

**TOWN OF PAWLET, VERMONT  
DEVELOPMENT REVIEW BOARD**

In re: Application of James Sheldon for conditional use (retail store)

Landowner: James and Samantha Sheldon  
Property Address: 946 VT Route 149  
Hearing Date: January 20, 2022

**FINDINGS OF FACT, CONCLUSIONS, AND ORDER**

PROCEDURAL AND FACTUAL HISTORY

Landowners James and Samantha Sheldon submitted a conditional use permit application for a retail store (“permit”) on their property located at 946 VT Route 149 in West Pawlet (“Property”) on December 15<sup>th</sup>, 2021. The Pawlet Development Review Board warned and held a hearing on this permit on January 20, 2022 (“Hearing”). Mr. and Mrs. Sheldon participated as the Applicants. The Property is partially in the Industrial District, and partially in the Village and Commercial district, with the development proposed in the Village and Commercial area of the property. As such, the proposed retail store use is subject to conditional approval pursuant to Article II, §6 of the Bylaws.

**CONCLUSIONS**

Article VIII, § 2(2) of the Bylaws requires that “[a]ll applications for a zoning permit be accompanied by two copies of a sketch plan drawn to scale showing the dimensions of the lot to be built on, location of the building, and accessory buildings to be erected, a surveyor’s plot plan of the property, if available, and such other information as may be necessary to determine and provide for the enforcement of these Bylaws.” The materials submitted in support of the permit, and the evidence heard at the Hearing, do not include a sketch plan, and do not contain information necessary to determine and provide for the enforcement of these Bylaws. The DRB is authorized to request submission of additional information pursuant to 24 V.S.A. § 4464(b)(1). Specifically, in this case, the DRB concludes that it is necessary to have a complete and accurate scale site plan of both the existing building and any new construction proposed for this new use, to include the parking area and any other associated new development the applicants are proposing for the property.

**ORDER**

The DRB grants the Landowner leave to supplement the Permit application by submitting, within 30 days of this Decision, a sketch plan detailing all proposed improvements (buildings and all other Development, as defined in the Pawlet Unified Zoning Bylaws), including dimensions and setbacks from boundary lines. The Board specifically requests that any driveways, parking areas, screening, signage, lighting, or other changes to the property be depicted. The matter is recessed

pending submission of additional information. If the Landowner fails to supplement his application as required within the time permitted herein, then the permit shall be denied.

February 8, 2022

Approved by the Development Review Board:

/s/ Jonathan Weiss, Acting Chair

/s/ Gary Baierlein

/s/ Brian Rawls

/s/ Sarah Ludlam

/s/ James Glick

NOTICE: This Decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings before the Board. 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.