

TOWN OF LYNDON
DEVELOPMENT REVIEW BOARD

June 7, 2018 Minutes

Approved 6/21/18

Members

Jon Prue
Kevin McKeon
Craig Weston
Pauline Harris

Public Officials

Annie McLean
Laurie Willey

Press

Amy Nixon

Public

Lawrence Simpson
Joel Page
Kathy Simpson
David Frothingham
Alicia Cass
Kathleen Walsh
Nathaniel Killam
Barb Irwin
Brian Devereaux
Susan Hanus
Larry Dwyer
Zoe Gascon
Catherine Dwyer
David Dwyer
Rebecca Masure
John Irwin
Matt Moore
Peter Mallett

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

Approval of the May, 17, 2018 minutes was postponed until next meeting.

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 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.

Mr. Prue noted at this time any interested persons would need to be sworn in as well as the applicants, and a detailed explanation of an interested party was on the table at the back of the room.

At this time Mr. Prue swore in all applicants and interested persons.

2018-023: North Country Federal Credit Union (NCFCU) is proposing to redevelop two existing parcels located at 854 Center Street and 155 South Street with a new 3,440 SF NCFCU facility. The application requires conditional use approval for substantial improvement, elevation, relocation, or flood proofing of existing structures in the Special Flood Hazard Area (SFHA) under section 11.6.D of the Town Zoning Bylaws and site plan approval for a bank [3.3.1.12] under section 9.1.

Zoning Administrator, Annie McClean noted the first order of business 2018-023: Northern Country Federal Credit Union has requested the public hearing be postponed until the next DRB meeting.

A motion was made by Pauline Harris, seconded by Craig Weston, to postpone application 2018-023 until the next DRB meeting and the vote carried 4-0.

At this time the board moved on to the next warned item.

2018-032: Nathaniel Killam is seeking approval to raise chickens on the property located 162 Rod Key Street (single-family home). The Application requires conditional use approval for agriculture within the Residential Neighborhood District under section 3.2.2.10 of the Town of Lyndon Zoning Bylaws.

Mr. Killam was present and explained he planned on 8-10 hens without any roosters and they would not be free ranging.

Annie, ZA noted Dick Lawrence on behalf of the Caledonia County Fair presented a letter with concerns with the chickens and asked the board to review his request. The board noted the letter's request was not applicable to this application.

A motion to close the 2018-032 public hearing was made by Craig Weston, seconded by Kevin McKeon and the vote carried 4-0.

2018-022: Brian Devereaux is proposing to subdivide a 5.26 acre parcel located on Darling Hill Road into a 2.06 acre lot and a 3.2 acre lot. 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.

Brian Devereaux was present and explained the sub-division of the building lot was for a future house.

Craig Weston asked if he had state permits, and Mr. Devereaux answered yes to a state WW permit.

Larry Dwyer asked if the sub-division would change the route the Snow Cruisers use and Mr. Devereaux answered no.

Hearing no further questions or comments a motion to close the 2018-022 public hearing was made by Pauline Harris, seconded by Craig Weston and the vote carried 4-0.

2018-033: Lyndon Sno-Cruisers are proposing the stabilization of an erosion area approximately 85' L x 8' H along the west side of Stevens Brook where it joins the Passumpsic River. The application requires

conditional use approval for channel management activities within the Special Flood Hazard Area (SFHA), Floodway, and River Corridor under section 11.6 of the Town Zoning Bylaws.

Larry Dwyer, the Secretary of the Lyndon Crusiers was present and explained the club started to maintain the trail along Stevens Brook in 2015. This was a request from the club to continue the maintenance to stabilize the bank and finalize the work.

Annie noted the repair was in the floodway and had obtained a Stream Alteration permit from ANR as required under section 11.7.C.7 of the Town Zoning Bylaws. The board asked Mr. Dwyer to sign off the project with providing pictures of the finished product.

A motion to close the public hearing on application 2018-033 was made by Pauline Harris, seconded by Kevin McKeon and the vote carried 4-0.

At this time the board moved on to the next warned application.

