

Town of Calais
Development Review Board
Conditional Use Approval
Findings and Decision

In re: Conditional use permit for Melissa Brough and Christopher Marshall
Permit Application No. 2023-03

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves a notice of appeal submitted by Melissa Brough and Christopher Marshall for an appeal of an administrative officer decision under the Town of Calais Land Use and Development Regulations, as amended March 4, 2014 (the Zoning Bylaw).
2. The notice of appeal was received by the Development Review Board on February 4, 2023. A copy of the notice of appeal is available at the Town Office.
3. A notice of a public hearing was posted at the Town Office, East Calais Post Office, Adamant Co-op, Maple Corner Store and on the Calais Town website and Front Porch Forum.
4. On February 8, 2023, a copy of the notice of a public hearing was mailed to the appellant. On February 8, 2023, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the appeal.
5. The appeal was considered by the Development Review Board at a public hearing on February 28, 2023. The Development Review Board reviewed the appeal under the Zoning Bylaw.
6. At the hearing, the following members of the Development Review Board were present.
 - a) Anne Winchester, Chair
 - b) Ryan Edwards, Vice Chair
 - c) Willa Farrell
 - d) Candi Smith
 - e) Scott Bassage, alternate
7. At the hearing, in addition to the Development Review Board members, were Melissa Brough and Christopher Marshall.

FINDINGS

Based on the application and testimony the Development Review Board makes the following findings:

1. The applicant appeals a decision of the Zoning Administrator dated February 1, 2023. In that decision the Zoning Administrator referred the application to the Development Review Board for approval of a home industry in the rural residential district.
2. The subject property is a 35.3 acre parcel located at 2714 Balentine Road in the Town of Calais. (tax map parcel no. 152714.)
3. The property is located in a Rural Residential District as described on the Town of Calais Zoning District Map on record at the Town of Calais office and in section 2.1 of the Zoning Bylaw.
4. The appeal requires review under the following sections of the Zoning Bylaw:
 - a) Article 4 Specific Use Regulations, section 4.2(B) Home Industry, 1) – 11), and
 - b) Article 5 Conditional User Review section 5.3 (D) 1-5 and (E) 1) - 5).

5. The proposed home industry is to provide temporary workspace to up to five customers at a time and to allow the applicant to meet with clients and offer small workshops up to ten people. There will be no employees. These services will be conducted in a single-family dwelling using approximately 1,270 square feet of the 4,000 square-foot residence, or 32% of the dwelling. The septic system, designed for an eight-bedroom house, is adequate for the proposed home industry. The length of the driveway and space in front of the barn will provide sufficient parking. The industry is compatible with the residential use of the property, will not generate noise, smoke or other nuisance, and will not have an adverse impact upon the character of the neighborhood. There will be no sign, selling of items, or exterior storage. Traffic generated will be minimal, up to 10 car trips per day on some days when the temporary office space is fully utilized, and occasionally as much as 20 car trips more when workshops are offered. The proposed home industry will not affect community facilities or services, the character of the neighborhood, or the use of renewable resources. The proposed home industry meets the Required Home Industry standards under Section 4.2 and Conditional Use Standards under Section 5.3 (D).
6. The proposed industry will not create adverse impacts named in the Discretionary Conditional Use Standards under Section 5.3 (E).

DECISION

Based upon these findings, the Development Review Board concludes the application meets the requirements of the Zoning Bylaw and grants the conditional use permit for a home industry.

Voting to approve: Scott Bassage, Ryan Edwards, Willa Farrell, Candi Smith, Anne Winchester

Voting to deny: none

Motion passed: 5 – 0

Abstentions: none

Dated at Calais, Vermont, this 10th day of March, 2023.



Anne Winchester, Chair