

TOWN OF LYNDON
DEVELOPMENT REVIEW BOARD
March 15, 2018 Minutes
Approved 4/19/18

Members	Public Official	Press	Public
Jon Prue Brandon Carpenter Kevin Cole Dave Keenan	Annie McLean Laurie Willey	Amy Nixon	Larry Willey Zoe Gascon David Gascon Kathleen Walsh James Hathaway Catherine Dwyer David Dwyer Joan Fallon Bill Fallon Barbara Irwin Susan Hanus Mary Jane Miller John Irwin Fred Miller Caitlin Irwin Bryn Waring

Mr. Prue called the meeting to order at 6:02 PM and advised there was one warned item on the agenda.

Mr. Prue proceeded noting there were two agenda changes. A motion was made by Brandon Carpenter, seconded by Dave Keenan to review the March 1, 2018 minutes at the end of the meeting. The vote carried 4-0.

A motion to postpone the election of officers until the next meeting was made by Brandon Carpenter, seconded by Dave Keenan and the vote carried 4-0.

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 the applications in deliberative session. Mr. Prue advised the applicants, the board had up to 45 days to complete their decision, at which time applicants would be notified by Zoning Administrator of their findings and decision. Mr. Prue advised if the application was approved, there would be a 30-day appeal period which starts when written decision is received from the board. If the applicant proceeded with their project before the 30-days were up, they would do so at their own risk.

Mr. Prue gave a brief explanation of the interested party status, and noted the entire explanation was on the table at the back of the room.

At this time Mr. Prue swore in the applicant and interested persons.

Mr. Prue continued with explaining the DRB was a seven member board with only 4 members present. Further explaining applicants would need 4 affirmative votes for approval. Applicants are given the opportunity to have their application postponed until the next meeting. It is noted Ms. Hanus would like to proceed.

2018-003: Susan Hanus/Hanus Realty, LLC is proposing to subdivide a 10.3 acre parcel located at 1563 Darling Hill Road into four (4) lots. The application requires final plat approval for a minor subdivision in the Rural Residential District under section 7.7 of the Town Zoning Bylaws and site plan approval under section 9.1.

Ms. Hanus was present and explained she is keeping the Spa Building as an existing lot and dividing the remainder into 3 additional lots, noting the wetlands and the 50' buffer on the survey.

Annie McLean, Zoning Administrator advised the board that the existing zoning permit for the Spa property, which is subject to a 2016 conditional use and site plan approval, would need to be amended as some of the approved parking for the site would be lost to the proposed right-of-way for the new lots. She recommended that the Board continue the public hearing to allow the applicant time to amend the zoning permit for the existing property. Ms. McLean further explained that if the Board chose to close the public hearing that a decision approving the proposed subdivision would need to include a condition requiring the zoning permit for the existing property be amended prior to the recording of the Mylar in the Town Land Records.

At this time Chairman Prue asked if there were any questions or comments from the members of the public.

David Dwyer asked if each lot would have a septic system. Ms. Hanus answered yes.

David Dwyer asked if these were house lots, and Annie McLean, ZA answered the board was here just reviewing the division of land.

Barbara Irwin asked where the houses would sit. Annie McLean, ZA answered a house on the lot would need to meet Town Set-backs.

Bill Fallon asked if an applicant did come in to build a home, there was a potential for three new homes, and Annie McLean, ZA answered yes.

Once again Chairman, Jon Prue explained to the members of the public the DRB board tonight was only approving the sub-division.

John Irwin, asked if zoning by-laws are set by zones. Annie McLean, ZA answered yes, Darling Hill is zoned Rural Residential. At this time, Mary Jane Miller noted most homes on Darling Hill have 10 acres, while there are other homes with less than 10 acres.

Kathleen Walsh went on record to say she felt this was more like a minor development, and would change the character on the road.

Barbara Irwin approached the board with a letter with signatures from land owners of Darling Hill and asked that it be included in the record.

Zoe Gascon commented that she and her father David Gascon supported the concerns of her neighbors.

Bill Fallon asked if there were other boards they could bring their concerns to, and ZA answered the DRB was the only Town board, but there were other boards run by the State of Vermont.

DRB member, Brandon Carpenter noted he understood this was a strong issue for the residents of Darling Hill and encouraged them to contact and attend the Town Planning Commission meetings.

Catherine Dwyer read the introduction of the Rural Residential by-laws and added she did not think three houses fit into this description.

Bill Fallon also noted uncontrolled development would make Darling Hill lose its uniqueness.

Joan Fallon supports the comments that were made, and felt they had a very unique spot.

Chairman Prue, once again stated all decisions are made based on current Zoning By-laws.

At this time Catherine Dwyer submitted the letter with pictures for record.

Fred Miller shared he had spent many years working in real estate, and added sub-divisions were created to build houses on them.

Caitlyn Irwin asked to go on record noting she supports and agrees with the comments made tonight.

Hearing no further comments or questions from the board, Annie McLean, ZA recommended the board continue the public hearing to a date certain to allow the applicant time to obtain a Town Highway Access Permit and a Conditional Use and Site Plan Amendment for the Stepping Stones Inn & Serenity Spa.

A motion to continue the Public Hearing until April 5th at 6:00 PM was made by Brandon Carpenter, seconded by Kevin Cole and the vote carried 4-0.

The meeting adjourned at 7:15 PM.