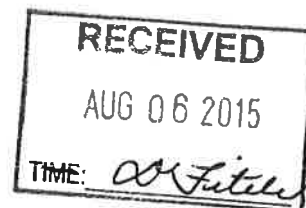


TOWN OF CALAIS
DEVELOPMENT REVIEW BOARD



Re: Permit Application #2015-20
Brian and Catherine Lane-Karnas
1640 West County Road
Calais, Vermont 05648

Conditional Use Review

FINDINGS AND ORDER

Introduction:

An application was submitted on June 18, 2015 with the Zoning Administrator for the Town of Calais for a one lot subdivision of property owned by Iris Wechling and Richard Mazell on the West County Road. The existing curb cut and driveway from the West County Road will serve both properties, providing access to the present residence and partial access to the subdivided lot. The subdivided lot has been created in the woods, keeping the large field free from development.

The proposed owners of the new lot are required to obtain approval from the DRB for a 25 foot wide right of way on the existing drive and the creation of a new extension 25 foot right of way through the field to access the lot. The proposed lot does not have any direct frontage on a public road or public waters.

The proposed owners are also required to obtain an easement for their sewer mound system which will be located on the remaining property owned by Wechling and Mazell. A sewer design was filed with their application with the Calais Zoning Administrator and this requirement has been addressed between the parties.

A hearing was held by the Development Review Board (DRB) on July 16, 2015 followed by a site visit.

Findings of Facts:

Section 3.2 Access for Non-frontage lots, Curb Cuts & Driveway Standards

Development is permitted under this section if there is a permanent easement or right-of-way at least 20 feet in width. The DRB may grant approval for access to a non-frontage lot in accordance with the following provisions:

1. (a) the town not be required to provide school bussing beyond maintained public rights-of way;
(b) the owner of the property shall have the responsibility to maintain the right of way for access by emergency vehicles to any dwelling unit;
(c) public rights-of-way used for access shall remain open to the public.
3. Residential development on a non-frontage parcel accessed by a right of way or easement under this provision shall be limited to one seasonal or single family dwelling, in accordance

with other applicable provision of these regulations or other projects subject to conditional use review.

Section 5.3 Conditional Use Review

(A), (B), (C), requirements met

(D) Required Standards – regarding undue adverse impact

- (D) 1) there is no impact on municipal services
- (D) 2) the proposal is consistent with the character of the neighborhood
- (D) 3) there is no impact on traffic
- (D) 4) consistent with current Calais bylaws regarding new construction
- (D) 5) no energy impacts

(E) Discretionary Standards – consider and impose conditions as appropriate


- (E) 1) no adverse health or environmental impacts associated with the proposal
- (E) 2) no impacts on access or vehicular safety
- (E) 3) the project is setting within the limits of the woods and basically screened from sight of the highway and neighbors
- (E) 4) it is not necessary to impose any additional buffers
- (E) 5) no plans are required for this project

DECISION AND ORDER:

Based upon the documentation submitted for review, the presentation at the hearing and the site visit **the DRB hereby GRANTS** the proposed project under Conditional Use Review with the required 25 foot permanent easement or right-of- way to the non-frontage lot as depicted on the subdivision plan filed with the Calais Zoning Administrator.

Members of the Calais Development Review Board:


Margaret L. Bowen Dated 8/6/15


Nedene Martin Dated 8-6-15


Ruth K. Porter Dated 8/6/2015


Barbara S. Weedon Dated 8-6-15

Walt Amses Dated _____

Notice of Right to Appeal: In accordance with 24 BSA 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.