielle Staubitz to open a candy shop in the Brick Diamond Building on Depot Street. The shop will have two signs, one in the window and one outside. The hours of operation can be 7 days a week 7:00 AM to 7:00 PM. A motion to approve the Site Plan Waiver was made by Dave Keenan, seconded by Craig Weston and the vote carried 5-0.

A motion to adjourn was made by Dave Keenan, seconded by Craig Weston and the vote carried 5-0.

The meeting adjourned at 8:10 PM.