

**Lyndon Development & Review Board
September 4, 2014 Minutes**

Members	Public Official	Press	Public
Sherb Lang Jon Prue Craig Weston Jen Gould Dave Keenan	Laurie Willey Justin Smith	News 7 Julia Rose Victoria Nicoletts	Kathleen Nichols Corinne Chamberlin Roger Heywood Edward Ryan Janet St. Onge Ruby Eastman Lenore Dwyer Sara Dwyer Bob Duggan Kate Campbell

Vice-Chair Jon Prue called the meeting to order at 7:04 PM and advised there were 3 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. At this time Mr. Prue read the entire by-laws that explained the criteria of Interested Person status.

Mr. Prue swore in the applicants and members of the public seeking interested person's status.

2014-73: Kathleen Nichols is proposing to sub-divide a 4.4 acre parcel of land off from her existing 20.2 acre parcel which is located at 535 Couture Flat. The Application requires final plat approval for a minor sub-division under section 7.6 of the by-laws.

Justin Smith shared the sub-division map with the board noting all existing structures would be part of the 4.4 acre parcel.

Mr. Smith noted both lots meet all necessary set-backs.

2014-75: Learn, Inc. is proposing to relocate their school to Steven & Robin Young's property which is located at 216 Broad Street. The proposed school use requires conditional use approval under section 3.6.2.24. The application also requires site plan approval under Section 9.1 of the zoning by-laws.

Ed Ryan Co-founder of Learn presented to the board that Learn, Inc. was a private, non-profit school that has been in existence for 12 years. Mr. Ryan noted that approximately 200 hundred students have come and gone through the program with approximately 50 graduating. The number of students scheduled for this year is 17 with approximately 6 staff members.

Kate Campbell noted that many of the students go off site daily to surrounding schools for various programs.

Jen Gould inquired as to whether lunches would be made and Mr. Ryan answered no but the kitchen would be utilized by the students as part of the curriculum.

Craig Weston asked at what time to students check in and Mr. Ryan noted the school day began at 9:00 AM and went to 3:00 PM. Students that attended other programs go directly to their sites and check in at Learn at various times.

Craig Weston asked if students would be utilizing the parking spaces and Mr. Ryan noted that over the past years he could only recall one student ever having a vehicle and driving to school.

Jon Prue asked what kind of sign they intended to have and Mr. Smith read from the application a 4' x 5' free standing sign on the existing posts.

Hearing no further questions from the board, Mr. Prue asked if anyone seeking interest party status had any questions or comments.

Lenore Dwyer owner of the flower shop A-Daisy-Daze was present and noted she had numerous concerns. Ms. Dwyer noted students had been cross-cutting across her property and smoking behind the building. Ms. Dwyer further explained loitering, smoking and the use of foul language would not be very inviting to her customers, ultimately having an impact on her business. Ms. Dwyer also noted she had concern about an electrical switch to a cooler mounted outside. Members of the board suggested she have the shut-off secured with a lock.

Jen St. Onge spoke on behalf of Learn stating it was their intent to not have the children cross Ms. Dwyer's property and it was the schools intentions to be respectful good neighbors.

Discussion continued between interested parties and Chairman Jon Prue noted the board had enough information to act on the application.

2014-76: Roger Heywood is proposing to build a deck onto the back side of the house and enlarge the front porch on his property located at 1589 Red Village Road. In addition he will have two horse shelters on the property. All four structures require conditional use approval for non-

conforming setbacks. 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. Heywood was present and explained to the board that the horse structure was no longer going up as they were able to secure the existing barn. At this time Mr. Heywood explained he only wanted to continue with enlarging the front porch to approximately 6' X 8' and add a small deck to the back stairs.

Mr. Smith noted other properties in the area have non-conforming set-backs.

Hearing no questions from the board, questions were opened to the public.

Corinne Chamberlin asked if the temporary structure had been taken down yet and Mr. Heywood answered yes.

Hearing no further questions from the board a motion to go into deliberative session at 7:57 PM with Justin Smith present was made by Jen Gould, seconded by Dave Keenan and the vote carried 5-0.

A motion to come out of deliberative session at 8:25 PM was made by Craig Weston, seconded by Dave Keenan with the following decisions being made.

A motion to approve the Kathleen Nichols sub-division as presented was made by Jen Gould, seconded by Dave Keenan and the vote carried 5-0.

A motion to approve the Learn, Inc. application as presented with the following conditions was made by Sherb Lang, seconded by Jen Gould and the vote carried 5-0.

1. No Drop-off on edge of Rte. 5
2. 6 parking spaces, if snow takes up parking area it will need to be contracted for removal
3. Delivery trucks must drop-off on property
4. No backing out onto Route 5

At this time the board commented they hoped there would be clear and concise communication between neighbors.

A motion to approve the Roger Heywood application as presented with the following conditions was made by Sherb Lang, seconded by Jen Gould and the vote carried 5-0.

At this time the board moved on to other business.

For the record, Justin Smith presented to the board a letter from Madeline Antonucci.

A motion to approve the Aug. 21, 2014 minutes was made by Craig Weston, seconded by Dave Keenan and the vote carried 4-0.

At this time the board signed the following notices of decision.

- Alice Sachse
- Mark Robbins
- Nancy Connaway
- ECS

A motion to adjourn was made by Sherb Lang, seconded by Dave Keenan, and the vote carried 4-0.

The meeting adjourned at 8:37 PM.