

**TOWN OF READSBORO
DEVELOPMENT REVIEW BOARD
PUBLIC HEARING MINUTES**

(Draft until Signed)

July 7, 2020

6:30 PM

Applicant/Owner: Jane Jones

Case No: 2020-05

ATTENDANCE:

DRB Members: Karen Boisvert, Rhonda Smith, Amber Holland, Raymond Eilers, Joseph Berard
Applicant: Jane Jones.

Introduction and Procedural Hearing: This proceeding involves review of an application for a request to add a Gallery Space combined with other offices already upstairs at 7066 Main Street submitted by applicant Jane May Jones and Property Owner Nina Investments in accordance with 2.1.6 (Coordination with Development Review Board) Change of Use to a Conditional Use under the Town of Readsboro Zoning Bylaw.

The application was received by the Zoning Administrator on May 8, 2020. Also, on May 8, 2020 the Zoning Administrator submitted the application to the Development Review Board Clerk. The Development Review Board Clerk returned the application to the Zoning Administrator on May 8, 2020 for incomplete application. The Development Review Board received it back completed on May 18, 2020, at which time this hearing was scheduled for July 7, 2020.

On June 18, 2020 notice of public hearing was published in the Deerfield Valley News and posted in the following places: Town of Readsboro Municipal Clerks Office/Website, Readsboro Post Office, and the Readsboro General Store.

On June 18, 2020 a copy of the notice of the public hearing was certified mailed to the applicant/owner Jane May Jones and Nina Investments and to the abutting property owners, Rose Bolognani, Richard Colo, The Readsboro Inn, Aaron Beer and Dennis Marchegiani.

The subject property can be found in Tax Map Book 15, Lot 51. The property is more fully described in a deed recorded in book #47 page 314 of the Town of Readsboro's land records. The property is located in the Village District with Water & Sewer.

At the outset of the hearing, Smith afforded those persons wishing to achieve status as interested person an opportunity under 24 V.S.A. 4461 (b) to demonstrate that the criteria set forth in that statute could be met. Boisvert handed out a sign-up sheet for record of the name and address of persons wishing status as an interested person. Smith swore in all parties who would give testimony at this proceeding.

During the course of the hearing the following exhibits were submitted to the Development Review Board.

1. Zoning Permit Application # 2020-05 (A1)
2. Site Plan (A2)

Findings of Facts

Mrs. Jones explained that she wanted to convert 2 rooms that are currently being used as office space for her carpet cleaning business into a combined office and gallery space. The added gallery would operate during the same hours as the carpet cleaning company, Monday-Friday 8:30-4pm except for a few weekends.

Rhonda asked Mrs. Jones if she would be hosting Open Houses for her gallery. Mrs. Jones stated she did not have any plans of doing so.

Karen asked Mrs. Jones if she intended on using the space for her workshops. Mrs. Jones stated that she did not have any plans to use it for that purpose as the lighting was not good for that purpose.

Amber asked what her intentions were for her proposed sign. Rhonda stated it was a separate permit issue and was not under consideration for the current change of use hearing.

Rhonda asked Mrs. Jones how many cars/visitors she anticipated daily. Mrs. Jones could not project a number but feels it would most likely be no more than one or two.

No further questions were asked, and Rhonda informed Mrs. Jones that the DRB would go into deliberative Session privately and a decision would be made before the 45-day limit.

Hearing ended at 6:47pm

Deliberative Session started at 6:47pm

Deliberative Session ended at 7:21pm

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, the Development Review Board **GRANTS WITH CONDITIONS** the Zoning Application #2020-05 for a Change of Use to a Dwelling, Mixed Use as described in the Readsboro Zoning Bylaw; *A single structure wholly containing within the structure a separate single-family residence and a separate permitted commercial operation.*

1. The proposed Change of Use meet the requirements of Article 2 Section 2.1.6 of the Readsboro Zoning Bylaw (Coordination with Development Review Board and Article 2 Section 2.4.4 (Site Plan Review) identified in findings.
2. The proposed Change of Use meet the requirements of Article 3 Section 3.4.1 of the Readsboro Zoning Bylaw (Off-Street Parking and Loading Space) identified in findings. with conditions. Conditions are as follows:
 1. "The No Parking" area in front of the building, that was established by the Town of Readsboro, will continue to be in effect.
 2. If scope of operation changes applicant will be required to reapply for another Change of Use permit.
3. If an appeal is filed, the Zoning Permit shall take effect after the final adjudication of the appeal.

Under article 2 Section 2.2 of Bylaw, no land or building development may commence, nor shall any land or structure be used, extended in any way unless a Zoning Permit shall have been duly issued by the Zoning Administrative Officer. No Zoning Permit shall be issued except in conformance with the provisions of the Bylaw and the submission of all required approvals.

Under Article 2 Section 2.2.4 of the Bylaw a Zoning Permit is in force for 2 years from the date issuance. If the permitted activities have not been substantially completed within this period, re-application must be made for a new Zoning Permit, unless an extension is granted by the Development Review Board.

Note: Under the issuance of this permit the change of use from Commercial to Dwelling, Mixed Use will be permanent unless another permitted change of use is applied for under the zoning bylaws, however if construction and/or substantial completion of the residential dwelling is not completed within two years as defined under Article 2 Section 2.2.4 of the Bylaw a new zoning permit must be completed for the construction only.

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.

Dated at Readsboro Vermont, the 9 of July 2020

Respectfully Submitted,

Karen Boisvert, Clerk
Town of Readsboro
Development Review Board