



### III. PARTICIPANTS

For the purposes of this application, “interested persons” are those who fulfill the requirements of 24 VSA ch. 117 §4465. Michael Foster represented the Applicant and was the only participant in this proceeding.

Participating Board members were John Becker, Samuel Lincoln, Thomas Malanchuk<sup>1</sup>, Christopher Recchia, Krista Rumrill and Joel Tillberg.

### IV. FINDINGS OF FACTS

*The following findings are facts that were entered into the record for this application and relied upon by the Board in formulating its conclusions and decisions. While other evidence may have been or is also entered into the record, if it is not included herein, the Board has determined that it is either not relevant evidence or that it is not a fact.*

#### Project Description

1. The Applicant has filed an application for an expansion of existing parking to accommodate 46 spaces as shown on Exh. #1. This exhibit was revised and additional information added to it such as location of flag pole, landscaping, building lighting, dumpsters, sideway and new doorway. (application)
2. The expanded parking area will be paved and will not have any lighting. However, new building lighting is proposed, as is new landscaping. (testimony of M. Foster)

#### Consistency and compliance with Town Plan and ordinances. (SP criterion A)

3. As no new building construction is proposed the development standards for setbacks and building coverage are not applicable. (Regulations and application)
4. There are no setback requirements for parking. (Regulations)
5. The 45-space parking area will be utilized for 50 employees. RZR §5.12 requires 2 spaces for every 3 employees for manufacturing facilities, or 33 spaces for this project. (Regulations and testimony of M. Foster)
6. There is no clear and unambiguous language in the Town Plan that relates or refers to the proposed project. (Town Plan)
7. The purpose of the Industrial Districts is: “To create a type of district suited to modern industrial techniques and plan design for research and manufacture of products, where they will have space for expansion of assembly line construction, for parking and for landscaping which will make them fit into rural landscape. To provide location with good highway access and where possible rail access also for industrial uses which would be appropriate to the region.” The proposed project is an existing industrial building seeking space for expansion of parking. (Regulations and application)

#### Character of the area and affects on adjacent land (SP criteria B and D)

8. The surrounding properties are used for residences across the Third Branch of the White River, a golf course, a self-storage facility, another industrial park across the railroad tracks and a cemetery, also across the railroad tracks. (NOD for #Z04-128)

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<sup>1</sup> Mr. Malanchuk is an alternate member of the Board who was sitting in place of absent Member Trini Brassard pursuant to Section 206D of the Board’s Rules of Procedure.

9. The area utilized by the expanded parking is an area on the lot between the driveway and the building and therefore does not extend into an area on the lot that is currently undeveloped. (Exh. #1)
10. Shrubbery is proposed along the new walkway that leads up to the new entrance into the building. (Exh. #1 and testimony of M. Foster)

#### Traffic and pedestrian considerations (SP criterion C)

11. No changes are proposed to the existing access to the property. (Exh. #1)
12. The site plan allows for one-way circular traffic flow through the existing and proposed parking lots. (Exh. #1)

## V. CONCLUSIONS

Based on the foregoing Findings of Fact, it is the conclusion of the Board that the project described in the application referred to above and including the Applicant's representations at the public hearing, if completed and maintained in conformance with all of the terms and conditions of that application and as required below, will meet the following site plan criteria:

- A. The proposed use, design and layout meets the provisions of the zoning ordinance, other regulations and ordinances of the Town and is not in non-conformance with the Town Plan.
- B. The proposed use, design and layout is of such a location and in such a size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.
- C. The proposed use and layout is of such a nature that it will not make vehicular or pedestrian traffic hazardous when considering turning movements, relationship to intersections, sight distances, location and access of off-street parking, pedestrian traffic and pedestrian-vehicular contact points.
- D. The proposed height and location of buildings, walls, fences, parking, loading and landscaping will not interfere with or discourage the appropriate development in adjacent land or unreasonably affect its use.

## VI. DECISIONS<sup>2</sup>

Based upon the foregoing Findings of Facts and Conclusions, approval is hereby granted for the site plan for the expanded parking as applied for in zoning permit application #Z10-106 and including the evidence and testimony entered into the record as Findings of Fact. Site plan approval is granted with the following conditions:

1. Construction shall be as shown on Exhibit #1 as revised at the hearing.
2. All new building lighting shall be fully cut-off fixtures.
3. All pertinent conditions of approval for previous permits shall continue to apply.

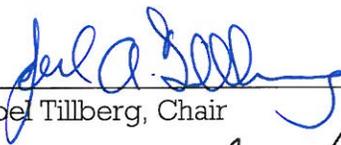
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<sup>2</sup> An interested party (as defined in 24 VSA §4465) who participated in this proceeding may appeal this decision to the Vermont Environmental Court within 30 days of the date of the decision, for a fee of \$250 and a notice in writing, certified mailed to the Environmental Court, giving reasons for the appeal, and a copy mailed to the Zoning Administrator. Failure to appeal this decision may prevent any party from arguing against its elements in a future hearing or appeal. 24 VSA §4472.

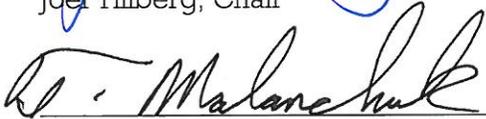
4. Snow from parking areas must not be plowed onto public highways, adjoining streams or waterways, or onto abutting properties. Snow must be plowed elsewhere on the subject property or removed.
5. The subject property shall have adequate entrance and exit for emergency vehicles at all times.
6. Any significant modifications to the approved site plan shall require re-approval by the Board pursuant to the regulations in effect at the time of re-application.

Dated at Randolph, Vermont this 16<sup>th</sup> day of February, 2011.

RANDOLPH DEVELOPMENT REVIEW BOARD  
Concurring Board Members

  
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Joel Tillberg, Chair

  
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John Becker

  
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Thomas Malanchuk

  
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Frank Reed

  
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Samuel Lincoln

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Krista Rumrill

  
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Christopher Recchia