

BRANDON DEVELOPMENT REVIEW BOARD HEARING

JANUARY 27, 2021

CONDITIONAL USE #6118

APPLICANT/LANDOWNER: EVELYN & JAMES DES MARAIS

BOARD MEMBERS PRESENT: Sam Stone, John Peterson and Ralph Either

OTHERS PRESENT: Harold and Jean Somerset, Jason Sica, Judy Bunde, Lyn Des Marais, Mei Mei Brown, Wayne & Kathy Rausenberger, Allie Breyer, David Roberts, Steven Jupiter, Jim Des Marais, Kyran Des Marais, Maricela Ehmann, Michael Shank, Bill Moore, Richi Stallard, Allan Leavitt, Kjell Thompson, Josh Collier, Jeff Biasuzzi and Hillary Knapp, Secretary.

The hearing was opened at 7:09pm.

The warning was read and found to be in order.

Jason Sica, Judy Bunde, Lyn Des Marais, Mei Mei Brown, Michael Shank, Bill Moore, Kjell Thomas and Jeff Biasuzzi were sworn in.

Wayne & Kathy Rausenberger requested interested party status. Frank & Ettorina Spezzano, Allan Leavitt and Nan Jenks-Jay and Carl Phelps had written letters, giving interested party status.

Lyn: We run Des Maris Farm as an organic farm business. We are always looking for ways to supplement the farms income. We have slowly been restoring the barns on the property, which there are four barns. We are looking to run 14 events from May through October. We will be following all noise and curfew ordinances in the Town of Brandon. Any of the vehicles driven to the events will be parked on the Ella Dean Farm. For the events held on the farm we will be encouraging ride sharing to help with the number of cars coming to events. The farm already recycles and composts.

Jeff: The documentation that was sent in with the permit request is a good thing to look at for information, it has detailed information on the permit request. The Des Maris Farm has been given a letter from the Vermont Department of Agriculture that states that land at 215 Ella Dean Road meets the definition of farming. As the barn is being used for mixed use and not dedicated to farm activity solely, the Vermont Department of Agriculture has not exempted the barn. There is not a change of use to the barn and there is no waste water issue, port-a-potties and bottle water will be used for events. ACT 250 has provided a letter stating that the project does not need an ACT 250 review and the three ACT 250 criteria will not need to be reviewed by the DRB as well. The only thing the application is not clear on is what the definition of an event is and I would have the board look at this when making their decision. In Pittsford, they have stated than an event can span Friday to Sunday if it is hosted by the same group/individuals.

Ralph: On the product review sheet, it states for events up to 50 people, is this a typo? Would there be more people at an event?

Lyn: I had been focused on what the barn could hold, which would be 50 people, if there is a larger event a tent would need to be rented to hold the additional people. The 50 would be what the barn could hold.

Sam: There is room in one parking lot for 100 cars and 50 in another. What would your largest event be?

Lyn: 100 cars total can be on the property. 150 people max at a wedding but we are anticipating smaller groups.

Jim Des Maris: We would be asking for a maximum of 200 people at an event.

Sam: Entered into evidence three letters that were asked to be submitted into testimony:

Exhibit A: Letter of support from Allan Leavitt

Exhibit B: Letter of support from the Spezzano's

Exhibit C: Letter of support from Miller Hill Farm

Judy Bunde: Brandon has long supported weddings in the Town and have even given away a wedding. The local business are supported when weddings are held in the Town.

Michael Shank: I would like to indicate my support for the permit and 2nd what Carl and Nan said in their letter. The economic development brought into the town through having weddings at the farm will be significant.

Mei-Mei Brown: I support the projects. I have looked at all the section 600 criteria and do not see any negative effects on any of the criteria.

Bill Moore: The wedding business will have great economic success and 2nd the Miller Hill Farm and Michael Shank comments.

Wayne Rausenberger: Due to technical difficulties we were unable to hear Wayne during the Zoom Meeting.

Lyn: I want to get back to the number of people at an event, the upper limit would be 200. That number is best for wedding attendance.

Jeff: When the decision is being made, we need to clarify if 200 means guests and not people. The event will need to have others in attendance than just guests. This will need to be made clear in the decision.

Sam: With a maximum of 100 parking spaces, this will need to be looked at.

Lyn: With the weddings if the wedding party will be serving alcohol, we will be requiring that the wedding party provide transportation as per the State of Vermont requirements.

Richi Stallard: Myself and Kevin whole-heartly support Lyn and Jim with the use of their property for events.

Kjell: We are immediate neighbor's to the property and it appears there are two types of commercial use, one of high impact and one for low density. I want to hear what is involved with the permit being issued.

Sam: We had a hard time hearing Kjell on the phone, we would need to know the specific question that is being asked.

Jeff: There are two levels of rural use and one would be more extensive than the other. The application looking for 14 events per year in the summer months. These events could be 1 to 2 days in length. All items being brought onto the property would be taken away, port-a-potties and bottled water. The parking would be off road.

Kjell- This is a commercial permit?

Sam: There are specifics on the commercial application and can only be used with this permit.

Kjell: Low density or high density use like a quarry? Are they in the low density use?

Jeff: This is an application for a specific use is and that is for a community use and would not apply to a quarry. Yes, it is for commercial use and they would be making money from this. It is not for industrial use or year round use. There is no change to the barn and it is still being used to store equipment just not during the summer months.

Meeting was adjourned at 8:00pm