

**TOWN OF PLAINFIELD  
DEVELOPMENT REVIEW BOARD**

**Findings of Fact and Conclusions of Law**

**Decision on the application of:** R. L. Vallee (owner), Northeast Washington Country Community Health, Inc. (applicant), aka the Health Center

**Re:** Amendment to Conditional Use Permit 2016-04

**Permit Application No. 2021-21**

**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves an amendment to Conditional Use permit 2016-04, issued 3/9/16, to include: conversion of 2-apartment building into one apartment and business/professional office; use of garage to house 2 minivans; and weekly food and meals distribution program by Health Center.
2. The application was received by zoning administrator Karen Storey on 5/27/21, and a hearing date was scheduled for 7/14/21.
3. On 6/22/21, copy of the hearing notice of was posted at the following places:  
Plainfield Town Offices, Plainfield Post Office, Plainfield Co-op  
On 6/29/21, the notice was published in the Times Argus.
4. On 6/22/21, a copy of the hearing notice was mailed to the applicant and to the following owners of properties adjoining the subject property:

Toni Campbell	David & Shannon Spidle	Michael & Marsha Palumbo
Claire Dumas	Scott Stewart	Steve & Gail Washburn
Johnathon Matthew	Brent & Karen Sleeper	Tristan MacGregor-Stewart & Hilary Sedelnick
David Hill	Second Wind LLC	James Malloy, Black Bear Biodiesel LLC
Robert & Linda Dole	268 High LLC	Telephone Operating Company of Vermont
5. Present at the 7/14/21 hearing were the following members of the development review board:  
Janice Walrafen (Chair), Jim Volz, Alice Sky, and Sarah Albert.  
Also present were Zoning Administrator Karen Storey and minutes recorder Cindy Wyckoff.
6. The following persons were present at the hearing and requested status as interested persons under 24 V.S.A. § 4465(b):

John Matthew, M.D.	Charles Cogbill
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Stephen L. Cusick was present as legal representation for the Health Center
7. Submitted evidence included a site plan of the property and a first floor plan, executed by Duncan Wisniewski Architecture and dated 5/26/21.

## FINDINGS

Based on the application, testimony, and other evidence the development review board makes the following findings:

1. The subject property is a .32 acre parcel located at 230 High Street (US Rt. 2) in the Town of Plainfield (tax map no. 11-029.000), containing a building formerly known as The Red Store and a detached garage. The applicant received conditional use permit 2014-17 on 12/10/14 to convert a portion of the existing retail footage to a second apartment and to renovate the remaining retail space. This permit was amended on 3/9/16 (permit 2016-04B) to allow the demolition of the former retail space and use of the remaining building as two apartments.
2. A new site plan, dated 5/26/21, was submitted and is incorporated into the findings. The applicant wants to change the use of the current first floor apartment to a business office doing administrative work for the Health Center. No patients will be seen at this location; however, it will be the site for the weekly food and meal distribution program of the Health Center.
3. Condition #8 of CU permit 2014-17 states: "Any changes to the above conditions or to the exterior lighting, trash storage, parking and traffic circulation as described in the findings and updated site plan will necessitate an amendment to the commercial site plan by the DRB." This requirement was continued in permit amendment 2016-04.
4. The Health Center CEO and Medical Director, John Matthew provided expanded details to the information provided in the application. The Health Center needs more administrative office space and has recently received funding for a school nutrition program which will need its own office space when it is not operating out of local schools.
5. The food distribution currently takes place on Thursdays, but Matthew was unsure about the times. He stated that people picking up need to park momentarily and go inside the building to retrieve the food. Albert noted that there is no parking in the right-of-way between the building and Rt. 2 because it is a shared right-of-way with Black Bear Biodiesel. She added that during a previous hearing with property owner R.L. Vallee, it was unclear exactly where the shared right-of-way was between the two properties and this uncertainty has led to disagreements. Albert would like to see the two landowners come to an agreement about the right-of way and what its use is. In the meantime, she suggested staggering the food distribution pick-up times so that people would always have a legal space to park.
6. For the proposed change of use, the conversion of the first floor to commercial office space will require seven parking spaces with an additional space required for the upstairs apartment for a total of eight designated parking spaces. The two spaces in the garage would be designated as storage for the two Health Center minivans and not included in the required number of designated parking spaces. Sky asked why, if the lot is already paved, it isn't all considered available for parking, to which Storey and Walrafen responded that there are no painted lines to indicate designated/permitted parking and that the Health Center is currently only requesting the eight spaces to satisfy the zoning requirements.
7. Dr. Matthew noted that he estimates about five people will be working in the proposed administrative space on the first floor, adding that due to its close proximity, people can also park at the Health Center and walk over if necessary.



8. In response to Sky's question regarding if a condition can be included related to storm water mitigation, it was determined that because no new impervious surfaces have been added, a condition cannot be included. Albert stated that snow accumulation from plowing may need to be removed to keep the required parking spaces available. Dr. Matthew noted that in the rare instances where snow piles up at the Health Center, they have arranged for a front loader to haul it away and that that equipment could be sent across the street to remove snow as well.

## DECISION AND CONDITIONS

Based upon findings, testimony and submitted site plans, Albert made a motion to approve the conditional use permit amendment application from Northeast Washington County Community Health, Inc. for a change of use of the first floor residential apartment to business/professional use along with the use of the garage for housing the Health Center's two minivans, and the use of the property as a distribution center for the weekly food program under the following conditions:

1. The number of available parking spaces, which is currently five, be increased to eight to include the required number for the business office (7) plus one for the residential apartment;
2. The pickup times for the weekly food program be staggered to reduce congestion in the parking lot; and
3. All existing conditions will remain in place.

Sky seconded the motion. The decision carries 4-0.

Dated at Plainfield, Vermont, this 11 day of August, 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.