



DRB MEETING

Tuesday, June 20, 2023 at 7:00 PM

Chris Letourneau Meeting Room and via Zoom

MINUTES

Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWLzVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. CALL TO ORDER - 7:00 PM

BOARD PRESENT

Chair Suzanna Brown
Charles Cross
Greg Drew
Gilles Rainville
Glenn Sjoblom
Lisa Faure

BOARD ABSENT

Vice Chair James Powell

INTERESTED PERSONS PRESENT

Megan Manahan Bliss, Attorney for BTMC, LLC
Butch McCracken, BTMC, LLC
Tony McCracken, BTMC, LLC

STAFF PRESENT

Doug Bergstrom, Zoning Administrator
Kollene Caspers, Zoning Clerk

6:58 pm S. Brown swears in Interested Persons

2. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA

None

3. PUBLIC HEARINGS

A. Appeal of Zoning Administrator Decision (APL-001-23) BTMC, LLM is appealing the ZA's decision to deny a zoning application for a proposed outdoor building sales business at 1149 Ethan Allen Highway Parcel ID# 117470000, South Village Zoning district.

-Butch McCracken and Tony McCracken, BTMC, LLC and Atty Megan Manahan Bliss were present for the hearing.

-Megan Manahan Bliss requested a narrow issue before the board tonight, is Retail Store a permitted use in the South Village (SV) zoning district?

-Bliss opines the decision made by Zoning Administrator was incorrect based on the Town of Georgia Development Regulations, retail sales is a permitted use in that SV district.

-Zoning Administrator (ZA) explained that according to ZA protocol, he must apply a "literal interpretation" to the Development Regulations. ZA was not able approve the permitted use application as the sale of sheds did not fit into the use of retail sales as described by the Development Regulations, rather, the sale of sheds was more in line with uses not allowed. It was also unclear as to how the sheds would be displayed, as no site plan was included. ZA suggested a Conditional Use application be completed so the issue go to DRB.

-Bliss countered BTMC, LLM sale of sheds in current Business District location in Town of Georgia was approved as retail store. This location has sheds on display outdoors, and no size of the retail area in current use provided to the DRB.

-S. Brown explained past decisions don't set precedent, especially if granted in a different Zoning district. Asked for further information regarding the property, larger parcel of the two or smaller.

-Butch McCracken- looking to work with the town to be able to showcase sheds, even though they understand the SV purpose and future ideal uses. Making the case for shed sales and may be temporary given the current situation. BTMC, LLC proposing to work with DRB for future temporary use, though the Appeal decision before DRB is to decide the denial of permitted use of retail sales in the SV.

7:40pm- Motion to close the public hearing

Motion made by Drew, Seconded by Sjoblom.

Voting Yea: Chair Brown, Cross, Drew, Rainville, Sjoblom, Faure

4. APPROVAL OF MINUTES

A. DRB Meeting Minutes

Minutes approved as written, no changes.

Motion made by Rainville, Seconded by Cross.

Voting Yea: Chair Brown, Cross, Drew, Rainville, Faure

Voting Abstaining: Sjoblom

5. OTHER BUSINESS

- Wetlands Buffer discussion, questions on the regulations on what DRB can request from property owners.
- S. Brown will research and let the DRB know where the regulations can be found for the Wetlands Buffer.
- McCracken Auto Sales, what are the parameters for the sale of autos in the Development Regulations, zoning district, etc. Research of regulations needed.

6. PLAN NEXT MEETING AGENDA

A. July 18, 2023

Discussion for July 18th meeting- 864 Ethan Allen Highway, LLC. Review of the South Village Plan, Development Regulations, as well as the new Act 47 laws necessary to prepare for the large subdivision sketch.

7. DELIBERATIONS

Move into deliberative 7:52pm.

Voting Yea: Chair Brown, Cross, Drew, Rainville, Sjoblom, Faure
Motion made by Rainville, Seconded by Drew.

A. APL-001-23 BTMC, LLC

Exit deliberations at 9:00pm

Voting Yea: Chair Brown, Cross, Drew, Rainville, Sjoblom, Faure
Motion made by Rainville, Seconded by Cross.

8. ADJOURN

Adjourn the Meeting: 9:01pm

Motion made by Drew, Seconded by Rainville.

Voting Yea: Chair Brown, Cross, Drew, Rainville, Sjoblom, Faure

Posted to the Town website, four designated places within the Town of Georgia (Town Clerk's Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.

