

WATERBURY DEVELOPMENT REVIEW BOARD
General Minutes — Wednesday, October 18, 2017

In Attendance: Board members present: David Frothingham (Chair), Mike Bard, Tom Kinley, and Nat Fish. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary).

The public meeting was called to order by David Frothingham, Chair, at 6:30 p.m. in the Steele Community Room in the Municipal Center, 28 North Main Street, Waterbury, VT. The Agenda was approved as presented.

- 1) **#92-17: Michael and Katherine Bodan** (owner/applicant)
Construct a residential addition and detached garage within the setback at 160 Worcester Mountain View, Waterbury Center, VT. (MDR/LDR zoning districts)

Decision filed separately.

- 2) **#91-17: Joseph and Judith Duffy** (owner/applicant)
Create a three-lot subdivision of an undeveloped parcel, which includes lands within the Ridgelines/Hillsides/Steep Slopes overlay district, on Wood Farm Road, Waterbury Center, VT. (LDR/CNS zoning district)

Testimony: The owner stated that he was aware of the concern for the existing septic at 722 Ripley Rd, a property downhill from this property. He further stated he would do everything he could to prevent the downhill drainage from causing a problem for the owner, John Buck.

Decision filed separately.

- 3) **#93-17: Ivy Ventures, Inc.** (owner/applicant)
Renovate, expand the occupancy, and change the use of two existing commercial buildings, and reconfigure the parking areas at 2933 Waterbury-Stowe Road, Waterbury Center, VT. (RT100 zoning district)

Decision filed separately.

- 4) **Approve final plat:**
#26-17: John Schindler, Schindler Development Corporation final plat for three-lot subdivision on Ripley Road and Ring Road, Waterbury Center, VT. (LDR/CNS).
Motion: by Tom Kinley, seconded by Mike Bard: To approve the final plat for #26-17.
Vote: Approved 4-0.

- 5) **Approval of prior meeting minutes and decisions:**
The September 6 meeting minutes were reviewed.
Motion: by Tom Kinley, seconded by Nat Fish: To approve the general minutes of September 6.
Vote: Approved 4-0.

Adjournment: The meeting adjourned at 8:45 p.m.

 _____ (Chair)

Approved: November 8, 2017

**Town & Village of Waterbury
Development Review Board
Decision #92-17–October 18, 2017**

In Attendance: Board members present: Dave Frothingham (Chair), Mike Bard, Tom Kinley, and Nat Fish.
Staff present: Dina Bookmyer-Baker (ZA) and Patti Spence (Secretary).

Owner/ Applicant:	Michael and Katherine Bodan	
Address/Location:	160 Worcester View Drive, Waterbury Center, VT	
Zoning Districts:	Medium-Density Residential (MDR) & Low-Density Residential (LDR)	
Application #	92-17	Tax Map # 10-089.000

Applicant Request

The applicant seeks approval to construct a residential addition to a single-family dwelling, to expand the deck, extend the roof, and to construct a detached garage/workshop, which will encroach into the setback at 160 Worcester View Drive.

Present and sworn in:

Michael and Katherine Bodan, Applicants.

Exhibits

- A: Application #92-17 (4 pages), 9/18/17.
- B: Site plan, prepared by Applicant, 9/18/17.
- C: Orthophoto of parcel showing the MDR/LDR setbacks. (staff)
- D: Letter to adjoining landowners, mailed certified on 9/29/17
- E: Orthophoto of property, showing existing and proposed structures, prepared by Applicant, 10/18/17.

Findings of Fact:

1. Existing conditions: Michael and Katherine Bodan own a 2.15± acre parcel located at 160 Worcester View Drive in the Medium-Density (MDR) and Low-Density Residential (LDR) zoning districts. The parcel is currently developed with a one and 1/2-story single-family dwelling. The structure was built in 1989 (Zoning Regulations were adopted in 1980). The parcel includes frontage on and has access to Worcester View Drive. The property is served by on-site well and septic.
2. Project: The proposal is to construct an addition and a detached garage/workshop that will be located 4' from the side property line to the south. The project is located in the MDR portion of the property.
3. MDR Dimensional Requirements, Table 5.2: Minimum setbacks: 60' front; 50' sides/rear. The existing dwelling is located within the side yard setback by 4-feet, according to Applicant's Exhibit B.
4. Waiver Request: The setback waiver request is to encroach into the side yard setback by 46' (50' minus 4').

