



TOWN OF MORRISTOWN DEVELOPMENT REVIEW BOARD
WARNED PUBLIC HEARING
COMMUNITY MEETING ROOM OF THE OLD TEGU THEATER
43 Portland Street in Morrisville, VT 05661
6:00 PM Wednesday, May 27, 2026

[Join Zoom Meeting](#) or by phone join via conference call (audio only): 1 (646) 558-8656 | Meeting ID: [810 342 4528](#) | Passcode 05661
The meeting will be live streamed on the Town of Morristown's website:
<https://www.morristownvt.gov/community/page/meetings-agendas-minutes>

I. CALL MEETING TO ORDER

II. PROPOSED CHANGES TO THE AGENDA

III. APPROVE PRIOR MEETING MINUTES

1. Approve minutes from 4-22-26

IV. PUBLIC COMMENTS

V. HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

1. 2026-28-Conditional Use application, submitted by Alex Goddard from the Town of Hyde Park, on behalf of LOH Real Estate LLC. The Applicant is seeking to amend a previous Development Review Board approval of a veterinary office and dog daycare located at 147 Stancliff Road to allow for the overnight boarding of dogs so the property could be used as a municipal dog pound. Expanding a legally non-conforming use requires conditional use review as noted in Section 435 of the Morristown Zoning and Subdivision Bylaws. The project will be reviewed under the 2023 Morristown Zoning and Subdivision Bylaws, with a specific focus on Sections 435, 500, and 630.

VI. ACTION ITEMS TO BE CONSIDERED

VII. OTHER BUSINESS

VIII. ADJOURN



**DEVELOPMENT REVIEW BOARD MEETING MINUTES
OF APRIL 22, 2026**

Members: Gary Nolan, Lenny Wing, Susanna Burnham, Paul Trudell, Mary Ann Wilson, Donald Blake, Jr.

Absent:

ADMINISTRATION and STAFF: Tyler Machia, Zoning and Planning Administrator

PARTICIPANTS/GUESTS: Dan McLaughlin, Ian Morris, Kent Herbert, Benjamin Adams, Susan Wickart, Steven Lawrence

CALL MEETING TO ORDER

Meeting called to order at 6:00PM

PROPOSED CHANGES TO THE AGENDA

APPROVE PRIOR MEETING MINUTES

1. Approve minutes from 3/25/26

Motion made by Donald Blake Jr. to approve the minutes of 3/25/26 with minor amendments.

Motion seconded by Marry Ann Willson. Motion carried (6/0).

PUBLIC COMMENTS

HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

ACTION ITEMS TO BE CONSIDERED

- #2026-19-Conditional Use application, submitted by 133 Gallery Lane LLC, to establish a new recreational facility use at 105 Gallery Lane. The plan calls for dividing an existing 11,963 building into a 7563 square foot recreational facility and a 4400 space that will house a use to be determined later. The project will be reviewed under the 2023 Morrystown Zoning and Subdivision bylaws, with a specific focus on Section 500 and Section 630.**

The Morrystown Development Review Board met to review a conditional use application from 133 Gallery Lane, LLC to convert an existing 11,963 square foot building into a 7,563 square foot recreational facility and a 4,400 square foot space for an undetermined use. The board discussed parking requirements, landscaping concerns, and the split zoning of the property between industrial and commercial districts. Jim Holly, general counsel for Sunrise Development, presented the application alongside Ben Adams. The board discussed the configuration of the two units and confirmed that the recreational facility would be primarily equipment-based, with no immediate plans for the second space. The meeting focused on parking requirements for a gym facility. It was noted that while the current application shows 27 parking spaces, the existing lot likely has more capacity, and the applicant could be required to return for a second review if additional parking is needed. The facility's expected maximum occupancy was discussed, with estimates around 32 people during peak hours from 5 AM to 9-10 PM, with adjusted hours during different seasons.

Motion made by Susanna Burnham to approve the project with the following conditions:

- 1. All parking places shall be clearly striped.**
- 2. Handicap spaces shall be clearly marked and delineated.**
- 3. The applicants will be required to obtain DRB approval for the remaining 4400 sqf space in the building.**

Motion seconded by Paul Trudell. Motion carried (6/0).

OTHER BUSINESS

- 1. Review applications for the open development review board seat with possible deliberative session to make recommendations to the Selectboard.**

The board then interviewed three candidates for the open DRB seat. The board will provide recommendations to the Select Board, who has the final authority to make appointments.

