

Town of Pawlet, Vermont
PO Box 128 122 School Street
Pawlet, Vermont 05761

Notice of Zoning Violation

29 August 2019

Mr. Daniel Banyai
541 Briar Hill Road
West Pawlet, Vermont 05775

Dear Mr. Banyai:

The following conditions were observed at your property located at 541 Briar Hill Road, West Pawlet, Vermont.

You have erected structures and have engaged in a use in violation of the following provisions of the Town of Pawlet Unified Bylaws:

ARTICLE VIII Administration and Enforcement
Section 2 Zoning Permits

“No building construction or land development may commence and no land or structure may be devoted to a new or changed use within the municipality without a zoning permit duly issued by the Zoning Administrator in accordance with Section 4449 of the Act.”

You have erected multiple structures in violation of this provision, and you are operating a training facility/shooting school in violation of this provision. To cure the violation of the Town of Pawlet Unified Bylaws, you must eliminate the unpermitted uses on the property, remove all unpermitted buildings, and not allow unpermitted uses to resume on the property.

The only permitted use on the 541 Briar Hill Road property is a 24' by 23' garage / apartment that was approved (Application #18-10-05) on October 5, 2019 by the Zoning Administrator.

You have seven days after receipt of this notice to bring the property into compliance with the Permit. If you do not do so, you will be subject to a fine of up to \$200 per day as provided in 24 V.S.A. § 4451(a). If the fines are not promptly paid you may be liable for double the amount as provided in 24 V. S. A. § 4451(a). You may also be subject to an enforcement action for an injunction or other relief in Vermont Superior Court, Environmental Division. You will not be entitled to an additional warning notice for a violation occurring after the seven days have expired.

You may appeal this notice of violation to the Town of Pawlet Development Review Board. To file an appeal, you must submit a notice in writing within fifteen days to the Pawlet Town Clerk, PO Box 128, Pawlet, VT, 05761. The notice must include your name and address, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the

relief you seek, and the alleged grounds describing why the requested relief is believed proper under the circumstances. These requirements appear in Title 24, Ch. 117, § 4451 and in sections that follow.

If you repeat the violation described in this letter within the next year, you will not be entitled to any notice period and an enforcement action may be taken immediately upon discovery of the violation.

If you elect not to appeal this Notice of Violation to the Town of Pawlet, the Notice will be the final decision on the matter.

Please note that, pursuant to 24 V.S.A. § 4449(c), all Notices of Violations must be recorded in the Land Records, informing prospective purchasers and lenders of the existence of the violation. If the violation is cured and upon payment of any and all accrued fines and a \$15.00 per page Recording Fee ~~\$20.00 Filing Fee~~, a memorandum indicating that the violation has been cured will be filed in the Land Records.

Thank you for your prompt attention to curing this violation. If you have questions or comments, please direct them to the Town's attorney, Merrill E. Bent, at (802) 362-2560 or merrill@greenmtlaw.com. Please note that any changes in the terms of the compliance schedule are only effective if made in writing by the Zoning Administrator.

Hal J. Wilkins

H J Wilkins

Zoning Administrator

HJW/tf
Encls.

Sent by certified mail, return receipt requested, and by regular mail