5. Conditional Use/Waiver criteria: As set forth in Section 309, the DRB may grant a waiver of building setbacks as a conditional use review in accordance with Section 303; provided that the encroachment does not have an undue adverse impact on the use and enjoyment of adjoining properties from which the setback waiver is sought. The Board considered the following:
- a. Section 303(e)(1) Community facilities: No change in the use of the property or occupancy is proposed. The property is served by private well and septic. The addition will not unduly increase the traffic, does not require addition municipal water or sewer allocation, will not burden the school capacity, and will not increase the demand for fire protection. The Board concludes that the proposed expansion to the existing use will not have an undue adverse impact on the capacity of existing or planned community facilities.
 - b. Section 303(e)(2)(A-E) Character of the area: The use of the property will remain residential. No new exterior lighting is proposed. The addition will be constructed to match the style of the existing dwelling. The proposed addition and accessory structure are appropriate in scale and design in relation to existing uses and structures in the district. The Board concludes that the proposed use will not have an undue adverse impact on the character of the area affected.
 - c. Section 303(e)(3) Municipal bylaws in effect: The project application presents compliance with the conditional use criteria. The Board concludes that the proposal will not violate any municipal bylaws and ordinances.
 - d. Section 303(f)(2) Methods to control fumes, gas, dust, smoke, odor, noise, or vibration: The proposed residential use will not typically create the above-named nuisances. The Board concludes that no devices or special methods are necessary to prevent or control these impacts.
 - e. Section 303(h) Removal of earth or mineral products conditions: The project does not involve earth-removal activities. This provision does not apply.

Conclusion:

Based upon these findings, and subject to the conditions set forth below, the Board concludes that the proposal by Michael and Katherine Bodan to construct an addition 46' within the side yard setback at 160 Worcester View Drive, as presented in application #92-17 and supporting materials, meets the Waivers and Conditional Use criteria set forth in Sections 309 and 303.

Motion:

On behalf of the Waterbury Development Review Board, Mike Bard moved and Tom Kinley seconded to approve application #92-17 with the following condition:

- (1) The Applicant shall complete the project in accordance with the Board's findings and conclusions and the approved plans and exhibits.
- (2) Any new exterior lighting will be downcast and shielded.

Vote: The motion was approved 4-0.


_____ (Chair)

Approved: November 8, 2017

State permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 802-505-5367 or pete.kopsco@vermont.gov, and the appropriate state agencies to determine what permits must be obtained.

NOTICE: *This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An 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.*

**Town & Village of Waterbury
Development Review Board
Decision #91-17–October 18, 2017**

In Attendance: Board members present: Dave Frothingham (Chair), Mike Bard, Tom Kinley, and Nat Fish.
Staff present: Dina Bookmyer-Baker (ZA) and Patti Spence (Secretary).

Owner/Applicant:	Joseph and Judy Duffy	
Address/Location:	Wood Farm Road, Waterbury Center, VT	
Zones:	Low-Density Residential (LDR), Conservation (CNS) & Ridgeline/Hillside/Steep Slope (RHS) overlay	
Application #	91-17	Tax Map # 14-084.000

Applicant Request

The applicant seeks to subdivide the existing lot on Wood Road into three residential lots in the RHS overlay district.

