

TOWN OF PEACHAM

Development Review Board Hearing Results for

Campbell Zoning Application 18-22, 4500 Bayley Hazen Road

INTRODUCTION AND PROCEDURAL HISTORY

1. The hearing was to review an application by John Campbell for construction of a new home and garage. The application was referred to the Development Review Board because the setbacks are not in compliance with the zoning requirements.
2. The application was received at the Town Office on September 10, 2022 and referred to the DRB on September 13, 2022. The application was amended on October 12, 2022.
3. On October 17, 2022, a copy of the notice of public hearing was mailed to the applicant, and to the adjoining property owners, and was 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.
4. On October 19, 2022, the notice of a public hearing was published in the *Caledonian Record*.
5. The zoning application was considered at a public hearing on November 9, 2022 by ZOOM “videotelephony” services. The zoning application was reviewed under the *Town of Peacham, Vermont Zoning and Flood Hazard Regulations* adopted February 28, 2017.
6. 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.
7. 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 Campbell, Bevin Campbell, Dorothy Morton, Aaron Morton, and Steve Galinat were identified as interested persons.
8. During the hearing the following exhibits were considered:
 - a. The zoning application
 - b. A list of abutters submitted on October 12, 2022.
 - c. A description of the proposed construction by John Campbell dated 8/30/2022.
 - d. A site plan of the property with proposed buildings drawn by Global Engineering Consultants.
 - e. An enlarged site plan of the building area.
 - f. ANR maps of the building area.
 - g. Drawings of the buildings.

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- h. Two versions of a septic design by Foresite Engineering Services, PLC.

FINDINGS

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

- The property is in the Rural Zoning District.
- The property meets the lot size and frontage requirements.
- Access to the property is by a dedicated right-of-way.
- The required minimum front yard setback from centerline of the right-of-way to buildings is 65'.
- The proposed location of the house and garage requires a variance to reduce the front yard setback.

DECISION

At the conclusion of the hearing the Development Review Board voted to continue deliberations after a site visit could be conducted to review the conditions. The site visit was conducted on November 14, 2022. The corners of the house and garage had been staked out in their proposed locations. Measurements were taken from the centerline of the right-of-way to the house and garage. See the attached site plan for the dimensions.

The DRB reconvened for deliberations on November 16, 2022.

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

The decision is subject to the following condition:

The minimum setbacks from the centerline of the right-of-way to the buildings shall be as follows.

- 58.5' for the house,
- 48' for the garage.

November 27, 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.*

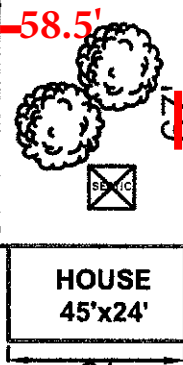
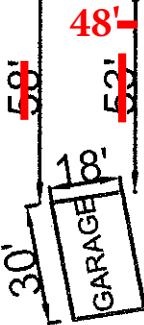


OF WAY

.869

POWER
METER

WELL
HEAD



GARDEN
SHED

Campbell Zoning Application 18-22

DRB site visit 14 November 2022

Setbacks measurements from ROW centerline to buildings