Signed: Douglas Bergstrom, Zoning Administrator, DRB Coordinator

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com

**Appeal
 Appeal to DRB Application
 APL-001-23**

| | |
|--|---|
| Owner: BTMC, LLC 1710 Bovat Road Fairfax, VT 05454 | Applicant: |
| Lawyer: Megan Manahan Bliss, Esq. Cahill, Gawne, Miller, & Manahan 42 North Main Street, St. Albans VT 05478 802-524-5211 | Property Tax Parcel & Location: 1149 Ethan Allen Highway Parcel#117470000 Zoning District: SV |

BACKGROUND

BTMC, LLC, hereafter referred Applicant, is requesting an appeal of the May 12, 2023 denial of a non-conforming application to the Zoning Office for change of use on the property from an auto repair business to a proposed outdoor building sales business. The parcel is located at 1149 Ethan Allen Highway, within the South Village (SV) zoning district. The parcel (117470000) is ±9.57 acres in size, benefitted by ±90 ft of frontage along Ethan Allen Highway.

Tony McCracken, who is listed as a Member of BTMC, LLC, known as the Applicant, first contacted the Zoning Office on or around March 23, 2023, regarding the use of the property for the business of selling sheds. The Zoning Administrator would address the DRB at the next meeting to informally discuss if this as a Permitted Use in the SV Zoning District, and suggested he reach out to VTrans, as the location is on a State of Vermont Highway and any commercial change of use will require a VTrans application.

The Zoning Administrator received an email from VTrans discussing the requirement of major upgrades to the driveway prior to allowing any new use on the property. Together with Applicant’s information, an informal discussion at the April 4, 2023 DRB meeting during “Other Business” on the Agenda ensued for the proposed use of property as presented by Applicant.

Given the specific use was not listed under Article 2 table 2.2 Land Uses in the SV Zoning District, the DRB opined the business of selling large outdoor sheds was more in line with Motor Vehicle Sales, Heavy Equipment Sales, Rural Retail, and Manufactured Home Sales all of which are not allowed in the SV Zoning District. In keeping with the Georgia Development Regulations Section 3.6 South Village Core Design Standards the proposed business does *not* fit the guidelines of the South Village.

Applicant was informed the following day via phonecall that the proposed sale of sheds in the SV zoning district would not be allowed. There was further discussion about building a retail building or box store should a Conditional Use application be submitted to the DRB.

On May 8, 2023, the Zoning Administrator was contacted by Megan Manahan Bliss, Esq. via email checking on the status of a Permitted Use application on behalf of their client BTMC, LLC

for 1149 Ethan Allen Highway. The Zoning Office had not received any application from Applicant or from Applicant’s representation, Cahill, Gawne, Miller & Manahan, P.C.

Over the next week, a series of phone calls and emails were exchanged between the Zoning office Applicant’s representation regarding this project. An incomplete application was submitted to the Zoning Office via email, pertinent sections of the application omitted, and no site plan for the project nor fee was included. The Zoning Administrator informed Applicant’s representation the application as submitted would not be classified as a Permitted Use in the SV Zoning District and recommended filling out the appropriate Conditional Use Application and going before the DRB Board at a public meeting.

Applicant’s representation continued to suggest the proposed business was a Permitted Use and refused a Conditional Use application requesting the Zoning Administrator simply sign off on the project. The Zoning Administrator denied the application based on the proposed use was not an allowed use in the SV Zoning District. The reasoning for allowing this project as a Permitted Use as a Retail Store does not fit with the definition in the Town of Georgia Development Regulations for a Retail Store:

Retail Store. Establishment appropriately open to adults and minors selling products such as, but not limited to, food, dry goods, novelties, flowers, gifts, books, music, stationery, hardware, household furnishings or appliances, jewelry, sporting goods, luggage, wearing apparel, photographic supplies, hobby, toy and game shops, art supplies, newspapers and magazines, tobacco products, and drug stores, and excluding motor vehicle sales, recreational vehicle sales, and mobile home sales and service.

The appeal of the Zoning Administrators decision and fee was received on May 26, 2023. The application and attached letter (Addendum A and B) were missing several abutting property owners from the list. A full list of abutters is included (Addendum C).

APPEAL JUSTIFICATION

The Applicant’s representation has submitted a Description of Appeal that is attached (Addendum B). The basis of which is that the project should be permitted use as a retail store less than 3,000 square feet on the property located in the SV Zoning District. Additionally, that the Zoning Administrator had used incorrect terminology in the denial using the phrase “allowed use” instead of “permitted use”.

