

**TOWN OF ELMORE**  
**Development Review Board**  
**Review Findings and Decision**

**In re: Philip & Holly Phelps**

**Permit Application No. Z-24-40**

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of an application for conditional use submitted by **Philip & Holly Phelps** under the Town of Elmore Unified Zoning and Subdivision Bylaw. (Effective February 11, 2020)
2. The application was received by the Zoning Administrator on October 15, 2024. A copy of the application is available at the Elmore Zoning Office.
3. On October 14, 2024, notice of a public hearing was published in the News and Citizen.
4. On October 19, 2024, notice of a public hearing was posted at the following places:
  - a. The municipal clerk's office Notice Board
  - b. 3740 VT RT 12, which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
  - c. The Elmore Town Hall Notice Board.
5. On October 19, 2024, a copy of the notice of a public hearing was mailed to the applicant.
6. On October 19, 2024, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
  - Carmen Lacasse
  - Calvin & Gina Lanpher
  - Matthew D. & Karin L. Kanneberg
7. The application was considered by the Development Review Board at a public hearing on December 5, 2024. The Development Review Board reviewed the application under the Town of Elmore Zoning Bylaws, as amended February 11, 2020 (the Zoning Bylaw).
8. Present at the hearing were the following members of the Development Review Board:

- Michael Furst (Via telephone)
  - 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 persons requested Interested Person status.
  8. During the course of the hearing the following exhibits were submitted to the Development Review Board and are available at: Town of Elmore Zoning Office:
    - Conditional Use Application form dated Oct 9, 2024
    - Site Plan dated October 8, 2024

## **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 approval to construct a storage shed 8' wide x 16' long. The subject property is a 2.0-acre parcel located at 3740 VT RT 12 in the Town of Elmore (tax map parcel no.07/00/09.00)
2. The property is located in the Forest Reserve District as described on the Town of Elmore Zoning Map on record at the Town of Elmore municipal office.
3. Conditional use approval is requested for the project. The application requires review under the following sections of the Town of Elmore Zoning Bylaw:
  1. Section 5.3 – Conditional Use Process
  2. Section 5.4 - Conditional Use Specific Standards
  3. Forest District: Table 2.4 (Pg 13 to 15)
4. The application will require the following existing or planned community facilities: None
5. The application will have the following impact on its surrounding area:  
None
6. The application will utilize the following renewable energy resources:  
Not applicable

## **DECISION AND CONDITIONS**

Based upon these findings, and subject to the conditions set forth below, the Development Review Board **grants** the application for an 8' x 16' storage shed.

1. The proposed development meets the requirements of Sections Section 5.3 – Conditional Use Process, Section 5.4 - Conditional Use Specific Standards, Forest District: Table 2.4 of the Zoning Bylaw.
2. The application will not have an undue adverse impact the capacity of existing or planned community facilities
3. The application will not have an undue adverse effect on the character of the area.
4. The application will not have an undue adverse effect on traffic and roads and highways in the vicinity.
5. The application will not have an undue adverse effect on the bylaws currently in effect.
6. The application will not have an undue adverse effect on utilization of renewable energy resources.
7. The application will satisfy the requirements of the bylaw with respect to: minimum lot size/distance from adjacent or nearby uses/site plan review criteria or any other criteria required by the bylaw.

**The Development Review Board approves the application.**

Dated at Elmore, Vermont, this 11th day of December, 2024.

\_(Caroline Devore)\_, Chair  
Signature on file

**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.