

NOTICE OF PUBLIC HEARING for Brandon Development Review Board (DRB)

On Wednesday, June 30, 2021 at 7:00 PM, via Zoom remote conferencing, the Brandon DRB will hold a Public Hearing to review Application #6137 from Steven & Jennifer Beck, 4 West Seminary St. (Parcel #22-50-29)

Application #6137 requests a setback waiver or variance to approve construction of a breezeway and 24' X 36' garage, to be attached to the north side of the pre-zoning non-conforming single family residence on a non-conforming 0.23 acre parcel in the the Neighborhood Residential Zoning District.

A copy of the application is posted in Town Office, 49 Center St. & www.TownofBrandon.com

This Meeting & Hearing will be conducted remotely by Zoom audio & visual programs; and access instructions are posted on Town website, Post Offices, and Town Office.

Interested Parties are to be registered and present testimony, or have submitted written testimony to the Town, by 7:10 pm of the Hearing date or they may forfeit their right to appeal any decision of the DRB to VT Superior Court (Environmental Division).

To Participate by ZOOM Video Conferencing: Visit <https://us02web.zoom.us/j/84094564293>
Meeting I.D.# 840-9456-4293

To Participate by Telephone Conferencing: Dial (929) 205-6099
Upon prompt, enter Meeting I.D. # 840 9456 4293 and #
If prompted again, enter just #

TOWN of BRANDON, VT
APPLICATION to DEVELOPMENT REVIEW BOARD (DRB)
FOR SETBACK WAIVER per Section 1016 of B.L.U.O.

TOWN OF BRANDON

Application # 6137

LANDOWNER: Stephen & Jennifer Beck PHONE: 802.247.8467
EMAIL: sjbeck@hotmail.com

APPLICANT (IF Not the Owner) _____ PHONE: _____
EMAIL: _____

ADDRESS OF SUBJECT PROPERTY 4 W. Geminny St TAX MAP# 22.50.29

ZONING DISTRICT: Neighborhood Res SUBJECT PROPERTY AREA (acreage): .23 ac

Describe in detail the Conditions that the DRB may consider as grounds for this request for a waiver of the usual setback requirements :

Construction of a garage at the back of the house on property line behind the brick wall of the back of the Brandon Town Hall. Closer to the property line allows for enough space to comfortably back out of the garage, avoiding the barn at the adjacent house. This is all non-conforming. Actual design has not been determined. There will be some form of a covered "breezeway" connecting garage to the house. Existing exit will be removed and reconfigured

Signature of Landowner(s): Stephen W. Beck date May 22, 2021

Signature of Applicant(s) if not the same _____ date _____

Town Office Use Only			
Town of Brandon 49 Center Street Brandon, Vermont 05733	Tax Map # <u>22-50-29</u>	Parcel ID # <u>0046-0004</u>	Date Completed: _____
Phone: (802) 247-3635 ext. 202	No. of Acres <u>0.23</u>	Subj. <u>8-24</u>	Decision: _____
FAX: (802) 247-5481	Fee \$ _____	Check # _____	Rec'd by _____
	Zone <u>NR</u>	Deed Reference <u>B 216 P 303</u>	

APPLICATION FOR LAND USE PERMIT

Name and Address of Owner(s): <u>Stephen & Jennifer Beck</u> <u>4 W. Seminary St.</u> <u>Brandon, VT 05733</u>	Home Phone: <u>802.465.8247</u> Work Phone: _____ Fax Phone: _____ EMAIL <u>sjbabeck@hotmail.com</u>
Name and Address of Applicant(s) (if different from property owner): _____ _____ _____	Home Phone: _____ Work Phone: _____ Fax Phone: _____ EMAIL _____

Current property information/location (for boundary adjustments include for all parcels involved):

- THIS APPLICATION IS FOR: (Check all that apply)
- Division of parcel into two or more parcels (Please complete Addendum B)
 - Construction, reconstruction, conversion, structural alteration, relocation, enlargement of any building or other structure
 - Landfill, mining, or excavation operations
 - Substantial change in nature or intensity of the current use of any building, structure or parcel of land
 - Extension of current use of land
 - Increase in number of dwelling units on a parcel of land
 - Razing any structure, temporary or otherwise, over 500 sf or any structure in the Central Business District
 - Interior renovations to residential structure in contemplation of increase in number of bedrooms or dwelling units
 - Interior renovations to a nonresidential primary structure done in contemplation of a change in use or intensity of use.
 - Home occupation
 - Sign(s) (Please complete Addendum C)
 - Development in Flood Hazard Area (Please Complete Addendum E)

ADDENDUM MAY BE REQUIRED FOR THE FOLLOWING:
Development Review Board Hearings: (Check all that apply)

- Hearing
- Appeal
- Variance
- Conditional Use
- Major Subdivision
- Planned Unit Development
- Local Act 250 Review

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TOWN OF BRANDON

1. Give a detailed description of the CURRENT use of the property, how many buildings and their respective uses, dimensions, setbacks, etc: a residence, 1 building

2. Give a detailed description of the PROPOSED project:
 - a) Describe the construction (include building dimension, size and location), and the proposed use: addition of garage w/ breezeway

 - b) Does it involve erecting a sign (Please complete Addendum C attached), fence, pre-made structure or installing a pool? No If yes, describe dimension, size and location: _____

 - c) Does it involve a change of use? No If yes, describe current use and proposed use: _____

 - d) Does it involve a subdivision or boundary line adjustment? No If Yes, Please complete Addendum B attached.

 - e) Does it involve construction of an agricultural structure or use? No If Yes, Please complete Addendum D attached.

 - f) Does it involve development or construction in a flood hazard area? No If Yes, Please complete Addendum E attached.

