

# Lyndon Development & Review Board

Oct. 1, 2015 Minutes

<b>Members</b>	<b>Public Official</b>	<b>Press</b>	<b>Public</b>
Craig Weston Jon Prue Peter Morrissette Brandon Carpenter	Laurie Willey Kaela Gray		James Lang Mark Simpson

Mr. Morrissette called the meeting to order at 7:05 PM and advised there was 1 warned item 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 explained to the applicants the DRB is a 7 member board with only 4 members present and applicants would need four affirmative votes.

Applicants will be given the option to postpone their application to another date. James Lang and Mark Simpson both noted they would proceed with the 4 member board.

2015-086: James Lang is proposing to open an auto parts retail store and warehouse on the property located at 8 Dean's Lane. The uses as a retail store and a wholesale distribution facility are both permitted uses in the Commercial District, and require site plan approval under section 9.1 of the zoning by-laws.

Mr. Lang presented the board with detailed pictures noting where the main building, warehouse and parking lot were located. Mr. Lang noted the space was approximately 7400 square feet with 3000' of that being retail space.

Mr. Lang will begin with 4 staff members, of which 2 will be counter people, 1 an outside salesman and 1 a delivery person with plans to increase staff to 8 in the future.

Mr. Morrissette asked the hours of operation, and Mr. Lang answered Monday-Friday 7-5:30 PM, Sat. 8-1:00 PM and Sunday 9-1:00 PM.

Craig Weston asked if there was adequate parking and Mr. Lang noted on the map parking exceeded the required 10 spaces.

Craig Weston asked about signage, and Mr. Lang noted the sign would be LED lit from the back, and would be turned off 1 hour after closing.

Mr. Morrissette asked when he planned to open for business and Mr. Lang Answered 11-7-15.

Craig Weston asked how he would receive deliveries, and Mr. Lang answered Monday-Friday at 4:00 AM.

Mr. Lang explained 70% of his business was wholesale with the remaining 30% walk in retail.

Hearing no further questions from the board, Mr. Morrissette moved on to old business.

- Old Business: 2015-078: Mark Simpson is proposing to construct a new multi-family dwelling containing three units on his property located at 547 Lynburke Road. The property currently has twenty dwelling-units on site. The Application requires conditional use approval for a multi-family dwelling within this Commercial District under Section 3.6.2.1 of the bylaws, and site plan approval under section 9.1.

Mr. Simpson was present and explained to the board he would like to build an apartment building the same as the one he built last year with an office.

Craig Weston asked if he would have adequate parking and Mr. Simpson answered yes.

Craig Weston inquired about the septic and Mr. Simpson answered Keith Johnson would be engineering it.

Hearing no further questions a motion to go into deliberative session at 7:22 PM with Kaela Gray present was made by Jon Prue, seconded by Craig Weston and the vote carried 4-0.

A motion to come out of deliberative session at 7:45 was made by Jon Prue, seconded by Brandon Carpenter and the vote carried 4-0.

A motion to approve the James Lang application as presented with the following conditions was made by Jon Prue, seconded by Craig Weston and the vote carried 4-0.

1. The number of employees will be eight.
2. All lighting for signage will be turned off 1 hour after closing.
3. The approved hours of operation are Monday-Friday 7-5:30, Saturday 8-1, and Sunday 9-1.

4. Any security lighting must be downcast.

A motion to approve the postponed application for Mark Simpson with the following conditions was made by Jon Prue, seconded by Craig Weston and the vote carried 4-0.

1. The building be similar in style and construction to other's on the property
2. Parking will meet town requirements for 3 apartments and an office
3. All applicable Water & Wastewater permits are received

A motion to approve the Sept. 17, 2015 minutes was made by Brandon Carpenter, seconded by Jon Prue and the vote carried 2-0-2 with votes via email from Pauline Harris, & Dave Keenan.

A motion to approve the MAG Enterprises Notice of Decision was made by Jon Prue, seconded by Brandon Carpenter and the vote carried 2-0-2 with votes via email from Pauline Harris & Dave Keenan.

A motion to approve the All About the Cake site plan waiver was made by Jon Prue, seconded by Brandon Carpenter and the vote carried 4-0.

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

The meeting adjourned at 7:53 PM.