

TOWN OF CALAIS
DEVELOPMENT REVIEW BOARD

**Re: Permit Application 2018-11
Christopher and Hillary Luce
PO Box 55
East Calais, Vermont 05650**

Introduction:

The applicants submitted an application for a Variance of the minimum frontage of 300' required in the Dimensional Standards of the Rural Residential District (Table 2.2) to allow them to build a house on their property.

This matter came before the Development Review Board on August 2, 2018. Board members attending were Peg Bowen, Chair: Walt Amses, Trey Martin, Barbara Weedon and Denise Wheeler. Others present: Tim Scandale, Secretary, Peter and Sandra Luce, Chris and Hillary Luce, Gary and Cheryl Dunham, Gerald Dunham, Fred Bushway, Dot Naylor, Assistant Calais ZA and John McCullough, Calais ZA

The record was closed at the end of the hearing.

Findings of Fact:

The site sketch submitted with this Zoning Permit Application shows the property frontage to be 70' in this Rural Residential District which has a minimal frontage requirement of 300'. All other dimensional requirements would be met. There is a notation on the application that no curb cut would be necessary because access to the proposed house site would be by use of a shared driveway belonging to the applicants family who are the adjacent property owners.

The zoning regulations allow the DRB to permit development on non frontage lots (Section 3.2) when access is provided by a permanent easement or right-of-way at least 20 feet in width. The applicants stated that a deed is being prepared for a permanent right-of-way along the shared driveway to be filed with the town.

The applicants have testified that the required State septic permits have already been issued and the documents are already filed with the Town in the Town Clerks Office.

DECISION

The permit for a Variance is granted with the following conditions:

In accordance with Section 3.2 (A) 1 a. & b. and 3) the permanent easement must be at least 20 feet in width and the owner of the property shall have the responsibility to maintain the right-of-way for access by emergency vehicles to any dwelling unit.

The town will not be required to provide school bussing beyond maintained public rights-of-way.

Development on this non frontage property be limited to a single family dwelling.


The deed for the permanent easement or right-of-way along with required state septic permits shall be filed with the office of the Town of Calais before construction is allowed to begin.

Members of the Calais Development Review Board

 dated 8/14/18
Margaret Bowen, chair

 dated 8/14/18
Walt Amse

 dated 8/21/18
Trey Martin

 dated 8/14/18
Denise Wheeler

 dated 8-14-18
Barbara Weedon

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 3 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.