

TOWN OF LYNDON
DEVELOPMENT REVIEW BOARD

Oct. 20, 2016 Minutes

Approved 11/3

Members	Public Official	Press	Public
Kevin McKeon	Annie Geratowski	Amy Nixon	Randy Stoddard
Jon Prue	Laurie Willey		Ronald Sherburne
Brandon Carpenter			Alan Brink
Dave Cobb			Sharon Amoroso
Dave Keenan			Tanya Brink
Craig Weston			Mark Bertolini
			Michael & Patricia Leduc
			Duane Thompson
			Mariann Bertolini

Mr. Prue called the meeting to order at 7:00 PM and advised there was 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.

At this time Mr. Prue swore in the applicants and interested parties.

- **2016-82:** Louis Buzzi (Northeast Storage, LLC) is seeking approval to place 4,000 cubic feet of fill within the Flood Hazard Area on his property located in the Commercial District at 131 Stevens Loop. The application requires conditional use approval for land development in the Flood Hazard Area under Section 11.1 of the Town Zoning Bylaws and site plan approval under Section 9.1

Ms. Geratowski noted Mr. Buzzi requested a postponement to a future meeting.

- **2016-84:** The Robert Doyon Trust is proposing to subdivide a 40 acre parcel located in the Rural Residential District on Calendar Brook Road, into two lots; a 2.6 acre building lot and 37.4 acres of remaining land. The application requires final plat approval for a minor subdivision under section 7.7 of the Town Zoning Bylaws and site plan approval under section 9.1.

Mark Bertolini was present representing Mr. Doyon.

Mr. Bertolini submitted a survey plat noting the two lot sub-division. Mr. Bertolini noted the survey plat shall comply with all requirements of the state and section 7.7 of the Town Zoning By-laws, including meeting state wastewater permits.

Hearing no questions from the board, Chairman Prue noted there were interested parties present.

Ronald Sherburne representing Lynn Haven Fire District explained their water came though the Christmas tree farm and noted they have a concern the water supply could be affected.

Mr. Bertolini explained Mr. Doyon has a permitted WW system for the 2.6 acre building lot and would obtain permits for the remaining acres as required.

Mr. Prue advised Mr. Sherburne to contact the local ANR office in St. Johnsbury with his concern.

At this time Mr. Prue moved on to the next warned item, noting there wasn't anyone present representing application 2016-85. A motion was made by Dave Cobb, seconded by Brandon Carpenter to postpone the application until the Nov. 3, 2016 meeting and the vote carried 6-0.

- **2016-85:** McDonald Holdings, LLC is seeking approval to convert the former Community National Bank building located in the Village Commercial District at 1033 Broad Street, into office space for several tenants. The application requires site plan approval under section 9.1 of the Town Zoning Bylaws.

Mr. Prue moved on to the final warned item on the agenda.

- **2016-86:** Alan and Tanya Brink are proposing to raise chickens for personal use at their home located at 76 White Pine Lane. 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 and site plan approval under section 9.1.

Alan Brink was present and noted he had built a 4' X 6' chicken coop and had placed it 26' from the property line. Mr. Brink noted he would like to raise 12 chickens. Mr. Brink further explained the chickens would be in a fenced area, the food would be kept in sealed containers and he would not have any roosters.

Hearing no questions from the board, Mr. Prue asked if there were any questions from interested parties.

Randy Stoddard stated he lived at 21 White Pine Lane and has an issue with anyone having chickens in his neighborhood. Mr. Stoddard explained there were deed restrictions and Mr. Prue noted deed references are not enforced by the DRB board.

Mr. Stoddard further noted he had concerns with the way the wind blew and the potential he would be faced with smelling chicken manure. Mr. Stoddard also noted he was concerned with resale value of properties.

Sharon Amoroso another neighbor, noted she did not have any problem with the Brinks having chickens.

Duane Thompson noted he was a neighbor and also had concerns with the disposal of the manure.

Anne Geratowski noted for the record a letter had been received from The Taylors another neighbor stating, they were opposed to the Brinks raising chickens in their neighborhood.

Hearing no further questions a motion to go into deliberative session at 7:28 PM with Annie Geratowski and Laurie Willey present was made by Craig Weston, seconded by Kevin McKeon and the vote carried 6-0.

A motion to come out of deliberative session at 7:54 PM with the following decisions was made by Dave Cobb, seconded by Brandon Carpenter and the vote carried 6-0.

A motion to approve the Robert Doyon Trust application as presented with the following condition was made by Dave Keenan, seconded by Craig Weston and the vote carried 6-0.

1. Sub-division meets 7.7 of the Town Zoning Bylaws

A motion to approve the Alan and Tanya Brink application as presented with the following conditions was made by Brandon Carpenter, seconded by Craig Weston and the vote carried 6-0.

1. Mr. Brink meets performance standards of 4.4.5 of the bylaws
2. The coop must meet the required setbacks
3. All chicken feed must be stored in sealed containers
4. Roosters are not permitted\
5. Free-ranging is not permitted, chickens must be fenced in at all times
6. New site plan meets 9.1 for the file

At this time the board moved on to other business.

Ms. Geratowski presented site-plan waiver 2016-90: for AmeriGas, noting there would not be a change in the property and the sign met requirements.

Craig Weston made a motion to approve site-plan waiver 2016-90, seconded by Dave Keenan and the vote carried 6-0.

A motion to adjourn was made by Brandon Carpenter, seconded by Dave Cobb and the vote carried 6-0.

The meeting adjourned at 8:23PM.