



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

Application #:	3776-CU
Land Owner:	Valley Garden Center/Ed Read
Applicant:	Vee Lynch
Property Address:	4036 Main St.
Parcel Number:	99049.000 in the Village Residential District
Meeting Date(s):	September 12, 2017
Proposal/Type:	The applicant requests approval to add a second business to the existing sign stand and requests that the sign be up to 28 square feet in total size.

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 2.02 Village Residential District (VR).
 - b. Section 3.11(G) Conditional Use Signs.
 - c. Section 5.03 Conditional Use Review.

B. MATERIALS SUBMITTED

On August 17, 2017, the applicant submitted a completed zoning permit application, conditional use application, design mockup for sign, and fee.

C. FINDINGS OF FACT

1. The property is a 2.33-acre lot which contains a mixed use building (for a garden center retail shop and office space for the property management side of the business), outdoor retail area, outdoor equipment storage area, and shed. It is located at 4036 Main Street. The parcel is identified as #99049.000 in the Village Business District.
2. The property contains an existing single-business sign structure which has a 16 square foot sign and gooseneck light.
3. Neither the office/property management nor the retail portion of the business is changing or increasing, but the retail component will now be leased out. Therefore, a second sign for this business is needed.

4. The applicant requests a total of 28 square feet for a multi-business sign. It will depict two businesses on the structure, which is less than 15 feet in height.
5. The public hearing was held on Tuesday, September 12, 2017. The abutting property owners were sent notice on August 22, 2017 and the notice appeared in the August 24, 2017 issue of *The Valley Reporter*.
6. The applicant was unable to attend the hearing. The PZA clarified that the applicant informed her that no change or increase in the size of either of the two businesses is being proposed; the sign is for a separate business which is leasing the retail space.
7. The board closed the hearing and stated a written decision would be issued within 45 days.

D. CONCLUSIONS OF LAW

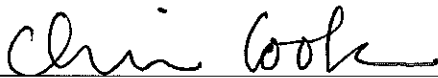
Based on its review of the application materials, submitted site plans, presented testimony, and Findings of Fact above, the Waitsfield Development Review Board hereby concludes this application as proposed, and when finalized and implemented in accordance with the Conditions of Approval listed below, 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 #3776-CU is hereby APPROVED, subject to the following conditions:

1. The sign may be up to 28 square feet in size and identify no more than two businesses at one time. Prior approval must be obtained before any change in size or number of businesses appearing on the sign may occur.
2. This approval is subject to any and all applicable local, state, and federal permit requirement(s).

Dated at Waitsfield, Vermont this 28th day of September, 2017 for the Town of Waitsfield Development Review Board by:



Chris Cook, Development Review Board Chair

Voting in the Affirmative: Chris Cook, John Donaldson, Chris Jernigan, and Mike Kingsbury.

Voting in the Negative: None.

Absent: Gib Geiger, Rudy Polwin, 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.

Chris
Cook