

**TOWN OF GEORGIA  
DEVELOPMENT REVIEW BOARD  
FINDING OF FACTS, CONCLUSION, AND DECISION**

**NOTICE OF DECISION  
CU-002-22**

**Owner/Applicant: Lora's Farm Georgia, LLC  
c/o Laura Handy  
Application for Conditional Use**

**INTRODUCTION**

This matter came before the Town of Georgia Development Review Board (DRB) on the application of Lora's Farm Georgia, LLC c/o Laura Handy, hereinafter referred to as Applicant, for conditional use to operate a community event barn (Recreation, Private Outdoor) at Lot 2 of the previously approved Vickers subdivision. The E911 address is still pending. The subject property is ±63.65 acres and located in the AR-1 and AR-2 zoning districts and is on the north side of Pattee Hill Rd. The portion of the parcel that is to have the event barn is wholly in the AR-2 zoning district. A Notice of Public Hearing was duly published on August 19, 2022, and all adjoining property owners were notified.

The DRB conducted a public hearing on this application on September 6, 2022. Laura Handy, Applicant, and Nicholas Smith, project engineer from S.D. Ireland. were present. Also present and participating in the meeting was interested party Mary Chiappinelli, an abutting property owner.

Applicant submitted the following site plans prepared by Lamoureux & Dickinson entitled:

- *"Community Farm Event Barn at Pattee Hill, Overall Plan, dated 04/13/20, Sheet 1"*
- *"Community Farm Event Barn at Pattee Hill, Site Plan, dated 08/02/20, Sheet 2"*
- *"Community Farm Event Barn at Pattee Hill, Details & Specifications, dated 08/02/20, Sheet 3"*
- *"Community Farm Event Barn at Pattee Hill, Lighting Plan & Details, dated 08/02/20, Sheet 4"*
- *"Donald Vickers, 2-Lot Subdivision Plat, 10/01/20, Sheet PL"*

## 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 September 6, 2022, 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 proposes to utilize the subject parcel to host farmers' markets and private outdoor recreation events such as wedding receptions, family reunions, etc., on a seasonal basis.
2. *Private outdoor recreation and private indoor recreation* are conditional uses that require site plan approval in the AR1 and AR2 zoning district (Section 2.2).

3. Per the Town of Georgia Development Regulations (05.02.22) Private Outdoor Recreation is defined as:

*Recreation, Private Outdoor.* Outdoor recreation facilities which are privately owned and which may be made available on a members-only basis or to paying customers. Examples of private outdoor recreation facilities include yacht clubs, golf courses, golf driving ranges, trap, skeet, and archery ranges, swimming pools, outdoor skating rinks, riding stables, parks, beaches, tennis courts, skiing areas, campgrounds, and similar facilities.

*Recreation, Private Indoor.* Recreation facilities and activities which are located inside of a structure or building, which is owned and operated by a non-governmental entity. Examples of private indoor recreation facilities include bowling alleys, movie theaters, indoor skating rinks, gymnasiums, indoor soccer facilities, and similar facilities.

4. Prior Final Plat/Site Plan approval was granted in PC-030-20 signed January 29, 2021.
5. Current lot size requirement for the AR1 district is five acres for each use and for the AR2 district two acres for each use; frontage requirement is 250 feet in the AR1 and 150 feet in the AR2. Setback requirements are 75 feet from the center of Pattee Hill Road in both districts and 40 feet from side and rear property lines in the AR1 and 25 feet from side and rear property lines in the AR2.
6. The subject parcel is ±63.65 acres in size and is located on the northerly side of Pattee Hill Rd and benefited by ±1,470 ft per submitted application.

7. Subject parcel was Lot 2 of the previously approved Vickers subdivision. This parcel does not have any permitted structures on it.
8. Applicant proposes to construct a 3,200 square foot agricultural/community event barn to host private/public indoor/outdoor recreational events such as seasonal farmers' markets, weddings, reunions, fundraisers, etc. The proposed barn would accommodate up to 150 guests and 18 employees. The Site plan was approved in 2021.
9. The Applicant would be limited by the State wastewater rules to 28 such events per year and would be required to meet all other conditions outlined in the current state wastewater rules in order to be eligible for permit exemptions including, but not limited to, no on-site food preparation or dishwashing, and no wastewater discharge to the ground surface.
10. Applicant will be required to provide adequate alternative toilets and alternative hand washing options and proposes the use of a trailer toilet system which is to be located on the site during events.
11. Applicant is proposing the following event schedule and associated hours of operation:
  - a. Local Farmers Market: Weekends from 8:00 a.m. to 6:00 p.m., May through October with a maximum of 6 events per year and no more than one per month.
  - b. Celebratory Events: Fridays, Saturdays, or Sundays during the months of May through October, totaling 18 events per year and no more than three per month. The hours of these events are proposed at 11:00 a.m. to 10:00 p.m.
12. There is an approved curb cut on Pattee Hill Rd located approximately 230 feet west of the paved driveway for Lot 1 from the Vickers' subdivision. This will provide access to the proposed structure and rest of Lot 2.
13. Applicant is proposing to provide parking for the new barn in the existing meadow area along Pattee Hill Road and the existing fence line. The parking will be accessed by a new gravel driveway located in the same footprint as the existing farm access apron. The proposed access will provide approximately 305 feet of sight distance to the east and approximately 1,000 feet to the west. AOT recommends an intersection sight distance of 390 feet and a stopping sight distance of 250 feet at a speed of 35 mph, which is the speed limit along Pattee Hill Road. Applicant's engineer has stated that when intersection sight distance is not met (390 required vs. 305 provided), the stopping sight distance is the minimum distance required for drivers to avoid collisions. The Applicant proposes to provide temporary traffic calming/alerting devices such as temporary portable signs and/or cones warning vehicles to slow for events in progress. The signs would only be used during events and would be removed immediately following the conclusion of an *event*.

