

TOWN OF CALAIS
Development Review Board

Re: Gene Grinnell, Applicant, Minor Subdivision Request
Application # 2016 26

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Introduction and Summary

This is an application brought by Gene Grinnell (Applicant) for the minor subdivision of his property in the Rural Residential District to create an additional building lot.

This matter came before the Development Review Board on September 1, 2016. Board members attending were Peg Bowen, Chair, Ruth Porter, Barbara Weedon, Walt Amses and alternates Jan Ohlsson and Denise Wheeler. Also present were Gene Grinnell, Dorothy Naylor, John McCullough and Tim Scandale, secretary. The hearing was preceded by a site visit. *And Eileen Simpson DRB*

The record was closed after a deliberative meeting on September 1.

Finding of Fact

Mr Grinnell proposes to subdivide his original parcel of 13.37 creating a 4 acre parcel for sale and retaining the remaining 9.37 acres and his residence. He provided survey drawings of the proposed subdivision indicating existing property lines and dimensions and delineating the new proposed 4 acre parcel identified as Lot 2. Mr Grinnell asserted that the new 4 acre parcel would be in conformance with Calais Land Use and Subdivision Regulations being larger than the 3 acre minimum and with 300 feet of road frontage on Collar Hill Road.

This property survey also indicates an existing shared driveway and deeded right of way of 279.9 feet from the Collar Hill Rd. property line allowing access to an adjacent property which lacks frontage access. The remaining parcel of 9.37 acres, Lot 1, has 79.8 feet of frontage on Collar Hill Rd.

Conclusions of Law

This proposed subdivision creates two lots. Lot 2 conforms to the Dimensional Standards of the Rural Residential District requiring a Minimal Frontage of 300'. This requirement is also met for Lot 1 through the application of Section 3.2 (A) of the Calais Zoning Regulations wherein frontage is defined as "that portion of a lot adjacent to a right of way". A survey from 1973 shows a deeded right of way on this lot for a distance of 273.9 feet from the Collar Hill Road property line. When added to the remaining 79.8 feet on Collar Hill Road Lot 1 is shown to have 357.7' of continuous frontage which satisfies the Minimal Frontage requirement of 300'

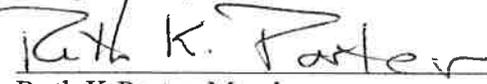
Order

Approval is granted for the subdivision of this property as described in the permit application presented.

Members of the Calais Development Review Board:


Margaret L. Bowen, Chair

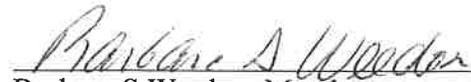
9/14/16
Dated


Ruth K Porter, Member

9/14/2016
Dated


Walter Amses, Member

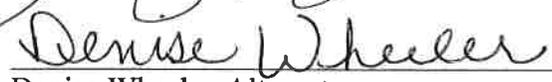
9/14/16
Dated


Barbara S Weedon, Member

9-14-16
Dated


Janice G Ohlsson, Alternate

9-14-2016
Dated


Denise Wheeler, Alternate

9/14/16
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.