

**TOWN OF GEORGIA  
PLANNING COMMISSION  
FINDINGS OF FACT, CONCLUSIONS & ORDER**

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CHERYL LETOURNEAU, TOWN CLERK  
GEORGIA, VT

**NOTICE OF DECISION  
Applicant: Donald Vickers**

**Final Plat  
for  
2-Lot, Minor Subdivision, and Community Event Barn Site Plan.**

This matter came before the Georgia Planning Commission on the application of Donald Vickers, hereafter referred to as the Applicant for final plat approval of a 2-Lot, Minor Subdivision, and Site Plan review. The parcel is located at 144 Pattee Hill Road, in the AR-1 and AR-2 zoning districts. The Planning Commission held a public hearing on January 12, 2021 which was continued to January 25, 2021. Donald Vickers, owner/applicant, and Nickolas Smith, of Lamoureux & Dickinson Consulting Engineers, Inc., project engineer, were present at the hearings.

Based on the above-mentioned public hearings and the documents contained in the "document" file for this proposal, the Planning Commission enters the following Findings of Fact, Conclusions and Order.

**FINDINGS OF FACT**

1. Donald Vickers, owner/applicant, hereafter referred to as Applicant, is requesting Final Plat approval of a 2-lot, Minor Subdivision, and Site Plan Review of a community event barn in the AR1 and AR-2 Zoning Districts. The parcel contains 66.65+- acres and is benefitted by 1893.68 +- feet of road frontage on Pattee Hill Road.
2. Applicant submitted site plans drawn by Lamoureux & Dickinson Consulting Engineers, Inc., titled.
  - "Community Farm Event Barn at Pattee Hill, Overall Plan" Sheet number 1, dated 4/13/2020, last revised 12/21/20.
  - "Community Farm Event Barn at Pattee Hill, Site Plan" Sheet number 2, dated 08/20/2020, last revised 12/21/20.
  - "Community Farm Event Barn at Pattee Hill, Details & Specifications" Sheet number 3, dated 4/13/20.
  - "Community Farm Event Barn at Pattee Hill" Sheet number Lighting Plan & Details" Sheet number 4, dated 4/13/20, last revised 12/09/20.
3. Applicant submitted a Survey Plat titled, "Donald Vickers, 2-Lot Subdivision Plat" labeled as PL, dated 10/01/20. Drawn by Lamoureux & Dickinson Consulting Engineers, Inc. Said Plat Depicts Lot-1 as a 3.08-acre lot, containing existing buildings and Lot-2 as a 63.59-acres parcel. A 15' wide pedestrian easement along the westerly boundary of Lot-2, labeled as "15' Wide Pedestrian Easement to the Town of Georgia" is depicted on the submitted Survey Plat.

