

TOWN OF PEACHAM

Development Review Board Hearing Results for

Peacham Congregational Church Zoning Permit Application 13-22, 56 Church Street, Peacham

INTRODUCTION AND PROCEDURAL HISTORY

1. The hearing was to review an application for construction of a storage shed in the northeast corner of the Church's parcel.
2. The application was filed at the Town Office, transmitted to the Zoning Administrator, and referred to the DRB on July 19, 2022. The application was amended on August 22, 2022.
3. On August 25, 2022, a copy of the notice of public hearing was mailed to the Property Owner and the Applicant, and the notice of public hearing and zoning application were mailed to the following adjoining property owners:
 - a. Katherine Siner and Louis Lacroix
 - b. Nancy Saidi and Juliette Avots
 - c. Karen Stawiecki
 - d. Lawrence and Rebecca Jensen
 - e. Town of Peacham
4. On August 25, 2022, the notice of a public hearing and zoning application were posted in three places in town and on the town website. A copy of the notice of a public hearing and the zoning application were made available at Peacham Town Office.
5. On August 27, 2022, the notice of a public hearing was published in the *Caledonian Record*.
6. The zoning application was considered at a public hearing on September 13, 2022, both in person and by ZOOM "videotelephony" services. The zoning application was reviewed under the *Town of Peacham, Vermont Zoning and Flood Hazard Regulations* adopted February 28, 2017.
7. Participating in the hearing were members of the Peacham Development Review Board: Marilyn Magnus, Morris McCain, Rick Scholes, Matt Kempton, and Rusty Barber. Also attending was the Peacham Zoning Administrator, Bob Hansen.
8. Others wishing to achieve status as an interested person were given the opportunity, under 24 V.S.A. § 4465(b), to demonstrate that they met the criteria set forth in the statute. John Marshall, Nancy Saidi and Joliette Avots, and Tim McKay were identified as interested persons.
9. During the hearing the following exhibits were considered:
 - a. The zoning application including a partial list of abutters.

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- b. A letter from the Peacham Congregational Church Business Committee dated August 22, 2022, adjusting the proposed location of the shed, and including a letter submitted by Sarah Lydon and Greg Lockhart, the only abutters who did not receive prior notice, stating that they are aware of and support the Peacham Congregational Church's variance application. The DRB accepts the Lydon-Lockhart letter in lieu of notice.
- c. A hand-drawn site plan showing the proposed shed location dated 9/26/21, and amended to August 22, 2022 during the hearing.
- d. A document titled "Supporting Information".
- e. A sketch of the proposed shed.

FINDINGS

Based on the application, testimony, exhibits, and other evidence, the Development Review Board makes the following findings:

- The property is in the Village District.
- The shed will be located within the required 25-foot side yard setback.
- The shed will be built on skids and could be relocated if necessary or desirable.

DECISION

At the conclusion of the hearing the Development Review Board adjourned and considered the application in deliberative session.

Based upon the Findings, and Conclusions, but subject to the condition set forth below, the Development Review Board GRANTS THE APPLICATION.

The decision is subject to the following condition:

So long as the shed remains in the position shown on the drawing described in paragraph 9c, the Church shall locate the shed not less than one foot from the parcel's northeast boundary, as shown either on the plat filed with its zoning application as Attachment 1 or on a plat to be filed in the future by the Church, with the Development Review Board, and for recording in Peacham Land Records, reflecting adjustments to the parcel's boundaries. If the shed is moved to a substantially different location that is within a side or rear yard setback area, a new application for a setback variance will be required.

September 20, 2022.

Peacham Development Review Board

James (Rusty) Barber, Chair

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s). 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.