

**OWNER NAME(S):** George E. & Mary M. Davis, Trustees  
**LOCATION:** 4 Walls Street, Otter Creek  
**TAX MAP:** 033 **LOT:** 010 **ZONE(S):** Village Residential One  
**PURPOSE:** To convert an existing one-story garage/workshop into a Residential Dwelling Unit.  
**SITE INSPECTION:** 4:00PM – **Masks Required During Site Inspection.**

**Section 4.3.7 Change of Use of a Non-conforming Structure.** The use of a non-conforming structure may not be changed to another use unless the Planning Board, after receiving a written application, determines that the new use will have no greater adverse impact than the existing use on:

**a. the subject or adjacent properties and resources:**

*Findings of Fact:* \_\_\_\_\_ Existing noise-producing use will be relocated 120 feet away. \_\_\_\_\_

\_\_\_\_\_ There were no objections heard at the Site Visit from abutting property owners. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ Standard has been met. \_\_\_\_\_

\_\_\_\_\_ (Eaton/Anastasia) Motion approved 5-0. \_\_\_\_\_

**b. water body, tributary stream, or wetland:**

*Findings of Fact:* \_\_\_\_\_ Based on the aerial photo and GIS information reviewed, there are no \_\_\_\_\_ adjacent waterbodies or wetlands affected by the change of use. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ The standard has been met. \_\_\_\_\_

\_\_\_\_\_ (Randolph/Eaton) Motion approved 5-0. \_\_\_\_\_

In determining that no greater adverse impact will occur, the Planning Board shall require written documentation from the applicant, regarding the probable effects on:

**public health and safety:**

*Findings of Fact:* \_\_\_\_\_ Proposed change of use uses connection to Town sewer. \_\_\_\_\_

\_\_\_\_\_ Relocation of current activity to barn 120 feet away and the introduction of basic \_\_\_\_\_ residential life safety component creates no adverse impact on public health and safety. \_\_\_\_\_

\_\_\_\_\_ Mr. Davis will consult with the CEO to make sure the residential use is in compliance. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ Standard has been met. \_\_\_\_\_

\_\_\_\_\_ (Randolph/Eaton) Motion approved 5-0. \_\_\_\_\_

**erosion and sedimentation:**

*Findings of Fact:* \_\_\_\_\_ There is no change in the footprint of the existing structure. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ There will be no adverse impact on erosion and sedimentation control \_\_\_\_\_  
\_\_\_\_\_ (Randolph/Anastasia) Motion approved 5-0. \_\_\_\_\_

**water quality:**

*Findings of Fact:* \_\_\_\_\_ Residential occupancy will necessitate internal plumbing and connection \_\_\_\_\_  
\_\_\_\_\_ to the sanitary sewer system. Change of use will have no adverse impact on water \_\_\_\_\_  
\_\_\_\_\_ quality. There is an existing well on the property. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ Standard has been met. \_\_\_\_\_  
\_\_\_\_\_ (Randolph/Eaton) Motion approved 5-0. \_\_\_\_\_

**fish and wildlife habitat:**

*Findings of Fact:* \_\_\_\_\_ Change of use will have no adverse impact on fish and wildlife habitat as \_\_\_\_\_  
\_\_\_\_\_ as none has been identified on the property. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ Standard has been met. \_\_\_\_\_  
\_\_\_\_\_ (Randolph/Eaton) Motion approved 5-0. \_\_\_\_\_

**vegetative cover:**

*Findings of Fact:* \_\_\_\_\_ Proposed change of use will occupy an existing building for which there will \_\_\_\_\_  
\_\_\_\_\_ be no expansion. \_\_\_\_\_

*Conclusion of Law:*

\_\_\_\_\_ Standard has been met. \_\_\_\_\_  
\_\_\_\_\_ (Eaton/Anastasia) Motion approved 5-0. \_\_\_\_\_

**visual and actual points of public access to waters:**

*Findings of Fact:* \_\_\_\_\_ Visual and actual points of public access to waters is Not Applicable. \_\_\_\_\_

Conclusion of Law:

Not Applicable.

(Randolph/Eaton) Motion approved 5-0.

**natural beauty:**

Findings of Fact: \_\_\_\_\_ Given the proposed improvements to the existing structure, there will be no  
adverse impact on natural beauty.

Conclusion of Law:

Standard has been met.

(Randolph/Eaton) Motion approved 5-0.

**floodplain management:**

Findings of Fact: \_\_\_\_\_ Floodplain management is Not Applicable. \_\_\_\_\_

Conclusion of Law:

Not Applicable.

(Randolph/Anastasia) Motion approved 5-0.

**archaeological and historic resources:**

Findings of Fact: \_\_\_\_\_ Archaeological and Historic Resources are Not Applicable. \_\_\_\_\_

Conclusion of Law:

Not Applicable.

(Randolph/Eaton) Motion approved 5-0.

**commercial fishing and maritime activities:**

Findings of Fact: \_\_\_\_\_ Commercial Fishing and Maritime Activities are Not Applicable. \_\_\_\_\_

Conclusion of Law:

Not Applicable

(Eaton/Randolph) Motion approved 5-0.

**other functionally water-dependent uses:**

