

Lyndon Development & Review Board

May 7, 2015 Minutes

Members	Public Official	Press	Public
Jen Gould out @ 8:00	Laurie Willey		Wanda Prince
Craig Weston	Kaela Gray		Curt Cuccia
Dave Keenan			Bob Howland
Peter Morrissette			Katherine Rossell
Jon Prue in @7:04			Derek Bishop
Pauline Harris in @ 7:06			Mark Bean

Mr. Morrissette called the meeting to order at 7:02 PM and advised there was 4 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 explained to the applicants the DRB is a 7 member board with only 5 members present. Applicants will be given the option to postpone their application to another date with all members present.

It was noted at this time Pauline Harris arrived to the meeting as an alternate. At this time Mr. Morrissette swore in the applicants.

2015-010: Peter Hopkins is proposing to sub-divide an existing 17.4 acre lot into two lots, one 8.9 acre parcel, and one 8.5 acre parcel. The property is located on McGoff Hill Road. The Application requires final plat approval for a minor sub-division in the Rural Residential District under section 7.6 of the by-laws.

Mr. Hopkin's application was heard at the previous board meeting and postponed until more members were present.

2015-014: Mark Bean, d.b.a Northern Vermont Rentals LLC is seeking renewal of a previous permit, to add fill in the mobile home park located on Route 114, to raise the height of all mobile

homes to 1' above the 100 year Flood Hazard Area. The application requires conditional use approval for development in the Flood Hazard Area under Article 11 of the by-laws, and site plan approval under section 9.1 of the by-laws.

Mr. Bean was present and explained to the board he was looking to renew his permit with the exact same conditions as before. Mr. Bean presented a colored coded map of the areas on his property that still needed to be filled.

Craig Weston asked if he would be doing them all at once and Mr. Bean answered no, a little bit at a time.

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

2015-015: Derek Bishop and Katherine Rossell are proposing to convert a two-family dwelling into a three-unit multi-family dwelling on property located at 263 Charles Street. The application requires conditional use approval under section 3.2.2.1 of the by-laws, and site plan approval under section 9.1 of the by-laws.

Derek Bishop and Katherine Rossell were both available to present their application. Mr. Bishop explained the property was a duplex and they would like to add a third apartment on the third floor. The structure would remain the same with only interior changes being made.

Jon Prue asked Mr. Bishop if he had contacted Brad Charron the Fire Marshall and Mr. Bishop answered no. Mr. Prue suggested contact be made before beginning the changes.

Pauline Harris also noted they would need to check with ANR for any permits that might be necessary.

Jen Gould asked about snow removal. Mr. Bishop answered snow removal would continue to be plowed, noting there was plenty of room to plow snow around to the back.

Pauline Harris asked about parking and if the green space was adequate. Kaela Gray presented pictures taken this afternoon portraying green space was lacking. Ms. Gray also noted that the entire parking area was an open access as in other properties on that street.

Hearing no further questions the board moved on to the last warned application.

2015-018: Nicole and Curtis Cuccia propose to expand the services offered at the single person brewery on the property of Robert and Mary Howland located at 30 Sleepy Hollow Lane to include the sale of growlers on-site. The application requires approval as an expansion of this home occupation or conditional use under section 3.2.2.8 as neighborhood facility. Site plan approval is also required under Section 9.1 of the by-laws.

Bob Howland owner of the property and Curt Cuccia owner of the business were both present.

Mr. Cuccia explained to the board he was looking to add a growler bar in about a third of the space of the brewery. A place where customers would be able to sample beer and either purchase a new growler or have one re-filled.

The hours of operation will be Friday 12:00 to 6:00 PM, and Saturday and Sunday 8:00 AM to 6:00 PM.

Craig Weston asked if all liquor permits were in place and Mr. Cuccia answered yes.

The board asked if there would be adequate parking and Mr. Howland answered there was room for as many as 12 vehicles utilizing the space in the front and side of the building.

Dave Keenan asked how many types of beer could be sold. Mr. Cuccia answered there could be up to 30, but 15 would be a sufficient number for their business.

Peter Morrisette asked if their permit request was being permitted as a home occupation as their previous permit. Mr. Morrisette has doubts as to whether this business meets the criteria of a home occupation.

Craig Weston noted it could possibly be a better fit as a neighborhood facility.

Hearing no further questions from the board a motion to go into deliberative session at 7:36 PM with Kaela Gray present was made by Jon Prue, seconded by Jen Gould and the vote carried 6-0.

A motion to come out of deliberative session at 8:23 PM was made by Jon Prue, seconded by Pauline Harris and the vote carried 5-0.

A motion to approve the Peter Hopkins sub-division as presented was made by Jen Gould, seconded by Dave Keenan and the vote carried 5-0-1 with Pauline Harris abstaining.

A motion to approve the Mark Bean permit renewal with all previous conditions remaining was made by Jen Gould, seconded by Jon Prue and the vote carried 6-0.

A motion to approve the Derek Bishop and Katherine Rossell application as presented with one condition was made by Jon Prue, seconded by Craig Weston and the vote carried 5-0.

1. All applicable state and local permits are received

A motion to approve the Nicole and Curtis Cuccia application as presented was made by Jon Prue, seconded by Craig Weston and the vote was defeated 0-5.

The board felt the application does not qualify as a home occupation or a neighborhood facility. It does not fit as a permitted or conditional use in the residential neighborhood.

At this time the board moved on to other business.

A motion to approve the April 2, 2015 minutes was made by Dave Keenan, seconded by Craig Weston and the vote carried 3-0-1 with Sherb voting via email.

A motion to approve the Cross Notice of Decision was made by Dave Keenan, seconded by Craig Weston and the vote carried 3-0-1 with Sherb Lang voting via email.

A motion to approve the Stuart Guy preliminary sub-division was made by Jon Prue, seconded by Pauline Harris with one condition and the vote carried 5-0.

1. Land exchanged between property owners only.

At this time Kaela Gray presented to the board a Site Plan Waiver for White's Market Plaza. A motion to approve the site plan waiver as presented was made by Pauline Harris, seconded by Dave Keenan and the vote carried 5-0.

At this time Kaela Gray presented a plan from Ben McCormack to pave his parking lot. The board agreed as long as he complied with his original permit and did not change the elevations and provided stamped engineers plans noting the elevation on the property before and after the paving, and a letter noting the elevation had not been changed from the engineer of the project upon completion he would not need another permit.

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

The meeting adjourned at 8:51 PM.