

**BRANDON DEVELOPMENT REVIEW BOARD MEETING  
MAY 28, 2014**

**The meeting opened at 7:39 pm.**

Board members present: Samantha Stone, John Peterson, Allan Leavitt, Eric LaRock, Bob Clark.

Also present: Janet Mondlak, Jon Andrews

**Atwood Appeal from Environmental Court:**

There was discussion about the Environmental Court's remand of this case back to the DRB. The DRB members who heard the original case were John Peterson, Bob Clark and Eric LaRock. It was decided to warn the hearing for Thursday, June 26, 2014. Bob Clark will not be available. Town attorney Jim Carroll will be consulted about substitutes as well as if other testimony can be submitted if the hearing is opened for the setback issue.

Jon Andrews left the meeting at 7:53 pm.

**Deliberations:**

**#5645 Conditional Use for Ruth Nichols and Black Diamond Builders, Inc.**

Motion by Peterson / Stone to approve conditional use permit #5645 to applicant Black Diamond Builders, Inc. and landowner Ruth Nichols to construct a 5,000 square foot commercial structure with ten employees located at Grove Street and Lovers Lane with the following conditions:

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- The applicant will secure all federal and state permits before construction.
- The applicant will be in compliance with all regulations of the Brandon Zoning Bylaw, including Outdoor Lighting, Section 614.
- Sewer and water permits must be secured before work begins.
- That permission for the access drive from Route 7 is obtained from the State of Vermont Agency of Transportation. If this access is not approved, the applicant must come back to the DRB regarding access from Lovers Lane.
- Any changes in the intensity of use of this property must come back before the DRB.

Motion passed unanimously.

**#5646 Act 250 for Ruth Nichols and Black Diamond Builders, Inc.**

Motion by Stone / Clark to approve the Act 250 application from applicant Black Diamond Builders, Inc. and landowner Ruth Nichols for a proposed project to subdivide

an existing 14.7 acre parcel into two lots to be served by onsite septic and water: Lot 1 proposed to be 5.9 acres with a proposed 5,000 square foot commercial structure, and Lot 2 proposed to be 8.8 acres for future residential use, all located at Grove Street and Lovers Lane. Motion passed unanimously.

Meeting adjourned at 8:24 pm

Respectfully submitted

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Janet Mondlak