VOL: 354 PG: 37  
INST: 00101316

4. Applicant submitted 5 drawings by Long Board Lumber, dated 12/7/2020. Said plans include elevations of the front, back and side of the proposed barn. The elevations depict the barns width and height measurements, the proposed exterior siding, and roofing materials as well as the proposed doors and windows. Applicant submitted a likeness picture of the proposed barn. The siding is proposed to consist of wood and remain in a natural or earth tone shade. The roof is proposed to consist of metal panels. To allow the barn to blend with the neighborhood, environment, and property, the roof shall have a matte finish and be of a neutral color such as matte gray, or matte green.
5. The existing single-family residence shall continue to be serviced by the existing onsite wastewater and private well. Applicant has proposed no potable water supply or wastewater facilities for the proposed event barn located on Lot-2. Applicant has proposed the use of portable toilets during all community events.
6. Applicant received a Conditional Use Approval, with conditions, by the Town of Georgia Zoning Board of Adjustment, dated July 29, 2020. Said decision limits the use of the community event barn to operate 6 weekend Local Farmers' Markets, held between 8:00 a.m. and 6:00 p.m., May through October, not to exceed one per month. Said decision allowed not more than 18 Celebratory Events and not more than 3 per month, to be held Fridays, Saturdays, or Sundays, between 11:00 a.m. and 10:00 p.m. during the months of May through October. Additional conditions outlined in said decision include, but not limited to, no on-site food preparation or dishwashing, and no wastewater discharge on the event grounds.
7. The subject parcel is made up of open and forested land with a section of wetland located near the northern boundary line. As proposed the wetland or wetland buffer will not be adversely affected.
8. As proposed Lot-1 contains 3.0+- acres benefitted by 423.25+- feet of road frontage on Pattee Hill Road. The lot contains the existing single-family residence, an apartment, detached garage, and barn.
9. Proposed Lot-2 contains 63.65 +- acres, benefitted by 1470.43 +- feet of frontage on Pattee Hill Road. Applicant has proposed to construct a 3,200 square foot barn to be used for commercial community events.
10. Proposed Lot-1 shall gain access over the existing driveway. Applicant has proposed a private access and parking area for 93 vehicle parking spaces for Lot-2.
11. As proposed the access to Lot-2 does not meet the site distance requirements of the Town of Georgia Private Road and Driveway Standards, approved July 27, 2020. Planning Commission required Applicant submit documentation by a qualified engineer outlining safe traffic controls during all community events. Applicant submitted a letter by Certified Professional Traffic Operations Engineer, Roger Dickinson of Lamoureux & Dickinson Consulting Engineers, Inc., outlining proposed warning signage requirements to be displayed during the hours of all community events held.

VOL: 354 PG: 38  
INST: 00101316

12. Applicant submitted a letter by Georgia Fire Chief. Said letter required the gravel access continue to the end of the parking, (estimated to be 350 feet). An approved Town of Georgia Access Permit shall be submitted to the Town of Georgia Planning and Zoning offices prior to receiving a zoning permit. The proposed access shall meet the construction standards as outlined in the "Town of Georgia Private Road and Driveway Standards", approved July 27, 2020.
13. The existing Pattee Hill Road farm access located on proposed Lot-2 shall be removed.
14. Applicant shall submit a draft deed for a proposed public pedestrian easement to be located along the western boundary line of Lot-2. Said easement shall be located as to not impact wetlands or wetland buffers.
15. Applicant received a Town of Georgia Zoning Board of Adjustment, Conditional Use Approval, with conditions following a duly warned hearing, July 2, 2020, to operate a private indoor/outdoor event facility to be located on proposed Lot-2. Applicant, applicant's heirs, successors, and assigns shall follow all conditions and requirements, outlined within said Conditional Use Decision.
16. The Planning Commission reviewed the Applicant's sketch plan on October 27, 2020, and a letter outlining recommendations was mailed to Applicant October 27, 2020. See the official meeting minutes for a list of those present at the meeting.
17. The following members of the Planning Commission were present for the Final Plat and Site Plan review hearing on January 12, 2021, continued to January 26, 2021, constituting a quorum: Suzanna Brown, David Vincent, Maurice Fitzgerald, Greg Drew, and Tony Heinlein. Emily Johnson reviewed the entire January 12, 2021 review over LCATV and was present January 26, 2021. See the official meeting minutes for a list of others present at the meeting(s).
18. The January 12, 2021, public hearing was warned in the St Albans Messenger on December 28, 2020, and the adjoining property owners were notified.
19. The final plat application was received on December 23, 2020 and consisted of maps, plans, and correspondence, all of which is contained in the document file for the application.
20. The regulations in effect at the time of the decision: Town Plan, Dated January 9, 2017; Zoning Regulations, dated November 14, 2013; Town of Georgia Private Road and Driveway Standards, approved July 27, 2020.