ADJOURN

Motion by Paul Trudell to adjourn into deliberative session. Motion seconded by Susanna Burnham. Motion Carried (6/0)

Meeting Adjourned At 7:03 PM

Submitted and filed 4/28/26

Tyler Machia, Zoning and Planning Administrator, Scribe

Please note all minutes are in Draft form and are subject to approval at the next Development Review Board meeting.



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V. HEARING OF APPEALS AND DEVELOPMENT APPLICATIONS

1. 2026-28-Conditional Use application, submitted by Alex Goddard from the Town of Hyde Park, on behalf of LOH Real Estate LLC. The Applicant is seeking to amend a previous Development Review Board approval of a veterinary office and dog daycare located at 147 Stancliff Road to allow for the overnight boarding of dogs so the property could be used as a municipal dog pound. Expanding a legally non-conforming use requires conditional use review as noted in Section 435 of the Morrystown Zoning and Subdivision Bylaws. The project will be reviewed under the 2023 Morrystown Zoning and Subdivision Bylaws, with a specific focus on Sections 435, 500, and 630.

VI. ACTION ITEMS TO BE CONSIDERED

VII. OTHER BUSINESS

VIII. ADJOURN



05/04/26

Alex Goddard
PO Box 98
Hyde Park, VT 05661

RE: DRB Notice Poster for 2026-28

Greetings, enclosed please find your notice poster. This poster must be posted on your property prior to your hearing before the Development Review Board and must remain posted until after the hearing date. The date of your hearing is 5-27-26 at 6:00 PM at the Morristown Office at 43 Portland Street. The notice must be visible from the public right of way nearest to your property. Once the notice has been posted please send me a picture of the notice to verify that it has been properly posted. You can also notify me that it has been posted, and I will conduct a sight visit to verify its location. If you have any questions, please contact the Zoning and Planning Office.

Sincerely
Tyler Machia
Zoning and Planning Administrator
Email: tmachia@morristownvt.gov
Cell: 802-888-6373



TOWN OF MORRISTOWN, VERMONT

CERTIFICATE OF SERVICE

I, Tyler Machia, certify that on May 4 2026, I served a copy of the Morristown Development Review Board's Notice of Hearing, to be held on May 27th at 6:00 PM, 2026 in THE COMMUNITY MEETING ROOM AT 43 Portland Street Morrisville, VT 05661, attached, regarding the below matter, to all parties by U.S. Mail (or via email as noted) to the following:

- RUN SHEA RUN HOLDINGS LLC 154 FOGGY MOUNTAIN DRIVE WATERBURY, VT 05676
- SNYDER DAN 93 STANCLIFF ROAD MORRISVILLE, VT 05661
- STANCLIFF STEPHEN C 101 CLOVERDALE DR MORRISVILLE, VT 05661

2026-28-Conditional Use application, submitted by Alex Goddard from the Town of Hyde Park, on behalf of LOH Real Estate LLC. The Applicant is seeking to amend a previous Development Review Board approval of a veterinary office and dog daycare located at 147 Stancliff Road to allow for the overnight boarding of dogs so the property could be used as a municipal dog pound. Expanding a legally non-conforming use requires conditional use review as noted in Section 435 of the Morristown Zoning and Subdivision Bylaws. The project will be reviewed under the 2023 Morristown Zoning and Subdivision Bylaws, with a specific focus on Sections 435, 500, and 630.

NOTICE OF RIGHT TO APPEAL

Per Title 24 V.S.A. §4471, Appeal of DRB Decision to Environmental Court: Only an interested person who participates in the DRB hearing may appeal a decision. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding. Any interested party may appeal the Board's decision to the Environmental Court, in writing, within 30 days of the date of the decision. Failure to appeal this decision within that period may limit one's right to challenge this decision in the future. This decision is binding pursuant to 24 V.S.A. § 4472 (d) (exclusivity of remedy; finality)

Dated at Morristown, Vermont this 4th day of May, 2026.

By: _____

Tyler Machia, Zoning and Planning Administrator

MEMORANDUM

To: Tyler Machia

From: Stephen McDonald

Date: 4/7/2026

Re: Municipal Dog Impound

Summary of Application

The application is for the utilization of a pre-existing dog kennel/dog boarding facility for a community municipal dog impound. The use as a kennel has already been approved by the DRB. The nearest dwelling is over 225 feet away so overnight noise will not be an issue. No modifications to the site or facility will take place. This facility will satisfy the requirements of 20 V.S.A. § 3381 for the Town of Morristown. This facility will result in significant cost savings to the Town of Morristown.



