



# Staff Report

Public Hearing: **April 28, 2015**

Petition: **CUP 2309**

Zoning Amendment:  
**None**

Town/sect:  
**Deerfield  
Section 32**

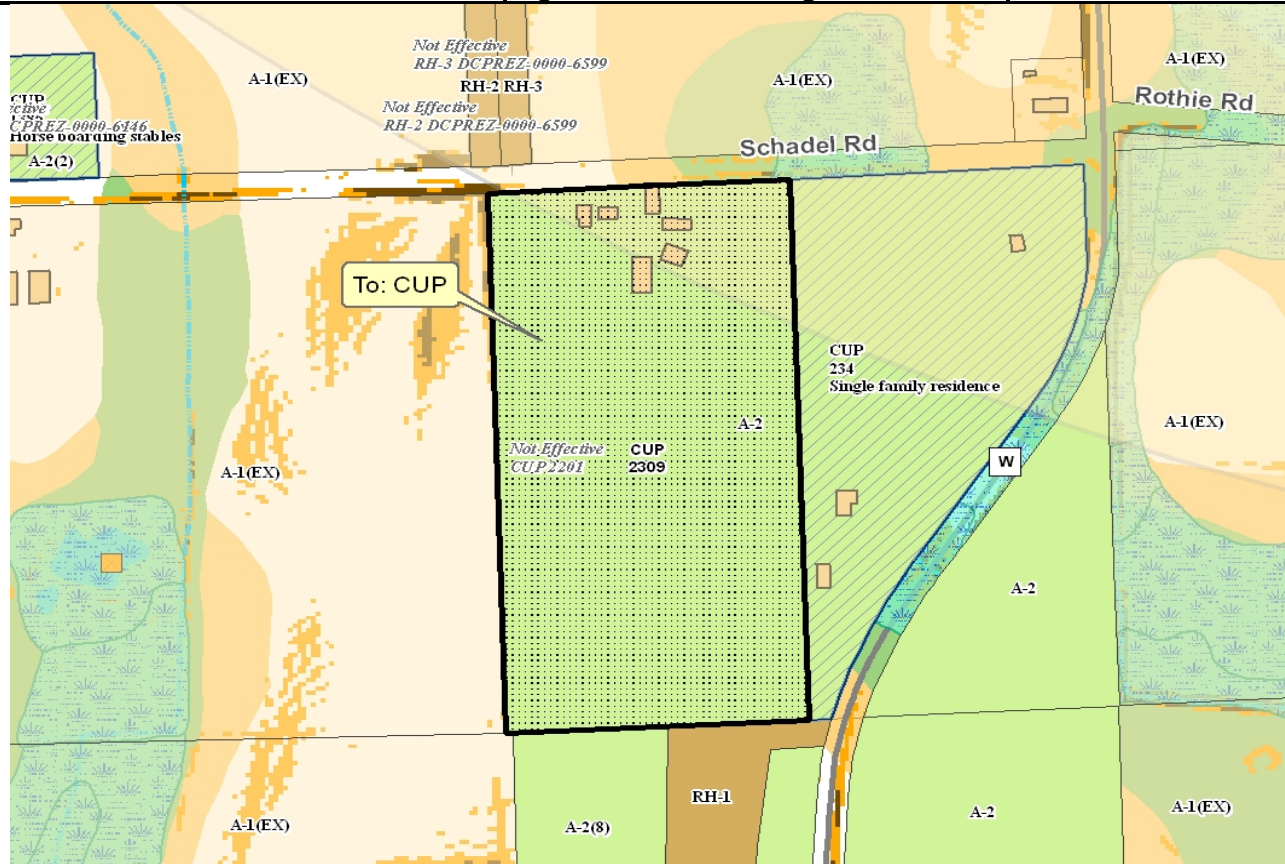
Acres: **20.378**  
Survey Req. **No**

Applicant  
**Jerry S Nelson**

Reason:  
**Limited Family Business –  
General service and repair,  
maintance, automotive,  
agriculture & welding**

Location:  
**1313 Schadel Rd**

**Zoning and Land Regulation Committee**



**DESCRIPTION:** Applicant requests approval of a Conditional Use Permit to bring an existing business into zoning compliance. A CUP is requested for a limited family business. Primary business is storage, maintenance and repair of trailers.

**OBSERVATIONS:** An area of wetlands located on the adjoining property to the east extends approximately 75 to the northeasterly portion of the parcel. No other sensitive environmental features observed.

**TOWN PLAN:** The property is located in the town's agricultural preservation area. Town policies allow for limited commercial / business uses, provided such uses are compatible with a rural and agricultural setting.

**RESOURCE PROTECTION:** An area of resource protection corridor associated with wetlands and wetland buffer is located in the northeasterly corner of the property. No development proposed that would impact the resource protection corridor.

**STAFF:** Staff suggests that approval of the CUP be conditioned upon limiting the number of trailers stored on the property to no more than 20, prohibiting signage, limiting outdoor lighting to down-shrouded security lighting, and also requiring storage of trailers and other materials utilized in the operation of the business to be located behind existing buildings or otherwise screened from public view.

**TOWN: Pending**

## Proposed Conditional Use Permit # 2309

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 number of trailers stored on the property shall be limited to no more than 20.
2. Signage for the business is prohibited.
3. Outdoor lighting for the business shall be limited to down-shrouded security lighting.
4. Storage of trailers and other materials utilized in the operation of the business shall be located behind existing buildings or otherwise screened from public view.
5. Conditional Use Permit shall expire in 5 years of approval date.