

**TOWN OF GEORGIA  
DEVELOPMENT REVIEW BOARD  
FINDINGS OF FACT, CONCLUSIONS & DECISION**

**NOTICE OF DECISION  
SA-001-24**

**Owner/Applicant: Jennifer and Joel Desautels  
Application for Site Plan Amendment**

**INTRODUCTION**

This matter came before the Town of Georgia Development Review Board (DRB) on the application of Jennifer and Joel Desautels, hereafter referred to as Applicant, for site plan amendment from Final Plat decision (FP-002-21) to allow for a change in the location of a driveway. The parent parcel is located at 1333 Bullock Road and within the L-1 and AR-1 zoning districts with the total acreage of ±15.37 acres in size. The subject parcel #101450000(a) (Lot 1) is located entirely in the L-1 zoning district and is ±9.01.

The DRB held a public hearing on February 20, 2024. Applicant, who is also engineer for the project, was present at the hearing. Interested parties present at the hearing included neighbor Keith Mitchell.

Based on the above-mentioned public hearing, Site Plan Amendment Project Narrative, and additional documents contained in the zoning files for this project, the DRB enters the following Findings of Fact, Conclusions and Decision.

**FINDING OF FACT**

**NOTE:** The application, any and all relevant evidence presented to the DRB, and the minutes of the hearing conducted by the Town of Georgia Development Review Board on February 20, 2024, and relevant information from public records and sources, shall be considered part of the Finding of Fact and kept as part of the permanent record of the Applicant. This official record shall provide additional basis for the DRB's decision.

1. Applicant submitted Site Plan Amendment application for site plan amendment from Desautels 3 Lot Subdivision decision (FP-002-21) to allow for a change in the location of a driveway.
2. A hearing was conducted on February 20, 2024. A Notice of Public Hearing was duly published in the St. Albans Messenger on February 6, 2024, and all abutting property owners were notified.
3. The site plan revision is limited to relocating the driveway. The previously approved driveway provides access to Lot 1 from Bullock Road. The proposed driveway for Lot 1 provides access from Georgia Shore Road. No other site plan changes are requested.

4. The road length of the new driveway location is almost exactly the length of the previously approved driveway.
5. Town of Georgia Fire Chief has inspected the property and has provided an ability to serve letter based on the plans for the new driveway.
6. Town of Georgia Road Foreman has approved the driveway so long as it meets the state B-71 driveway standards, and the required sight distance is met and maintained.
7. Erosion control measures will follow the State of Vermont Low-Risk Erosion Control Manual as required.
8. Driveway plans indicate the driveway grade will meet the 10% maximum grade allowance. According to Town of Georgia Developmental Regulations (2/27/2023)

*Article 5.2 (B)(2)(g) No driveway shall be constructed with a grade greater than 10%. A waiver may be granted by the Selectboard to allow 11-12% grade if the applicant can demonstrate an unnecessary hardship due to unique physical circumstances or conditions. The DRB may request that any section of driveways approved by said waivers shall also be paved with a minimum of 2" of asphalt pavement.*

9. The following members of the Development Review Board (DRB) were present for the site plan amendment review public hearing February 20, 2024, constituting a quorum: Suzanna Brown, James Powell, Charles Cross, Greg Drew, Gilles Rainville, and Lisa Faure. See the official meeting minutes for a list of others present at the meeting.
10. The regulations in effect at the time of the decision: Georgia Town Plan, last amended September, 2017; Town of Georgia Development Regulations, last amended February 27, 2023.

### **CONCLUSIONS**

1. Applicant has submitted all relevant site plan amendment information required by the Town of Georgia Development Regulations.
2. The approval of this site plan amendment is based on all final plat documents contained in the Desautels zoning files.

### **DECISION**

Based on the Findings of Fact and Conclusions set forth above, the Town of Georgia DRB **APPROVES REQUEST FOR SITE PLAN AMENDMENT** to allow for a change in the location of a driveway, subject to the following conditions:

1. All previous conditions as set forth in the DRB's Decisions for this project shall remain in full force and effect.

2. This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the DRB and on file in the Town Office, and in accordance with the conditions of this approval.
3. Grass swales shall be put in place to catch any water runoff. The driveway shall be constructed so as no water runoff will wash out onto Georgia Shore Road.
4. All plans, drawings, and conditions/requirements etc. listed above or submitted at the hearing and used as the basis for the decision to grant this permit shall be binding on the applicants, their heirs, successors and assigns. Projects shall be completed in accordance with such approved plans and conditions. Any deviation from the approved plans shall constitute a violation of permit and be subject to enforcement action by the Town.

Dated at Georgia, Vermont, this 19<sup>th</sup> day of March, 2024.

By \_\_\_\_\_

Georgia DRB Chair

DRB members participating in this decision: Suzanna Brown, James Powell, Charles Cross, Greg Drew, Gilles Rainville, and Lisa Faure

Vote to approve: In favor - 4, Opposed - 2, Abstain – 0, Absent - 1

In favor: James Powell, Charles Cross, Greg Drew, and Gilles Rainville

Opposed: Suzanna Brown and Lisa Faure

Abstain: None

Absent: Glenn Sjoblom

**Reconsideration Information:**

The Applicant has the ability to request a reconsideration of the DRB’s decision, pursuant to Section 8.6 – Reconsideration. A request by the Applicant or interested parties must be submitted to the ZA Office within the 30-day appeal period in accordance with Section 8.7(B).

**30 Day Appeal Information:**

An “interested person”, who has participated in this proceeding, may appeal this decision to the Vermont Environmental Court within 30 days of the date this decision was signed. Participation shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding. See V.S.A. Title 24, Chapter 117, Section 4465b for clarification on who qualifies as an “interested person”.

Notice of the Appeal, along with applicable fees, should be sent by certified mail to the Vermont Environmental Court. A copy of the notice of appeal should also be mailed to the Town of Georgia.