1: 2,401
April 20, 2026



LEGEND

Parcels (standardized)

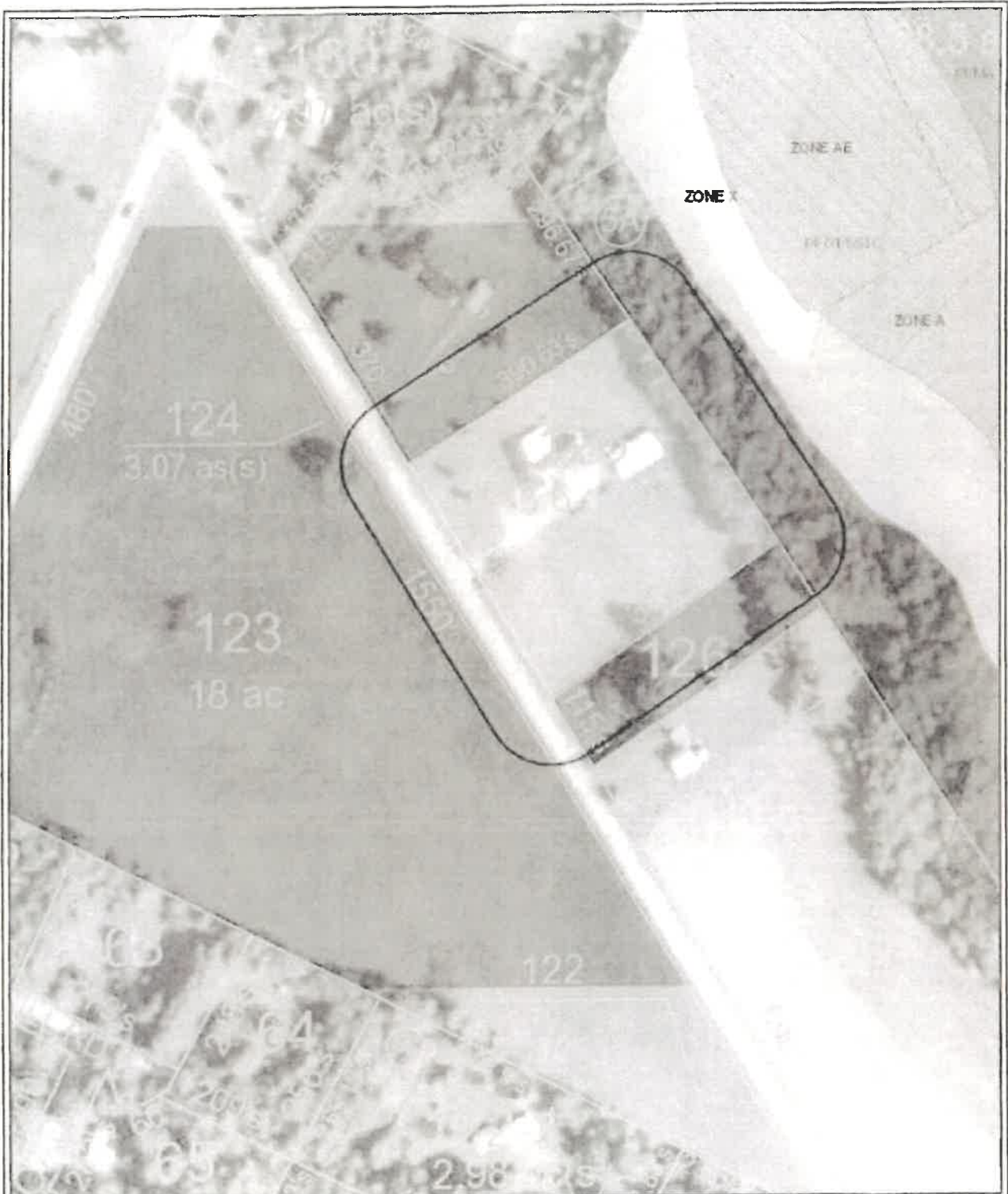
Roads

- Interstate
- US Highway: 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
- Legal Trail
- Private Road/Driveway
- Proposed Roads
- Town Boundary

NOTES

Map created using ANR's Natural Resources Atlas

122.0 0 61,000 122,0 Meters
WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 200 Ft. 1cm = 24 Meters
© Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION



Loh - doggie daycare
 Morristown, VT
 1 Inch = 200 Feet
 March 31, 2016



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.













