

TOWN OF CALAIS  
Development Review Board Application for Conditional Use Review  
Findings and Decision

Permit Application No. 2022 27

## INTRODUCTION AND PROCEDURAL HISTORY

Patty and Mike Macke submitted an application for conversion of an existing screened porch on their property at 254 Worcester Road to an enclosed and heated space. The Town of Calais received the application on September 28, 2022. On October 7, 2022, notice of a public hearing was published in the Front Porch Forum and posted at the municipal clerk's office, Adamant Coop, Maple Corner Store, East Calais Post Office and on the town website. The DRB considered the application at a site visit and public hearing on October 28, 2022.

Those present at the hearing were Tim Macke on behalf of the applicant, and board members: Ryan Edwards, Willa Farrell, Dot Helling, Dennis Shaffer, Candi Smith (alternate member), and Anne Winchester.

## FINDINGS

1. The applicant seeks a conditional use permit to rebuild and convert an existing screened porch, which is attached to the residence on the property, to an enclosed and heated space. The subject structure is a non-conforming structure on a non-conforming lot located in the Calais Shoreland District. The lot is .13 acres in size. Since the porch was in legal existence in January, 2005, when current zoning was adopted, it may be rebuilt without review. However, enclosing and heating a screened porch is considered an "enlargement" and therefore requires a conditional use permit.
2. The application requires review under the following sections of the Calais Zoning Regulations:
  - Table 2.4, Shoreland District (G) 3.
  - Section 3.8 (B), Noncomplying Structures, Subsection 4.
  - Section 5.3, Conditional Use Review.
3. The existing screened porch was in unsafe and unusable condition. The applicant began rebuilding the base of the porch on the same footprint prior to DRB review. No excavation, moving of soil, building of footings, or pouring of concrete was involved. Supporting posts were placed on crushed slate and the base of the porch, which was lattice, was replaced by plywood siding with two openings covered by hardware cloth. Gravel was placed around the base of the porch. The applicant now requests DRB approval to replace the formerly screened portion with siding and several windows. The interior will be heated. The roof will be rebuilt with no change to the size or slope.
4. No vegetation was disturbed by the project except for pruning of a few branches very close to the existing porch. The current footprint is within two feet of mean water level. Increasing the vegetative buffer is not possible.
5. The residence is served by a septic system which it shares with an abutting neighbor at 274 Worcester Road. Both the Applicant's 1-bedroom single family dwelling and the abutting neighbor's 2-bedroom single family dwelling discharge to a singular shared septic tank and pump station which feed

a shared leach field on the opposite side of Worcester Rd. This project will involve no change to the plumbing. The system was built and permitted in 2019, DEC Permit Number: WW-5-8114. As currently built, the system is working well and should continue to work well provided no new bedrooms are created in either of the buildings. This could necessitate increasing the size of the system.

## DECISION AND CONDITIONS

The application meets the requirements of Table 2.4, (G) 3; Section 3.8 (B) 4; and Section 5.3. Subject to the conditions set forth below, the development review board grants the application for conversion of a screened porch to an enclosed and heated space.

1. Except for moderate pruning, there shall be no removal of existing vegetation in order to maintain the existing vegetative buffer as much as possible.
2. As stated in the applicant's septic permit, "The design flows for this building may not be increased until a fully complying wastewater system design prepared by a qualified Vermont Licensed Designer is submitted for review and approved by the Drinking Water and Groundwater Protection Division." The septic permit authorizes one bedroom in the applicant's home. Therefore, there shall be no more than one bedroom in the residence unless the owner obtains another permit to ensure the system can accommodate more use or certification from the DEC that the system can accommodate more bedrooms.

With these conditions, The development review board approves the application:

Voting in favor: Ryan Edwards, Willa Farrell, Dot Helling, Dennis Shaffer, Candi Smith, Anne Winchester

Voting to deny: 0

Dated at Calais, Vermont, this 2nd day of November, 2022.

Signed on behalf of the Board

  
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Anne Winchester, Chair

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the development review board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.