

TOWN OF WALLINGFORD
75 School Street, Wallingford, VT 05773
802-446-2974

**ZONING PERMIT
APPROVAL**

Owner/Applicant: The Stylish Vacation Phone(s): 267-879-0496.....

Applicant's Mailing Address: 2320 Green St. Philadelphia, PA 19130.....

Physical Location of Proposed Project (E-911 Address): 37 S. Main St. Wallingford, VT 05773
.....

Application#: 22-13 Received: 3 May 2022

Parcel #: 7010037 Zoning District: NC

PROPOSED WORK

All development authorized by this zoning permit shall be completed within two years of its date of issue or the Zoning Permit shall become null and void and reapplication to complete any activities shall be required (Article VI. Town of Wallingford Regulations, 2015).

. Permit to operate an Air BnB (short-term rental) property.....
.....
.....

The Zoning Administrator on: *15 June 22*

The Development Review Board, as indicated in the attached Findings of Fact, Conclusions of Law and Conditions of Approval in the decision dated: 8 June 2022

The permit poster [red 'P'] MUST be displayed in a conspicuous place on the premises, visible from a public highway during the appeal period* and throughout construction.

*Appeal Period: 15 Days for permits granted by the Zoning Administrator:
30 days for permits granted by the Development Review Board

Ericka Ber

Zoning Administrator

15 June 22

Date

APPEAL BY:

Pursuant to Title 24, §§VSA4471, 4472,4475, an interested party who has participated in the review of this application may appeal this decision to the Vermont Environmental Court by filing a Notice of Appeal directly to the Environmental Court, Airport Road, Barre, VT 05641, with the \$225 fee by certified mail within thirty (30) dates of the date of receipt of this decision. A copy of the notice must also be sent to the Zoning Administrator or the Municipal Clerk who is required to provide a list of interested persons to the appellant within five days of receipt of the Notice. The appellant is required to send a copy of the Notice, via certified mail, to each interested person.

Town of Wallingford, VT GENERAL ZONING PERMIT APPLICATION (Revised, per Regs. adopted 8/17/2015)

This multi-purpose Application Form is for both Residential & Commercial projects; including new Construction, Additions, certain Renovations, Accessory Structures, Signs, and Changes of Use. If it will help to clarify your permit request, please use additional pages to further describe your Application*. If an Application question is unknown, or may not apply, please leave blank. The Zoning Administrator will review & assist in completing the required information. **Subdivisions, Intent to Build an Agricultural Structure, and new Driveway Access requests require an ADDITIONAL FORM and Information.** IF your Application does NOT NEED a LOCAL PERMIT, a (FREE) "NO TOWN PERMIT REQUIRED" determination will be issued by the Zoning Administrator; and this should avoid any future questions on your Project.

Most Applications will require a Site Plan, clearly and accurately showing distances from the Project to the Property Boundaries. The Town Permit Fee required has to be included with the Application (refer to separate Permit Fee Schedule; there is no longer a \$2000 Project Cost Exemption for a Permit). Include Septic and Water Supply information, or approved VT Waste-Water Permit documentation, if required with your Application.

There are legal PUBLIC NOTICE & APPEAL Periods, which have to be satisfied before a Permit is in effect and construction may begin. These vary from a MINIMUM of FIFTEEN (15) DAYS, to over 45 days. Starting a project before the effective date of a Permit will result in a \$250 additional Administrative Fee, and a possible Zoning Violation.

