

Hearing of the Town of Pawlet Development Review Board
September 27th, 2018

Members in Attendance:

Keith Mason, chair
Brian Rawls
Jon Weiss
Sarah Ludlam (alternate, acting as clerk)

Others in Attendance:

David Hosley
Cindy Hosley
Frank Nelson
Rita Robson
Lucy Norman
Ken Norman

Hearing called to order at 7:00 to review the variance application of David Hosley for a 10' x 16' shed on his property at 2866 Vermont Route 153, West Pawlet, VT. Mr. Mason asked if any members of the public would be interested in giving testimony, if so they must take an oath. No one requested to do so. Mr. Mason asked Mr. Hosley to present his case including compliance with the five criteria laid out in the Unified Bylaws which allow the DRB to grant a variance. Mr. Hosley stated the property is postage stamp sized, space from house to the neighbors line is very small and doesn't allow the side and rear setbacks required in the Unified Bylaws. The property is zoned village commercial. Planned shed is 10' x 16' pre-made, pre-painted with dutch style roof. Mr. Hosley wishes to keep it far enough away from the house to keep the snow from falling off of it against the house. The position would be on the north side of the house, at the rear of the property. Shed would be accessed from the north side yard. The shed would sit next to the property line, neighbors already have a shed close to the line on their side. It will sit 6-8' off of Mrs. Mackey's line. Mr. Hosley provided letters from his two neighbors which indicate their support for his plan. He stated this would be an improvement over placing it in the front lawn, in terms of impact to the neighborhood. There is no place on the property that would meet all the setback requirements laid out in the Bylaws.

Mr. Nelson commented he was there to support the request, many of the Unified Bylaws are in place to control large development, West Pawlet village has a unique character with smaller lots and a close village feel. Mr. Mason reminded the public that the DRB cannot make any changes to density, only to setbacks.

Responding to an inquiry by Mr. Mason, Mr. Hosley stated that his setback to New Street is probably 70-some feet, and from Route 153 more than 40 feet. The setbacks impacted by this application are to the two abutting land owner property lines, not to the roads.

Mr. Mason reviewed the definition of village commercial district to determine that this variance does not impact that purpose.

Mr. Weiss stated that without further testimony, he suggests we move through the five conditions established in Article IX, Section 9 of the Pawlet Unified Bylaws:

- Number 1, the unique physical circumstances of this particular request are the small lot size and set up of the piece of land, as described by Mr. Hosley.
- Number 2, no possibility to reasonably use the property without this variance. It is a reasonable use to have a small storage shed, and in some ways will improve the look of the property.
- Number 3, this hardship has not been created by the appellant, and is due to the pre-existing size and layout of the lot.
- Number 4, as discussed, the shed will not alter the character of the property or impair use of the property in any way.
- Number 5, this variance affords the minimum that will effect relief, as there is no other location to allow for the storage shed, and the size is minimal.

In light of the application conforming to these five criteria, Mr. Weiss moved that the board grant the appellant the variance request.

Motion carried unanimously.

Adjourned at 7:30pm.

Respectfully Submitted,
Sarah Ludlam