

**TOWN OF ELMORE**  
**Development Review Board**  
**Application for Conditional Use**  
**Review Findings and Decision**

**In re: MICHAEL JOLLY**

**Permit Application No. Z-25-26**

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use submitted by Michael Jolly under the Town of Elmore Zoning Bylaw.
2. The application was received by the Zoning Administrator on July 17, 2025. A copy of the application is available at the Town of Elmore Zoning Office.
3. On July 24, 2025 a notice of a public hearing was published in The News and Citizen.
4. On July 23, 2025, notice of a public hearing was posted at the following places:
  - a. The municipal clerk's office Notice Board
  - b. 287 Worcester Ridge RD , which is within view of Worcester Ridge Road, the right-of-way most nearly adjacent to the property for which the application was made.
  - c. Elmore Town Hall Notice Board
  - d. Town of Elmore Public web site: [www.elmorevt.org](http://www.elmorevt.org)
5. On July 23, 2025, a copy of the notice of a public hearing was mailed to the applicant. On July 23, 2025, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
  - Eugenia Meigs
  - Michael & Miriam McCormack
  - Jay P. & Ingrid Friedenson
  - John & Allison Turkowski
  - Joseph & Kimberly Hageman
6. The application was considered by the Development Review Board at a duly warned public hearing on August 5, 2025.
7. The Development Review Board reviewed the application under the Town of Elmore Zoning Bylaw, as adopted January 20, 2020 (the Zoning Bylaw).

8. Present at the hearing were the following members of the Development Review Board:

- Michael Furst, Acting Chair
- Jason Cohen
- Caroline DeVore
- Thomas Waldman

9. At the outset of the hearing, the Development Review Board afforded those persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. § 4465(b) to demonstrate that the criteria set forth in that statute could be met. No interested persons attended or requested party status in this application.

8. During the course of the hearing the following exhibits were submitted to the Development Review Board:

- A Conditional Use Zoning Application dated July 17, 2025
- **House Plans** and exterior elevations
- **Proposed Site Plan** dated 7/17/25 prepared by Vermont Survey and Engineering, Inc. showing house site and addition at elevation 1,330msl.

These exhibits are available at the Elmore Zoning Office.

## FINDINGS

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

1. The applicant seeks a conditional use permit to construct an addition of 896 sq ft 2 car, two story attached garage with living space above. Also included is a 740 sq ft deck on the north side of the existing single family residence. The subject property is a 5.09-acre parcel located at 287 Worcester Ridge Road in the Town of Elmore (tax map parcel no. 06/00/74.17). The lot was created and was “of record” prior to January 1, 2000. Elmore Zoning Permit #20-30 was previously issued for a single-family dwelling on this lot.
2. The property is in the **Forest Reserve District** as described on the Town of Elmore Zoning Map on record at the Town of Elmore municipal office and in the Zoning Bylaw.
3. Conditional use approval is requested for the project as an addition to a previously constructed and approved single-family dwelling below the elevation of 1,500msl. The

application requires review under the following sections of the Town of Elmore Zoning Bylaw:

- Section 2.4, Table 2.4
  - Section 5.3 – Conditional Use Review Process
  - Section 5.4 - Conditional Use Review Specific Standards
1. Section 2.4, Table 2.4 (D) provides for Dimensional Standards and the Board finds that the project as presented complies with the standards.
  2. Section 5.4 provides for the review of the following criteria:
  3. Character of the Land: The Board finds that the character of the land is suitable for this single-family residence additions.
  4. Conformance with the Town Plan: The Board finds that the proposed development is in conformance with the Town Plan.
  5. Lot Layout: The Board finds that the lot conform to the dimensional standards, size and density of the Bylaw.
  6. Monuments: The Board finds that the Plat depicts corner monuments of iron rods at each lot corner.
  7. Landscaping and screening: The Board finds that the lot does not require additional screening. Clearing limits are depicted on the plat so that clearing is restricted to the depicted building envelopes and to the approved sewage systems and components to lessen the impacts of the development.
  8. Energy Conservation: The Board finds that the proposed building site is oriented to the south to take maximum advantage of solar.
  9. Street Lighting: The Board finds that no street lighting is proposed nor required. All exterior lighting will be downward directed and will not shine off the property.
  10. Subsequent Development Plans: The applicant did not present any future development plans.
  11. District Settlement Pattern: The Board finds that the proposed project is designed to achieve the purpose and desired settlement pattern as defined in Article II, Table 2.4 of the Bylaws.
  12. Upgrades to Existing Roads: The Board notes that the existing private road does not require upgrades for this residence.

