

## Lyndon Development & Review Board

### Dec. 18, 2014 Minutes

<b>Members</b>	<b>Public Official</b>	<b>Press</b>	<b>Public</b>
Sherb Lang Eric Paris Dave Keenan Craig Weston Peter Morrisette Jon Prue	Laurie Willey Kaela Gray		Madeline Antonucci Frances Taylor Ben McCormack Leland Taylor

Mr. Morrisette called the meeting to order at 7:02 PM and advised there were 3 warned items on the agenda.

Mr. Morrisette 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. Morrisette 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. Morrisette 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. Morrisette noted anyone present seeking interested party status would need to be sworn in as well as applicants.

2014-113: Madeline Antonucci is proposing to sub-divide a .081 acre portion of her property located at 239 Pine Ridge Circle to sell to adjoining landowners Frances and Leland Taylor. The Application requires final plat approval for a minor sub-division under section 7.6 of the by-laws.

Madeline Antonucci was present and explained Truline had completed a survey and the piece to be sub-divided was pie shaped at the north end of her property. Ms. Antonucci noted all state permits have been approved.

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

2014-115: Alan Brink is applying for a permit for an above ground pool at his property on 76 White Pine Lane. The pool does not meet the minimum setbacks and is seeking approval as a Conditional Use under section 4.4.3 of the by-laws and site plan approval under section 9.1 of the by-laws.

Mr. Brink was not present at the meeting. At this time the board noted they would discuss Mr. Brink's application in deliberative session.

2014-118: Ben McCormack is proposing to relocate his medical clinic to the property owned by Terry LeClair at 569 Main Street. The application requires conditional use approval under sections 3.8.2.8 and/or 4.2.2, as well as site plan approval under section 9.1 of the by-laws.

Mr. McCormack was present to explain he was under contract with Terry LeClair to purchase the building at 569 Main Street and would like to move his Physical Therapy Office to the new location.

Mr. McCormack noted parking needs were met. Renovations would need to be done inside to change use from retail to medical.

Craig Weston asked about signage and Mr. McCormack noted he would use the same sign posts, and sign would have downcast lighting.

Sherb Lang asked hours of operation and Mr. McCormack answered Monday- Friday 7:00 AM-6:00 PM.

Hearing no further questions from the board a motion to go into deliberative session at 7:25 PM with Kaela Gray present was made by Jon Prue, seconded by Dave Keenan and the vote carried 6-0.

A motion to come out of deliberative session at 7:42 was made by Jon Prue, seconded by Eric Paris with the following decisions being made and the vote carried 6-0.

2014-115: Alan Brink application: A motion was made by Sherb Lang, seconded by Eric Paris that the DRB board suggest to the Selectboard that a fine for Alan Brink's violation should be made retroactive until its initial start date in November, due to the incomplete nature of Mr. Brink's application, in light of the fact that he did not show up to the hearing. The motion passed 6-0.

A motion to approve the Madeline Antonucci application as presented was made by Jon Prue, seconded by Eric Paris with the following condition and the vote carried 6-0.

1. sub-divided piece be sold only to the Taylors

A motion to approve the Ben McCormack application as presented was made by Jon Prue, seconded by Dave Keenan with the following conditions and the vote carried 6-0.

1. hours of operation will be 7:00 AM-6:00 PM Monday-Friday
2. sign-meets requirements of the Main Street District
3. Lights on sign and building shall be downcast and turn off 1 hour after the close of business

At this time the board moved on to other business.

A motion to approve the Dec. 4, 2014 minutes was made by Dave Keenan, seconded by Craig Weston and the vote carried 4-0-2 with Jon Prue and Eric Paris abstaining.

A motion to approve the Rainey & Bouffard Notice of Decision was made by Dave Keenan, seconded by Sherb Lang and the vote carried 4-0-2 with Jon Prue and Eric Paris abstaining

Kaela Gray brought the board up to date on Kurt Holmes. Ms. Gray noted she had sent Mr. Holmes a violation on Nov. 25, 2014 and he had until Dec. 2, 2014 to resolve. Mr. Holmes has not replied 16 days later.

A motion was made by Jon Prue, seconded by Sherb Lang to forward this matter to the Selectboard and the vote carried 6-0.

Mike Hemmond made a request to the board not to have to pin the driveway on the Cross subdivision. Mr. Hemmond noted he would describe on paper the metes and bounds. The board agreed that would be sufficient.

Kaela Gray presented information to the board regarding an event Danny Zentz would be holding at the Caledonia Fair Grounds in May and the board agreed it was out of their jurisdiction.

A motion to adjourn was made by Jon Prue, seconded by Dave Keenan and the vote carried 6-0.

The meeting adjourned at 8:10 PM.