

**TOWN OF PLAINFIELD  
DEVELOPMENT REVIEW BOARD**

**Findings of Fact and Conclusions of Law**

**Decision on the application of:** Nicole, Charlene and Barry Ibey

**Re:** waiver of parking requirement for 53 Main St.

**Permit Application No. 2016-38**

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves a parking waiver necessary to allow a change of use from Commercial (formerly The Bead Hive) to Residential, i.e. rental of the building as a single residential unit.
2. The application was received by zoning administrator Karen Storey on 11/30/16 and referred to the Development Review Board on 12/14/16.
3. On 1/18/17, notice of a public hearing was posted at the following places:  
Plainfield Town Offices, Plainfield Post Office, Plainfield Co-op
4. On 1/20/17, notice of a public hearing was published in the *Times Argus*.
5. On 1/24/17, a copy of the notice of a public hearing was mailed to the following owners of properties adjoining the property subject to the application:  
Ben Graham                      Edmond & Jane Benoit                      Richard & Gaye Christiansen  
Town of Plainfield                      CR Holdings LLC                      HR Block Federal Savings Bank
6. The application was considered by the DRB at a public hearing on 2/8/17. The application was reviewed under the Town of Plainfield Zoning Regulations, as amended March 1, 2011.
7. Present at the hearing were the following members of the DRB:  
Janice Walrafen, chair, Rob Bridges, Sarah Albert
8. The following persons were present at the hearing and requested status as interested persons under 24 V.S.A. § 4465(b):  
Dale Bartlett                      Charlene Ibey                      Barry Ibey

## **FINDINGS**

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

1. The applicant seeks to convert the use of the building on 53 Main St. from commercial to residential.
2. The property is located in the lower village, tax map parcel no. 011-079.000, and is owned by the applicants, Nicole, Charlene and Barry Ibey. It 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.
3. The reason for review of this application by the DRB is that Section 3.13 (Parking) of the Plainfield Zoning Regulations states under item 1 that a one-family or two-family residence requires one parking space for every unit. This section also states that the parking requirement may be waived by the DRB for businesses in the commercial district.
4. The parcel does not have any on-site parking. For the past several decades, the building has been in commercial use (including restaurant, art gallery, retail) despite the lack of parking.
5. The Ibeys want to convert the building to single-family residential. They state that the proposed tenants will have one vehicle and that this use will entail fewer vehicles than previous uses.
6. Dale Bartlett was in attendance to represent the Methodist Church across the street, and had concerns about unauthorized parking in the church parking area.
7. Charlene Ibey stated that she had told the prospective tenant that they could not park in the church's parking area or in the driveway of the building next door to the apartment.
8. DRB member Albert noted that the parking issue is a longtime problem in the village that should be addressed with the selectboard and planning commission.

## **DECISION AND CONDITIONS**

Based upon these findings, the development review board grants a waiver for the parking requirement at 53 Main Street in order to allow the change of use from commercial to a single unit of residential housing.

Voting in favor: Janice Walrafen, Rob Bridges, 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.