100 feet Abutters List Report

Morrystown, VT
May 04, 2026

Subject Property:

Parcel Number: 16125
CAMA Number: 16125
Property Address: 147 STANCLIFF ROAD

Mailing Address: NORTHEAST VETERINARY REAL
ESTATE LLC
235 WEST CENTRAL STREET
NATICK, MA 01760

Abutters:

Parcel Number: 1215903
CAMA Number: 1215903
Property Address: 171 STANCLIFF ROAD

Mailing Address: RUN SHEA RUN HOLDINGS LLC
154 FOGGY MOUNTAIN DRIVE
WATERBURY, VT 05676

Parcel Number: 16123
CAMA Number: 16123
Property Address: 101 CLOVERDALE DRIVE

Mailing Address: STANCLIFF STEPHEN C
101 CLOVERDALE DR
MORRISVILLE, VT 05661

Parcel Number: 16124
CAMA Number: 16124
Property Address: 93 STANCLIFF ROAD

Mailing Address: SNYDER DAN
93 STANCLIFF ROAD
MORRISVILLE, VT 05661



www.cai-tech.com

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Town of Morristown
PO Box 748
43 Portland St
Morrisville VT 05661

Conditional use permit

Parcel number	16-125	Permit number	2016-040	Hearing number	
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Parcel location information					
Street number	147	Street/Road name	STANCLIFF RD	Apt number	
Other location information					

Permit applicant information					
Name	LOH REAL ESTATE LLC	Address	PO BOX 1375		
City	MORRISVILLE	State	VT	Zip	05661
				Telephone	

Parcel owner information					
Name	LOH REAL ESTATE LLC	Address	PO BOX 1375		
City	MORRISVILLE	State	VT	Zip	05661
				Telephone	

Application date	04/01/2016	Application fee	140.00	Land records: Book	Pages
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Description of permit	EXPANSION OF NONCONFORMING USE FOR VET OFFICE DOGGIE DAYCARE USE: BUSINESS SERVICES
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Is there a PLAT for this permit?	YES	Number of acres in parcel	2.04
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Current use	Commercial
Proposed use	Commercial
Zoning district	COMMERCIAL

Administrative Official		Date	5/20/2016
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Permit shall not take effect until 6/5/2016, or if a notice of appeal is filed with the Development Review Board by such date, it shall not take effect until the DRB issues its final decision, and the time for filing an appeal to the Environment Court passes without an appeal being filed.

**MORRISTOWN/MORRISVILLE
DEVELOPMENT REVIEW BOARD
P.O. BOX 748
MORRISVILLE, VT 05661
PH. (802) 888-6373
FAX. (802) 888-6377**

NOTICE OF DECISION

This matter came before the Morristown/Morrisville Development Review Board (referred to hereafter as the "Board") on the application of Loh Real Estate LLC (referred to hereafter as "Applicant") under §260 Rural Residential Agricultural, §435 Expansion of a Non-Conforming Use, §500 Site Development Plan Approval and §630 Conditional Uses of the Morristown Zoning and Subdivision Bylaws (referred to hereafter as "the Bylaws"). The Applicant requested an §435 Expansion of a Non-Conforming Use for a doggie daycare in the existing veterinarians' office on parcel 16-125 at 147 Stancliff Road in the §260 Rural Residential Agricultural Zone (referred to hereafter as the "Project"). The Development Review Board opened the public hearing on the application on 28 April 2016 and closed it after taking testimony and entered into Deliberative Session. Board Members Karyn Allen, John Gloss, Brian Irwin, Gary Nolan (Chair), Paul Trudell & Chris Wiltshire participated in the hearing. The Applicant was represented at the hearing by David & Karen Loh. The following neighbors participated in the hearing process and were granted Interested Party status: Kathleen Thibodeau, Barbara Percy, Diane Williams, David Smith, Rebecca Scholl & Jackie Magoon.

