



Staff Report

Zoning and Land Regulation
Committee

Public Hearing: **October 23, 2018**

Petition: **CUP 02439**

Zoning Amendment:
TO CUP: Allow for the operation of a limited family business (sawmill) and for the retail sales of wood (agricultural product)

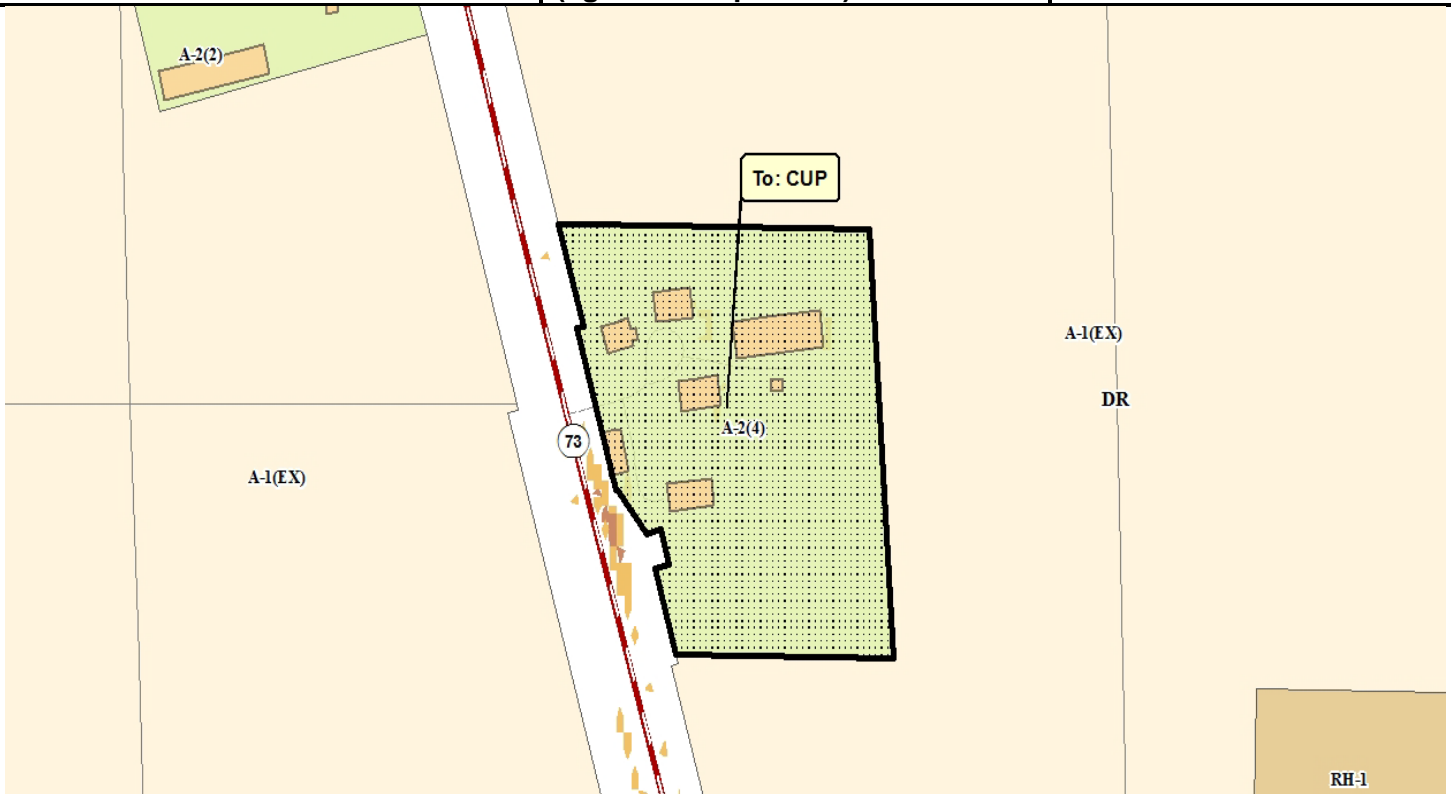
Town/sect:
ALBION, Section 3

Acres: 4.8
Survey Req.

Applicant
RICHARD E RAMSDEN

Reason:
Allow for the operation of a limited family business (sawmill) and for the retail sales of wood (agricultural product)

Location:
1346 STATE HIGHWAY 73



DESCRIPTION: Applicant requests approval of a Conditional Use Permit (CUP) for operation of a limited family business – small scale sawmill with retail sales of wood - on the existing 4.8 acre rural residential parcel at 1346 State Highway 73.

OBSERVATIONS: Surrounding land uses include agriculture / open space and scattered rural residences. The closest residential dwelling is located approximately 600 feet away. No new structures are proposed.

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: No areas of resource protection corridor located on the property.

STAFF: The proposal appears reasonably consistent with town plan policies, which support small family-run businesses that are compatible with the rural character of the town. See staff recommended conditions of approval, below.

TOWN: Approved with the following condition: Noise not to exceed 70db at the property line as per Town's Commercial Design Ordinance.

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The Limited Family Business CUP shall be for a sawmill with limited sales of wood and related products.
2. The noise shall not to exceed 70 DbA decibels at the property line.
3. The Conditional Use Permit shall expire upon sale of the property to an unrelated 3rd party.