Present and sworn in:

Joe and Judy Duffy, Applicants
Chris Austin, Consultant
John and Catherine Buck, Adjacent Landowner
Wendy Haupt, Adjacent Landowner
Dave Lachtrupp, Interested Party

Exhibits

- A: Application #91-17 (8 pp: Zoning, Conditional Use, Subdivision, Overlay District), submitted 9/18/17.
- B: Project submittal letter from Grenier Engineering, dated September 15, 2017.
- C: (C1) Wood Farm Subdivision plan prepared by Grenier Engineering for Joseph and Judith Duffy, sheet 1 of 2, dated 2/2/2007; revised 9/26/2017 (minor revision to clearing).
(C2) Lot A Septic System site plan and Details prepared by Grenier Engineering for Joseph and Judith Duffy, sheet 2 of 2, dated 9/26/2017.
- D: Orthophotos of parcel with tax map boundaries and zoning districts (staff).
- E: Wildlife Resources Map
- F: Letter to adjoining landowners, mailed certified: Oct. 2, 2017

Findings of Fact:

1. Existing conditions: Joseph and Judy Duffy own a 34.5± acre parcel located on Wood Farm Road, near the intersection with Ripley Road. The parcel has been subdivided and recombined previously (see zoning permit history, below), which approvals were subsequently undone or allowed to lapse, and the parcel remains undeveloped. The parcel includes frontage on Ripley Road. Wood Farm Road transects the parcel to provide access (via an approved 50' right-of-way) to neighboring properties. The parcel is located in both the Low-Density Residential (LDR) and Conservation (CNS) zoning districts, with portions within the Ridgelines/Hillsides/Steep Slopes (RHS) overlay district (Exhibit D).

2. Zoning permit history: (applicable recent permits)

- September 2014, DRB Subdivision, Conditional use, and Ridgelines/Hillsides/Steep Slopes review and approval for zoning permit #42-14-T, for a 3-lot subdivision (create Lots A, D, and E) and pre-development site preparation for residential development on Lot D.
- April 2015, ZA approval of zoning permit #05-15-T for a boundary-line adjustment involving Lot A (remove), Lots E and D, and Area A from Ripley Springs, resulting in reconfigured Lots E and D (and Ripley Springs remaining lands).
- January 2016, ZA approval of zoning permit #01-16-T for a boundary-line adjustment to merge Lot E with Lot D, resulting in Lot D of 39.5 acres.

3. Current proposal: To subdivide the existing 34.5± acre parcel (Lot D) into three lots as follows:

- Lot A will be 16.94 acres, lies mostly in the CNS zoning district, has ±115' of frontage on (the road centerline) and an access drive to Wood Farm Road, and will be served by private well and septic for a four-bedroom single-family dwelling. The lot width at the building front line is greater than 300'.
- Lot D will be 11.4± acres, contains land in both LDR and CNS zoning districts and has ±170' of frontage on (the road centerline of) Ripley Road and will have an access drive to Wood Farm Road, which crosses the lot to provide access to neighboring properties to the east. Lot D also contains a 50' right-of-way to Lot E for access and utilities. Lot D will be served by private well and septic for a five-bedroom single-family dwelling. The lot width at the building front line is greater than 300'.
- Lot E will be 6.16 acres, lies in the LDR zoning district, has ±150' of frontage on (the road centerline of) Ripley Road and will have an access drive to Wood Farm Road, via a 50' right-of-way across Lot D. Lot E will be served by private well and septic for a five-bedroom single-family dwelling. The lot width at the building front line is greater than 300'.

The lots will be served by private wells and septic systems as per State water and wastewater permit WW-5-3162-4, issued October 11, 2017. The proposed lots include land within the Ridgelines/Hillsides/Steep Slopes (RHS) overlay district and all three proposed building zones are between 1200 and 1500 feet in elevation (FIE). No portion of the property is above 1350 FIE (Exhibit C1). This application is for review of the subdivision, not the proposed dwellings, at this time.

4. Section 504 General Dimension Requirements: Any subdivision of land must conform to the relevant criteria in Section 504. See the table below for compliance with the LDR and CNS zoning districts.

	Zoning District Minimum Lot Size	Proposed Lot Size	LDR/CNS Minimum Frontage	Proposed Frontage
Lot A	CNS: 10 acres	16.94± acres	300'	> 300'± Wood Farm Rd
Lot D	LDR: 5 acres CNS: 10 acres	11.4± acres	300'	> 300'± Ripley Rd
Lot E	LDR: 5 acres	6.16± acres	300'	> 300'± Ripley Rd

(definition) Lot Frontage: Distance measured across the width of the lot at the building front line, or proposed building front line.