Based upon testimony provided at the aforementioned public hearing and documents submitted to the Development Review Board which are contained in the "Document File" for this application, the Development Review Board finds, concludes and decides as follows:

FINDINGS OF FACT

1. The property in question is a 2 acre lot (parcel 16-125) located at 147 Stancliff Road in the Rural Residential Agricultural (RRA) Zone.
2. The application was heard under §260 Rural Residential Agricultural, §435 Expansion of a Non-Conforming Use, §500 Site Development Plan Approval and §630 Conditional Uses.
3. The proposed project is for a doggie daycare which would take place in the to-be fenced-in side yard and inside the existing veterinarians' office.
4. The proposed doggie daycare business would be for a maximum 20 dogs and not include any overnight boarding.
5. The Applicant submitted an August 2015 Lot Line Change survey that was completed for the property showing hand-drawn parking being created in the rear of the vet's office to

account for the doggie daycare use.

6. The Board conducted a warned public hearing on the application on 28 April 2016.
7. Members Karyn Allen, John Gloss, Brian Irwin, Gary Nolan (Chair), Paul Trudell & Chris Wiltshire presided at the hearing.
8. The following neighbors participated in the hearing process and were granted Interested Party status: Kathleen Thibodeau, Barbara Percy, Diane Williams, David Smith, Rebecca Scholl & Jackie Magoon.

CONCLUSIONS

1. The proposed Project is located in the Rural Residential Agricultural (RRA) Zone as designated in §260 of the Bylaws. The proposed §435 Expansion of a Non-Conforming Use can be allowed therein provided that it receives §500 Site Plan Development Approval and meets the requirements of the underling zoning and the §630 Conditional Use standards.
2. Pursuant to §503.2 of the Bylaws, in order to grant approval, this Board must determine whether there are adequate parking provisions. This Board concludes that the proposed parking area behind the vets' office is adequate to accommodate this new doggie daycare.
3. Pursuant to §503.3 of the Bylaws, in order to grant approval, this Board must determine whether there is adequate landscaping and screening to protect adjacent uses from the proposed Project. This Board concludes that existing landscaping and the proposed fence adequately protects adjacent uses from this proposed project.
4. Pursuant to §503.4 of the Bylaws, in order to grant approval, this Board must determine whether there is adequate protection of the utilization of renewable resources. This Board concludes that there will not be a net loss in renewable resources.
5. Pursuant to §632.1 of the Bylaws, in order to grant approval, this Board must determine whether there is adequate capacity within the existing and planned community facilities to accommodate the proposed project. This Board concludes that these facilities are adequate to accommodate this proposed project.
6. Pursuant to §632.2 of the Bylaws, in order to grant approval, this Board must determine whether the proposed project will adversely affect the character of the area. The Board concludes that the proposed project, as conditioned, will not adversely affect the character of this area.
7. Pursuant to §632.3 of the Bylaws, in order to grant approval, this Board must determine whether the proposed project will adversely affect the traffic on the roads in the vicinity.

The Board concludes that the proposed project will not adversely affect the traffic in the area.

8. Pursuant to §632.4 of the Bylaws, in order to grant approval, this Board must conclude that the proposed project conforms to the requirements of all bylaws in effect in the Town. This Board concludes this project conforms to the Bylaws.
9. Pursuant to §633.1 of the Bylaws, in order to grant approval, this Board must conclude that this proposed project will not cause unreasonable soil erosion in the capacity of the **land to hold** water so that dangerous or unhealthy conditions may result. This Board **concludes that** the proposed project will not result in soil erosion or reduce the ability of **the land to hold** water.
10. Pursuant to §633.2 of the Bylaws, in order to grant approval, this Board must conclude this proposed project will not result in undue water, noise, or air pollution. The Board concludes that the proposed project, as conditioned, will not cause undue noise, air or water pollution.

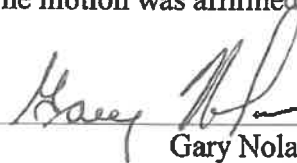
DECISION

Based upon the Findings and Conclusions set forth above, this Board approves the Applicant's requested §435 Expansion of a Non-Conforming Use for a doggie daycare in the existing veterinarians' office on parcel 16-125 at 147 Stancliff Road under §260 Rural Residential Agricultural, §500 Site Development Plan Approval and §630 Conditional Uses of the Bylaws, provided the Applicant can meet the following conditions:

1. Additional Development of the premises, other than an Accessory Use or Structure less than 500 feet in size, will require a full review by the Board to obtain approval. However, at the discretion of the Zoning Administrator, any future change in use may be administratively permitted without said review provided that the Conclusions found in this decision can be repeated for the newly proposed use.
2. All information submitted on the application, on documents, and on plans/prints shall be considered part of the Document File and the conditions of approval.
3. Pursuant to §402.4 of the Bylaws, this permit is limited in duration. Any renovations to **vets' office**, including the installation of the dog pen fence, must commence within the first year of approval and be completed within the second year.
4. All exterior lighting on the property and any new lighting for the outside dog pen shall be down-shielded and comply §490 of the Bylaws.
5. No more than twenty client dogs may be at the doggie daycare at any one time.
6. Dogs that are outside and not on a leash shall be confined to the fenced-in backyard.

