

**TOWN OF CORNWALL  
DEVELOPMENT REVIEW BOARD  
APPLICATION FOR VARIANCE, CONDITIONAL USE APPROVAL, WAIVER,  
NON-CONFORMING STRUCTURES AND USES, ACTIVITIES IN FLOODPLAIN,  
APPEALS, AND SITE PLAN REVIEW**

- The Cornwall Development Review Board usually meets on the first Wednesday of every month.
- A **complete application**, consisting of 10 copies, must be filed with the Town Clerk not less than 25 days prior to the next regular meeting date in order to be eligible to be placed on the agenda. In addition to the completed application, an Application Fee of \$90.00 must also be submitted.
- The Town Clerk will date stamp the application and transmit it to the Town Zoning Administrator (ZA) for review.
- The ZA is responsible for responding to all applications for land use and development and referring them to the DRB when appropriate. **Only complete applications will be forwarded to the DRB for scheduling.** The DRB Chair will contact the applicant concerning scheduling. (Please note that there is no assurance that your matter will be on the agenda for the next meeting.)
- All questions concerning land use regulation and development matters should be directed to the ZA, rather than to the Town Clerk.
- Copies of the Town's Zoning Regulations and Subdivision Regulations, and zoning and subdivision application forms, are available at the Town Hall and on the Town website ([www.cornwallvt.com](http://www.cornwallvt.com)).
- The Town Clerk can provide the applicant with the names and addresses of abutting owners, where required for the application. The Town Clerk may also direct the applicant to the location of other records located at the Cornwall Town Hall which may be needed to complete the application.
- Please review the Town of Cornwall Zoning Regulations for the applicable provisions regarding your application. **Make sure to include all required information and address all applicable criteria.**
  - Variances: Sections 370 – 375
  - Conditional Use Approvals: Sections 350 – 358. Site Plan Review may also be required (see Section 356)
  - Waivers: Sections 380 – 385
  - Non-Conforming Structures and Uses: Section 410. Certain uses of non-conforming structures or land require Conditional Use Approval. Site Plan Review may also be required (see Section 332)
  - Activities in the Floodplain: Sections 901 – 922
  - Appeals from a decision of the Zoning Administrator: Sections 360 – 365
  - Site Plan Review: Sections 390 – 395

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*(Please type or print legibly)*

1. Applicant BOLDER Architecture, PLLC  
Address 298 Plutarch Road Highland, NY 12528  
Phone No. 845-532-8354 Email Address BolderArchitect@gmail.com  
If Corporation, name of Representative David Toder, RA  
Is this a Corporation registered in Vermont? No
2. Name of Record Owner Elizabeth Toder  
Address 2040 Antananarivo Place Apt 71 Dulles, VA 20189 Phone  
No 914-473-7486 Email Address EAToder@hotmail.com  
If Corporation, name of Representative \_\_\_\_\_  
Is this Corporation registered in Vermont? \_\_\_\_\_
3. Location of Property 39 Lemon Fair Road
4. Tax Map Description: Map # 05 Block # 01 Lot # 03
5. Type of Application (please check applicable application(s)):  
☐ Application for a variance.  
☐ Application for conditional use approval.  
☒ Application for a waiver.  
☐ Application involving non-conforming structure or use.  
☐ Application involving activities in floodplain.  
☐ Appeal from decision of the Zoning Administrator. (**A copy of this appeal must be filed with the ZA.**)  
☐ Application for site plan review.  
☐ Other. Please describe: \_\_\_\_\_
6. Provisions of the Zoning Regulations that are in question: \_\_\_\_\_  
Section 250: Medium Density Residential Front yard setback 100' from road centerline0:  
Section 543: Projection in Yards "Any... deck, or steps... may extend into a yard." \_

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7. Please describe the reason and basis for your application or for your appeal (you may attach additional pages if needed): \_\_\_\_\_

Replace existing balcony and ladder egress from third floor with new stair for safety. The c.1805 house is close to the road. The new stair would come close to the property line, but be tucked behind a large existing tree.

8. If your application is for conditional use approval, please specify the conditional use, and describe your plans for operation (you may attach additional pages if needed):

9. Please explain how your application satisfies the “Review Criteria” prescribed by the applicable section(s) of the regulations (you may attach additional pages if needed):

The existing ladder is not a safe way out of the third floor bedrooms. The replacement stair is an improvement for life safety. The stair fits between the house windows and behind a large existing tree for best aesthetics.

The project satisfies the waiver review criteria, as explained on the first additional page.

10. The property is located in the following zoning district: Medium Density Residential

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11. The size of the lot is approximately:   13.06 +/- acres
12. The property is subject to the following rights-of-way and/or easements (please provide Book and Page Numbers where said easements may be located):  
\_\_\_\_\_  
\_\_\_\_\_
13. The property has the following road frontage:   941.78'
14. The deed into the current landowner(s) is recorded at Book 57, Page 562 and 565, and at Book 42, Page 430, and must be attached hereto.

Signature of Applicant David Lake

Date 9/9/2021

**Please attach:**

- Deed.
- A copy of any survey of the property.
- A copy of the Tax Map marking the subject parcel and the parcels of adjacent owners.
- A complete list of the names and addresses of adjacent landowners.
- **All additional materials and information required by the applicable regulations.**  
**(Reminder - Only complete applications will be forwarded to the DRB for scheduling.)**

**Please note:** The DRB may ask for additional information.