Respectfully submitted,



Douglas Bergstrom
Zoning Administrator
Planning, DRB & 911 Coordinator



Town of Georgia

47 Town Common Road North • St. Albans, VT 05478
• Phone: 802-524-3524 • Fax: 802-524-3543 • website: townofgeorgia.com

File # APL-001 - 23 Date Rec'd: 5/26/23 Date of DRB Hearing: 6/29/23

Fee Paid: \$200 Check # _____

1:29pm

APPEAL TO DEVELOPMENT REVIEW BOARD TOWN OF GEORGIA, VERMONT

| | | | |
|----------------------|---|------------------|--|
| Applicant(s): | <u>BTMC, LLC</u> | Owner(s): | <u>BTMC, LLC</u> |
| Address: | <u>1710 Bovat Road</u> <u>Fairfax, VT 05454</u> | | <u>1710 Bovat Road</u> <u>Fairfax, VT 05454</u> |
| Telephone: | <u>c/o Cahill Gawne Miller & Manahan</u> <u>802-524-5211</u> | | |

CERTIFICATION OF APPELLANT

The undersigned appellant(s) hereby certifies that the information submitted on this application is true and accurate and that the information provided is complete.

5.22.23
Date

[Signature]
Appellant Signature

Appellant Signature

PROPERTY OWNER'S AUTHORIZATION

The undersigned property owner(s) hereby certifies that the information submitted on this application is true, accurate and complete and that the Appellant has full authority to request the relief herein.

5.22.23
Date

[Signature]
Owner Signature

Owner Signature

Nature of Appeal: Appeal of Zoning Administrator's Decision
 Other

Tax Parcel ID: 117470000

Location of Property: 1149 Ethan Allen Highway Zoning District: SV
Georgia, VT

Description of Appeal (attach additional sheets if necessary):

Applicable Regulatory Provisions:

Specific Relief Requested:

Alleged Grounds for Relief Requested:

Names and Addresses of Abutting Property Owners:

Please note: Application shall be accompanied by one addressed, stamped envelope for each current owner of record of all abutting properties including properties directly across any public or private roadway or right-of-way.

**BTMC, LLC Appeal
1149 Ethan Allen Highway, Georgia, Vermont.**

Description of Appeal:

Applicant submitted an application for approval of a permitted use: retail store less than 3,000 square feet, for its property located in the South Village Core (SV) zoning district. Such use is explicitly listed as a permitted use ('P/S') in the SV zoning district in Table 2.2 of Article 2.2 of the Town's Development Review regulations (see page 14 therein).

After initially indicating that "the zoning administrator has no authority to approve this project" and that it was neither approved nor denied because "the application is not on an approved Town of Georgia Zoning application since the Town does not have a permitted use application" (see correspondence dated May 10, 2023)¹ the zoning administrator subsequently issued a denial stating only that "the application submitted is denied based on that this is not an allowed use in the SV zoning district." See correspondence dated May 12, 2023.

The zoning administrator's use of the term "allowed" use is inconsistent with both the application and the regulations and should render the denial void. According to the Town's regulations, a use that is not allowed in a district is one that is "not designated as permitted, conditional or exempt such use is prohibited...". (See Article 2.2 A.3). The application requested approval of a *permitted use*; however, even if one were to assume that the zoning administrator's intention was to state that the use is not a *permitted use*, such a conclusion is also incorrect and inconsistent with the Town's regulations, as Article 2.2 A.1. makes clear that "Permitted uses are marked in Table 2.2 by the letter 'P' or 'P/S'."

Applicable Regulatory Provisions:

Town of Georgia Development Review Regulations:

1. Article 2.2 A.1. "Permitted uses require a zoning permit and may be approved by the zoning administrator subject to the provisions of Article 3.1"
2. Article 2.2, Table 2.2: Retail Store * * "retail uses of less than 3,000 square feet in size SHALL BE (emphasis added) considered a permitted use." (See Page 14.)
3. Article 3.1 specifically omits permitted uses from those uses requiring DRB approval, however the DRB would have jurisdiction over the site plan for the permitted use.

Specific Relief Requested:

Approval of applicant's permitted use application pending site plan review and approval.

¹ Before submitting the subject application, Applicant's counsel called the zoning office to inquire because the Town's website did not include an application for permitted use and was instructed by Colleen that an applicant was to use the conditional use permit application for a permitted use application.