14. The Applicant is proposing two gravel access aisles and three rows of grass parking. The gravel drive aisles will be designed to support town rescue and emergency vehicles. Pursuant to Section 5.5, parking requirements are as follows: one space for every employee on the largest working shift, plus one for every two patrons for the design capacity. Applicant's proposal, therefore, requires 93 parking spaces (150 guests x 0.5 space per guest + 18 employees x 1 space per employee = 93 spaces). The parking and drive aisles are located within the front and side yard setbacks of the parcel in order to reduce the disturbance and footprint on the farm meadow. Applicant's proposal meets the access and parking requirements of the regulations.
15. The proposed community event barn will be located in an area that is currently used for soil and manure storage. The barn will be oriented in a manner that will provide access to the existing meadow to the north/west and the gardens to the south. The location was chosen to minimize impacts to the existing farmland and agricultural operations on the site. The location provides screening from the property to the east due to the existing wood line coupled with a nearly 20' high ridge, in addition to minimizing its exposure to Pattee Hill Road by locating it behind the landscaped garden and tree line along Pattee Hill Road.
16. Applicant has indicated that the proposal qualifies for an exemption to the State wastewater rules as long as the delineated requirements are met.
17. Applicant supplied an Ability to Serve letter from the Fire Chief obtained during site plan approval. The Fire Chief indicated the requirement for the driveway to be graveled to the end of the parking area.
18. Applicant has proposed traffic calming measures that were approved during Site Plan approval.
19. Applicant has indicated that the project meets the Performance Standards delineated at Section 5.6.
20. There will be no storage of materials outside.

## CONCLUSION

The Board concludes as follows:

1. Applicant has submitted all relevant information required by the Town of Georgia Development Regulations (05.02.22).
2. This application was reviewed under the following: Article 2, Sections 2.2 (Uses) and 2.3, (Dimensional Standards); Article 3, Section 3.2 (Conditional Use Approval); and Article 5, Sections 5.5 (Parking Requirements), 5.6 (Performance Standards), and 5.8 (Signs). The application was deemed consistent with the above-mentioned standards and requirements.
3. The approval of this Conditional Use application is based on all plans and documents submitted and contained in the zoning file for this project.

## DECISION

Applicant's request to operate a private indoor/outdoor event facility west of 144 Pattee Hill Road is hereby **GRANTED** subject to the following conditions:

1. The term *events* includes, but is not limited to, celebratory events (wedding, graduations, etc) and Farmer's Markets.
2. Applicant is permitted up to 28 total *events* per calendar year, subject to State wastewater exemption limitations.
3. *Events* shall only be held during the months of May through December.
4. Applicant shall not hold more than 4 (four) *events* per month.
5. *Events* shall be limited to Fridays, Saturdays, and Sundays.
6. Celebratory *events* shall start no earlier than 11am, music shall stop/end by 9pm, and all guests shall have left by 10 pm.
7. Regarding music and *event* noise, Per Section 5.7 – Performance Standards (A)(1), the use must not:

*Emit noise in excess of 70 decibels at the property line or unreasonable noise. A noise shall be deemed to be unreasonable when it disturbs, injures, or endangers the peace, health or safety of two or more occupants on different properties, or when it endangers the health, safety, or welfare of the community.*

8. Farmer's Market *events* shall start no earlier than 8am and shall end at either 6pm or dusk, whichever is first.
9. Applicant shall satisfy all requirements of Final Plat/Site Plan approval under PC-030-20.
10. Applicant shall employ traffic calming devices, such as cones and signs, during all approved events. Such devices shall minimally be placed beginning at the easterly boundary line of the existing parcel. Further, Applicant shall confer with the Town of Georgia Road Foreman regarding the placement of a "Stop Sign Ahead" sign on Pattee Hill Road at an appropriate distance from the existing "Stop" sign at the intersection of Pattee Hill Road and Plains Road. If permission to place said sign is granted by the Road Foreman, Applicant shall be responsible for the cost and installation of the sign.
11. Applicant is encouraged to work with their abutting neighbors, the Chiappinellis, on an agreeable solution to address the Chiappinelli's concern about *event* guests potentially interacting with their horses on their property.
12. Applicant shall construct, maintain and operate the proposed project in strict conformance with the site plans and project description submitted with the application, including, but not limited to setbacks, event barn size and location, lot coverage, lighting, landscaping and screening, and access and parking.
13. Prior to the issuance of the Certificate of Occupancy, Applicant shall have an E911 address sign installed either on the barn structure or associated mailbox on the property.
14. If Applicant wishes to install a sign at the property, applicant shall obtain a sign permit from the Zoning Administrator.
15. Applicant shall obtain all required municipal and state permits for this project and copies of same shall be provided to the Zoning Administrator prior to the issuance of a Certificate of Occupancy for this project.

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).

Dated at Georgia, Vermont, this 5<sup>th</sup> day of October 2022.

By Suzanna Brown  
Suzanna Brown  
Georgia DRB Chair

**DRB members participating in this decision:** Suzanna Brown, James Powell, Greg Dew, Gilles Rainville, Glenn Sjoblom, Jamie Comstock, Lisa Faure

**Vote to approve:** In favor - 7, Opposed - 0, Abstain - 0.

**In Favor:** Suzanna Brown, James Powell, Greg Dew, Gilles Rainville, Glenn Sjoblom, Jamie Comstock, Lisa Faure

**Opposed:** None

**Members abstaining:** None

**Members absent:** None

**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.