## CONCLUSIONS

VOL: 354 PG: 39  
INST: 00101316

1. The Applicant has submitted all relevant final plat and site plan information required by the Georgia Subdivision Regulations.
2. This application was reviewed as a minor subdivision pursuant to the requirements and standards outlined in the Subdivision Regulations. Furthermore, it was also reviewed under the AR-1 and AR-2 Zoning Districts requirements of the current Town of Georgia Development Regulations and Private Road and Driveway Standards.
3. The approval of the final plat and site plan is based on all final plat and site plan documents, and sketch plan documents contained in the Vickers, 2-Lot Minor Subdivision and Site Plan folder in the Planning Commission files.
4. The Planning Commission has granted approval for the community event barn access, with the conditions and recommendations outlined in a letter by Certified Professional Traffic Operations Engineer, Roger Dickinson of Lamoureux & Dickinson Consulting Engineers, Inc., outlined warning sign requirements during all events held at the proposed Event Barn. Commission decided that excepting said letter would best implement the standards and purposes of the planned development. Said letter shall be stamped and signed by Engineer Roger Dickenson and attached to and become part of this decision.

#### ORDER

Based on the Findings of Fact and Conclusions set forth above, the Georgia Planning Commission approves the 2-Lot, Minor Subdivision and Site Plan subject to the conditions listed below. One mylar copy and one paper copy of the final plat shall be submitted with the following modifications:

1. One mylar and paper copy of the final Site Plan(s) by a licensed engineer shall be submitted to the Planning Coordinator. Site plan details shall include the following:
  - a. Lots within the subdivision numbered.
  - b. Building envelope setback for each lot based on the zoning district.
  - c. The Zoning District designation of the lots and zoning district lines.
  - d. The Public Pedestrian Right-Of-Way easement labelled as such and delineated with meets and bounds.
  - e. The existing drilled well and wastewater area located on Lot-1.
  - f. Drainage locations with water flow direction.
  - g. Contour lines at a minimum of 5' intervals.
  - h. Existing and proposed utilities.
  - i. Existing and proposed driveways and parking.
  - j. Existing and proposed structures.
  - k. Typical cross sections of the proposed grading of roadways and sidewalks.
  - l. Planning Commission and Town Clerk signature blocks.
2. A mylar and paper copy of the final survey must be completed by a licensed land surveyor and submitted to the Planning Coordinator. The survey shall indicate the following, if not already indicated:

VOL: 354 PG: 40  
INST: 00101316

- a. Proposed subdivision name or identifying title, the name of the municipality, the name and address of the record owner, the name, license number and seal of the licensed land surveyor, the boundaries of the subdivision and its general location in relation to existing street, scale, date, and true north point.
  - b. The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distance, and tangent bearings for each street.
  - c. Lots within the subdivision numbered.
  - d. Permanent reference monuments and lot corner markers shall be clearly indicated. Monuments shall be set at all corners and angle points of the boundaries of the subdivision.
  - e. Building envelopes.
  - f. Easements.
  - g. The Public Pedestrian Right-Of-Way easement labelled as such and delineated with straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distance, and tangent bearings.
  - h. Deed reference, tax map reference.
  - i. Names of abutting landowners.
  - j. Planning Commission and Town Clerk signature blocks.
3. A Public Pedestrian right-of-way easement deed shall be recorded in the Georgia Land records prior to the recording of Mylars. Said easement shall be delineated on the recorded Mylar and shall be located to create the least amount of environmental impact on wetland or wetland buffer. Said easement shall remain unencumbered by fences or other deterrents.
  4. The submitted Sketchup Front and Side elevation plans by Long Board Lumber, dated 12/7/2020 shall be attached to and become part of this decision. Construction of the Event Barn by Applicant, and applicant's successors, heirs, and assigns shall follow said elevation plans. The siding shall consist of wood and remain in a natural or earth tone shade. To allow the barn to blend with the neighborhood, environment, and property, the metal paneled roofing shall be of a matt finish in a neutral color such as matte gray, or matte green. No silver or bright colors shall be used as roofing.
  5. Prior to the issuance of a zoning permit, all Mylars shall be recorded in the Georgia Land Records.
  6. Prior to filing the Mylars all boundary monuments shall be set as shown on the recorded mylar and a letter from a licensed surveyor shall be submitted to the planning and zoning department stating this has been done.
  7. Prior to the issuance of a certificate of occupancy for the event barn, all stormwater infrastructures shall be installed according to the site plans and a letter from a certified engineer stating this has been completed shall be submitted to the planning and zoning department.

