

Meeting of the Town of Pawlet Development Review Board

January 3, 2018

Members in Attendance:

Keith Mason, James Glick, Gary Baierlein, Jonathan Weiss
Sarah Ludlam (Alternate)

Others in Attendance:

Kevin Tarbell, Eric Mach, Lenny Gibson

The meeting was brought to order by Mr. Mason at 7:01pm. Ms. Ludlam was seated on the Board as an alternate, sitting in for Mr. Rawls. Mr. Mason and the appellant, Mr. Tarbell, briefed the Board on the matter before them, a request for approval to change an existing non-conforming use. Mr. Tarbell explained he wished to seek state licensing to sell used cars from his automotive repair shop, an existing non-conforming use dating to 1981. Abutters were warned of the meeting but none were present. Mr. Tarbell expressed that the neighbors he had communicated with were supportive of his project.

The Board deliberated the matter and reviewed the bylaws in question. The Board noted that Article V Section 2 Part 3 required Board permission to change an existing non-conforming use, but gave no standards for evaluating the merits of any change. Mr. Baierlein noted that granting such permission sets a precedent, and that future consequences of the decision should be considered. Discussion followed. Mr. Baierlein proposed that the Board consider adding a condition limiting the new use to a proportion of the existing use. Mr. Mason noted that in Article V Section 2 Part 4 the Bylaws limit the extension of a non-conforming structure to a proportion of the size of the existing structure. Based on a provided sketch, Mr. Baierlein calculated a 50% increase in exterior vehicle storage space at 8010'² in total.

Absent specific standards in the Bylaws for evaluating the merits of a change to existing non-conforming use, Mr. Weiss suggested the standards in Article II Section 1 might provide a good means of evaluating the question. Mr. Mason concurred. The Board reviewed these standards and found no adverse impacts.

Mr. Baierlein made a motion that the Board grant permission for the change in existing non-conforming use, with the condition that the total footprint dedicated to commercial purposes, including outdoor vehicle storage for vehicles being repaired or sold, not exceed 8010'². Mr. Weiss seconded this motion. All were in favor. None were opposed. The motion so carried.

Seeing no further business, a motion for adjournment was made by Mr. Baierlein and seconded by Mr. Glick. All were in favor, none opposed. The motion so carried, and the Board adjourned at 7:45pm.

Respectfully Submitted,
Jonathan Weiss