7. There shall be no overnight or weekend boarding of dogs, as this is not a kennel.
8. The doggie daycare's hours of operation shall be limited to 7 AM to 6 PM on weekdays.
9. Any dog that is outside barking, shall be taken inside within 5 minutes from the time of when the barking commenced.
10. A staff member responsible for the doggie daycare must be present at all times when there are dogs present at the daycare.
11. The proposed outside dog pen shall be no taller than 6 feet and the bottom 36 inches of this fence must not be see-through to avoid daycare dogs barking at passersby.
12. This approval constitutes local zoning approval and does not in any way exclude the Applicant from the requirements of obtaining any and all other permits or approvals.
13. **By acceptance of the conditions of this permit without appeal, the permittee confirms and agrees for itself and all assigns and successors in interest that the conditions of this permit shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the permittee and all assigns and successors of interest.**

The motion was affirmed by vote of 6-0.



Gary Nolan, Chair

May 19, 2016
Date



Loh - doggie daycare
 Morrystown, VT
 1 Inch = 200 Feet
 March 31, 2016



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www.cai-tech.com
 CAI Technologies



100' Abutters List Report

Morrystown, VT
March 31, 2016

Subject Property:

Parcel Number: 16125
CAMA Number: 16125
Property Address: 147 STANCLIFF ROAD

Mailing Address: SEQUIST DAVID B & JANE T
PO BOX 1357
STOWE, VT 05672

Abutters:

Parcel Number: 16123
CAMA Number: 16112..
Property Address: 101 CLOVERDALE DRIVE

Mailing Address: STANCLIFF STEPHEN C
101 CLOVERDALE DR
MORRISVILLE, VT 05661

Parcel Number: 16124
CAMA Number: 16124
Property Address: 93 STANCLIFF ROAD

Mailing Address: MAGOON ROBERT & ADELINE
CO DAVID MAGOON 9 JAMES CIRCLE
ST ALBANS, VT 05478-2343

Parcel Number: 1215903
CAMA Number: 16125.
Property Address: 147 STANCLIFF ROAD

Mailing Address: SEQUIST DAVID B & JANE T
PO BOX 1357
STOWE, VT 05672

Parcel Number: 16126
CAMA Number: 16126
Property Address: 213 STANCLIFF ROAD

Mailing Address: THIBODEAU KATHLEEN
202 PAQUETTE RD
CRAFTSBURY, VT 05826-9650



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PUBLIC NOTICE
MORRISTOWN/MORRISVILLE DEVELOPMENT REVIEW BOARD
WARNED PUBLIC HEARING – THURSDAY April 28, 2016

The zoning applications described below require a hearing before the
Morristown/Morrisville Development Review Board for approval. The Board will hold a
public hearing on the above date of this notice to review the following applications:

1. Applicant North Country Federal Credit Union requests §630 Conditional Use & §500 Site Development Plan Approval to add the Business Services use for a 2,804 ft² building located on parcel 08-090-2 owned by CCS Development at 147 VT Rte. 15E in the §210 COM Zone.
2. Applicant/landowner Loh Real Estate LLC requests §630 Conditional Use & §500 Site Development Plan Approval for a §435 Expansion of a Non-Conforming Use for a doggie daycare in the existing vet office on parcel 16-125 at 147 Stancliff Rd in the §260 RRA Zone
3. Applicant/landowner Tammy Carter requests §630 Conditional Use, §460 Home Business & §500 Site Development Plan Approval to add the Business Services use (doggie daycare) in the house's basement on parcel 14-010 at 44 Sand Hill Heights in the §260 RRA Zone.
4. Applicants/landowners Mary & Michael Leikert request §630 Conditional Use, §460 Home Business & §500 Site Development Plan Approval to add the Motor Vehicle Service Station use (small engines) in the garage on parcel 23-061 at 82 Howard St in the §245 HDR Zone.

