

**APPLICATION FOR CONDITIONAL USE PERMIT
Town of Maidstone, VT**

For Administrative Use Only:

Date received: ___ / ___ / ___ Received by: _____ Application # _____
 Fee Due for Application: \$ 85.00 Fee received by: _____ Date: ___ / ___ / ___

The Maidstone Zoning Bylaw designates six Zoning Districts within the Town, described in Tables 210.01 - 210.06. These tables establish permitted and conditional land development uses, as well as lot area and dimensional requirements for each district. A Conditional Use in any district shall only be established, enlarged, or intensified after Administrative Review by the Zoning Administrator, following which the Conditional Use Permit Application is referred to the Zoning Board of Adjustment. The Zoning Board will serve public notice and hold a public hearing, during which it will conduct a Conditional Use Review (Bylaw § 209 (2) and Bylaw § 507 (1)). Conditional Use Review is also required in some instances for nonconforming structures and uses, in accordance with Bylaw § 401 and § 402. The Zoning Board shall determine if a proposed conditional use has the potential to have an undue adverse effect on any one of five (5) criteria specified in Bylaw § 507 (1):

- a. The capacity of existing or planned community facilities;
- b. The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan;
- c. Traffic on road and highways in the vicinity;
- d. Bylaws in effect with special reference to this zoning bylaw;
- e. The utilization of renewable energy resources.

Applicants for Conditional Use Permits will be asked to present their proposal at the public hearing, during which they may address these criteria. This application includes a section below in which applicants are requested to briefly describe any evidence indicating that the project will not result in an undue adverse effect on each of the criteria listed above.

In permitting a Conditional Use, the Zoning Board may impose, in addition to the regulations and standards expressly specified by this Bylaw, other conditions found necessary to protect the best interests of the surrounding property, the neighborhood, or the municipality as a whole (Bylaw § 507 (2)).

It is important to understand that Conditional Use Review is not the same as a Variance or Waiver Review.

1. Property Address: _____ Parcel ID# _____

PROPERTY OWNER (if more than one OWNER, attach separate sheet)	APPLICANT (If DIFFERENT from OWNER)
Name: (Please print)	Name: (Please print)
Mailing Address:	Mailing Address:
City: State: Zip:	City: State: Zip:
Email:	Email:
Phone:	Phone:

2. Proposed Development (check all that apply):

Zoning District: _____ Specify Conditional Use, as listed in Bylaws: _____
 Nonconforming Structure: _____ Nonconforming Use: _____

*Heated/cooled structures must comply with VT Building Energy Standards: [Residential](#) [Commercial](#)
 Hard copy of Energy Code Handbook requested: (Circle one) Yes No

3. Lot Size: _____ Road Frontage: _____ ft. Waterfront Frontage: _____ ft.

(Please Note: If your property is enrolled in the Current Use Program, your conditional use application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-6633.)

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4. For Existing Building:

Dimensions of Existing Building: Length: _____ ft. Width: _____ ft. Height: _____ ft.

Existing Building Setback from Road: _____ ft. (setback from the lot boundary markers by the road)

Existing Building Setback from Waterfront (mean water level): _____ ft. (for Lake and Pond Districts)

Existing Setback from Property Lines, facing the property from front lot line (See Bylaw §702 Term Definitions):

Right Side: _____ ft. Left Side: _____ ft. Rear: _____ ft.

5. Dimensions of New Building Project: Length: _____ ft. Width: _____ ft. Height: _____ ft.

Setback from Road: _____ ft. (setback from the lot boundary markers by the road)

Setback from Waterfront (mean water level): _____ ft. (for Lake and Pond Districts: Tables 210.3 and 210.4)

Setback from Property Lines, facing the property from front lot line (See Bylaw §702 Term Definitions):

Right Side: _____ ft. Left Side: _____ ft. Rear: _____ ft.

6. General description of proposed project: _____

7. Copy of Plot Plan attached: (Circle one) Yes No

An accurate plot plan, drawn to scale, showing a detailed footprint of the proposed construction of the new building, addition, or accessory building, as it relates to property lines, road, and shoreline, must be submitted with this application. The drawing must include dimensions to finished grade.

8. You may be required to obtain one or more State permits before you begin your project. Please contact the Community Assistance Specialist in the St. Johnsbury Department of Environmental Conservation office, Jeffrey McMahan, to assist you in determining which State permits are required. Jeff may be contacted at (802) 477-2241, or by email at jeff.mcmahan@vermont.gov.