==== FOR ZONING ADMINISTRATOR (ZA) TO COMPLETE =====

APPLICATION # 22-13 date rec'd by ZA 3 MAY Permit Fee 250⁰⁰ (ORB Refec)

ZA initial review of Application/Action _____

APPLICANT(s): The Stylish Vacation Company LLC PHONE: 267-879-0496

Postal Address: 2320 Green St Philadelphia PA 19130 EMAIL: hello@thestylishvacationcompany.com

IF Applicant is NOT LEGAL OWNER of the Subject Property (i.e. a future Owner, Contractor, or other designated Agent for the Owner), complete following:

AGENT for LEGAL OWNER (a letter from Legal Owner, authorizing the designated Agent to be attached to Application):

Name: _____ PHONE: _____

AGENT Address: _____ Email: _____

SUBJECT PROPERTY: Address 37 S. Main St Wallingford VT 05773 Twn. Parcel # 7010037

Zoning District: Neighborhood Commercial Acreage: 0.5 In Current Use Value? Y N Tax Map# 13

IS YOUR PROJECT: In a FEMA Flood Zone? NO Impact Wet Lands? NO Disturb over 1 Acre? NO

PRESENT USE OF PROPERTY: Bed and breakfast

Water Supply (Municipal, drilled Well, Spring): Existing Municipal If New, WW Permit# _____

Sewage Disposal (Munic., on-site Septic, Other): Existing/ # bedrms Municipal If New, WW Permit# _____

*DESCRIPTION OF APPLICATION/USE REQUESTED: Vacation home and short term rental when not in use. Replace existing sign with similar sign except not illuminated (change of use due to sale)

SETBACKS: Front/side/rear _____ ft. Rear _____ ft. Sides (N,S,E,W &/or looking from street to structure) Left. _____ ft. Right _____ ft.

NEW BLDG. DETAILS: Length _____ ft. Width _____ ft. Height _____ ft. (from lowest finished Level) Foundation _____

Attachments to this Application Include: Site Plan _____ Additional Info. _____ VT W-W Permit _____

Applicants & and/or their Agents are responsible for the accuracy of information they have submitted; and acknowledge that any false statements, inaccuracies or errors, changes or additions without Town approval, and any non-compliance with any conditions required are grounds for this Permit's revocation and any resulting Zoning Violations. This Application does not release the Owner from conforming to and/or obtaining any and all other Town, State or Federal permits that may be required for this Project. If your project involves expanded septic/water use, commercial or rental property, is within mapped Flood Zones or Wet Lands, additional approvals may be required. You are advised to contact Rutland County's VT Permit Specialist Rick.Oberkirck@VT.State.US for additional information.

[Signature]
Legal Owner or Agent's Signature

4/27/22
Date of Application

ZONING ADMINISTRATOR'S ACTION: VT Resid./Commer. Building Code Hand Book Offered/Supplied on Request _____

SITE REVIEW (If Required) Date of Property Visit: _____ Result: _____

APPROVED: _____ EFFECTIVE PERMIT DATE (after required 15 Day Appeal Period*) _____

*If the Approved Permit is APPEALED, the Permit is suspended until a decision by the Development Review Board. A Town Permit is valid for Two Years (24 months) of Effective Date; and EXPIRES if project IS NOT COMPLETE within this time. An extension to a Project may be granted in advance of expired date & under certain circumstances, per Rules.

DENIED (Basis): change of use requiring DRB Approval
Any DENIAL by the Zoning Administrator may be APPEALED, in writing to the Town Clerk within 15 Days of ZA decision.

APPEAL/ REFERRAL to DRB: Requested by Applicant to Appeal the decision of the ZA on this Permit Application, on the basis as a Pre-Existing & Non-Conforming Use or Structure, Conditional Use Development, or Variance; OR other Federal, State & Local Zoning Regulations that may apply (documents to detail/support Appeal basis required).

APPLICANT/ AGENT REQUEST to APPEAL ZA Decision; VERBAL Request Recv'd by Twr. Clerk 3 May 22

[Signature]
Zoning Administrator's Signature Date: 5/3/22

DEVELOPMENT REVIEW BOARD (DRB) ACTION: Approved

Date of Public Hearing(s) 25 May 2022 Date of DRB decision: June

Conditions or Terms of DRB Decision (which is attached to, and a Condition of any Final Zoning Permit issued. VT Statute allows for this DRB decision to be appealed within 30 days of notice, by any Interested Party, to VT's Environmental Court).