VOL: 354 PG: 41  
INST: 00101316

8. Prior to the issuance of the certificate of occupancy for the event barn the private road and parking area shall be constructed according to the site plans and current private road and driveway standards, and a letter from a certified engineer stating this has been completed shall be submitted to the planning and zoning department.
9. Prior to the issuance of a certificate of occupancy for the event barn, the exterior lighting shall be in place and operating according to the approved site plans and a letter from a certified engineer stating this has been completed shall be submitted to the planning and zoning department. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector/refractor areas from view from points beyond the lot.
10. The final Mylars must be signed by the chair of the Planning Commission and filed with the Town Clerk within 180 days of the Planning Commission's final approval.
11. Areas exposed during construction shall be treated in a manner consistent with the procedures contained in the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites published by Vermont's Department of Environmental Conservation.
12. The sequence of construction activities will be designed so that the smallest area possible is disturbed at any one time. Only areas where active construction is taking place should be exposed. All other areas should be protected by vegetative and structural control measures.
13. Seed and mulch will be applied as soon as possible to disturbed soils.
14. Applicant shall follow the recommendations for event signs during all community events as defined within Applicant's submitted letter by Certified Professional Traffic Operations Engineer, Roger Dickinson, of Lamoureux & Dickinson Consulting Engineers, Inc., dated January 18, 2020. Said letter shall be stamped and signed by Roger Dickinson and be attached to and become part of this decision.
15. This project shall be completed, operated, and maintained as set forth in the zoning and exhibits as approved by the Planning Commission and on file in the Town Office, and in accordance with the conditions of this approval.
16. No changes, erasures, modifications, or revisions other than those required by this decision shall be made on the subdivision plat after Final Plat approval, unless said plat is first resubmitted to and approved by the Planning Commission. In the event the subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void.
17. All plans, drawings, and conditions/requirements etc. listed above or submitted at the hearing and used as the basis for the decision to grant permit shall be binding on the applicant, and applicant's 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.

18. All conditions found within the decision of the Town of Georgia Zoning Board of Adjustment, Conditional Use Approval, dated July 29, 2020, shall remain in effect, and shall be completed, operated, and maintained. Said decision shall be binding on the applicant, and applicant's heirs, successors, and assigns.
19. The following attachments as described in lines 4 and 14 above shall be binding on the applicant, and applicant's heirs, successors, and assigns.

Dated at Georgia, Vermont, this 29<sup>th</sup> day of January 2021.

By Suzanna Brown  
Suzanna Brown  
Georgia Planning Commission Chair

Commission members participating in this decision: Suzanna Brown, David Vincent, Maurice Fitzgerald, Emily Johnson, and Tony Heinlein.

Emily Johnson was not present during the January 12, 2021 meeting, but reviewed the entire taped of the hearing over LCATV prior to the January 26, 2021 continuation of the hearing.

Members absent. Edward Simon.

Vote to Approve, Suzanna Brown, David Vincent, Maurice Fitzgerald, Greg Drew, and Emily Johnson.

Opposed, Tony Heinlein.

