

TOWN OF LYNDON
DEVELOPMENT REVIEW BOARD
September 21, 2017 Minutes
Approved 10/5/17

Members	Public Official	Press	Public
Brandon Carpenter Kevin Cole Dave Keenan Kevin McKeon	Annie McLean Laurie Willey		Dan Guest Samantha Davis David Lussier Nathan Sicard Chris Swanson David Bates Darcie McCann Neda Wartsler

Vice Chairman Brandon Carpenter called the meeting to order at 7:00 PM and advised there were four warned items on the agenda.

The first order of business was to accept a motion made by Dave Keenan, seconded by Kevin McKeon to move agenda item 2017-069, and the proposal for sketch plan review of the Eric Berry, 3-lot subdivision to be heard first and the vote carried 4-0.

At this time a motion to approve the Sept. 7, 2017 minutes was made by Kevin McKeon, seconded by Dave Keenan and the vote carried 4-0.

Mr. Carpenter noted there were not any non-agenda items to address.

Mr. Carpenter 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. Carpenter advised after all comments and questions were finished, the board would discuss the applications in deliberative session. Mr. Carpenter 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. Carpenter 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.

A brief explanation was given by Mr. Carpenter as to interested party status and he also explained the DRB board was a 7 member board with only 4 members present tonight. Mr. Carpenter further explained applicants were given the option to postpone their application until the next meeting or until more members were present. It is noted applicants present declined the offer.

At this time Mr. Carpenter swore in the applicants and interested persons.

2017-069: Daniel Guest is seeking approval for tenants of the property located at 28 Charland Street (single-family home) to raise 10-20 chickens. 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. Guest was present and explained Neda Wartsler was a possible tenant for 28 Charland St. Ms. Wartsler explained she currently has chickens and would like to increase the number to include the possibility of raising meat chickens as well as egg layers. Hearing no questions from board member or the public a motion was made by Dave Keenan, seconded by Kevin Cole to close the hearing and the vote carried 4-0.

The Eric and Meredith Berry sketch plan review for a 3-lot subdivision was presented by David Lussier. Mr. Lussier noted the land is currently being surveyed and provided a sketch of the proposal. Ms. McLean referred the board to the conditions she proposed.

A motion was made by Dave Keenan, seconded by Kevin McKeon to approve the Eric and Meredith Berry Sketch Plan as presented with the 3 conditions presented by ZA and the vote carried 4-0.

At this time Mr. Carpenter explained a request from applicant 2017-066 for a continuance to the February 15, 2018 meeting had been made and a motion was made by Kevin McKeon, seconded by Dave Keenan to accept request. The vote carried 4-0.

Mr. Carpenter further noted that a request from applicant 2017-067 for a continuance to the October 5, 2017 meeting had been made and the request was approved on a motion made by Kevin McKeon, seconded by Dave Keenan. The vote carried 4-0.

2017-065: CN Donuts, LLC is proposing to redevelop the existing parking and access and construct a 1,700 SF drive-in restaurant/retail store on a portion of the property located at 45 Broad Street. The application requires conditional use approval for a drive-in restaurant in the Commercial District under section 3.6.2.9 of the Town Zoning Bylaws, conditional use approval for development in the Special Flood Hazard Area (SFHA) under section 11.6.D, and site plan approval for a drive-in restaurant [3.6.2.9] and retail store [3.6.1.5] under section 9.1.

Nate Sicard, Civil Engineer with Ruggles Engineering was present and noted he was working with CN Donuts and the Nurenberg family to get the project moving forward. Mr. Sicard noted he was working on major components for The Sketch Plan Review for Nurenberg Holdings LLC, 2-lot sub-division. Mr. Sicard noted that he was working on all required state permits and would submit them as approved.

Mr. Sicard proceeded with the proposal from CN Donuts, LLC. Mr. Sicard presented pages of the proposed design for the space with comments and explanations from Chris Swanson representing CN Donuts, LLC.

Mr. Swanson noted they would like to keep exterior lighting as minimal as possible. Landscaping would be extensive along the lines of raised beds with shrubs and flowers and if requested he could provide pictures of other stores, ZA asked if landscaping would include screening along route 5, and Mr. Swanson answered no, not at this time.

Mr. Sicard presented a sign package, noting the total signage is over current rule as presented and is requesting conditional use approval for up to 125% of the allowed signage.

Mr. Sicard noted the parking for the proposed store meets and exceeds current by-laws,

Ms. McLean inquired as to the possibility of an alternate design. Mr. Swanson answered they have a Colonial style used in other New England states. Mr. Swanson noted the Colonial Style includes a cupola and dormers, adding he would suggest the cupola be deleted as it does not hold up in harsh New England weather and that one dormer be deleted due to the size of the building.

ZA, asked if there were plans to add fill, and Mr. Sicard answered no, they possibly would be removing some.

Mr. Sicard noted, there was a snow removal plan with the option to be able to stack if necessary in several places on the property.

Kevin McKeon asked if the signs would be lit, and Mr. Swanson answered only during business hours.

Mr. Swanson further noted that trash will be fenced in, delivery by tractor trailer would be 2 X a week and the hour of operation would be 5:00 AM-10:00 PM 7 days a week.

Mr. Sicard noted CN Donuts would like to begin construction as soon as possible and have the foundation in by winter.

Hearing no public comment a motion to close the public hearing was made by Kevin McKeon, seconded by Dave Keenan and the vote carried 4-0.

At this time the board moved on to the Nurenberg Sketch Plan Review. Darcie McCann, Sid Nurenberg's niece was present and explained Mr. Nurenberg's request. ZA noted, lot 1 of the sub-division could not be built on without getting a LOMA.

Hearing no further questions a motion to approve the Nurenberg Sketch Review as presented with 3 conditions was made by Dave Keenan, seconded by Kevin Cole and the vote carried 4-0.

2017-066: William and Roberta Walker are proposing to subdivide 70.12 acres of land located at 328 Walker Ridge Road into a 2.77-acre house site (existing house) and 67.35 acres of remaining land. 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 (*continuance requested*).

2017-067: William Gould is proposing to subdivide a 22.47 acre parcel located at 100 Cold Hill Road into an 18.96 acre lot and a 3.50 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 (*continuance requested*).

At this time the board moved on to other business.

Ms. McLean noted a request to move the starting time of the meeting back to 6:00 PM for the winter. Ms. McLean will survey all members and share results.

A motion to close the meeting was made by Dave Keenan, seconded Kevin McKeon and the vote carried 4-0.

The meeting adjourned at 8:13 PM.