

**TOWN OF PLAINFIELD
DEVELOPMENT REVIEW BOARD**

Findings of Fact and Conclusion of Law

**Decision on the application of: Howard D Hosgood III and Sara Smiley Smith
Re: Variance for Setbacks**

Permit Application No. 2025-34

INTRODUCTION OF PROCEDURAL HISTORY

1. The proceeding involves an application by Howard D Hosgood III and Sara Smiley Smith for a variance for setbacks in Forest and Agricultural Land District for construction of a house and driveway at 2380 Upper Road.
2. The application was received by Zoning Administrator Karen Storey on September 30, 2025 and referred to the Development Review Board (DRB) for review on October 23, 2025.
3. On November 21, 2025, notice of a public hearing was published in the *Times Argus*. The notice was posted at three public places on November 25, 2025.
4. On November 20, 2025, a copy of the notice of a public hearing was mailed to the following interested parties or owners of properties adjoining the property subject to the application:

Mark Yorra and Catherine Gates	Elaine Parker and Margaret Davis
David Larrabee	Brian Larrabee and Debra Larrabee
Alan Larrabee	David Black
Gary Smith and Kristin Holms	Stratton Douthat and Eleanor Gail Falk
Brenda Lovely Life Estate	Michael Russell and Tammy Russell
Julie Morton and Erika Lynch	Melanie Benko
5. The application was considered by the DRB at a public hearing on December 10, 2025. The application was reviewed under the Town of Plainfield Zoning Regulations and Subdivision Regulations adopted March 4, 2025.
6. Present at the hearing were the following members of the DRB:

Janice Walrafen (chair)	Mary Niebling	Seth Mullendore
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Also present was Zoning Administrator Karen Storey.

7. Howard D Hosgood III was present at the hearing and requested status as interested parties under 24 V.S.A. § 4465(b).

FINDINGS:

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

1. The application is for a residential property at 2380 Upper Road, tax parcel no. 05-033.000.
2. The permit is for a variance for setbacks in Forest and Agricultural Land District.
3. The permit was reviewed under Section 8.7 Variances and Appeals and Section 2.5.3 Dimensional Standards for Setbacks in Forest and Agricultural Land District.
4. Hosgood noted that a 2024 permit application for the property was halted because they needed to conduct a wetland evaluation for the site, which has now been done. They are now proposing a permanent building which will be temporarily occupied. The structure will not have running water or septic. When they applied in 2024 there was an approved septic location, but with the wetland review it was determined that the septic was not viable.
5. Walrafen adjusted the 2025 permit application to reflect requested changes to the proposed structure, which will now include one bathroom, two bedrooms, and no kitchen.
6. The reduced setback is necessary due to the topography of the property, with wetlands limiting where a structure can be built. The proposed location is the only spot where development seems feasible.
7. Due to the presence of wetlands, the variance will need to be for a 10 ft setback instead of the 50 ft setback required for Forest and Agriculture. The proposed setback meets the criteria for a variance under Section 8.7, subsection 3, parts a, b, c, d, and e.

DECISION AND CONDITIONS

Based upon the findings, testimony, and other information presented at the hearing, the Development Review Board voted to approve the variance for setbacks, subject to the following conditions.

Conditions:

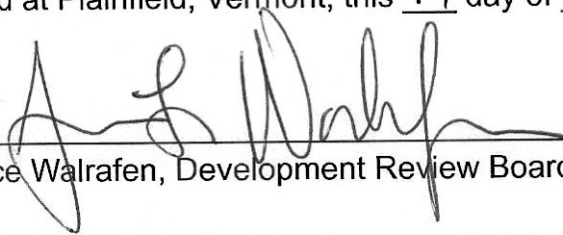
1. The zoning permit application is amended from the originally proposed house to a single-family home including 1 bathroom, 2 bedrooms, and a kitchen.

no fw

Voting favor: Janice Walrafen, Mary Niebling, and Seth Mullendore

The decision carries 3-0.

Dated at Plainfield, Vermont, this 14 day of January, 2026



Janice Walrafen, Development Review Board 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.