

**Town of Danville, Development Review Board**  
**Permit 2023-06, Conditional Use Hearing**

**Applicant:** Seth Sjolander

**Site:** VB002-026.000, 46 Pumpkin Hill Rd, Danville VT 05828

**Zoning District:** Low Density Residential.

**Project Description:** Create a small auto repair business in the existing garage. Part time business by appointment only. One or two jobs per week.

**Warning:** 17 March 2023.

**Hearing Date:** 05 April 2023.

**Development Review Board Members Present:** Mickey Bullock, Brian Henderson (Chair), Terry Hoffer, Craig Morris,

**Development Review Board Members Absent:** Bob Magro, Bruce Palmer, Theresa Pelletier, Wes Standish.

**Interested Parties Present:** Dennis Marquise (Zoning Administrator), Mary Ann and Seth Sjolander (Applicants).

**Correspondence from Interested Parties:**

1. Email from Applicant further explaining business.

**Disclosure of Conflict of Interest:** None by board.

**Disclosure of *Ex Parté* Communication:** None by board.

**Applicable Bylaws:**

This application requires a review by the DRB under the following section of the Danville Bylaws:

Sec 405, page 21, Off Street Parking

Sec 502.3 and 502.4, page 31, Conditional Use

Sec 516, page 50, Low Density Residential.

Sec 901, page 71, Signs

**Findings of Fact:**

Sec 405, Off Street Parking.

**The bylaw requires 4 spaces per repair bay for a motor vehicle service station. The applicant has parking for at least six vehicles. He claims no more than three customer vehicles at one time.**

Sec 502.3, 502.4. Conditional Use

**502.3 Conditional uses are those uses that may be allowed by the Development Review Board as provided for in 24 VSA §4414 after public notice and hearing. In order for the permit to be granted the DRB must find that the proposed use is in conformance with the specific standards for the district in which it is located, and it shall not adversely affect:**

**a) The capacity of existing or planned community facilities,**

**Not applicable.**

- b) *The character of the area affected as defined by the purpose of the zoning district within which the project is located, and specifically stated policies and standards of the plan,* (Applicant's response by letter) **I believe that my business will very minimally impact the character of this area. Sound will be very minimal, and I am considerate when making noise. My compressor is in an insulated box inside the garage for sound control. I will not be working late at night but most of my work will be late afternoons-early evenings and weekends. I will not be leaving junk or junk vehicles lying around and I have always tried to keep my property looking nice. I think my small honest and reputable genial automotive repair business will be a good addition to this side of town because there are not a lot of smaller, more cost-effective automotive repair facilities in this area.**
- c) *Traffic on roads and highways in the vicinity,* (Applicant's response by letter) **No major effect on traffic is anticipated. Most of the time it will be one or two jobs a week. There will be very little traffic coming and going.**
- d) *Bylaws and ordinances then in effect,* **Not applicable. This is permitted as a Conditional Use.**
- e) *The utilization of renewable energy resources.* **Not applicable.**

**502.4** *As a condition of approval, the Development Review Board may attach such additional reasonable conditions and safeguards as it deems necessary for approval to implement the purposes of the Vermont Planning and Development Act (24 VSA Chapter 117) and these zoning regulations.*

**No Conditions are listed under the Decision paragraph of this document.**

Sec 516, Low Density Residential.

**Motor vehicle service and repair is a Conditional Use in this district.**

Sec 901, Signs

**901.2** *No sign, whether temporary or permanent, shall be erected, installed, or altered unless in conformance with all applicable provisions of this bylaw. Signs do not require a permit unless the express terms of this bylaw state that a permit is required. If a permit is required, no sign shall be erected, installed, or altered until a permit has been issued for such sign by the Zoning Administrator or Development Review Board as applicable.*

**903.2** *Permanent permitted sign limitations per property (excluding window treatments):*

<b><i>District</i></b>	<b><i>Maximum # Signs</i></b>	<b><i>Maximum Sq Footage</i></b>	<b><i>Maximum Height from Grade (feet)</i></b>
<i>Low Density Residential</i>	<i>1</i>	<i>10</i>	<i>10</i>

**The applicant is proposing a 3' by 3' sign (9 square feet), professionally designed, with no illumination.**

## **Summary of Discussion:**

The applicant explained that he is currently employed as a tech and works Tuesday through Friday. He is starting this business to transition into being totally self-employed, at least two years away. The business will be offering general auto repairs and service, Mondays, afternoons, and weekends, by appointment. Services offered will include fluids, brakes, and general repairs. Tire service and VT inspections may be considered in the future. The services will be provided in the existing 24' by 21' two bay garage. Presently, there will be no changes to the building, and there will be no exterior lighting. A larger service bay addition may be considered in the future.

**Decision and Conditions:**

After a brief discussion, Terry Hoffer motioned to approve the permit as submitted, without conditions. Larry Rossi seconded the motion. With all in favor, and with no objections, the permit is approved.

An approved permit will be issued once the above conditions are met and the 30-day appeal period has passed, pending any appeals.

**Signed:**

*Brian F Henderson*

Brian Henderson, Chair, Danville Development Review Board

**Date of Decision:** 05 April 2023

**Final Appeal Date:** 05 May 2023

**NOTICE:**

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (in person or in writing) before the Development Review Board. Such appeal must be made 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.