



# Town of Georgia

47 Town Common Road North. • St. Albans, VT 05478  
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## NOTICE of DECISION

In re: Michael Florucci, Applicant  
Permit Application No.: CU-003-25

Decision and Findings of Fact for Conditional Use Approval

Dear Applicant/Owner,

After a duly warned hearing of the Development Review Board (DRB) on April 15, 2025, the following action was taken with regard to your request:

### GRANTED WITH CONDITIONS

**Note:** The application, any and all relevant evidence presented to the Board, and the minutes of the Board at the hearing conducted by the Town of Georgia DRB on April 15, 2025, 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/owner.

This official record shall provide an additional basis for the Board's decision.

### Background:

This matter came before the Town of Georgia DRB on the application of Michael Florucci, hereinafter referred to as Applicant, requesting conditional use approval in order to operate a home occupation of a garage for ecommerce sales, pack and ship, and light manufacturing at the parcel located at 1093 Polly Hubbard Road within the AR-1 zoning district. A Notice of Public Hearing was duly published in the St. Albans Messenger on March 28, 2025, and all abutting property owners were notified.

The DRB conducted a public hearing on this application on April 15, 2025, Applicant was present at the meeting. There were no interested parties. Applicant submitted a conditional use application and the Zoning Administrator presented a DRB report.

**Finding of Facts:**

1. Applicant is requesting construction of a garage on the property for use as a home occupation for ecommerce sales, pack and ship, and light manufacturing.
2. The applicant has stated he will be the only member of the household who will be active in the business.
3. No signage was requested at this time.
4. The proposed business is expected to have no traffic generated beyond delivery vehicles.
5. The applicant states in their application that the business will not generate noise, pollution, or any other effect that would be in violation of this regulation.
6. The applicant is not proposing any additional parking spaces outside of the existing driveway.

**Conclusion:**

The Board concludes as follows:

1. Applicant has submitted all relevant information required by the Town of Georgia Development Regulations.
2. Applicant has submitted the Vermont Agency of Natural Resources Department of Environmental Conservation Individual Wetlands Permit Major Amendment (*File #2024-0107.01*).
3. This application was reviewed under Article 3, Section 3.2 (Conditional Use Approval) and Article 6, Section 3.4(B) (Home Occupation).
4. The application was deemed consistent with the abovementioned standards and requirements.
5. The current regulations allow for Home Occupation in the AR-1 zoning district. Proposed setbacks appear to be sufficient. All areas of Home Occupation appear to have been met.
6. 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 Home Occupation of a garage for ecommerce sales, pack and ship, and light manufacturing is **GRANTED** subject to the following conditions.

1. Applicant shall follow any conditions set forth by the Vermont Agency of Natural Resources Department of Environmental Conservation in the submitted wetland permit.
2. Applicant shall complete a Sign Permit application with the Zoning Administrator if a sign for the business is desired in the future.
3. This Conditional Use Agreement is nontransferable and approved for use by Michael Florucci for the business as outlined above. Any changes to the proposed business outlined in the Finding of Facts requires a new Conditional Use application.

**These conditions shall not be deviated from absent an amendment granted by the Board.**

**All plats, plans, drawings, etc., listed above or submitted at the hearing and used as a basis for the decision to grant the permit shall be binding on the applicants, their heirs and assigns. Projects must be completed in accordance with such approved plans and conditions. Any deviation shall be a violation of the permit and subject to enforcement action by the Town.**

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision pursuant to 24 V.S.A. Section 4471. Notice of the appeal shall be filed by certified mailing, with fees, to the environmental court and by mailing a copy to the Zoning Administrator who shall supply a list of interested persons to the appellant within five working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person.

**EXPIRATION:** Pursuant to Section 3.2(D) of the Town of Georgia Development Regulations, approval from the Development Review Board allowing a conditional use shall expire one year from date of issue if construction has not progressed to the point where the property can reasonably be used for its intended purpose as defined and/or all conditions of this decision as set forth above have not been met. An extension of one year will be granted by the Zoning Administrator if application for extension takes place before the approval has expired. At the end of two years, the permit will permanently expire unless the Development Review Board grants a further extension.

**Members present and voting for approval: Charles Cross, James Powell, Gilles Rainville, Lisa Faure, Leigh Horton, James Sjoblom and Chris Caspers. Members present and voting against approval: None.**

Signature of Chair: \_\_\_\_\_ Date: \_\_\_\_\_

Charles Cross, DRB Chair