Alleged Grounds for Relief Requested:

Section 8.7, Appeals: interested persons may appeal any decision or act taken by the ZA by filing a notice of appeal with the Secretary of the DRB

24 VSA 4465(c): "In the exercise of its functions under this section, a... development review board shall... hear and decide appeals taken... including where it is alleged that an error has been committed in any... decision... by an administrative officer... in connection with the administration... of a bylaw."

The Zoning administrator's decision is misstated and factually incorrect and inconsistent with the Town's development regulations, including but not limited to Article 2.2, Table 2.2 which explicitly sets forth that the proposed activity (retail sales of less than 3,000 square feet) is a permitted use in the SV district.

Names and Addresses of Abutting Property Owners:

R.L Vallee, Inc: 1207 Ethan Allen Highway, Georgia, Vermont
c/o Registered Agent: Timothy Vallee, 280 So. Main Street, St. Albans, Vermont 05478

Terry Rooney, 1151 Ethan Allen Highway, Georgia, Vermont 05478

Respectfully submitted by:

Meghan Manahan Bliss, Esq.

Cahill, Gawne, Miller & Manahan, P.C.

Attorneys for Appellant

**ABUTTERS TO PROPERTY
Appeal to DRB Application
APL-001-23**

| | |
|--|---|
| Owner: BTMC, LLC 1710 Bovat Road Fairfax, VT 05454 | Applicant: |
| Lawyer: Megan Manahan Bliss, Esq. Cahill, Gawne, Miller, & Manahan 42 North Main Street, St. Albans VT 05478 802-524-5211 | Property Tax Parcel & Location: 1149 Ethan Allen Highway Parcel#117470000 Zoning District: SV |

1. R.L. Vallee, P.O. Box 192, St. Albans, VT 05478
2. Terry Rooney, 467 Reynolds Road, St. Albans, VT 05478
3. Gage Martin, 1197 Ethan Allen Highway, Fairfax, VT 05454
4. Redeeming Grace Church, c/o Paul Maffin, President. 164 Ballard Road, Milton, VT 05468
5. Flora E. Fairbanks Revocable Living Trust, 1023 Ethan Allen Highway, Fairfax, VT 05454
6. Ann Shepard, 1093 Ethan Allen Highway, Fairfax, VT 05454
7. Brad and Kim Arel, 1091B Ethan Allen Highway, Fairfax, VT 05454
8. People's Trust Co., P.O. Box 320, St. Albans, VT 05478
9. Vermont Electric, Attention Marissa/Beth, 42 Wescom Road, Johnson, VT 05656

CAHILL, GAWNE, MILLER & MANAHAN, P.C.

ATTORNEYS AT LAW
42 NORTH MAIN ST
PO BOX 810
ST. ALBANS, VT 05478-0810
(802)524-6211

JOSEPH F. CAHILL, JR.
MICHAEL S. GAWNE
DAVID G. MILLER
MEGAN T. MANAHAN BLISS

ROBERT H. BROWN
(1914-1990)

April 17, 2023

Doug Bergstrom, Zoning Administrator
Town of Georgia
47 Town Common Road North
St. Albans, VT 05478

Re: BTMC, LLC
1149 Ethan Allen Highway

Dear Doug,

Enclosed herein and filed on behalf of our client, BTMC, LLC is a permitted use application for its property at 1149 Ethan Allen Highway for retail store/sales. Upon previous inquiry to your office, I was informed by Colleen that applicants are to utilize the conditional use application for permitted use applications as there exists no designated permitted use application.

My client's request is for approval of a retail shed business to occupy less than 3,000 square feet. Pursuant to Article 2.2 of the Town's development review regulations this is a permitted use in the South Village Core district.

This use is consistent with BTMC, LLC's member Tony McCracken's previous related application and approval pursuant to Permit No. ZBA-001-21 which was approved by the ZBA on June 21, 2021, except that, notably, the property in question in that matter (7349 Ethan Allen Highway) is in the B zoning district wherein the retail use was a conditional use. In any event, the same use was approved in that matter with limited conditions as a conditional use, and in the relevant zoning district related to the present application, the use is a permitted use under the current regulations.

Upon confirmation that the application will be processed as a permitted use application, we will provide further information including but not limited to payment of the applicable fee and a site plan consistent with the regulations.

