

**BRANDON DEVELOPMENT REVIEW BOARD HEARING  
MARCH 29, 2017  
VARIANCE #5873  
APPLICANT: SCHOOL HOUSE LLC  
LANDOWNER: MATTHEW & COURTNEY DeBISSCHOP**

Board members present: Sam Stone, Tom Bohler, John Peterson, Amber Lee

Others present: Matthew DeBisschop, Hillary Knapp, Secretary, Ana Scheck

The hearing was opened at 6:58

The warning was read and found to be in order.

Matthew DeBisschop and Anna Sheck were sworn in.

The following people requested interested party status: Matthew DeBisschop, Anna Scheck

**Matthew DeBisschop:**

Lot had a house on in torn down in 2009. They were issued a building permit but did not do anything with the property until now.

Footprint of the new building has changed from the original, less square footage then the original building. Changes the set-back requirement on one side.

**Anna Sheck:**

The house is 26' by 44' (incorrect in the notice)

The house will be on town sewer and town water.

Only aspect that it does not meet is the set-back

**John Peterson:**

What was the original footprint?

**Matthew:**

26 by 20 addition of 20 by 11

North 26 by 10

Porch was 25 by 6

**Sam Stone:**

Where is the 5 criteria of the variance listed?

**Anna:**

On the back of the application it is handwritten.

**Sam Stone:**

#5 of the variance

Tell us about the area where the house is.

**Matthew:**

There is one house next door and one house across the street. The house will be as far back as the adjacent houses.

If they go any farther back he will be in to Dave's Store.

**Sam Stone:**

Would this have altered what the rest of the houses look like when driving down the street.  
Did Anna see the location??

**Anna:**

It is an existing lot, in order to allow the variance. Did not look to see if it would be in line with the rest of the houses.

**Matt:**

Measurements are from the front line to set it back as far as possible from the road way for.

**Tom:**

Second page of application 6 or 7-steep slope

**Matt:**

The property has the steep slope but the house will not be on the slope and nothing has to be done to modify the slope.

**Tom:**

Eroded part of the property?

**Matt:**

Eroded part of the property where the foundation was will be filled, the foundation will be there.

**Tom:**

Parking area for the vehicles

**Matt:**

The parking will be on the east side, neighboring property and the home. The larger portion of the

home. There is an existing drive way from the other home.  
Meeting closed at 7:12

TOWN OF BRANDON  
DEVELOPMENT REVIEW BOARD  
APPLICATION FOR VARIANCE  
FINDINGS AND DECISION

TOWN OF BRANDON, VT  
Received for record April 26 2017  
at 3:30 P M and recorded in  
Brandon Land Records, Book 235 Page 140-142  
Attest: Luann J. McCarroll Town Clerk ASST

In Re: Landowner: School House LLC Applicant: Matthew & Courtney DeBisschop

Permit Application No. 5873

Introduction and Procedural History

This proceeding involves review of an application for variance submitted by landowner School House LLC and applicant: Matthew & Courtney DeBisschop under the Town of Brandon Zoning Bylaw.

The application was received by the Town of Brandon on February 2, 2017. A copy of the application is available at the Brandon Town Office, 49 Center St., Brandon, VT.

On March 8, 2017, a notice of public hearing was published in "The Reporter."

On March 3, 2016, notice of public hearing was posted at the following places:

- a. The bulletin board outside the Town Office, 49 Center St., Brandon.
- b. The bulletin board in the lobby at Lake Sunapee Bank, 2 Park St., Brandon
- c. The bulletin board outside Dave's Forest Dale Grocery, North St., Brandon.

On March 3, 2017 a copy of the notice of the public hearing was mailed by certified mail to the applicant and sent to the adjoining property owner by regular mail. List is included in the file, located in the Brandon Town Office, 49 Center St., Brandon.

The application was considered by the Development Review Board at a public hearing which was opened and closed on March 29, 2017.

The Development Review Board reviewed the application under the Town of Brandon Zoning Bylaw, as approved May 7, 2012.

Present at the hearing were the following members of the Development Review Board: Samantha Stone, John Peterson, Amber Lovely-Lee and Tom Bohler.

-----Anna Scheck, Zoning Administrator and Matthew DeBisschop were sworn in.-----

No exhibits were submitted to the Board.

**FINDINGS**

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

The applicant seeks a variance to construct a 26' by 44' mobile home with a variance to the setback.

The proposed change does not meet minimum setback requirements in the Aquifer District in order to be in compliance under Section 503 of the Brandon Land Use Ordinance.

The subject property is a .19 acre parcel located at 22 Middle Road in the Town of Brandon (tax map no. 16-20-11).

The property is located in the Aquifer District as described on the Town of Brandon Zoning Map on record at the Town of Brandon municipal offices.

The setback requirement is 30 feet.

The variance is for the setback to be 7' to the edge of the right of way and 20' from the side of the lot.

The lot size and shape was pre-existing. The owner did not create the lot. The lot is very narrow and the exact dimensions are not recorded on the deed for the land.

This is a residential lot bought from the Town of Brandon as part of a tax sale and the property was purchased as is.

The setback of the property represents the least modification to the Land Use Ordinance while allowing reasonable use of the property. Owner of the property is matching the setback of the neighboring houses.

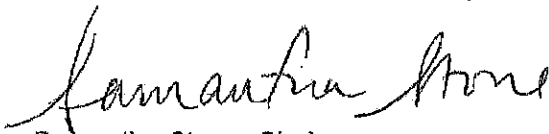
The building of the mobile home will not alter the character of the neighborhood, a conscious effort was made to maintain the same set backs as the neighboring houses.

The footprint of the house is being reduced and this will bring more conformity to the land use ordinance.

#### DECISION AND CONDITIONS

Based upon these findings, the Development Review Board voted 4-0 to grant the variance #5873 to School House LLC and Matthew & Courtney DeBisschop to construct a 26' by 44' mobile home at 22 Middle Road Brandon, VT.

Dated at Brandon, Vermont, this 24<sup>th</sup> day of April 20 17



Samantha Stone, Chair

NOTICE: This decision may be appealed to Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such

BRANDON DEVELOPMENT REVIEW BOARD

LANDOWNERS: SCHOOL HOUSE LLC APPLICATIONS: MATTHEW & COURTNEY DeBISSCHOP

VARIANCE REQUEST

5873

appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.