

FINDINGS

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

1. Tamera Ferro seeks a Conditional Use permit to place a 6-foot high privacy fence between her property at 34 High St. and the adjoining property at 50 High St. The Ferro property is located on US Rt. 2, tax map parcel no. 011-048.000.
2. The property 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. Section 3.7 of the Zoning Regulations states that fences over four feet in height built within the setback area for the district require a conditional use permit.
3. Sean Lee (husband of Tamera Ferro) attended and testified on her behalf: they want to build a cedar panel fence, 6 foot high and 178 foot long along the west side of their property abutting Ben Davis-Noe's property. The fence would start at the corner of the mother-in-law apartment on the Ferro/Lee property up to approximately five feet before their upper property line.
4. The proposed fence, to be installed by Middlebury Fence, will be the same style as the fence currently installed on the east side of the Ferro property along the boundary with the Plainfield Town Hall Opera House, that is, a panel fence made of cedar, suspended between posts with a one foot clearance underneath. Posts will be set in concrete. Sean Lee will notify Dig Safe prior to commencement of any work.
5. The existing fence bordering the Town Hall Opera House boundary, referred to in the previous paragraph, was approved by the DRB in October 2014 (CU permit 2014-20).
6. DRB members concur that this application meets the general standards from Zoning Regulations sections 2.8 for Conditional Uses.
7. Abutter David-Noe requested that a professional survey of the property line be done and Lee agreed. Lee stated that the fence will be set back 6-12 inches from the property line.

DECISION AND CONDITIONS

Based upon these findings, the development review board voted to approve a conditional use permit for Tamera Ferro to build a six-foot fence between her property and the property of Ben Davis-Noe, under the following condition:

1. The fence will be of the same construction as the fence that is between Ferro's property and the Town Hall, and set 6-12 inches back from the property line, to be determined by a survey.

Voting in favor: Janice Walrafen, Alice Sky and Sarah Albert. The decision carries 3-0.

Dated at Plainfield, Vermont, this 9 day of June, 2021.


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.