Until then, the following information outlines the nature of information requested in Item 6 of the application form:

The proposed use involves no permanent structures but rather proposes to use the land for retail location for placement of movable sheds and similar structures for viewing by potential customers. None of these structures will be permanently affixed to the property. There will be no retail office building or structure, nor any utility or wastewater services to serve the site. The location will be used only for display of sheds. Hours of operation will be limited to appointments only scheduled from 10am to 6pm Monday through Saturday and as such there will be no on-site employees. The expected traffic flow would be minimal, and certainly minimal in comparison to the adjacent businesses (a drive through bank and a service station). Ingress and egress will be by way of the existing drive with appropriate designated space for parking and vehicle movement. Finally, the applicant proposes the placement of one sign.

I look forward to hearing back from you and am happy to answer any questions or provide any additional information to assist with your review of this application pursuant to the Town's regulations.

Sincerely yours,



Megan T. Manahan Bliss, Esq.

MTMB
Enclosure



Town of Georgia

47 Town Common Road North. • St. Albans, VT 05478
• Phone: 802-524-3524 • Fax: 802-524-3543 • website: townofgeorgia.com

Date Received: _____ Fee Paid \$ _____ Ck # _____ CU - _____ - _____
Tax Parcel ID: _____ Hearing Date: _____

TOWN OF GEORGIA DEVELOPMENT REVIEW BOARD

PERMITTED

~~CONDITIONAL~~ USE APPLICATION

Applicant(s)

Name BTMC, LLC
Address 1710 Bovat Rd
City/State/Zip Fairfax, VT 05454
Phone c/o CGMM: 802.524.5211
Email c/o meganmanahan@bcgm.net

Property Owner(s) if different

Name _____
Address _____
City/State/Zip _____
Phone _____
Email _____

CERTIFICATION OF APPLICANT

The undersigned applicant(s) hereby certifies that all information submitted on this application is true and accurate and that the information provided is complete.

4.17.23

Date

Tony McCracken, duly authorized agent of BTMC, LLC

Applicant
Tony McCracken
Applicant

PROPERTY OWNER AUTHORIZATION

The undersigned property owner(s) hereby certifies that the information submitted in this application regarding the property is true, accurate, and complete and that the Applicant(s) has full authority to request approval for the proposed use of the property and any proposed structures.

4.17.23

Date

Tony McCracken, duly authorized agent of BTMC, LLC

Property Owner
Tony McCracken
Property Owner

1. **ABUTTING PROPERTY OWNERS**

List names and mailing addresses of all adjacent property owners including those across the road right-of-way and all property owners on a shared private right-of-way whether or not they abut the subject parcel. Please submit a stamped, addressed envelope for each property owner listed, together with a stamped, addressed envelope for Applicant/owner (use a separate sheet if necessary).

BTMC, LLC
RL Vallee, Inc. 1207 Ethan Allen Highway
Terry Rooney 1151 Ethan Allen Highway

2. **REQUEST FOR CONDITIONAL USE:** N/A

Section(s) _____ of the Town of Georgia Development Regulations.

3. **PROPERTY IDENTIFICATION:**

E911 Address Ethan Allen Highway #1149 or

Other identification: _____

Deed Reference: Book 389, Page 105

Subdivision Name (if applicable): _____

4. **ZONING DISTRICT:** SV

5. **PROPERTY DIMENSIONS:**

Lot size: 10.5 acres; or dimensions: _____

Lot frontage: 36 ft

6. **NATURE OF PROPOSED REQUEST:** Please provide a complete narrative on a separate sheet of paper describing the nature of the proposed request explaining in detail the proposed use(s) of the property. Please also address each of the following applicable elements in a descriptive manner: building size(s), type(s) and use(s) thereof, landscaping and/or screening, access to property, impact on traffic, internal circulation of vehicular and pedestrian traffic, parking requirements, lighting (size, type, location and number), number, size and location of proposed sign(s), proposed days and hours of operation, and proposed number of employees.

