



**WAITSFIELD DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT AND NOTICE OF DECISION**

Application #:	3743-CU
Land Owner:	Dugway Holdings, LLC
Applicant:	Andrew Cunningham
Property Address:	156 Dugway Road
Parcel Number:	38001.000 in the Irasville Village District
Meeting Date(s):	April 25, 2017
Proposal/Type:	The applicant requests to construct a 28' x 10' x 12' tall addition to the existing mixed use building to expand the Property Management, Inc. workshop.

A. GUIDING ORDINANCE and POLICY PROVISIONS

1. Waitsfield Town Plan, as adopted on October 22, 2012.
2. Town of Waitsfield Zoning Bylaws, as adopted March 2, 1971 and amended through September 26, 2016:
 - a. Table 2.03 Irasville Village District (IV).
 - b. Section 4.08 Mixed Uses.
 - c. Section 5.03 Conditional Use.

B. MATERIALS SUBMITTED

On April 5, 2017, the applicant submitted a completed zoning permit application, conditional use application, site plan, east elevation, and fee.

C. FINDINGS OF FACT

1. The property is a 1.4 acre parcel with an existing mixed use (apartments, office, and workshop) structure. The parcel is identified as #38001.000 and is located 156 Dugway Road in the Irasville Village Zoning District.
2. The applicant proposes to construct a 28' x 10' x 12' tall addition to the workshop, which is connected to the office and apartments in another section of the building.
3. The applicant is not proposing any changes to the existing business operation.
4. The side setback will be reduced from 25' to 15' feet by this addition, which complies with the minimum side setback for the Irasville Village Zoning District.

5. The public hearing was held on Tuesday, April 25, 2017. The abutting property owners were sent notice on April 6, 2017 and the notice appeared in the April 6, 2017 issue of *The Valley Reporter*.
6. The applicant presented his proposal to the board at the public hearing. No one else attended the hearing. The applicant clarified that there are no changes to the business operation proposed, and no additional lighting proposed. There were no further questions.
7. The board closed the hearing and stated that they will issue a written decision within 45 days.


D. CONCLUSIONS OF LAW

Based on its review of the application materials, submitted site plans, presented testimony, and Findings of Fact above, the Waitsfield Development Review Board hereby concludes this application as proposed, and when finalized and implemented in accordance with the Conditions of Approval listed below, does meet the Conditional Use criteria of the Town of Waitsfield Zoning Bylaws and is in conformance with the Waitsfield Town Plan.

E. DECISION

Application #3743-CU is hereby APPROVED, and is subject to any and all applicable local, state, and federal permits.

Dated at Waitsfield, Vermont this 10th day of May, 2017 for the Town of Waitsfield Development Review Board by:



Chris Cook, Development Review Board Chair

Voting in the Affirmative: Chair Chris Cook, John Donaldson, Michael Kingsbury, Rudy Polwin, and Brian Shupe.

Abstaining: None.

Voting in the Negative: None.

Absent: Gib Geiger and Chris Jernigan.

Appeal

Pursuant to Title 24 VSA §4471 and §4472, an interested person who has participated in the review of this application may appeal this decision to the Environmental Division of the Vermont Superior Court by filing a Notice of Appeal directly to the Court, 32 Cherry Street, Suite 303, Burlington, Vermont 05401, by certified mail within thirty (30) days of the date this decision is issued. A copy of the notice must also be sent to the Zoning Administrator or the Municipal Clerk who is required to provide a list of interested persons to the appellant within five days of receipt of the Notice. The appellant is required to send a copy of the Notice, via certified mail, to each interested person.