

TOWN OF MARSHFIELD DEVELOPMENT REVIEW BOARD

Application for Site Plan Review

John and Sue Morris, Landowner

John and Sue Morris, Applicants

Re: Town of Marshfield Parcel ID #GROZZ

1392 Vermont Route 232, Marshfield, Vermont 05658

I. Procedural History

1. Landowners John and Sue Morris hold a parcel of approximately 180 acres adjacent to Vermont Route 232 in the Town of Marshfield. John and Sue Morris (Applicants) have applied for Site Plan Review to erect a 1,560 feet one story single-family dwelling and remove an existing eight-bedroom farmhouse on the property that is the closest structure to Vermont Route 232.

2. On July 20, 2020 Applicants submitted a written application for Site Plan Review for the above-referenced property. Applicants have affirmed that they provided the required notice of hearing to all adjoining landowners by U.S. Mail or hand delivery.

3. The Marshfield Development Review Board (DRB) held a public hearing on the application for Site Plan Review on August 13, 2020. DRB Members Gary Leach, Jon Groveman, and Les Snow heard the matter using the Zoom Meeting system. DRB Clerk Robin Schunk was present by telephone during the meeting and prepared written minutes of the proceedings.

II. Findings of Fact

4. Applicants John and Sue Morris and Nick and Mahala Sargent were duly sworn and testified at the DRB hearing in this matter. The DRB credits the testimony of the sworn witnesses in this matter and finds as follows.

5. John and Sue Morris seek DRB approval to erect a 1,560 feet one story single-family dwelling and remove an existing eight-bedroom farmhouse currently on the property. There is an existing five-bedroom duplex on the property that will remain on the site.

6. Applicants provided several exhibits with their application. One exhibit is a site plan that depicts the existing eight-bedroom farmhouse dwelling on the site that will be removed, the five-bedroom duplex that will remain, and the location of the proposed single-family dwelling and associated extension of an existing driveway that will be constructed. Waste disposal is depicted on the site plan. John Morris testified at the hearing that potable

water for the single-family dwelling will be provided by an existing spring. The Applicants also provided exhibits that provide details of the wastewater disposal system.

7. John Morris was asked to address the site plan review criteria in **Section 251** the Town of Marshfield Zoning Bylaws (Bylaws). The site plan review criteria in the Bylaws are as follows:

The Board shall review the site plan map and supporting data before approval or approval with stated conditions, or disapproval, is given, and taking into consideration the following objectives: 1. Compatibility between the proposed use and existing adjacent uses. 2. Maximum safety of vehicular and pedestrian circulation between the site and roads. 3. Adequacy of circulation parking and loading facilities. 4. Adequacy of landscaping, screening, setbacks and architectural design, and location of all proposed signs and outdoor lighting, in regard to achieving maximum compatibility with and protection of adjacent property. 5. The protection of the utilization of renewable energy resources

8. John Morris provided testimony to address all of the site plan review criteria in the Bylaws. Mr. Morris testified that the adjacent uses are mostly residential and there is one commercial use – an auto body shop. There are two residential uses at the property now and there will be two residential uses when the project is completed. Accordingly, there will not be a change in impact on adjacent uses. The new dwelling will be constructed near where the existing dwelling will be removed and no safety issues with circulation were identified. This is not a commercial project, accordingly there are no parking and loading facilities. No formal landscaping or screening is proposed and no need for landscaping or screening was identified. There is no evidence that there will be an impact of the project on the use of renewable energy sources. Mr. Morris testified that he might pursue the use of a micro-hydro to provide power for the project in the future.

9. Nick and Mahala Sargent testified that they plan to live in the dwelling when it is built to be near their family.

III. Further Findings and/or Conclusions of Law

10. Pursuant to the Bylaws site plan review applications are reviewed for compliance with the general standards set forth in **Section 251 of the Bylaws**.

11. As noted in finding 8 above, the Applicants adequately addressed the site plan review criteria in **Section 251 of the Bylaws**.

IV. Decision and Order

The DRB concludes that proposed site plan review is approved with the following conditions:

A - The project shall be constructed in accordance with the exhibits submitted with the application;

B - The existing eight-bedroom farmhouse shall be removed within one year of the issuance of this approval; and

C - The Applicants shall obtain all permits applicable to the project including, but not limited to, a water supply and wastewater disposal permit from the Vermont Agency of Natural Resources and a zoning permit from the Town of Marshfield.

Voting to Approve Subdivision: Jon Groveman, Gary Leach, and
Les Snow

Voting to Disapprove: None. **Absent:** Jenny Warshow

Approved and Ordered at Marshfield, Vermont, this 30th day of August 2020.

By: 

Jon Groveman, for the Marshfield
Development Review Board

NOTICE OF RIGHT TO APPEAL: In accordance with 24 V.S.A. §§ 4471 and 4472, this decision may be appealed to the Vermont Environmental Court within 30 days of the date of this decision. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy of the appeal to the Marshfield Town Clerk. Failure of any interested person to appeal this decision to the Vermont Environmental Court within the specified 30-day period shall result in such interested person being bound by this decision or act of the DRB. Thereafter, such an interested person shall not contest, either directly or indirectly, the decision or act of the DRB in any subsequent proceeding, including any enforcement action brought under the provisions of Title 24, Chapter 117 of the Vermont Statutes Annotated. See also Town of Marshfield Zoning Regulations at §235 (Appeals to Environmental Court).