7. **Title(s) of plans(s) submitted with application:** and, if applicable, firm which prepared plan; project number; date of plans and revisions. Site plans shall include, where applicable, the following:
- a) Identifying information including record owner of land, north arrow, date (including any revision dates), and scale.
 - b) Property lines and abutting streets.
 - c) Rights of way or easements affecting the property.
 - d) Location of existing and proposed buildings or structures including Interior floor plans indicating location and floor area of individual uses.
 - e) Height of existing and proposed buildings or structures.
 - f) Existing and proposed setbacks of all buildings or structures to property lines and/or public or private rights-of-way.
 - g) Existing and proposed lot coverage (in square feet) of all structures and hard surfaces.
 - h) Existing natural features of the site including water courses and applicable buffers, wetlands and applicable buffers, floodplains, trees, and other vegetation, etc.
 - i) Existing and proposed contours at no more than 5-foot intervals.
 - j) Location of existing and proposed utilities and facilities (water, septic, electric, telephone).
 - k) Location of existing and proposed roads, driveways, loading areas, outside storage areas, and pedestrian walkways.
 - l) Location and number of parking spaces pursuant to the requirements of Section 5.6 of the Development Regulations.
 - m) Location, type, size, and number of existing and proposed lighting fixtures.
 - n) Location and size of existing and proposed sign(s) (please provide sketch of each sign).
 - o) A landscaping plan indicating location, species, size and spacing of existing and proposed landscaping elements.
 - p) Building elevations drawings to scale for all proposed and/or modified buildings and any related buildings.

Please provide one full size copy to scale, eight 11' x 17" copies & one electronic copy with application.

N/A 8. **SPECIFIC AND GENERAL STANDARDS FOR CONDITIONAL USES:** Applicant must be prepared to address the specific standards for Conditional Use as set forth in each zoning district in the Town of Georgia Zoning Regulations. In addition, applicant must address the general standards for all uses as set forth in Title 24 V.S.A. Chapter 117 Section 4414(3) and Section 3.2 of the Town of Georgia Development Regulations as follows:

- a. Public facilities and services (including, but not limited to fire protection, schools, roads, and other municipal infrastructure) are reasonably available to serve the proposal or are planned and included in the Town Capital Budget and program to serve the proposal at the time anticipated for its completion:

b. The character of the neighborhood, area, or district affected will not be adversely impacted and that:

i) A nuisance or hazard will not be created to the detriment of the health, safety, or welfare of the intended users, neighbors, or the citizens of the town;

ii) The proposed use or building and the relationship between the buildings and the land will be compatible with the purposes of the district and the character of the surrounding neighborhood and will not unduly detract from abutting residences or other property;

iii) Appropriate use or development of adjacent property will not be impeded; i.e., the scale of the proposed development in relation to existing and proposed uses and buildings and the effect of the proposed use on the continued enjoyment of and access to existing and approved uses in the vicinity of the proposed use will not be adversely impacted.

c. Traffic generated or patterns of ingress or egress will not cause congestion, hazard or detriment to the neighborhood or nearby intersections (the DRB may require a traffic study to determine compliance with this standard.

d. The proposed use is consistent with the purpose of the district, the Town Plan, the Town of Georgia Development Regulations, and other bylaws and ordinances adopted by the Town of Georgia.

e. That the utilization of renewable energy resources will not be adversely affected.

Development Review Board Conditional Use Application

9. **PERFORMANCE STANDARDS:**

The proposed use:

- a. will will not emit noise in excess of 70 decibels at the property line or a noise which is considered offensive;
- b. will will not emit any odor, dust, dirt, or smoke which is considered offensive;
- c. will will not emit any noxious gases that endanger the health, comfort, safety or welfare of any person or that could cause injury or damage to property, business or vegetation;
- d. will will not cause as a result of normal operations a vibration that creates a displacement of 0.002 inches within the ground at the property lines;
- e. will will not have lighting or signs that create glare that could impair the vision of a driver of any motor vehicle;
- f. will will not cause a fire, explosion or safety hazard;
- g. will will not create an unsafe or unhealthy condition as determined by the Town of Georgia Health Officer;
- h. will will not interfere with a renewable energy resource or the ability to utilize a renewable energy resource.

10. **OTHER PERMITS REQUIRED:**

This project will also require the following permits (local, state, federal):

Decision of the Board

Decision of the Zoning Administrator

Date: 5/11/23

Approved:

Denied: not an allowed use in SV District

~~Note: You will receive a written Decision and Findings of Fact within 45 days of the close of the hearing.~~

An interested person may appeal any decision or act taken by the administrative officer in any municipality by filing a notice of appeal with the secretary of the board of adjustment or development review board of that municipality or with the clerk of that municipality if no such secretary has been elected. This notice of appeal must be filed within 15 days of the date of that decision or act, and a copy of the notice of appeal shall be filed with the administrative officer.

Section 3. Item #A.



44°41'51"N 73°06'06"W

