

**Town of Londonderry
Development Review Board (DRB)
Meeting Minutes for 5-16-18
100 Old School Street (Twitchell Building)
South Londonderry, VT**

Full Board present, no absences.

Co-Chair Denis Pinkernell Called the meeting to order at 5:30 PM.

Esther moved to add the continued review of Zoning Permit Application 005-18, John & Roberta Schwartz to the agenda, seconded by Bob, approved by all in favor.

Denis introduced the discussion of **Zoning Permit Application 005-18, John & Roberta Schwartz for the construction of a new single family home** by stating that the Board was waiting for a letter from the Town of Londonderry Road Foreman stating that Bentley Drive met the Town's road standards. The Board was presented with a letter from Road Foreman Mathew Rowson which stated that Bentley Drive "exceeded" the Town's Road standards. The Board thanked Mr. Swartz and indicated that the letter would be considered as part of their deliberative session and that Mr. Schwartz would be notified of their determination.

Denis introduced the discussion of **Permit Application 004-18, Edger & Susan Stoddard – Change of Use: conversion of old school building into storage units and a rental space to be used as a redemption center.** Discussion of information that the Board had requested previously from Mr. Stoddard. Mr. Stoddard provided the Board with documentation including: Record of fire inspection and certification of fire code compliance, interior drawings indicating the configuration of the 13-16 storage spaces and one rental space to be used as a redemption center.

The Board clarified that it was reviewing the change in use involving proposals for the interior of the building only and that the possible future addition of exterior storage units was outside the scope of the permit and would require a separate application.

The Board asked Mr. Stoddard to clarify the current and proposed lighting, potential traffic in and out of the site and the hours of operation. Mr. Stoddard indicated he had no plans to change the lighting which are currently on timers and that while out of hours/late night use of the facility by customers is possible since each storage renter will have a key to their unit, late night access would be rare.

Discussion of lighting, hours of use and visibility by neighboring residents followed. No comments related to this application were offered by members of the public. **Denis** thanked Mr. Stoddard and indicated that the Board would deliberate at the end of the meeting and inform Mr. Stoddard of their decision.

Denis began the discussion of **Permit Application 002-18, State of Vermont – Construction of prefabricated 8' X10' Contact Station/Office Building in Lowell Lake State Park**. Ethan Phelps, representative of Vermont Forests, Parks and Recreation presented the Board with a summary description of the proposed Contact Station indicating that the agency has identified the need for a point of contact for the public entering the park.

Denis noted that the application referred to the structure as “temporary” and asked how long the structure would be in place. Mr. Phelps responded that it could be in place for several years.

A discussion of the structures dimensions and location followed.

Zoning Administrator **Robert Nied** indicated that the structure’s proposed location would not be in compliance with the Town of Londonderry Zoning Bylaw which states in Table 2-1 on page 1 that structures within the Shoreland Conservation District must have a setback from the lake shore of 300 feet. Frank Spaulding, Project Director for the Vermont FPR indicated that the structure would be exempt from the setback requirement because it was an Accessory Structure. **Robert** stated that the Contact Station was, in his opinion not consistent with the letter and intent of the Zoning Bylaw, which gives examples of an accessory structure that include “dog house”, “shed”, etc.

Mr. Spaulding then stated that he believed that the Contact Station would be exempt from the Bylaw provisions including the setback requirements because the structure would be in support of a “Public Use” defined in Section 417(A)(1). **Robert** questioned how the Contact Station was necessary for the operation of the park as a Public Use. Mr. Spaulding and Mr. Phelps stated that the contact station was necessary for the future operation of the park. **Denis** stated that he agreed with that the Public Use provision was the overriding factor as the Board reviews this application. A discussion about the applicability of the Public Use exemption followed.

Denis thanked Mr. Phelps and Mr. Spaulding for attending the meeting and indicated that the Board would deliberate at the end of the meeting and notify Mr. Spaulding of their determination.

Denis introduced the discussion of Permit Application 010-18, Jason & Terri O'Connor – Change of Use: Vacant to retail market (The former "Pantry"). Jason O'Connor described his plans for the building and business in detail. A lengthy discussion hours of operation, services to be provided and the uses of the building followed. Jason and Terri O'Connor provided answers to the Board's questions. Mr. O'Conner provided additional documentation that was reviewed by the Board including a description of parking accommodation including deed entries from the 1800's indicating access to an additional parking area as well as a letter offering the use of a neighboring parking lot.

Denis introduced the discussion of **Permit Application 009-18, Jason & Terri O'Connor – Variance for oversized sign (The former "Pantry").** Jason O'Connor described the proposed sign and stated that it would be smaller than the sign that had been on the building before. A discussion of the historical, artistic and community context of the business and the signage followed. Mr. O'Connor provided an email in support of the signage from an abutting property owner. Denis thanked the O'Connors for attending the meeting and providing supporting documentation, indicating that the Board would deliberate and notify the O'Connors of their decision.

The Board went into a Deliberative Session at 6:24 PM.

The Board returned from Deliberative session at 7:00 PM with the following decisions:

1. Approval of **Zoning Permit Application 005-18, John & Roberta Schwartz for the construction of a new single family home on a private road.** No conditions were applied to approval.
2. **Approval of Permit Application 004-18, Edger & Susan Stoddard – Change of Use:** conversion of old school building into storage units and a rental space to be used as a redemption center, with the following conditions:
 - a. No exterior lighting on the rear of the building.
 - b. Front illumination must be down lighting that does not illuminate surrounding properties and should be motion sensor activated so as not to be on when not needed.
 - c. All exterior lighting must be fully compliant with the requirements in the Town of Londonderry Zoning Bylaw, Section 410.

The Board restated that the approval was for interior storage units and a rental space to be used as a redemption center only. No exterior changes were approved beyond reconfiguration of several access doors to facilitate access to the storage units and changes to lighting fixtures as necessary to comply with the conditions stated above. No additional, exterior storage units were approved.

3. Approval of **Permit Application 002-18, State of Vermont – Construction of prefabricated 8' X10' Contact Station/Office Building in Lowell Lake State Park**. The Board found that while the proposed structure does not comply with the Shoreland Conservation District setback requirements it is exempt from the requirements as a Public Use, as defined in Section 417(A)(1). No conditions were applied to approval.
4. Approval of **Permit Application 010-18, Jason & Terri O'Connor – Change of Use: Vacant to retail market**. No conditions were applied to the approval of the application.
5. Approval of **Permit Application 009-18, Jason & Terri O'Connor – Variance for oversized sign** based on the fact that the new sign would actually be smaller than all previous signs on that building, the sign was consistent with the historical context of the building and would represent an artistic addition of the structure that would enhance rather than diminish the neighborhood setting. Finally, the Board noted that there was stated public support for the sign and no public opposition. No conditions were applied to approval consistency with the rendering presented by the applicant.