## **DECISION AND CONDITIONS**

Based upon these findings, and subject to the conditions set forth below, the Development Review Board **GRANTS** the application in the Forest Reserve District.

The proposed development meets the requirements of Sections 2.4, 5.3 and 5.4 of the Zoning Bylaw.

The Development Review Board **approves** the application subject to the following conditions:

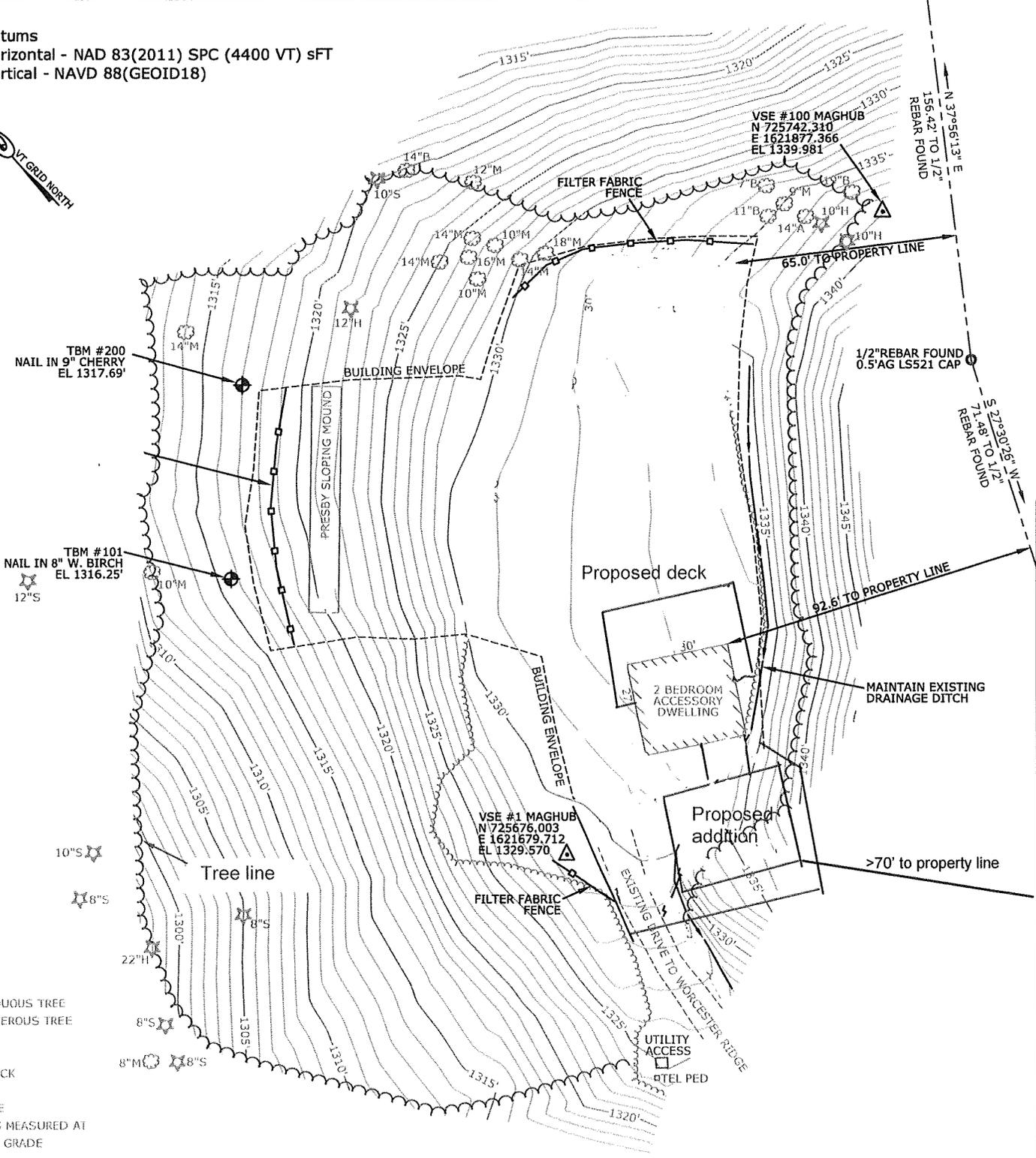
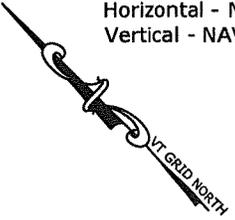
1. General Requirement: All information submitted on the application, on documents, and on plans/prints, and in the Board meeting minutes shall be considered part of the conditions of approval.
2. General Requirement (permit limitation): Pursuant to Section 8.1 H. of the Bylaws, all activities authorized by this permit shall be completed within 2 years of its date of issue. Permits that are not renewed, or permits that have expired, shall become null and void and reapplication shall be required.
3. General Requirement (local zoning approval only): This approval constitutes local zoning approval and in no way excludes the Applicant from the requirements of obtaining all other permits or approvals. (Section 8.1 D.)
4. General Requirement (permit runs with the land): By acceptance of the conditions of this permit without appeal, the permittee confirms and agrees for itself and all successors and assigns 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 successors and assigns.
5. A Certificate of Compliance per Section 8.2 A. of the Zoning Bylaw is required upon completion of the project. An application form is provided along with this Decision.