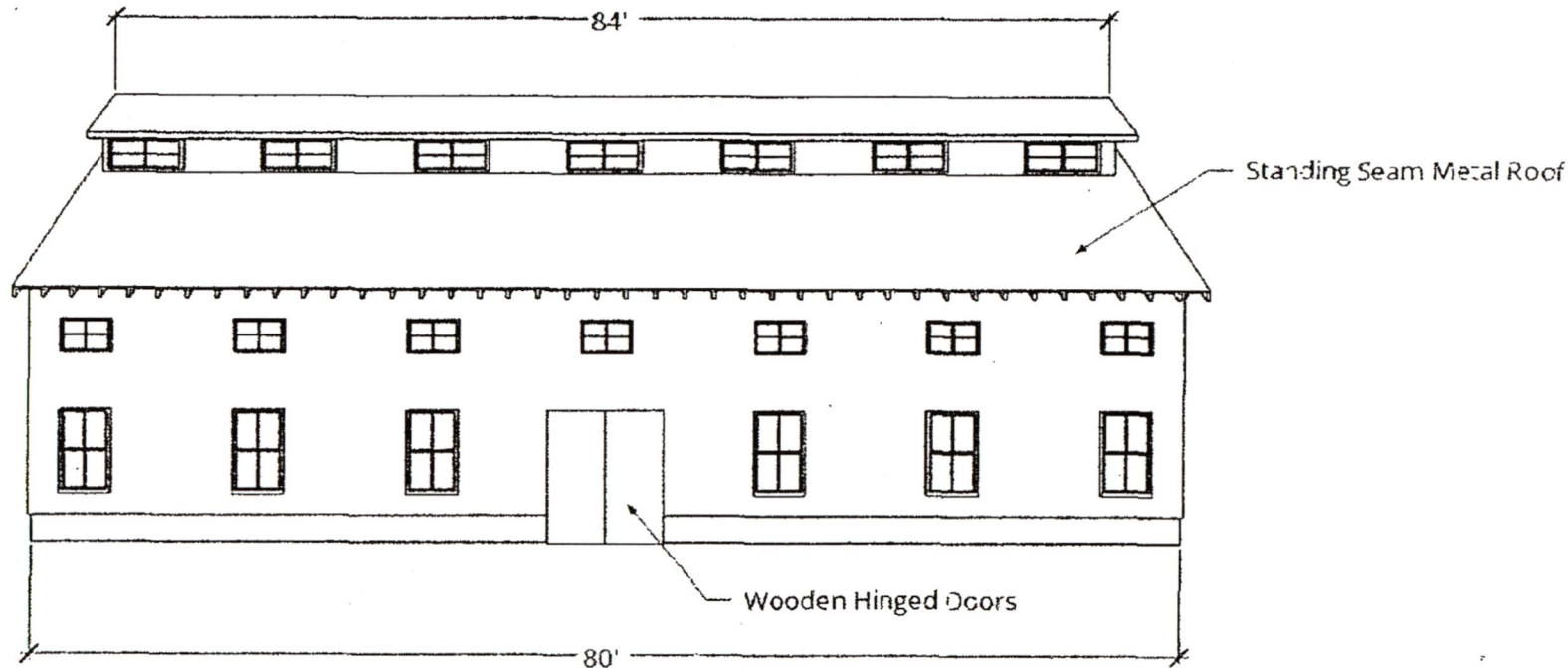
Approved 5 – 1.

