



Town of Georgia

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NOTICE of DECISION

In re: Northwest Vermont Solid Waste Management, Applicant
Permit Application No.: SP-002-24

Decision and Findings of Fact for Site Plan Review for Three (3) Additions to Existing Structures

Dear Applicant/Owner,

After a duly warned hearing of the Development Review Board (DRB) on June 4, 2024, 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 June 4, 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/owner.

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

Background:

This matter came before the Town of Georgia DRB on the application of Northwest Vermont Solid Waste Management, hereinafter referred to as Applicant, requesting Site Plan Review for three (3) additions to existing structures located at 158 Morse Drive within the I-1 zoning district. A Notice of Public Hearing was duly published in the St. Albans Messenger on May 21, 2024, and all abutting property owners were notified.

The DRB conducted a public hearing on this application on June 4, 2024. John Leddy represented Northwest Vermont Solid Waste Management and presented at the meeting. There were no interested parties in attendance. Applicant submitted a Site Plan application and the Zoning Administrator presented a DRB report.

Finding of Facts:

1. Applicant is requesting Site Plan approval for three (3) additions to existing structures located at 158 Morse Drive within the I-1 zoning district.
2. As proposed, the land meets the requirement for additional structures with setbacks, road frontage and acreage as required by the current Town of Georgia Development Regulations dated February 27, 2023.
3. The property is currently in use as a Solid Waste and Recycling Center. The additions will alter the site conditions for improved operations and procedure of traffic flow. The existing building is 9980 square feet, and the proposed addition is 3953 square feet.
4. The three additions include a drive-through recycling center, sunken bins for vehicles to drop off recyclables and a new interior storage space for storage on the first floor and office space and break room on the second floor.
5. A drilled well is located on site and will remain in operation. A new sanitary service is being proposed and will connect to the existing service prior to leaving the site. The existing service connects to the sewer mains in the park leading to the pump station.
6. The following members of the DRB were present for the Site Plan public hearing on June 4, 2024 constituting a quorum: Suzanna Brown, Charles Cross, James Powell, Gilles Rainville, Jr., Lisa Faure, Glenn Sjoblom and Jared Waite. See meeting minutes for a list of others present.
7. The regulations in effect at the time of the decision: **Municipal Town Plan**, last amended January 9, 2017; **Town of Georgia Development Regulations**, last amended February 27, 2023.

Conclusion:

The Board concludes as follows:

1. The Applicant has submitted relevant Site Plan information required by the Georgia Development Regulations, but is in need of additional information from Cross Engineering regarding the building envelope and open space easement.
2. The approval of this Site Plan application is based on all plans and documents submitted and contained in the zoning file for this project.
3. This application was reviewed as an Industrial Light business with conditional use approval (February 27, 2007) and Site Plan approval needed for any additions or changes. The standards and requirements of rule are outlined in Article 2, Zoning Districts and Land Uses and Dimensional Standards; and Article 7, Planning and Design Standards, of the Town of Georgia Development Regulations. The application was deemed consistent with the above-mentioned standards and requirements.
4. The approval of the Site Plan is based on five (5) plans titled “Northwest VT Solid Waste Management District Expansion Project” prepared by Cross Consulting Engineers, PC and dated 03/26/2024. They include: C-1: Overall Site Plan; C-2: Existing Conditions & Demolition Plan; C-3: Layout Plan; C-4: Grading & Utility Map; and C-5: Details.

Decision:

Based on the Findings of Fact and Conclusions set forth above, the Georgia DRB approves the Site Plan for three (3) building additions to existing structures on the property subject to the conditions listed below:

1. Any building shall be outside of the open space easement, including the truck turnaround and concrete dumpster area.
2. Parking regulations shall follow the standards of Light Industrial and include paving, handicapped parking signs and lined spaces. Site map shall also depict delineated parking spaces.
3. New loop driveway shall comply with the Town of Georgia Private Road & Driveway Standards (4/24/23).
4. Any outdoor storage shall be shielded or covered by landscaping or fencing.
5. Applicant shall provide an "Ability to Serve" letter from the Town of Georgia Fire Chief indicating the ability to provide emergency services to the proposed subdivision.
6. Grass landscaping shall be installed by the entrance.
7. The new well shield shall be depicted in the site plans for building permit.
8. Site Plan expires two (2) years from date of issuance, **June 4, 2024**, date of expiration **June 4, 2026** per Article 3, section 3E of the Town of Georgia Development Regulations.
9. Copies of all required State permits including, but not limited to, Act 250, Fire Safety, wastewater and potable water supply permits shall be submitted to the Zoning Administrator for inclusion in the project file prior to the issuance of any zoning permits.
10. 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.
11. Building permits for the project must be obtained from the Zoning Administrator prior to starting the project.

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 proceeding 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: Suzanna Brown, Charles Cross, James Powell, Gilles Rainville, Jr., Lisa Faure and Jared Waite. Members absent from voting: Greg Drew, Glenn Sjoblom and Chris Caspers. Members present and voting against approval: None.

Signature of Chair: _____ Date: _____

Suzanna Brown, DRB Chair

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