Date of Final Town Zoning Permit decision by Zoning Administrator, upon DRB instruction: 15 June 2022

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

Application #22-13: Request permit to operate Air BnB

Applicant: Stylist Vacation Co., LLC 2320 Green St. Philadelphia, PA 19130 **Phone:** 267-879-0496

Property Owner: Same as above

Subject Property Location: 37 South Main St. Wallingford, VT 05773

Town Parcel: 7010037

INTRODUCTION

The Zoning Administrator (ZA) received the initial application which was reviewed on 03 May 2022. Per Articles VI and V of Wallingford Zoning Regulations (effective Sept. 2015), the ZA determined that the application required DRB review and application was denied/referred to the Appropriate Municipal Panel on 3 May 2022. The Applicants/ Property Owners, and abutting property owners were notified (documented by Certificate of Mailing) of this application on 13 May 2022 that a Public Hearing was scheduled for 7:00 pm, 25 May 2022, at Town Offices, 75 School St. Wallingford Village Public Notice was also given by Rutland Herald notice on 10 May 2022, and posted in two other public buildings.

Accordingly, a Public Hearing was convened by the DRB at 7:00 pm on 25 May 2022, with a quorum of Members in attendance. The Zoning Administrator, Applicants (owners) of Stylist Vacation CO., LLC., and members of the public in attendance were sworn in, and submitted testimony.

Jurisdiction was taken by Article VI General Regulations and Article V (Neighborhood Commercial Zone).

After hearing testimony from Raphael Cunniff, Tony Le (Property owners and applicants), Debbie Scranton, Carl and Ann Buffum (interested party and abutting neighbors); the DRB voted to close the Hearing to Testimony, and go into in Deliberative Session.

FINDINGS of FACT

1. The subject property is 0.5 (+/-) acres located within the Neighborhood/Commercial Zoning district of the Town of Wallingford.
2. The previous owners were permitted to operate a Bed and Breakfast at the same location.

CONCLUSIONS of LAW

1. The DRB Recognizes that the previous owners operated a Bed and Breakfast.
2. That the application was based on a change of use from a Bed and Breakfast to an Short-term rental/Air BnB.

Based on the Application documentation, Testimony of Record, and Review of the applicable regulations, the Wallingford Development Review Board here by **APPROVES APPLICATION #22-13 with the following CONDITIONS:**

- That any overflow parking be in front of the house as much as possible to allow street parking for other businesses.
- The applicants must obtain all other Vermont State permits as required.
- The applicants will ensure their renters are mindful of any loud noise after 11:00PM per Town Ordinances.
- Any outside (exterior) lighting must abide with Town Zoning regulations.
- The proposed sign will be approved by the Zoning Administrator per current Zoning Regulations.

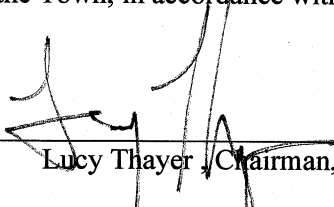
DECISION and ORDER(S)

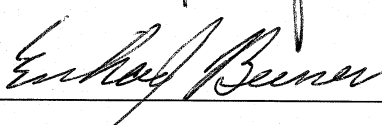
WHEREAS the Wallingford Development Board APPROVES this Decision with its CONDITIONS, which is to be attached to final PERMIT #22- 13, as follows:

Lucy Thayer Approve; Jillian Burkett: Approve; David Ballou: Approve.

This Town approval does not release the Applicant from obtaining any other local, state, of federal approval or permits their application may require. Any alteration to the approved application without written prior Town approval, misrepresentation to the facts presented in the application & public testimony, or failure to comply to other VT & 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 VT 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 , 6/ 8, 2022,
Lucy Thayer, Chairman, DRB

Received by Zoning Administrator: , 6/ 13 2022