

TOWN OF PEACHAM

Development Review Board Hearing Results for

Low/Brent Application 4-23, 4287 Bayley Hazen Road

INTRODUCTION AND PROCEDURAL HISTORY

1. The hearing was to consider a Conditional Use permit for the existing sawmill.
2. The application was received at the Town Office on May 18, 2023 and referred to the DRB on the same day.
3. On June 6, 2023, a copy of the notice of public hearing was mailed to the applicant and the adjoining property owners, and it 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 June 6, 2023, the notice of a public hearing was published in the *Caledonian Record*.
5. The zoning application was considered at a public hearing on June 30, 2023 in the Peacham Library 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.
6. Participating in the hearing were members of the Peacham Development Review Board: Marilyn Magnus, Morris McCain, Rick Scholes, Matt Kempton, and Rusty Barber.
7. Those 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. Interested Persons included Bob Hansen, the Peacham Zoning Administrator, plus those listed on the attached *TOWN OF PEACHAM INTERESTED PERSONS RECORD AND SERVICE LIST*.
8. During the hearing the following exhibits were considered:
 - a. The application.
 - b. Explanatory notes with the application.
 - c. Site Survey (date obscured) with buildings noted by Michael Low on 5-17-2023.
 - d. Photograph of the road sign for Highland Cottages indicating the following products:
 - i. Timber-framed cottages.
 - ii. Cottage kits
 - iii. Biochar

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FINDINGS

- The property is in the Rural District.
- Conditional Uses for the Rural District include:
 - SAWMILL: Any mill designed and constructed to allow the production of rough or finished lumber from logs.
 - LIGHT INDUSTRY: Any facility for the assembly, manufacture, compounding, processing, packing, treatment or testing of materials, goods or products provided these activities are conducted in such a manner so as not to generate noise, smoke, vibration, dust, glare, odors, electrical interference, or heat that is detectable at the boundaries of the property.

PRESENTATION BY APPLICANT

To address noise that is generated by a sawmill, the applicants proposed to move it to an area in “the center” of their property. The area proposed for the new sawmill is shown on the attached site survey.

DECISION

Subject to the condition set forth below, the Development Review Board GRANTS THE APPLICATION.

The decision is subject to the following condition:

The sawmill will be relocated to the area shown on the attached site survey.

July 7, 2023

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.*

Date of Hearing: June 30, 2023

***TOWN OF PEACHAM
INTERESTED PERSONS RECORD AND SERVICE LIST***

Under the 2004 revisions to Chapter 117, the DRB has certain administrative obligations with respect to interested persons. At any hearing, there must be an opportunity for each person wishing to achieve interested person status to demonstrate compliance with the applicable criteria. 24 V.S.A. § 4461(b). The DRB must keep a written record of the name, address and participation of each person who has sought interested person status. 24 V.S.A. §4461(b). A copy of any decision rendered by the DRB must be mailed to every person or body appearing and having been heard by the DRB. 24 V.S.A. § 4464(b)(3). Upon receipt of notice of an appeal to the environmental court, the DRB must supply a list of interested persons to the appellant in five working days. 24 V.S.A. §4471(c).

This Interested Persons Record and Service List is intended to be used by the Clerk, or designated staff of the DRB, to record information regarding persons who have sought interested person status. A separate Interested Persons Record and Service List should be used for each application considered by the DRB. This Interested Person Record and Service List can be used in conjunction with a separate sign in sheet.

Name	Address	Participated in Hearing?	Evidence/Statement of Concern Offered
Michael Low	4287 Bayley Hazen Rd W Danville VT 05873	<input checked="" type="checkbox"/> Yes _____ No	Explanation of proposal
Hart Brent	4287 Bayley Hazen Rd W Danville VT 05873	<input checked="" type="checkbox"/> Yes _____ No	
Diane Jejer	4364 Bayley Hazen Rd W Danville VT 05873	<input checked="" type="checkbox"/> Yes _____ No	
Phil Jejer	4364 Bayley Hazen Rd W Danville VT 05873	<input checked="" type="checkbox"/> Yes _____ No	Proposed solution