Said hearings will take place at **6:30 PM** in the Tegu Building's Community Meeting
Room at 43 Portland Street in Morrisville.

Please contact ZA Todd Thomas with any questions regarding the hearing at 888.6373
Publish in *News & Citizen* on Thursday April 7, 2016



May 27, 2026, DRB Meeting Staff Notes

APPLICATION: 2026-28

APPLICANT: Alex Goddard, Town of Hyde Park

REQUESTED ACTION: Conditional Use Review

LOCATION: 147 Stancliff RD

EXISTING ZONING: Rural Residential Agriculture

PROJECT DESCRIPTION: 2026-28-Conditional Use application, submitted by Alex Goddard from the Town of Hyde Park, on behalf of LOH Real Estate LLC. The Applicant is seeking to amend a previous Development Review Board approval of a veterinary office and dog daycare located at 147 Stancliff Road to allow for the overnight boarding of dogs so the property could be used as a municipal dog pound. Expanding a legally non-conforming use requires conditional use review as noted in Section 435 of the Morristown Zoning and Subdivision Bylaws. The project will be reviewed under the 2023 Morristown Zoning and Subdivision Bylaws, with a specific focus on Sections 435, 500, and 630.

PARCEL HISTORY:

1. Zoning Permit 2005-036, Approved, 4/25/05
2. Subdivision Review 2015-063, Approved 09/09/15
3. Conditional Use Review 2016-040, Approved 04/28/16

LIST OF APPLICANT SUBMISSIONS:

- A. Conditional Use Application 4-20-26
- B. Narrative Memo 4-7-26
- C. Site Plan 4-20-26
- D. Exterior Elevations 4-20-26
- E. Abutters list

PROCEDURAL INFORMATION:

1. Agenda placed in News and Citizen 5/4/2026
2. Notice placed on the town website and at three locations in town on 5/4/2026
3. Abutters notified on 5/4/2026
4. Notice sent to Applicant 5/4/2026

STAFF COMMENTS (Comments In Bold):



1. 2026-28-Conditional Use application, submitted by Alex Goddard from the Town of Hyde Park, on behalf of LOH Real Estate LLC. The Applicant is seeking to amend a previous Development Review Board approval of a veterinary office and dog daycare located at 147 Stancliff Road to allow for the overnight boarding of dogs so the property could be used as a municipal dog pound. Expanding a legally non-conforming use requires conditional use review as noted in Section 435 of the Morrilltown Zoning and Subdivision Bylaws. The project will be reviewed under the 2023 Morrilltown Zoning and Subdivision Bylaws, with a specific focus on Sections 435, 500, and 630.
2. The lot is located in the Rural Residential Agriculture district.
3. Conditional Use Application 2016-040 notes that the lot is approved for a Business Service Use housing a vet office and dog daycare.
4. Section 204.a notes that the Business Services use is not an allowed use in the Rural Residential Agriculture (RRA) zoning district.
5. The Applicant's project is considered an expansion of a legally non-conforming use due to the fact that they are looking to modify conditional use approval 2016-040 to allow for the overnight boarding of dogs to facilitate a municipal dog pound use.
6. Section 435 notes that expanding a non-conforming use requires site plan and conditional use review as noted in Section 500 and 630 of The Bylaws.
7. Section 435 further notes that the proposed expansion cannot involve the expansion of the lot and all structures need to meet the dimensional standards for the district noted in Section 204.5b of The Bylaws.
8. The applicant's narrative notes that they are not proposing any changes to the site itself they are looking to amend the previous approval to allow for the overnight boarding of dogs to facilitate a municipal dog pound use as noted in 20 VSA 3381.
9. The project shall be subject to the site plan regulations noted in Section 500 of The Bylaws.
10. The projects site plan is required to provide the information noted in Section 502.a-e. Sections 520.f-i do not apply as this is not a new commercial development.
11. The Applicants submittals contain the required information noted in Section 502.a-e.
12. The Applicant's narrative notes that they are not proposing any changes to the building's exterior or the existing site plan. **(While the applicants are not proposing changes to the structure or site plan the board could require changes to the site plan in the event such changes are necessary to make the proposed use more conforming to the district as required to comply with Sections 435 and 636 of The Bylaws).**
13. The Applicants are not proposing changes to the existing landscaping. **(The Board may want to consider additional planting to help mitigate noise if the board deems it necessary) .**
14. The project is subject to parking requirements noted in Section 450 of The Bylaws.



