

Lyndon Development & Review Board
August 21, 2014 Minutes

Members	Public Official	Press	Public
Sherb Lang Pauline Harris Sara Simpson Jon Prue Dave Keenan Wilder Simpson Craig Weston	Laurie Willey Justin Smith		Nancy Connaway Bruce Connaway Eric Johnson Edward Robbins Eric Urch Alice Sachse Richard Kinney

Mr. Prue called the meeting to order at 7:02 PM and advised there were 4 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.

2014-65: Mark Robbins is proposing to sub-divide a 2.07 acre parcel of land off from an existing 222 acre parcel owned by Edward Robbins. In addition the Applicant is proposing to place a single family home and deck on the 2.07 acre parcel which is located at 1556 Cold Hill Road. The Application requires final plat approval for a minor sub-division under section 7.6 of the by-laws.

Eric Johnson was present to speak on behalf of his brother-in-law Mark Robbins. Mr. Johnson explained Mr. Robbins is proposing to put up a Coventry Log Home. Mr. Johnson presented the plans to the board.

Wilder Simpson asked how long the Right of Way would be and Mr. Edward Robbins answered approx... 700-900'.

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

2014-68: Environmental Compliance Services, Inc. is proposing a temporary remediation system to clean soil and groundwater contamination on property owned by Fredric Oeschger located at 724 Broad Street. The proposed use is not listed as a specific conditional use in the commercial district and requires approval under section 3.6.2.26 "other uses". The equipment will not meet the rear setback requirement which requires conditional use approval under Section 4.4.3, as well as site plan approval under Section 9.1 of the zoning by-laws.

Eric Urch, Environmental Consultant for ECSI was present to explain they would be putting a temporary structure over the 8 installed remediation wells. Mr. Urch noted the treated water would be discharged into the wastewater system approved by the state, and vapors would be discharged after treatment. Mr. Urch explained at this site the liquids would be treated with carbon, vapors burned off and there would not be barrels stored on site.

2014-70: Nancy and Bruce Connaway are proposing to build a breezeway and attached garage onto their house located at 33 Perleys Lane. The garage will have a non-conforming front setback. The application requires conditional use approval under section 4.4.3, as well as site plan approval under section 9.1 of the by-laws.

Mr. Connaway was present and explained to the board there is an existing shed that is in disrepair which is fairly close to the road. Mr. Connaway would like to take it down when they build the new garage. Mr. Connaway noted the new garage and breeze-way fits the property, looks right and does not cause any problems with the road. They intend to use it for storing vehicles and boxes.

At this time Mr. Prue moved on to the last warned item on the agenda.

2014-71: Alice Sachse is proposing to place an above ground pool on her property located at 341 Pinehurst Street. The pool will have a non-conforming side setback and requires conditional use approval under section 4.4.3, as well as site plan approval under section 9.1 of the by-laws.

Alice Sachse explained to the board until she saw an article in the paper concerning pools in Lyndon she was not aware that she needed a permit for an above ground pool. Ms. Sachse noted the pool was half up at this time and did not meet the necessary setbacks.

Mr. Smith noted a neighbor has asked that she put a fence around the pool and Ms. Sachse agreed she would.

At this time Ms. Sachse noted there were not many structures in her neighborhood that did meet the variances and Mr. Smith and the board agreed.

Hearing no further questions from the board or public, a motion to go into deliberative session at 7:39 PM with Justin Smith present was made by Sherb Lang, seconded by Pauline Harris and the vote carried 7-0.

The board returned from deliberative session at 7:57 PM. Dave Keenan made the motion, Sherb Lang seconded and the vote carried 7-0. The following decisions were made:

2014-65: A motion to approve the Mark Robbins sub-division was made by Dave Keenan, seconded by Pauline Harris and the vote carried 7-0.

2014-68: A motion to approve the Environmental Compliance Services, Inc. application as presented with the following condition was made by Sara Simpson, seconded by Craig Weston and the vote carried 7-0.

1. A fence be put up to secure the equipment

2014-70: A motion to approve the Nancy and Bruce Connaway application as presented was made by Wilder Simpson, seconded by David Keenan and the vote carried 7-0.

2014-71: A motion to approve the Alice Sachse application as presented with one condition was made by Sherb Lang, seconded by Craig Weston and the vote carried 7-0.

1. Fence around the pool

At this time the board moved on to other business.

A motion to approve the July 3, 2014 minutes was made by Pauline Harris, seconded by Sara Simpson and the vote carried 4-0.

At this time the board signed the following Notice of Decisions.

1. Lionel Simard
2. Boys' & Girls' Club
3. Alan Brink appeal

A motion to adjourn was made by Dave Keenan, seconded by Pauline Harris and the vote carried 7-0.

The meeting adjourned at 8:02 PM.