

**BRANDON DEVELOPMENT REVIEW BOARD HEARING  
MARCH 25, 2020  
CONDITIONAL USE #6061**

**APPLICANT/LANDOWNER: JUSTIN & SARAH HUTCHINS**

**BOARD MEMBERS PRESENT: Sam Stone, Amber Lovely-Lee, John Peterson and Bob Clark**

**OTHERS IN ATTENDANCE:** Sarah Hutchins, Jeff Biasuzzi, Hillary Knapp, Secretary

The hearing was opened at 7:10pm.

The warning was read and found to be in order.

Sarah Hutchins & Jeff Biasuzzi were sworn in.

The following people requested interested party status: No party requested interested party status.

**Sarah:** My last name is now Hutchins, when we completed the application we were not yet married. The application is to have chickens and rabbits on our property. We are raising them for self feeding and we were going to sell them. We did not realize that we could not sell them and have taken down the sign. This brings food to our table for our family and we also provide rabbit meat and eggs to my parents.

**Jeff:** This is relative to Section 304 regarding zoning in a Neighborhood Residential District. They have a one acre property and this would be considered an agricultural use on that property. Brandon has section 619, that is not exempt in the VT Agricultural Act. This all originated from complaints from several neighbors about animals getting out. The application states there are 25 hens and 25 rabbits. We have not been on the property. The issue is of health and sanitation in regards to farm animals being in a residential neighborhood. The concern about the farm animals is in regards to noise, odors and the animal waste and manure piles. One neighbor did invite us to his property and show his concerns about the noise and odor on the property. The neighbor did not provide any information for tonight's hearing.

**Amber:** The animals have to be in an enclosed area, are they in an area that is enclosed?

**Sarah:** The rabbits are in cages in the garage. The rabbits cannot get lose unless we let them. For the chickens we just upgraded their fencing and they cannot get out at all. We can put a bird netting over them, however that has to be done in nice weather. We do catch the chickens if they get out.

**Amber:** How do you discard the waste?

**Sarah:** We do have a compost pile we use in the back corner that is not near any of the neighbors houses. We use the compost for our garden.

**Sam:** Jeff the neighbor that you talked to is that the Driscoll property?

**Jeff:** That would be the Scott property to the north. His concern is when the birds get out and he has a dog that will roll in the manure pile and has killed a few of the birds that happened to get out. He does not want to have his property destroyed by the animals. The manure pile is right on the boundary of the

property. I am not sure what the recommendations are in regards to chicken waste and how often it is supposed to be moved and mixed around.

**Sam:** The chickens and rabbits are for food. Are they meat birds or laying hens and are you doing the butchering on site?

**Sarah:** The hens are just for laying. The rabbits we do process on our back porch or in the house. I freeze everything except the entrails which the chickens eat.

**Sam:** I am looking at the drawing and where the chicken coup is currently, where is the garage in relation to the coup?

**Sarah:** The garage is attached to the house, if the chickens have to be moved it will be 20 feet from the property line and will be in the middle of the property. The neighbor near where the chicken coup is now does not have any objection to where the chickens are.

**Jeff:** I cannot come up with a number of rabbits or birds per area and am not sure how the rabbits are supposed to be raised. In the past I have not been able to get any information in regards to this. The Brandon Health Officer in regards to the number of birds does not have anything either. Section 619 would be able to bring anything into compliance. I will say we are not aware of any possible conflicts with 619 paragraph 2. The boundaries to the east would be considered wetlands. It is in an area where they would not be any wells near the property as well.

**Sam:** Sarah you have 25 laying hens are you hoping to sell the eggs? Do you feel like you need that many?

**Sarah:** We give the eggs to my mom and we also go through a lot of eggs.

**Sam:** The coup is 8' by 10'?

**Sarah:** And we have a fenced in yard for them as well.

**Jeff:** I would like to bring up the point that article 1 does address accessories structures up to 80 square feet can placed within 5 feet of a boundary line. If the current 80 square hutch is right up to the boundary line, it really should be moved to 5 feet of the boundary line.

**Sarah:** The run is more like a dog kennel that I can close right up.

No further testimony, the hearing was closed at 7: 28pm.

Respectfully Submitted,

Hillary Knapp  
Development Review Board, Clerk

Motion to approve the chickens and rabbits by Amber/Second by Sam

30 Rabbits are the limit- Addendum D

The enclosure has a cover to it so the chickens cannot get out of the enclosure.

The chicken yard and coup must be enclosed so the chickens cannot escape.

The manure pile will be in an enclosed place and not piled on to the property. This will be to reduce the smell and ability for neighborhood pets from entering into the manure pile. (Akin to a compost bin) it cannot draw any closer to the property line than the 10 feet that it already is.

No more than 30 chickens and 25 rabbits on the property.

Feed must be stored in containers that are air tight.

The coup will need to stay in its current location and cannot go closer than 5 feet to the property line. If bigger would be need to be moved 20 feet away from the property line.

Approved 4 to 0