9. The Vermont Shoreland Protection Act, effective July 1, 2014, as well as Maidstone Zoning Bylaws, regulates any land development and/or change to land use within 250 feet of Maidstone Lake's mean water level, such as new construction, renovation, tree or vegetation removal, or additional parking/driveway(s). A State permit or Letter of Determination is required from the State of Vermont. It is strongly recommended that applications to the State be submitted at least 45 days before the proposed beginning date of the project. Please see the [Zoning Page](#) on the Town website or the Vermont Department of Environmental Conservation's [Shoreland Permitting Page](#) for further information and for Shoreland application forms. If you are unsure as to whether your project requires a Shoreland Permit or Shoreland Registration, please fill out the [shoreland project worksheet](#). Call (802) 490-6200, or contact Laura Woods at laura.woods@vermont.gov, (802) 490-6100, for further information.

10. Copy of Shoreland Permit attached: (Circle one) Yes No

Attached is the Letter of Determination that no such permit is required: (Circle one) Yes No

If "No", please explain: _____

11. Copy of Vermont Wastewater System and Potable Water Supply Permit attached: (Circle one) Yes No

Attached is the Letter of Determination that no such permit is required: (Circle one) Yes No

If "No", please explain: _____

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Conformance with Conditional Use Criteria:

Applications for the Conditional Use Permit must meet several criteria contained in the Zoning Bylaw. The review process will tend to function more smoothly when you provide thorough responses to the following items.

Briefly describe any evidence indicating the project will not result in an undue adverse effect on ... (attach a document, if preferred)

... The capacity of existing or planned public community facilities:

... The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan:

... Traffic on road and highways in the vicinity:

... Bylaws in effect with special reference to this zoning bylaw:

... The utilization of renewable energy resources:

PROPERTY OWNER/APPLICANT: The undersigned property owner/applicant hereby certifies that the information on this application is true and accurate, consents to its submission, and understands that if the application is approved, the zoning permit and any attached conditions will be binding on the property. The undersigned acknowledges reading and understanding the Maidstone Zoning Bylaws and agrees to abide by these Bylaws, as they pertain to the property and the scope of development identified above. The undersigned acknowledges receiving the digital link to or hard copy of the Residential or Commercial Building Energy Code Handbook, if the proposed structure will be heated/cooled. Further, the undersigned authorizes the Zoning Administrator access, at reasonable times, to the property covered by the permit issued under this application, for the purposes of ascertaining compliance with said permit. The undersigned also authorizes the Listers access, at reasonable times, to the property for the purposes of appraisal.

Signature of Property Owner: _____

Date: ____ / ____ / ____

Signature of Applicant (if not property owner): _____

Date: ____ / ____ / ____

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Administrative Review by Zoning Administrator

Reviewed by the Zoning Administrator on: ____ / ____ / ____ Deemed to be: Complete Incomplete

If deemed Incomplete:

Specify what is needed to be deemed Complete: _____

Applicant notified and Incomplete Application returned on: ____ / ____ / ____

Application resubmitted on: ____ / ____ / ____ Deemed to be: Complete Incomplete

If deemed Complete, referred to the Zoning Board on: ____ / ____ / ____

Date: ____ / ____ / ____ _____
Name of Zoning Administrator Signature of Zoning Administrator

Review by Zoning Board of Adjustment

Date received by Zoning Board of Adjustment: ____ / ____ / ____ Received by (name): _____

Date posted by Zoning Board: ____ / ____ / ____ Date Publicly Warned: ____ / ____ / ____ Hearing Date: ____ / ____ / ____

Date of Approval: ____ / ____ / ____ Date of Denial: ____ / ____ / ____ Final Appeal Date: ____ / ____ / ____

Decision Returned to Zoning Administrator on: _____ Zoning Administrator Signature: _____

Recorded by the Town Clerk: _____ _____ Date: ____ / ____ / ____
Name Signature

Recorded in: _____

THIS PERMIT EXPIRES 2 YEARS FROM DATE OF APPROVAL

§502 (4): If the zoning permit is approved, all activities authorized by its issuance shall have substantially commenced within two years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. In the event that permitted activities have not substantially commenced, a one time, one year extension of the original permit may be applied for before the expiration of the original permit, subject to current application fees.