(definition) Building Front Line: Line parallel to the front lot line transecting the point in the building face that is closest to the front lot line...

In the LDR zoning district, the minimum setbacks are: 70' front and 75' sides/rear. In the CNS zoning district, the minimum setbacks are: 100' for the front, sides, and rear. The building envelopes and proposed dwellings on the lots meet the setback requirements. Each lot as proposed meets the minimum lot size requirements and each will have access to Wood Farm Road, a private road. (Exhibit C1).

5. Section 1201 Authority and Review of Subdivisions: All applications for land division shall be reviewed by the DRB under Section 1202, unless exempted under Section 1203. This application is not exempted from Board review, as the project involves lands within the RHS overlay district.
6. Section 1202 Subdivision Review Criteria: Prior to granting approval, the Board must find that the proposed subdivision conforms to the standards in Section 1202 (a)-(d).
 - (a) The Board must find that the proposal will not have an undue adverse impact on the following:
 - (1) The capacity of community facilities: The dwellings will not be connected to municipal water or sewer systems. The proposal to create three new residential lots will not exceed the school system capacity, or cause an undue adverse impact to traffic volumes, or create an unmanageable burden on fire protection services.
 - (2) The character of the area: The use of the proposed lots will be residential. The existing uses in the immediate area are residential.
 - (3) Water quality: Applicant might be required to obtain a VT stormwater discharge permit. Applicant has obtained the water/wastewater permit from the state (ww-5-3162-4). The Applicant is aware of the concern for the existing septic at 722 Ripley Road (owned by John & Catherine Buck), which is downhill from the subject property's proposed Lot E. Applicant testified to do everything he could to prevent the downhill drainage from causing a problem for this neighboring property. Applicant will employ erosion protection and sediment control measures during the development of the lots to ensure that development and site improvements will not result in undue adverse impact to water quality or downstream properties.
 - (4) Aesthetics and scenic or natural beauty: Not addressed in the application materials.
 - (5) Significant natural resources: Significant Natural Resources are defined in the Regulations as: "Areas that include streams; Class I & II wetlands; prime agricultural soils; wildlife resources, including the Natural Heritage sites, as shown on the Waterbury Wildlife Resources Map in the Municipal Plan; and rare, threatened or endangered species." The application materials do not include evidence or comment that the project will not have an undue adverse impact on significant natural resources, specifically. The project appears to be located in the mapped bear habitat on the Wildlife Resources Map (Exhibit E).
 - (b) The project is *not* in the RT100 zoning district. This provision does not apply.
 - (c) The project is in the RHS overlay district. See compliance with the RHS standards in Section 1004, paragraph 7, below.

(d) The Board may attach reasonable conditions and safeguards with respect to the subdivision attributes identified in Section 1202(d)(1-4). The proposal does not include excessive curb-cuts, as all of the lots will be accessed from a private road. Lot D has an irregular shape. The Board finds that Applicant presented good cause for the lot configuration, including: drainage considerations, avoiding the wetland buffer, better driveway access, and simplifying the right-of-way/easement agreement. The building envelopes are small relative to the size of the lots, preserve the existing vegetation, and meet the minimum setbacks for the districts. The staggered rows of evergreen trees will remain (Exhibit C1) and Applicant will preserve the no cut zone on Lot D along the Haupt property and the 20' wide screening buffer along the property line adjacent to the Haupt and Roche properties (as was shown on the #42-14 plan).

7. Section 1004 RHS Standards of Review: All of the proposed development is located below 1,499 FIE. As per Section 1001, the project is classified as "minor" development. Minor development projects on lands within the RHS overlay district shall be subject to conditional use review.

