

**Lyndon Development & Review Board
June 19, 2014 Minutes**

Members	Public Official	Press	Public
Sherb Lang Jon Prue Jen Gould Peter Morrissette Craig Weston	Laurie Willey Justin Smith		Curt Cuccia Derek Limoges Barry Richwien Daisy McCoy

Mr. Morrissette called the meeting to order at 7:21 PM and advised there were 2 warned items and an appeal 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 to the applicants there were only 5 members present of the 7 member board. Each applicant would need to have 4 positive votes for approval. Mr. Morrissette explained applicants are given the opportunity to have their applications postponed until more board members were present. Both applicants were willing to proceed, with Mr. Richwien who is appealing the Zoning Administrator's decision asked to be postponed, also asking the board to allow him a stay until such time that the board hears his appeal.

2014-41: Derek Limoges is proposing to open and operate a used auto dealership on property owned by Lyndol & Lane Chester which is located at 217 Broad Street. The only changes to the property will be to add some stay mat for a sales lot and add new signage. The application requires conditional use approval under section 3.6.2.26 and site plan approval under 9.1 of the by-laws.

Derek Limoges was present to explain to the board the parking diagram and number of used cars he would be able to park on the lot. Mr. Limoges noted there were parking spaces for at least 75 cars, but he would be starting out smaller with the number of cars somewhere around 10, 15, or 20.

Jen Gould asked about snow removal and Mr. Limoges explained there was ample space out back to plow and store snow.

Mr. Morrissette suggested applicant apply for as many parking spaces as were available.

Jen Gould asked if there would be other employees, and Mr. Limoges answered not at this time.

Mr. Morrissette asked about the signage, and Mr. Limoges responded he was aware of the by-laws and his signs would be within the criteria and would not be lit.

Mr. Limoges noted the hour of operations would be Monday-Friday 9:00 AM til 5:00 PM and Saturday 9:00 AM- 1:00 PM.

Barry Richwien is appealing the zoning administrator's decision to require a conditional use permit for his chickens as an agricultural use in a Residential Neighborhood District under section 3.2.2.10 of the Lyndon Zoning By-laws.

A motion was made by Jon Prue, seconded by Jen Gould to postpone Barry Richwien's appeal and the vote carried 5-0.

2014-42: Covered Bridge Craft Brewery is proposing to operate a brewery and brew pub on property owned by Bradley & Deborah Gebbie which is located at 645 Broad Street. The Application requires conditional use approval under sections 3.6.2.26 and/or 4.2.2, as well as site plan approval under section 9.1 of the By-laws.

Curt Cuccia was present to explain to the board Covered Bridge was planning to take over Trout River Brewery and expand adding seasonal outside seating by 30 seats and increase the number inside by approximately 8.

Hours of operation will be Wednesday thru Thursday 11:00 AM-9:00 PM, Friday and Saturday 11:00-11:00 and Sunday 11:00- 7:00 PM.

Mr. Cuccia noted the sign would be replaced with a 5' X 8' sign.

Justin Smith noted that the wastewater would be permitted by the state due to the change in seating. Mr. Smith also noted there was ample parking for the increased number of seats.

Craig Weston asked what type of delivery vehicles he expected and how would they off load. Mr. Cuccia answered the trucks would be straight trucks and they would pull in parking lot to off load.

Craig Weston asked if he would have outside lighting, and Mr. Cuccia answered yes during hours of operation.

At this time Justin Smith noted that Mr. Cuccia would need to make contact with Phil Laramie, the Wastewater Treatment Plant Operator to find out the conditions for Trout River's discharge into the Town's Wastewater Treatment System.

Hearing no further questions from the board or public, a motion to go into deliberative session with Justin Smith present was made by Jen Gould, seconded by Jon Prue and the vote carried 5-0.

A motion to come out of deliberative session at 8:15 was made by Jon Prue seconded by Craig Weston with the following decisions being made.

2014-41: A motion to approve the Derek Limoges application as presented was made Jon Prue, seconded by Sherb Lang with the following conditions and the vote carried 5-0.

1. 40 vehicles with the option to ask for more/no double rows to start
2. No parts/inoperable vehicles onsite
3. No moveable carports/tents
4. Hours of operation as presented
5. Signage 40' free-standing, 60' building
7. 10' minimum buffer
8. No motor vehicle repairs
9. Vehicles off loaded on-site and may not be unloaded along the edge of US Route 5 (Broad Street).

2014-42: A motion to approve the Covered Bridge Craft Brewery application as presented was made by Jen Gould, seconded by Jon Prue with the following conditions and the vote carried 5-0.

1. Hours of operation: Wednesday-Thursday 11AM-9PM, Friday & Saturday 11AM-11PM, and Sunday 11AM-7PM.
2. Continue to follow requirements of the Wastewater Treatment Facility Operator.
3. 78 seats total---30 outside and 48 inside.
4. Upgrade WW permit with state for seating
5. Meet W/liquor inspector for outdoor seating
6. All lighting shall be downcast. Lighting for signs only on until one (1) hour after operations.

At this time the board moved on to other business:

Justin Smith explained to the board the Durham's of Speedwell Estates had exceeded their 12 month window of opportunity to clean up their fire destroyed property. A motion was made by Jon Prue, seconded by Sherb Lang to forward the issue to the Selectboard.

The board agreed that Justin Smith will send a letter of violation to Kurt Holmes.

Justin Smith brought to the board's attention that Ian & Madelene Balcom had failed to adhere to their permit noting chickens would not be free-range.

A motion to approve the Marie & Gordon Thresher Notice of Decision was made by Jon Prue, seconded by Sherb Lang and the vote carried 4-0.

A motion to approve the Robert Martin Notice of Decision was made by Sherb Lang, seconded by Jon Prue and the vote carried 4-0.

A motion to approve the June 5, 2014 minutes was made by Craig Weston, seconded by Jon Prue and the vote carried 4-0.

A motion to adjourn was made by Jon Prue, seconded by Craig Weston, and the vote carried 4-0.

The meeting adjourned at 8:39 PM.