**30 Day Appeal Information:**

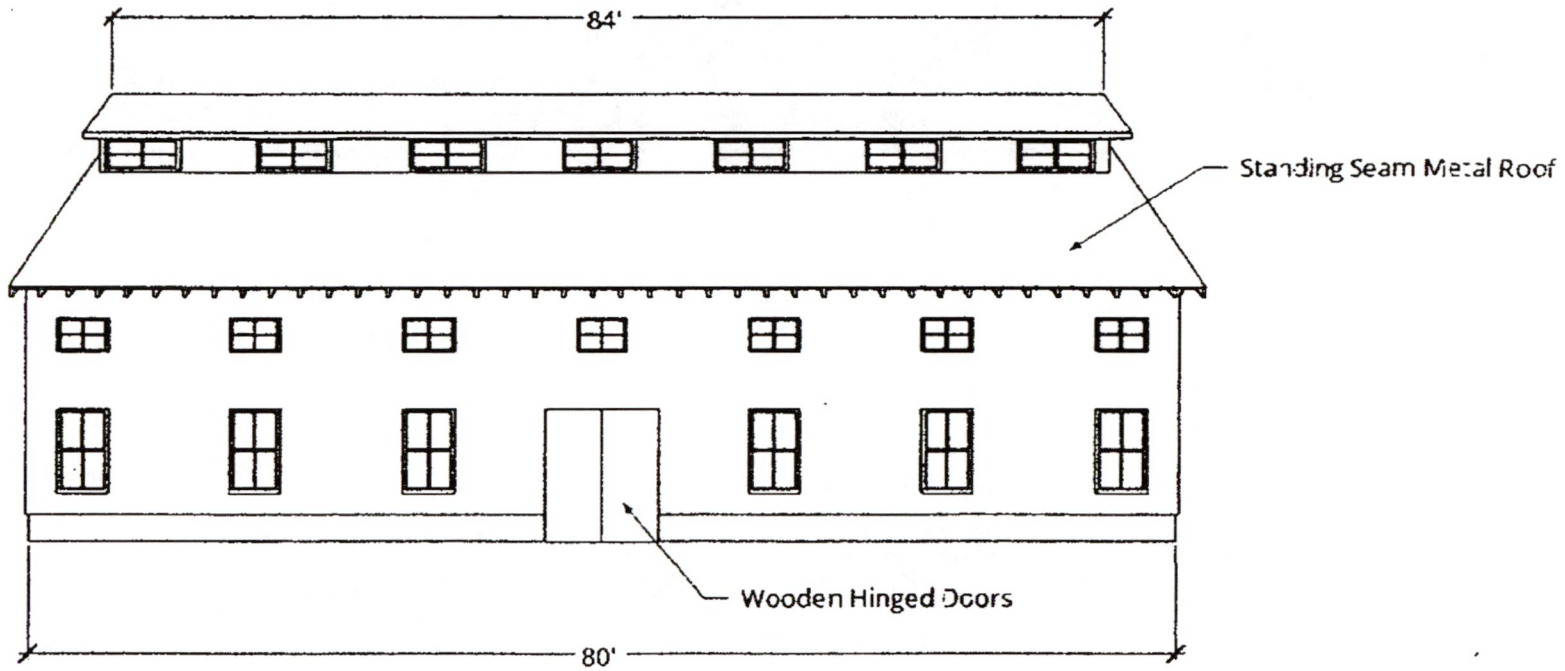
An "interested person", who has participated in this proceeding, may appeal this decision to the Vermont Environmental Court within 30 days of the date this decision was signed. Participation shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the 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 Planning Commission at 47 Town Common Rd. North, St. Albans, VT 05478-6089. Please contact the VT Environmental Court for more information on the filing requirements, fees, and current mailing address.











VOL: 354 PG: 47  
INST: 00101316

Suzanna Brown, Chair  
Town of Georgia Planning Commission  
47 Town Common Road North  
Georgia, VT 05478

January 18, 2021

RE: Temporary Event Warning Signs  
Community Farm Event Barn at Pattee Hill

Dear Suzanna,

As requested, the proposed site plan for the above-referenced project includes a temporary EVENT TRAFFIC AHEAD warning sign located ±320 ft east of the Project's new driveway. The sign will face westbound traffic approaching the project site on Pattee Hill Road. The sign will be visible from the intersection of Plains road and Pattee Hill Road, >700' to the east. This sign will be set out 1-2 hours prior to the scheduled start of an event, and removed once it is over.

The temporary warning sign has been designed to meet the requirements of Part 6 - Temporary Traffic Control of the *Manual on Uniform Traffic Control Devices (MUTCD)*. Specifically, Section 6F.51 - Special Warning Signs specifies that:

*Special warning signs may be used based on engineering judgement. Special warning signs should comply with the general requirements of color, shape, and alphabet size and series. The sign message should be brief, legible and clear.*

For this Project, the proposed warning sign will be:

- Size and Shape: 36" x 36" diamond
- Colors: black text on orange retroreflective background
- Text: EVENT TRAFFIC AHEAD (all caps, three lines, one word per line)
- Text Size and Series: 5" D
- Mounting: The sign shall be mounted on a portable stand so that the bottom of the sign is not less than 12" vertical above the adjacent roadway.

Please feel free to call us should you have any questions concerning the above.

Sincerely,

Roger Dickinson, P.E.  
Certified Professional Traffic Operations Engineer

