

**TOWN OF POMFRET
Zoning Board of Adjustment**

Conditional Use Review

Minutes

In re: Purple Crayon Productions, Inc.
Permit Application #ZP19-16

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for conditional use of a portion of applicant's property as a seasonal parking area for applicant's employees. The application was submitted by Purple Crayon Productions, Inc. under the Pomfret Zoning Ordinance.
2. The application was received by the Administrative Officer on August 14, 2019 and determined to be a non-conforming use under Section 7.1 of the Pomfret Zoning Ordinance. Non-conforming uses may not be commenced without permit issued by the Administrative Officer after approval and authorization by the Zoning Board of Adjustment.
3. On August 26, 2019, notice of a public hearing of the Zoning Board of Adjustment was posted at the following places:
 - Town Clerk's Office
 - North Pomfret Post Office
 - Teago General Store
4. On August 29, 2019, notice of a public hearing was published in the Vermont Standard.
5. A copy of the notice of a public hearing was mailed by the Administrative Officer to the following owners of properties adjoining the property subject to the application:
 - Murray Ngoima
 - Shane and Corie Barrows
 - William and Letitia Ellis
 - James Mills
 - Pomfret Farm Realty Trust
 - Eleanor Pizzani
 - Mary Anne Barbi
 - James and Sharlene Kelly
 - Christine Pilot and Simon Shepherd
 - White Family Rev Trust: Peter White and Terri Jillson
 - Raymond and Doris Roberts
 - Robert and Geraldine Frenchman

- Teago General Store
- Abbott Memorial Library
- Woodstock Resort Corp/Suicide Six
- Christopher Ambrose

HEARING

6. Application #ZP19-16 by Purple Crayon Productions, Inc. is for conditional use approval for a seasonal (during summer camp) parking area immediately north of the red barn for use by applicant's employees on parcel #0123 at 2095 Pomfret Road, South Pomfret.
7. The application was considered by the Zoning Board of Adjustment at a public hearing on September 17, 2019 at 6:30pm following a site visit at 5:45pm
8. Present at the site visit were the following members of the Zoning Board of Adjustment (ZBA): Alan Blackmer (Chair), Michael Reese, Shaun Pickett, Loie Havill and Benjamin Brickner. Also present were Karen Hewitt (Administrator Officer), Marie Cross (representative for Applicant), and James Havill.
9. Present at the hearing were the following members of the ZBA: Alan Blackmer (Chair), Michael Reese, Shaun Pickett, Loie Havill and Benjamin Brickner. Also present were Karen Hewitt (Administrator Officer and Clerk for the ZBA), Marie Cross (representative for Applicant), James Havill, Sharlene Kelly (Interested Person), Jacob Kelly, Marie Cross, Emily Grube, and John Moore.
10. Hearing opened at 6:42PM.
11. At the outset of the hearing, the ZBA afforded those persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. § 4465(b) to demonstrate that the criteria set forth in that statute could be met. Marie Cross and Sharlene Kelly were sworn in as interested persons.
12. The subject property is a 34.66± acre parcel located at 2095 Pomfret Road in the Town of Pomfret (parcel ID #0123).
13. The application requires review under the section 7.1 of the Pomfret Zoning Ordinance.
14. During the course of the hearing the following testimony was heard from Marie Cross, representative for the applicant, and Sharlene Kelly. Marie Cross and Sharlene Kelly were sworn in.
 - The Selectboard previously approved a temporary (during summer camp) driveway access permit.

- Marie Cross stated that the application before the ZBA is for seasonal parking during summer camp for applicant's employees only.
- The purpose of the seasonal parking area is to alleviate traffic congestion in the applicant's primary parking lot. Applicant's employees arrive at the same time that summer campers are dropped off, creating a potential safety issue.
- Marie Cross stated that employees arrive and campers are dropped off between 8:45am and 9:15am while summer camp is in session.
- Camp begins at 9am, though some parents drop off a little before or after that time. 8:45am to 9:15am is typical. Parents have to park and sign in the camper. Staff generally arrive between 8am and 9am.
- At most the proposed parking lot will be used for about 6 vehicles.
- Sharlene Kelly asked where the driveway entrance is and Marie replied that the entrance is existing agriculture access for the old sugarhouse and that cars would be parked immediately north of the barn.
- It was noted that there is a septic system adjacent to the proposed seasonal parking area. It was stated that there usually would not be vehicles parked in that location.
- Upon being asked if there were alternative employee parking locations, Marie stated that employees could park 4 vehicles immediately east of the barn, but that the access to that location is steep and slippery on dewy mornings. Other alternatives were discussed, including parking in the lower meadow along Pomfret Road.
- Emily Grube observed that the primary parking area is not properly configured for use as a child drop-off area. She urged the applicant to consider longer-term solutions to this problem. In particular, configurations that enable vehicles to drive forward only, allow children to step off directly to a sidewalk, and reduce volume by shortening drop-off times.
- John Moore stated that parking in the lower meadow along Pomfret Road would be more of an eyesore than parking in the proposed site. His opinion is that parking at the proposed site would be better with added shrubbery for screening.

15. Alan Blackmer asked for a motion that the hearing be closed to testimony. Michael Reese so moved. Shaun Pickett seconded the motion. The hearing closed at 7:13pm. Alan stated that the ZBA would issue a decision within 45 days as required by 24 V.S.A. 4464(b). The ZBA went into deliberation session immediately after.

These Minutes approved at Pomfret, Vermont, this 30 day of September, 2019.



Alan Blackmer, Chair, Zoning Board of Adjustment