



WAITSFIELD DEVELOPMENT REVIEW BOARD FINDINGS OF FACT AND NOTICE OF DECISION

Application #:	3814-CU
Land Owner:	Mad River Valley Recreation District
Applicant:	Michael Nucci
Property Address:	236 Airport Rd.
Parcel Number:	06001.900 in the Industrial District
Meeting Date(s):	April 24, 2018
Proposal/Type:	Requesting approval to construct a grass trail, with benches, around the fields; a 3'9" x 4'10" sign kiosk; a 16' x 24' pavilion, and a 10' x 20' storage shed on the site. The applicant proposes minor amendments to the final details of the previously-approved gravel parking area.

A. GUIDING ORDINANCE and POLICY PROVISIONS

1. Waitsfield Subdivision Regulations, amended on January 21, 2008.
2. Waitsfield Town Plan, as adopted on October 22, 2012.
3. Town of Waitsfield Zoning Bylaws, as adopted March 2, 1971 and amended through September 26, 2016:
 - a. Table 2.06 Industrial District (IN).
 - b. Section 5.03 Conditional Use.

B. MATERIALS SUBMITTED

On March 29, 2018, the applicant submitted the following materials:

1. A narrative cover letter;
2. A completed conditional use application;
3. A completed zoning permit application;
4. A preliminary site plan (C2-01);
5. An as-built site plan with parking area detail (C2-02);
6. A description of the pavilion project;
7. An estimate and sketch plan for the pavilion from Mad River Post & Beam;
8. A site plan indicating the proposed grass trail;
9. A photo of a bench to be located on the fields;
10. A photo of the trail marker sign (directional, exempt sign);
11. Two Jamaica Cottage Shop spec sheets for the proposed shed;
12. The Mad River Park Recreation Fields Facility Management Plan;

13. An email from the applicant, on April 6, 2018, that explained revisions to the proposed size of the sign kiosk; and
14. A proposed sketch of the sign kiosk options.

C. FINDINGS OF FACT

1. The property involves a newly-created 10 acre parcel at 236 Airport Road which contains a parking area and recreation fields. The parcel is identified as #06001.900 in the Industrial Zoning District.
2. The applicant proposes to construct a grass trail, with benches, around the fields; a 3'9" x 4'10" sign kiosk; a 16' x 24' pavilion; and a 10' x 20' storage shed on the site.
3. The applicant proposes minor amendments to the final site plan details of the previously-approved gravel parking area (#3808-CU). These include:
 - a. Removal of directional signage for parking which are exempt if needed in the future;
 - b. Removal of the fence in the parking area which appeared on the approved site plan but was never discussed; and
 - c. Addition of ¾ inch staymat to the path from the parking area to the fields which was originally approved to be grass but is too slippery.
4. On March 29, 2018, the applicant met with the state stormwater program employees who indicated that the applicant will be able to tie stormwater from the pavilion to the existing drainage swale (per permit #3343-9015.2). The storage shed will need a filter strip but can be routed to a vegetative buffer (the nearby woods) so no rain gardens are expected to be required. The applicant submitted an Act 250 application to amend permit # SW0147-24 on Wednesday, April 18, 2018.
5. The public hearing was held on Tuesday, April 24, 2018. The abutting property owners were sent notice on April 5, 2018 and the notice appeared in the April 5, 2018 issue of *The Valley Reporter*.
6. The applicant presented the proposal. Several representatives of the project group attended the hearing. The board discussed stormwater issues and asked for clarification on the pavilion roof. A concern was raised about the metal roof; the board suggests a lightning rod be attached to the roof for safety reasons.
7. The fence in the parking area was deemed unnecessary for the original purpose of directing parking patterns and traffic flows.
8. The board closed the hearing and will issue a written decision.

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 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 #3814-CU is hereby APPROVED, subject to any and all applicable local, state, and federal permit approvals.

Dated at Waitsfield, Vermont this 30th day of May, 2018 for the Town of Waitsfield
Development Review Board by:



Brian Shupe, Development Review Board Acting Chair

Voting in the Affirmative: John Donaldson, Gib Geiger, Michael Kingsbury, Rudy Polwin, and Brian Shupe.

Voting in the Negative: None.

Absent: Chris Cook 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.

