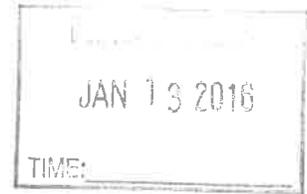


TOWN OF CALAIS
DEVELOPMENT REVIEW BOARD



Re: Permit Application #2015-⁴~~28~~
Paige Canfield/Tim Macke
274 Worcester Rd
Calais, Vermont

Conditional Use Permit

A Conditional Use Permit is requested for the reconstruction and vertical expansion of an existing camp at 274 Worcester Rd, Calais which is in the Shoreland District.

FINDINGS AND ORDER

Introduction

On November 10, 2015, Paige Canfield and Tim Macke submitted an application for a conditional use permit to allow for the reconstruction and expansion of an existing camp on a non-conforming lot in the Shoreland District.

Two hearings by the DRB were held with the applicants on December 3, 2015 and December 17, 2015 and the DRB also met with the applicants for a site visit on December 5, 2015.

The applicants submitted detailed site plans and measured drawings of the existing structure and proposed modifications along with a narrative describing this project stating that:

The footprint of the structure will be modified by shifting 51.4 sq ft of current living space as a way to enable the conversion of an existing woodshed to covered parking for one car.

A second story will be added with roof changing orientation to allow for solar energy and with shed roofs to maximize living space.

The house will have two bedrooms, both upstairs.

The screened porch will be pulled back from the pond by one foot.

The existing piers will be replaced by frost walls and a slab foundation.

An existing shed will be pulled back from the pond increasing the distance from 6' to 10'. The shed currently measures 8'x17' and will be reconstructed as 10'x10' (the same square footage) and supported by blocks at each corner.

The applicants also provided a sketch of the elevation from the pond side of the proposed building showing the envisioned roof lines. They also submitted construction details prepared by an engineer for the foundation frost walls, footings and slab, and erosion control details for silt fencing. They indicated that the State septic permit is on file with the town. A photo map was also provided showing the location of the well, and the septic tank and pump station shared with the neighboring property, and the location of a shared leach field in a meadow across the street.

The applicants state that they *“are trying to take advantage of this proposed building process to help mitigate the impact of our house on the pond. Where possible we are moving spaces back from the edge of the pond.....the simplified footprint will help minimize the amount of digging and form building (for the foundation frostwalls and footings) required.”*

Finding of Facts

The property in question is a pre-existing structure that is not in compliance with the dimensional regulations of the Shoreland District. Such noncomplying structures may be expanded vertically only with approval of the DRB, subject to conditional use review under Section 5.3 and a finding that the enlargement will have no adverse effect on the public health, safety or welfare.

Conditional Use Review

The DRB finds that Required Standards 5.3 (D) 1-5) have been met, as well as the Discretionary Standards 5.3 (E) 1-4).

A silt fence detail was accepted by the DRB as part of the overall Storm Water and Erosion Control strategy in Discretionary Standards 5.3(E) 5) and additional measures required by the DRB are included in **DRB Conditions on the project.**

The DRB finds that the increase in the level of noncompliance due to the increase in the building's height is acceptable per the standards of Section 5.3.

DRB Conditions on the Project:

In granting Conditional Use, the DRB may impose conditions it deems necessary and appropriate under the circumstances to implement the purposes of the Calais Land Use and Development Regulations and the Calais Town Plan. The members of the DRB have been very concerned with development on the ponds and lakes in the town, with pollution of the lake waters or any undue erosion into the lakes or streams during and after construction. **The DRB is therefore setting required conditions on this project.**

1. That the applicant will adhere to and put all the required construction erosion controls in place prior to and during excavation for the structure foundation. This will require the proper installation of silt fence and hay bale lines and the immediate seeding and mulching of areas disturbed and backfilled. Further, the DRB requires that the silt fence be backed up on the water side by hay bales anchored to the ground with stakes.
2. That on the pond side of the building gravel is installed along the drip line to mitigate soil erosion from storm water from the roof.

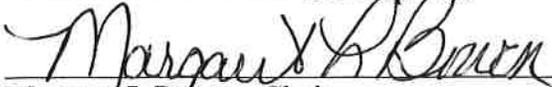
3. That a vegetative band of suitable plant material be installed between the house and the pond edge to prevent erosion and to filter rain water going into the pond and that this vegetation be left unmowed.

4. It is further required that all construction is to stop and remediation measures taken immediately in the event of mud/silt discharges into the pond and that construction shall not resume until it has been demonstrated that such discharges have been controlled.

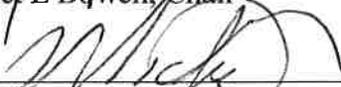
DECISION AND ORDER:

The DRB hereby GRANTS the Conditional Use Permit for this project to proceed as conditioned.

Members of the Calais Development Review Board:


Margaret L. Bowen, Chair

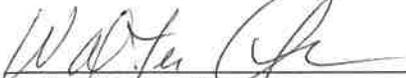
Dated 1/9/16


Michael Lognon, Member

Dated 1/13/16


Ruth K. Porter, Member

Dated 1/14/16


Walter Amses, Member

Dated 1/11/16


Barbara Weedon, Member

Dated 1-9-16

Nedene Martin, Member

Dated _____

Steven Owens, Member

Dated _____

Notice of Right to Appeal: In accordance with 24 VSA sections 4471 and 4472, this decision may be appealed within 30 days of the date to the Vermont Environmental Court. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy to the Calais Zoning Administrator and to every interested person who appeared at the DRB hearings. Failure of any interested person to appeal within the specified 30 day period shall result in the interested person being bound by this decision. Thereafter, the interested person shall not contest either directly or indirectly, the decision of the DRB in any subsequent proceeding, including any enforcement action brought under the provisions of 24 VSA Chapter 117. See also Town of Calais Land Use and Development Regulations, Section 1.7, Appeals.