

**TOWN OF PLAINFIELD  
DEVELOPMENT REVIEW BOARD**

**Findings of Fact and Conclusions of Law**

**Decision on the application of: Cutler Memorial Library/Stover  
Re: Variance from setback requirements; conditional use for sign**

**Permit Application No. 2013-07**

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for a “Little Free Library” submitted by Loona Brogan for **Cutler Memorial Library**, to be placed on property belonging to **Marshall Stover** at 10 Hudson Ave.
2. The application was received by zoning administrator Karen Storey on 5/6/2013. A copy of the application is available at the Plainfield town offices.
3. On May 22, 2013, notice of a public hearing was posted at the following places:
  - a. Plainfield Town Offices
  - b. Plainfield Post Office
  - c. Plainfield Co-op
4. On May 22, 2013, a copy of the notice of a public hearing was mailed to the applicant and to the following owners of properties adjoining the property subject to the application:

Peter Young	James Gerstman & Eugenia Belotserkovsky
Charles Gray	Owen & Jane Bradley
Plainfield Brook LLC	Mathew Couture
Town of Plainfield	
5. The application was considered by the development review board at a public hearing on June 12, 2013. The development review board reviewed the application under the Town of Plainfield Zoning Regulations, as amended March 1, 2011.
6. Present at the hearing were the following members of the development review board:
  - Janice Walrafen, chair
  - Rob Bridges
  - Sarah Albert
7. The following persons were present at the hearing and requested status as interested persons under 24 V.S.A. § 4465(b):
  - Julie (Loona) Brogran

## FINDINGS

Based on the application, testimony, and other evidence the development review board makes the following findings:

1. The applicant seeks a permit to place a “Little Free Library” [hereafter LFL] near the corner of Hudson Ave. and Mill St. The subject property is a .18 acre parcel located at 10 Hudson Ave. in the Town of Plainfield (tax map parcel no. 11-126-000).
2. The applicant, Cutler Memorial Library, is a public service organization supported by funds approved by voters at town meeting. The LFL is an outreach project of the library, and will be maintained by them as a free service to the community.
3. The property is located in the **Village** District as described on the Town of Plainfield Zoning Map on record at the town office and section **4.4** of the Zoning Regulations. The owner of the property, Marshall Stover, has given the Cutler Library permission to place the LFL next to the sidewalk at the corner of his lawn closest to the Hudson Ave./Mill St. intersection.
4. The dimensions of the LFL are 15.5" x 22" x24". It will be mounted on a wooden post and will be 6 feet tall including the post. The LFL will be painted white to match the apartment house on the property. Loona Brogan states that she has been assured that the LFL will not interfere with plowing of the sidewalk in the winter.
5. Despite its small size and lack of foundation, the project is being reviewed as a structure with signage. A variance is required for the project because it does not meet all setbacks. A conditional use is also required because the signage is within 50 feet of the intersection. The application will be reviewed under the following sections of the Town of Plainfield Zoning Regulations:
  - 2.8 Conditional Uses
  - 2.9 Variances and Appeals
  - 3.6 Signs
6. Under Section 3.6 of the Zoning Regulations, a sign may not be placed within 25 feet of the road centerline or 50 feet of an intersection of town highways. The project in this application will stand 18 feet from the centerline of Hudson Ave. and 33 feet from the intersection of Hudson Ave. and Mill St.
7. The front of the LFL will face Mill St. In the Village zoning district the side setback for a structure is 10 feet. The LFL will be 5 feet from the sidewalk.

## **DECISION AND CONDITIONS**

Based upon these findings, the development review board grants the variance from the setback requirements and a conditional use for the Little Free Library.

Voting in favor: Janice Walrafen, Rob Bridges, and Sarah Albert. The decision carries 3–0.

Dated at Plainfield, Vermont, this \_\_\_ day of \_\_\_\_\_, 2013.

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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.