

FINAL
Town of Wallingford, VT Development Review Board (DRB)
Findings of Fact, Conclusions of Law, Decision & Order(s)

Application #21-34 Take in 10-15 rescue dogs/puppies for non-profit organization. No new structures requests.

Applicant: Tori Filskov

(802) 342-2388

Property Owner: Tori Filskov

Subject Property Location: 151 Maranville Rd. East Wallingford, VT 05742

Town Parcel: 0170110

INTRODUCTION

The Zoning Administrator (ZA) received the initial application which was reviewed on 4 June 2021. Per Article III of Wallingford Zoning Regulations (effective Sept. 2015), the ZA determined that the application required DRB review and was denied/referred to the Appropriate Municipal Panel on 4 June 2021. The Applicant, Property Owner, and abutting property owners were notified (documented by Certificate of Mailing) of this application on 9 June 2021 and that a Public Hearing was scheduled for 7:00 pm, 23 June 2021, via Zoom (<https://www.wallingford.com/development-review-board>). Public Notice was also given by Rutland Herald notice on 9 June 2021, project location POSTER, and in two other public buildings.

Accordingly, a Public Hearing was convened by the DRB at 7:00 pm on 23 June 2021, with a quorum of Members in attendance. The Zoning Administrator and Applicant, were sworn in.

Jurisdiction was taken by Article III (Agricultural Rural Residence, Conditional Uses), Article IV (General Regulations; Conditional Use Approval),

After hearing testimony from Applicant and any Interested Parties; the DRB voted to close the Hearing to Testimony, and continue deliberations in Deliberative Session Meeting format to consider the testimony.

FINDINGS of FACT

1. The applicant would be housing between 10-15 rescue dogs/puppies
2. The applicant testified that the dogs/puppies would be quarantined in the kennels she provided in the basement of her home.
3. No dog would be allowed to be off-leash.
4. Second Chance Ranch is a non-profit organization in the State of New Hampshire.
5. All dogs coming to her have Certificates of Health signed by licensed veterinarians.
6. Her set-up would be a temporary home for the dog/puppies.
7. Her neighbors will not be disturbed by the dogs/puppies barking.
8. The dogs/puppies will pose no health hazards for her neighbors.
9. There were no plans for a fulltime employees.

CONCLUSIONS of LAW

- 1. The DRB recognizes that T. Filskov has experience with animals as a former Animal Control Officer.
- 2. She is responsible for ensuring that each dog/puppy has all their required vaccinations and health certifications.

Based on the Application documentation, Testimony of Record, and Review of the applicable regulations, the Wallingford Development Review Board here by **APPROVES APPLICATION #21-34 with the following CONDITIONS:**

- 1. The applicant take in no more than 15 dogs and/or puppies.
- 2. Her dog rescue site is a temporary home for the animals.
- 3. The dogs/puppies will be quarantined as necessary.
- 4. Her neighbors will not be disturbed by dogs barking.

DECISION and ORDER

WHEREAS the Wallingford Development Board APPROVES this Decision with its CONDITIONS, which is to be attached to final PERMIT #21-34, as follows:

William Brooks: Approve David Ballou: Approve Jill Burkett: Approve
Lucy Thayer: Approve

This Town approval does not release the Applicant from obtaining any other local, state, or federal approval or permit their application may require. Any alteration to the approved application without written prior Town approval, misrepresentation to the facts presented in the application and public testimony, or failure to comply to other Vermont State and Federal permits required are grounds to revoke this local permit.

Any Decision by an Appropriate Municipal Panel is subject to appeal by an Interested Party to the Vermont Environmental Court, within 30 days of the formal decision, as defined in the Town Regulations, and 24 VSA 4471(a), with a copy submitted to the Town, in accordance with the Act.

Approved on behalf of the DRB by William H Brooks 7/17, 2021
William Brooks, Chairman, DRB

Received by Zoning Administrator: Erin P. Bener 7/19, 2021