Dated at Elmore, Vermont, this 20<sup>th</sup> day of August 2025.

 \_\_\_\_\_, Chair

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the [planning commission/zoning board of adjustment/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.

Datums  
 Horizontal - NAD 83(2011) SPC (4400 VT) sFT  
 Vertical - NAVD 88(GEOID18)



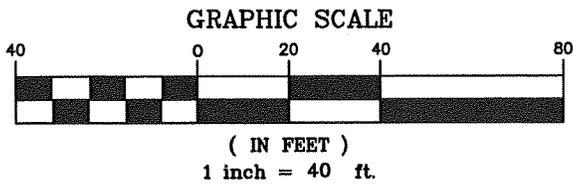
TBM #200  
 NAIL IN 9" CHERRY  
 EL 1317.69'

TBM #101  
 NAIL IN 8" W. BIRCH  
 EL 1316.25'  
 12"S

**TREE KEY**  
 ○ = DECIDUOUS TREE  
 \* = CONIFEROUS TREE  
 A = ASH  
 B = BIRCH  
 H = HEMLOCK  
 M = MAPLE  
 S = SPRUCE  
 DIAMETERS MEASURED AT  
 4.5' ABOVE GRADE

This plan was compiled from the following sources:  
 Topographic survey by VSE on 1/14/2021  
 Septic Design by Hogg Hill Design, LLC, dated 9/10/2020  
 Boundary Plat "Peterson Farm, Lot 8" by Glenn Towne, dated June 1998

7/17/25



Application for Site Plan Approval  
 Lot 8 Worcester Ridge  
 Parcel #06/00/74.170, Forest District (FR)  
 Prepared by Vermont Survey and Engineering, Inc.  
 1" = 40' at 8 1/2" x 11"



**CERTIFICATE OF COMPLIANCE**

**INSPECTION REPORT (ZA USE ONLY)      ZONING PERMIT # \_\_\_\_\_**

**ZONING PERMIT** Site inspection performed on [date] \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
E-911 Address Posted?  Not Applicable (no new unit) |  Yes |  No  
Development, use & dimensions comply with permit?  Not Applicable |  Yes |  No, because:

**Development Review**

Prior development review?  No |  Yes  
Description(s) \_\_\_\_\_  
Decision review performed by \_\_\_\_\_ on [date] \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
\_\_\_\_Development review conditions met? :  Not Applicable |  Yes |  No, because:

**General**

All other Zoning Permit conditions met?     Not Applicable (no other conditions) |  Yes |  No, because:

**WATER/WASTEWATER PERMIT**

State Permit # \_\_\_\_\_ Engineers Completion Report     Yes  No  
Development complies with permit?  Yes |  No, because:

Signature Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**HIGHWAY ACCESS PERMIT**

Town Highway Access Permit # \_\_\_\_\_ Inspection performed by  
\_\_\_\_\_ on \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Development complies with permit?     Yes     No, because:  
Signature Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**NEW PRIVATE ROAD** Was the Engineer Certification Letter provided per Elmore Bylaws Section 8.2 B.?  
 Not Applicable |  Yes |  No, because:

**CERTIFICATION DECISION BY ZONING ADMINISTRATOR (ZA USE ONLY)**

FINAL     TEMPORARY

\_\_\_\_\_ **APPROVED** Elmore Bylaws Section 8.2 fully met; you are hereby issued a Certificate of Compliance/Occupancy for the permit(s) listed above)

\_\_\_\_\_ **DENIED** (This decision can be appealed to the Development Review Board per Elmore Zoning Bylaw Section 8.3). Reason for denial and/or conditions of approval:

Zoning Administrator Signature \_\_\_\_\_ Date \_\_\_\_\_