



WAITSFIELD DEVELOPMENT REVIEW BOARD FINDINGS OF FACT AND NOTICE OF DECISION

Application #:	3682-CU
Land Owner:	Town of Waitsfield
Applicant:	Valerie Capels, Town Administrator
Property Address:	5919 Main St., 6188 Main St., & 0 Main St.
Parcel Number:	99186.000, 99192.000, & 99205.000
Meeting Dates:	March 8, 2016
Proposal/Type:	Request for site plan approval to use the Lareau swim hole, Tardy, and Munn Field parcels for temporary staging areas (public facilities) for the bridge reconstruction project on Route 100. A field office trailer is proposed across from the Elusive Moose restaurant.

A. GUIDING ORDINANCE and POLICY PROVISIONS

1. Town of Waitsfield Zoning Bylaws, as adopted March 2, 1971 and amended through May 17, 2010:
 - a. Table 2.07 Agricultural-Residential (AR) District.
 - b. Table 2.11 Fluvial Erosion Hazard Area Overlay (FEH) District.
 - c. Section 4.10 Public Facilities.
 - d. Section 5.03 Conditional Use Review.
2. Waitsfield Town Plan, as adopted on October 22, 2013.

B. MATERIALS SUBMITTED

On February 12, 2016, the applicant submitted zoning permit and conditional use applications, and site plans of proposed staging areas.

C. FINDINGS OF FACT

1. The properties on which the staging areas are proposed are the Lareau swim hole (5919 Main Street), the Tardy parcel (6188 Main Street), and the Munn Field (0 Main Street). The parcels are identified as 99186.000, 99192.00, and 99205.000, respectively, and are located in the Agricultural-Residential Zoning District. The Tardy parcel will contain the proposed field office trailer.
2. The applicant is leasing the land to VTrans' contractor, A.L. St. Onge, for equipment and material staging areas, and a temporary field office related to a bridge reconstruction project on Route 100.
3. The proposed staging area "A" will contain earthen material storage and large equipment, including an excavator.

4. The proposed staging area "B" will contain the field office for engineers, including the 10' x 40' trailer. The location of the trailer is expected to be about 35' from the road centerline. There is a parking area immediately adjacent to the road, then the trailer, then an existing berm.
5. The proposed staging area "C" will contain a crane pad.
6. On the Munn Field parcel, there will be equipment storage, materials (such as steel girders and pre-cast concrete), which will all be on trailers. This is also where the dump trucks will be parked between trips for material transport/waste removal. Following completion of the project, 2,200 cubic yards of earthen material that was removed from floodway and floodplain in the bridge area will be regraded on this site.
7. The public hearing on this application was held on Tuesday, March 8, 2016.
8. The abutter notices were mailed on February 18, 2016, and the notice appeared in the February 18, 2016 issue of *The Valley Reporter*.
9. The applicant presented the proposal and detailed the overall bridge project for the members at the public hearing on March 8, 2016.
10. The board members clarified with the applicant that Route 100, a scenic road, will be closed to through traffic for the duration of the project. The applicant also clarified that the contract with the town stipulated noise controls and what type of activity can be performed after normal working hours, as there will be crews operating 24 hours per day for the 35-day construction portion of the project.
11. The board found that the temporary nature of this project eliminated the need for screening, landscaping, or further noise controls.
12. No tree cutting is proposed in this application on any site related to this project, and no trees shall be cut as a result of this project.
13. The board closed the hearing and stated that a written decision would be issued 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 #3682-CU is hereby APPROVED and this approval shall be temporary except for the regrading of Munn Field; the public facility use shall expire upon completion of construction of the bridge on Route 100.

Dated at Waitsfield, Vermont this 24th day of March, 2016 for the Town of Waitsfield
Development Review Board by:

Chris Cook

Chris Cook, Development Review Board Chair

Voting in the Affirmative: Chris Cook, John Donaldson, Chris Jernigan, and Rudy Polwin.

Abstaining: None.

Voting in the Negative: None.

Absent: Gib Geiger and Brian Shupe.

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.