

**TOWN OF WALLINGFORD, VT
DEVELOPMENT REVIEW BOARD (DRB)
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

Applicant: Anna McFarren (Applicant/Agent); Alden Lamay (Property Owner)
Address of Applicant: 126 White Rocks Picnic Rd., Wallingford, VT 05773

Address of Property: 5 North Main St., Wallingford VT
Tax Map: # 13 Parcel: #70000005
Permit: # 15-23 Appeal: N/A

INTRODUCTION

The complete application for a change of use was received by the Zoning Administrator on 7/14/2015, and was referred to the DRB 7/14/2015. Adjoining landowners were notified of this Hearing by certified mail on 7/15/2015. Public Notice was posted on the property, at Town Office, and Wallingford Village Post Office. A Public Hearing was held on 7/30/2015. The Applicant and Property Owner were present and sworn in. The Zoning Administrator was present. B. Gainer, representing the Gilbert Hart Library, was identified as an Interested Party; and sworn in.

A quorum of the DRB was in attendance, documentation was available for review and believed to be in proper form. Based on the pleadings and papers on file in this matter, and the testimony presented at said Hearing, the Wallingford Development Review Board hereby issues the following Findings of Fact, Conclusion of Law and Order(s):

FINDINGS OF FACT

1. The subject property is a non-conforming 0.10 acre parcel, located in the Neighborhood Commercial zoning district. It includes two apartments, over ground level commercial space that was last permitted as a Pub and Deli.
2. Permit Application #15-23 requested a change of use from Pub/Deli on the south portion of the ground floor, to a beauty salon, a conditional use in the NC zoning district.
3. No exterior alterations to the structure are planned; with the possible exception of a small deck with stairs, on the west side of the building.
4. The interior (former Deli/Grocery) on the south portion would be renovated to a Beauty Salon, with an ADA accessible bathroom. The north portion of the ground floor would remain a Pub. The second floor would remain as two apartments.
5. Operations were generally within a 12 hour (mostly daylight) period; with exact hours yet to be determined.
6. All customer parking will be along the public right of way.

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CONCLUSION OF LAW

Based upon the above Findings, the Development Review Board concluded:

1. That the application does conform with the criteria for conditional use in the Neighborhood Commercial zoning district. (Article IV, Section 5)

ORDER (s)

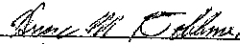
Based on the Findings of Fact and Conclusions of Law stated herein, a motion was made and approved by a majority vote of the participating DRB members, to APPROVE this application. The DRB directs the Zoning Administrator to issue an APPROVED Permit #15-23, based on the following votes:

Nathan Astin	absent	Ann Tiplady	Yes
Bruce Dobbins	Yes	Carolann Martin	Yes
Dereck Farmer	Yes	Jill Burket	Yes

This approval constitutes only local (Zoning/Subdivision) approval and does not in any way relieve the Applicant(s) from the requirements of obtaining any and all other required federal, state or local approval and permits.

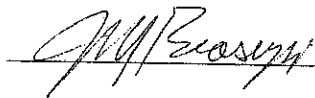
The Decision of the Development Review Board may be appealed by an Interested Party, to the VT Environmental Court within 30 days, in accordance with 24 VSA 4471.

Dated at the Town of Wallingford, Vermont on this 10 day of August, 2015



B. Dobbins, Interim Chair Person, Development Review Board

Delivered to the Zoning Administrator on this 10 day of AUGUST 2015



Jeffrey Biasuzzi, Zoning Administrator