15. The Applicants are not proposing a change in use that would require the amount of required parking spaces to change.
16. The project will be subject to any of the requirements noted in Section 630 of The Bylaws.
17. Section 632 notes that the proposed project cannot have an adverse impact on any of the following:
 - a. 632.1 Community Facilities
 - b. 632.2 The character of the affected area
 - c. 632.3 Reduction in the ability of an area to hold water
 - d. 632.4 Will not result in undue water waste, noise or air pollution.
18. The Applicant's narrative notes that this use will not have a negative impact on the surrounding area as the nearest home is 225 feet away and the project had been previously approved as a dog kennel. They argue that this will mitigate issues with the overnight boarding of dogs. The pound would also serve the function of a community facility as it would serve as a municipal pound. **(Condition 7 of 2016-040 notes that the facility has not been approved as a kennel).**
19. In their May 19, 2016 decision approving application 2016-040 the board imposed several restrictions on the use of this site that are relevant for the board to consider with this application. These include the following:
 - a. Condition 4. no more than 20 client dogs can be boarded at a time.
 - b. Condition 7. notes that there shall be no overnight boarding of dogs as the approved use is not a kennel.
 - c. Condition 8. notes that the hours of operations were restricted to 7:00 AM and 6:00 PM.
 - d. Condition 10. notes that a staff member must be present at all times when there is a dog present at the facility. **(The applicant's narrative and submittals do not address any of the above conditions noted in the previous approval of this project. They have not noted why the overnight boarding of dogs should be allowed aside from the fact that it will save the town money and municipalities are required to have a designated dog pound. While this is noteworthy it has no bearing on the suitability of expanding this use. The Applicants have not addressed how they will manage the number of dogs on the site. Currently they are capped at 20 dogs being boarded at a time. The applicants have not requested an increase to this number; however, they also have not provided a plan to ensure that no more than 20 dogs will be boarded at any one time. For example, what happens if there are already 20 dogs on site and the animal control officer has to bring in another dog? The applicants have argued that the board should allow the overnight boarding of dogs because the nearest dwelling is over 225 feet away so overnight noise should not be an issue. While this is important to note, the applicants have**



not provided any additional details as to how this overnight boarding will take place. Will it be entirely inside? Will the dogs be outside in kennels? Will there be staff on site to manage the dogs overnight? Is distance alone enough to mitigate the noise from the dogs? The lack of detail in the narrative makes it difficult to determine how this overnight boarding will work. In addition, Condition 8 of the DRB decision 2016-040 notes that the hours of operations are set at 7:00 AM to 6:00 PM. How do the Applicants plan to account for these restricted hours? Will they only bring in animals in between 7:00 AM and 6:00 PM? Are they requesting that the hours be changed, or are they requesting special hours for the pound only? The Applicant's narrative makes no mention as to how this condition will be complied with nor are they requesting this condition to be amended. Lastly, Condition 10 notes that a staff member shall be present at all times while the facility is in operation. Given that the applicants are requesting to allow dogs to be boarded overnight, how do they plan to address this condition? Are they requesting that the board remove this condition? Is there a plan in place to provide overnight staff for this facility? While allowing for the overnight boarding of animals at this facility would allow the town to comply with 20 VSA 3381 and potentially save the town money the lack of detail in the application makes it difficult to determine how it complies with Section 435 632.2 and 635 of The Bylaws).

ITEMS FOR DRB CONSIDERATION:

1. Does the Applicant's application provide sufficient detail to address the previous conditions of approval noted in the approval for 2016-040?
2. Is the projects location from abutting dwellings sufficient enough protection from noise for abutters?

RECOMMENDATIONS TO THE DRB

1. Continue the application to date certain and require the applicants to provide any information the board deems necessary to address the conditions noted in the approval for application 2016-040. The applicants should provide information on the following:
 - a. The number of dogs to be on site at one time and a plan for how this will be managed.
 - b. An explanation for how allowing the overnight boarding of dogs does not increase the degree of nonconformity with the character of the area as noted in Section 632.2 of The Bylaws.
 - c. Clarify the intended hours of operation.



- d. Provide a plan for how the facility will be staffed to manage the dogs housed on site.
2. Approve the application provided the board establishes specific conditions to address the following issues:
 - a. Set the max number of dogs allowed on site
 - b. Hours of operation
 - c. Staffing levels
 - d. Noise