2018-024: Rural Edge is proposing to redevelop a parcel located at 467 and 491 Main Street with two buildings containing 14 residential units. The application requires conditional use approval for multi-family dwellings in the Main Street District under section 3.8.2.1 of the Town Zoning Bylaws and site plan approval under section 9.1.

Becky Masure, representing Rural Edge explained Rural Edge is proposing to re-develop the parcel located at 467-491 Main Street by removing the existing building and replacing it.

David Frothingham, Civil Engineer, and Joel Page, Architect for the project presented extensive plans explaining the reduction in parking and the front yard setback, noting the new building would be in compliance of the sides and rear with a 20' setback in the front yard.

Larry Simpson had project questions on the type of siding, trees, and the plan for asbestos remediation.

Kathy Simpson asked about the time line of the project, and it was noted they hoped to begin demolition after the first of the year and completion would be in the range of 11-12 months.

Kevin McKeon asked if there would be adequate handicap parking and the representative answered yes.

Craig Weston asked if the parking lot would be paved, and the answer was yes, with an additional catch basin.

Catherine Dwyer asked where trash receptacles would be housed, and the answer was at the back enclosed out of sight of the general public.

Craig Weston asked if there would be a sign, and Ms. Masure answered yes, but Rural Edge would at a later date apply for separately for that.

Hearing no further questions or comments a motion to close the public hearing on application 2018-024 was made by Pauline Harris, seconded by Kevin McKeon and the vote carried 4-0.

2018-025: Susan Hanus/Hanus Realty, LLC is requesting an amendment to conditional use and site plan approval 2018-008 to provide seasonal trailhead parking and restroom facilities [port-a-lets] for Kingdom Trails at 1563 Darling Hill Road. The application requires conditional use approval under section 3.1.2.3 of the Town Zoning Bylaws for outdoor recreation and structures necessary and incidental thereto in the Rural Residential District and site plan approval under 9.1.

Ms. Hanus was present and explained to the board she would like to use a front field as a parking lot for as many as 67 vehicles with a port-a-let on site. Ms. Hanus noted the state had marked out the wetlands and the lot would not impact that area.

Ms. Hanus explained there was a need for additional parking for bike riders.

Annie asked if bikers have direct access to the trails from the parking lot, and Ms. Hanus answered yes.

Annie asked Susan to identify where the port-a-let would be located.

Jon Prue noted the port-a-let was mentioned on the permit, but not on the site-plan.

Hearing not further questions from the board, Mr. Prue asked the public for comments and questions.

Ms. Walsh asked who determined if there was a need for more parking for the trails.

Brian Deveraux, asked if Ms. Hanus charged for parking, and she answered no.

Barbara Irwin asked who staffed the parking area, and Ms. Hanus answered she would have to police the area. Discussion followed and Ms. Hanus offered if necessary she could add additional staff or if it became unmanageable 911 could be called.

At this time residents of the area expressed to the board they had concerns with the traffic, road conditions, safety of the bikers, safety of the residents, undo stress on the road, and character of the neighborhood.

Craig Weston noted Kingdom Trails needs to address the board on their proposal for the future, meet with the Town Highway Dept. and Planning Commission.

Catherine Dwyer asked who would be responsible to police the parking lot assuring it did not exceed the number of vehicles, and conditions put on the application. Ms. McLean, ZA answered if there was a violation a formal notice from the ZA would be issued.

Annie noted, she received two letters from residents of the Darling Hill area regarding application 2018-025.

At this time a motion to close the public hearing was made by Pauline Harris, seconded by Craig Weston and the vote carried 4-0.

Other Business:

Annie presented 2018-034: site-plan waiver for 23 Church Street, LLC, changing an apartment to office space.

A motion to approve 2018-034: was made by Pauline Harris, seconded by Craig Weston, and the vote carried 4-0.

Annie presented 2018-035: William and Joan Fallon, 2420 Darling Hill Rd for a garage apartment.

A motion to approve the 2018-035 site plan waiver was made by Pauline Harris, seconded by Craig Weston and the vote carried 4-0.

Annie brought to the attention of the board that further chicken requests should be regulated by an ordinance and not the DRB.

The meeting adjourned at 8:5 PM.