

**TOWN OF PLAINFIELD  
DEVELOPMENT REVIEW BOARD**

**Findings of Fact and Conclusions of Law**

**Decision on the application of: Kyle Farnham  
Re: Conditional use for 2-family dwelling**

**Permit Application No. 2017-18CU**

**INTRODUCTION AND PROCEDURAL HISTORY**

1. Kyle Farnham submitted an application for an addition to his house to convert it from a 1-family to a 2-family dwelling.
2. The application was received by zoning administrator Karen Storey on 6/29/16 and referred to the DRB on 7/6/17.
3. On 7/14/17, notice of a public hearing was posted at the following places:  
Plainfield Town Offices, Plainfield Post Office, Plainfield Co-op  
A copy of the notice was published in the Times Argus on 7/21/17.
4. On 7/21/17, a copy of the notice of a public hearing was mailed to the following owners of properties adjoining the property subject to the application:

Brett Acebo	Kevin & Tammy Farnham	Farnham Family Trust
Lloyd Farnham	Constance Roos	David Spence & Mary Niebling
Judith Farnham	Lucas & Alene Wheeler	
5. A public hearing was held on 8/9/17.
6. Present at the hearing were the following members of the development review board:  
Janice Walrafen (chair), Elaine Parker, and Sarah Albert
7. The following persons were present at the 9/9 hearing and requested status as interested persons under 24 V.S.A. § 4465(b):

Kyle Farnham	Kelyn Farnham
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Also present were Zoning Administrator Karen Storey and minutes recorder Cindy Wyckoff.

## **FINDINGS**

Based on the application, testimony, and site visit the development review board makes the following findings:

1. Kyle Farnham seeks a Conditional Use permit to convert his home from a 1-family to a 2-family dwelling. He wants to build an addition to the current dwelling that would consist of a garage with an apartment above.
2. The address is 1000 Upper Rd. The property is a 5.27 acre parcel (tax map parcel no. 05-026.700) located in the Forest & Agricultural Lands District as described on the Town of Plainfield Zoning Map.
3. The proposed addition measures 28 x 36 ft. and will be 2 stories high, with a garage on the ground floor and a 2-bedroom apartment on the second floor.
4. Applicant plans to use the apartment as his own dwelling and use the original dwelling as a rental unit.
5. According to section 4.2 of the Zoning Regulations, a two-family dwelling is a Conditional Use in the Forest & Agricultural district. This application will be reviewed under Section 2.8 Conditional Use in the Plainfield Zoning Regulations.
6. DRB members did not believe there would be an undue adverse affect on existing or planned community facilities, the utilization of renewable energy resources, the character of the neighborhood, or traffic on roads and highways in the vicinity.
7. Farnham presented the deed granting his property an easement for a septic field on the neighboring property, which currently belongs to his parents. He has a mound system for his existing dwelling, which will need to be expanded.
8. He also presented a well report indicating that his well produced one gallon/minute; he currently has a 280-gallon holding tank, and will need a larger one to accommodate the second dwelling.
9. He has not received his state wastewater permit yet; however, the permit will be made conditional on its issuance.
10. Both dwellings will share the same curb cut, with one driveway coming off of Upper Road and splitting to avoid the septic tank. The parking in front of the current residence will remain the same; there will be an area for parking two cars in front of the new addition. The submitted site plan didn't show the location of the new driveway and parking, so it was amended by Farnham, who drew it in on the map during the hearing.

## **DECISION AND CONDITIONS**

Based upon these findings, the DRB voted to approve a conditional use permit for the conversion of Farnham's house to a two-family dwelling, subject to the following conditions:

1. All outdoor lighting fixtures will have the light directed downward.
2. The Fire Marshall will conduct an inspection of the rental unit before it can be rented.
3. The state wastewater permit will be submitted to the zoning administrator.
4. A letter from the engineer (Chase & Chase) will be submitted after construction of the septic field, stating that it was constructed according to the engineer's specifications.

If any of these conditions is not met, this project will be considered in violation of the permit.

Voting in favor: Janice Walrafen, Elaine Parker and Sarah Albert. The decision carries 3-0.

Dated at Plainfield, Vermont, this \_\_\_ day of \_\_\_\_\_, 2017.

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Janice Walrafen, Chair

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) 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. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.