Section 303 Conditional Use criteria: Development of lands within the RHS overlay district shall comply with the following conditional use review standards:

- (a) Section 303(e)(1) Community facilities: See compliance with the capacity of community facilities in paragraph 6(a)(1), above.
- (b) Section 303(e)(2)(A-E) Character of the area: The existing uses in the immediate area are residential. Light and noise impacts will be typical of standard residential use, which will not cause danger of fire, explosion, or electrical hazard, or in any other way jeopardize the health and safety of the area. The application materials did not specify any historic sites, or rare or irreplaceable natural areas on the parcel. The State of Vermont does not identify any rare, threatened, or endangered species, or deer wintering areas on the parcel (exhibit from previous application).
- (c) Section 303(e)(3) Municipal bylaws in effect: Residential lots are a permitted use within the LDR and CNS zoning districts and are a conditional use when they are located within the RHS overlay district. The application represents compliance with the zoning bylaws.
- (d) Section 303(f)(2) Methods to control fumes, gas, dust, smoke, odor, noise, or vibration: The proposed residential use will not typically create the above-named nuisances and therefore no devices or special methods are required to control these impacts.
- (e) Section 303(h) Removal of earth or mineral products conditions: The project does not include earth removal activities. This provision does not apply.

Conclusion:

Based upon these findings, and subject to the conditions set forth below, the Board concludes that the proposal by Joseph and Judy Duffy to create a three-lot subdivision on Ripley and Wood Farm Road in the RHS overlay district, as presented in application #91-17 and supporting materials, meets the Conditional Use, Ridgelines/Hillsides/Steep Slopes, and Subdivision criteria as set forth in Sections 303, 1004, and 1202.

Decision Motion:

On behalf of the Waterbury Development Review Board, Mike Bard moved and Nat Fish seconded to approve application #91-17 with the following conditions:

- (1) The applicant shall complete the project in accordance with the Board's findings and conclusions and the approved plans and exhibits;
- (2) The applicant shall comply with the State of Vermont Low Risk Site Handbook for Erosion and Sediment Control, August 2006 when development commences on the lots. [Section 1202(a)3]
- (3) Except as amended herein, this approval incorporates all Findings of Fact, Conclusions of Law, and Conditions in zoning permit approvals #42-14-T, #05-15-T, and #01-16-T.
- (4) The applicant shall submit a revised site plan that shows the no cut zone, as well as the 20' screening buffer between the Haupt and Roche properties, as were shown on the #42-14 plan.
- (5) The Applicant shall submit a copy of the final plat, prepared in accordance with 27 V.S.A. § 1403, to the Zoning Administrator within 150 days of the approval date of this decision to schedule for Development Review Board approval.
- (6) The approved final plat, signed by the DRB Chair (or Acting Chair), shall be duly filed or recorded in the office of the clerk of the Town of Waterbury within 180 days from this approval, in accordance with 24 V.S.A. § 4463.

Vote: The motion was approved 4-0.


_____ (Chair)

Approved: November 8, 2017

State permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 802-505-5367 or pete.kopsco@vermont.gov, and the appropriate state agencies to determine what permits must be obtained.

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An 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.

**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
Decision, #93-17 — October 18, 2017**

In Attendance: Board members present: Dave Frothingham (Chair), Mike Bard, Tom Kinley, and Nat Fish.
Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary).

Application for Site Plan and Conditional Use Review for a change of use for the Hooker's Furniture buildings and parking changes located at 2933 Waterbury-Stowe Road, Waterbury Center, VT.

Permit Application #:	93-17
Applicant:	Ivy Ventures, Inc.
Landowner:	SAME
Location of Project:	2933 Waterbury-Stowe Road, Waterbury Center, VT.

Present and sworn in:
George Pierce, Applicant

EXHIBIT LIST:

Exhibit A	Zoning Permit Application #93-17 including Conditional Use narrative
Exhibit B	Existing Conditions and Demolitions Plan dated 08/28/17
Exhibit C	Master Site Plan dated 08/28/17
Exhibit D	Ivy Ventures Permitting Submission Plan Set dated 08/28/17
Exhibit E	Site Survey dated December, 1993
Exhibit F	Aerial Photo of Site dated May 22, 2017
Exhibit G	Elevations for Buildings #4 and #5 dated 09/08/17
Exhibit H	Project Review Sheet revised and issued 06/16/17
Exhibit I	Notice sent to Adjacent Landowners dated 09/29/17
Exhibit J	Site Plan for Lighting, dated 9/8/17, and Lighting specifications sheets, submitted 11/7/17.

Findings of Fact:

This project proposes to amend the previously approved site plan for 2933 Waterbury-Stowe Road, by changing the use of Building #4, the former Hookers Furniture Building, from retail to business professional offices, and changing the use of Building #5, the red storage building, to a light industrial woodworking shop and storage.

1. The property is located within the RT100 Zoning District and is currently occupied by commercial building and a theater/playhouse.
2. The existing 5,000 sq. ft. Building #4, the former Hookers Furniture Building, will have a 2,000 sq. ft. second floor added for a total of 7,000 sq. ft. of business professional office space. The exterior facades and footprint of the building will remain unchanged as shown on Exhibit G. This building will be occupied by a maximum of 60 employees.
3. The existing 5,000 sq. ft. red storage building will be renovated converting 2,000 sq. ft. into a light industrial woodworking shop. The woodworking shop will be enclosed and climate controlled in order to muffle the noise created by the machinery. There will be no exterior venting of noise. The remaining 3,000 sq. ft. will remain as storage. There will be a maximum of seven employees working in the building. The exterior facades will have windows added and footprint of the building will remain unchanged as shown on Exhibit G.
4. The existing gravel parking lots for Buildings #4 and #5 will be enlarged to create a total of 41 parking spaces including two handicap parking spaces in front of Building #4. The minimum parking

requirement for Building #4 is 24 spaces (7,000 sf / 300 sf per space). The parking requirement for the red woodworking/storage Building #5 is seven spaces (one per employee). This results in a total parking requirement of 31 spaces for buildings #4 and #5. There will be three 20' tall pole lights with downcast and shielded LED fixtures added in the parking lot in front of building #4, and two building mounted lights and one existing pass door light on building #4.

5. There will be a stormwater infiltration basin created to the rear or southwest of Building #4 as shown on Exhibit C. This basin will serve the existing and proposed gravel parking areas.
6. The existing grass parking area southwest of the existing Playhouse Theater (Building #3) will be re-located to the grass field that is northeast of the Playhouse as shown on Exhibit C. This parking area is being re-located in order to allow for the construction of a new 80 KW solar array as shown on Exhibit G. The electrical power generated by the new solar array will be net metered into the electrical grid and is exempt from the requirement for a zoning permit under state statute. With the relocated 34 space parking area and the remaining 38 space grass parking area there will be a total of 72 parking spaces for the Playhouse Theater. There will be four 25' tall pole mounted lights with a total of two single LED fixtures and two double LED fixtures.
7. Most recent zoning approvals for the property include zoning permits #43-05-T and #103-05-T in which the property owner proposed to build the Playhouse structure, and #55-13-T for a loading dock for the theater.
8. The existing trees, landscaping, wooded areas, and Class II and III wetlands shown on Exhibit G will remain undisturbed.
9. The applicant is seeking site plan and conditional use approval for the changes to the previously approved site plans for this combined property.
10. The Site Plan Review Criteria, including additional criteria for the RT 100 Zoning District and Special Considerations for RT 100 Zoning District apply to this entire site.

Conclusion:

Based upon these findings and subject to the conditions set forth below, the Waterbury Development Review Board concludes that application #93-17 meets the site plan and conditional use review criteria including the additional criteria for the RT 100 Zoning District and Special Considerations for projects bordering Route 100.

Motion:

On behalf of the Waterbury Development Review Board, Mike Bard moved and Tom Kinley seconded the motion to approve application #93-13, Ivy Ventures, Inc. for site plan and conditional use review for changes of use and parking lot modifications to the site located at 2933 Waterbury Stowe Road, Waterbury Center, VT (tax map #09-316.010 & #09-316.000) with the following conditions:

1. This permit is granted on the condition that the applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits.
2. All exterior lighting shall be downcast and shielded.
3. The applicant shall submit lighting cut sheets for all proposed exterior light fixtures.

The motion passed 4-0.

 (Chair)

Approved: November 8, 2017

State permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 802-505-5367 or pete.kopsco@vermont.gov, and the appropriate state agencies to determine what permits must be obtained.

***NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An 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.*