3. Give the estimated cost of the project: \$ 40,000

4. Answer ALL questions on Addendum A to this Application, pertaining to the Performance Objectives and Standards in Section 601 - 627 in the Brandon Land Use Ordinance, for ALL applications.

5. Attach a site plan or use the grid on the last page to draw an ACCURATE sketch of the lot showing all EXISTING structures and all PROPOSED construction. Give all dimensions of lots and structures, as well as the distance from property lines, other structures and septic.

Intended Start Date: Fall 21
Intended Completion Date: Winter 21

I certify that the statements made by me in this Application For Land Use Permit are accurate and complete. I hereby grant permission to the Town of Brandon to allow its agent to inspect this property relative to this application for both approval and to ensure compliance once project is complete. I understand that this is an application for a local permit. To find out if State permits may be needed, I should contact the Rutland Offices of the District Environmental Commission at 802-786-5900 and the Department of Labor and Industry at 802-786-5867.

Date May 12, 2021 Landowner Stephen Beck
Landowner _____

If different from landowner, Applicant _____

Comments by the Administrative Officer: _____

ALL Questions require an answer:
Y = Yes. N = No, NA = Not Applicable

Application No.: 6137

ADDENDUM A

Performance Objectives and Standards Information

All references are to the Brandon Land Use Ordinance - Article VI, Section 600. A copy can be reviewed at the Town Offices and on the Town of Brandon website (www.townofbrandon.com). Answer ALL questions with a yes, no or (x) in the appropriate area. Give explanations where needed.

- 601 If Wastewater to the property is/will be disposed by: () town sewer () private septic () not required.
Are you increasing the number of bedrooms? No, if so, how many? _____
Are you increasing the number of dwelling units? No, if so, how many? _____
If this is a business/home occupation, how many employees are expected? N/A; how many customers are expected per day? _____
If you propose a new, or an increase to an existing, (a) connection to a municipal wastewater supply attach a sewer capacity permit; or (b) private wastewater disposal system attach a certification of a designer licensed by the State of Vermont or state permit approval.
- 602 Access for emergency vehicles is (will be) provided by: () town highway, () State highway, () class 4 or private road, () right of way which must be at least 20' wide and maintained in all-weather and kept unobstructed.
- 603 If Water supply is (will be) provided by: () town water ^{already on town water} by connection to Brandon Fire District 1 or 2 (attach approval letter), () private well or water source (attach state permit approval), () not required.
- 604 Will this project create an increase in the intensity of traffic? No
If yes, explain and attach an access permit if required _____
Will traffic flow generated be beyond the capacity of local roads? No
Attach certification by Public Works that local roads are adequate or scheduled to be upgraded.
- 605 Does the design of the intersection (of the access road [driveway] to the site) with local roads conform with the requirements of Vermont Department of Highways (Doc B-71)? NA Will all new driveways have an area to turn around on site? N/A Attach access (driveway cut) permit. How many parcels will access drive serve? two - Shared driveway w/ 6 W. Seminary St
- 606 Will the project destroy or significantly alter wetlands or natural areas? No What steps will be taken to minimize environmental damage? _____
- 607 Does your project involve any areas of steep slope? No What is the grade of the slope? _____
What percentage of slope will be developed, regraded or stripped of vegetation? _____ Attach certification by a professional engineer.
- 608 Will there be an increase in noise levels as a result of the project? No Will noise level exceed 70 decibels during daylight hours or 60 decibels during other times of the day at the property line?

- 609 Will the project result in any noticeable, clearly apparent vibration on the property of another landowner?
No If yes, explain _____

Will there be any hammering, drilling, cutting or blasting within 100 feet of any underground tank used to store petroleum projects? No If so, what tests have been done to insure the soundness of the tanks?

- 610 Will the project involve the emission of any smoke? No _____
- 611 Will the project result in fly ash, dust, fumes, vapors, gasses or other forms of air pollution? No If yes, explain _____
- 612 Will the emission of detectable objectionable odor result from your project? No If yes, explain _____
- 613 Will the project result in any fire, explosive, or other safety hazard? No If yes, explain _____
- Will you be storing greater than 500 gallons of flammable liquids in tanks above ground? No If yes, explain _____
- 614 Will your project have: flickering, pulsing, rotating, or flashing lights? No; lights that will distract drivers on roads in the vicinity? No lights that illuminate in excess of 0.5 footcandles when measured at adjacent residential boundaries? No _____
- 615 Will any hazardous materials be used in this project? No If yes, explain procedures for handling and containment _____
- 616 Will a sufficient number of off-street parking spaces be provided*? _____ What is the maximum number of vehicles expected on site at any given time? 2 Attach a parking plan showing 9' x 18' spaces for each vehicle. *Not required if property is located in Central Business District.
- 617 Will the use require loading and unloading of commercial products? No Is there adequate space within the boundaries of the lot for loading and unloading? _____
- 618 Is this a structure over 400 cubic feet in volume (incl. mobile homes)? No Will it be installed and anchored as required? _____
- 619 Does your project involve farm animals? No If yes, is the lot at least one acre in area? _____ What is the minimum distance of: animal housing and piles of manure, feed or bedding from any lot line? _____ manure piles to wells and surface waters? _____
 Is the proposed use agricultural? _____ If yes, will the requirements of this section be met? _____
 Has the Secretary of Vermont Agency of Agriculture, Food and Markets indicated that the farm operation complies with the Accepted Agricultural Practices? _____
 (Please complete Addendum D attached)
- 620 Does your project involve use of pesticides herbicides, and fertilizers within 400' of any well or fire district? No, if yes, explain _____
- 621 Does the proposed use involve forest harvesting? No If yes, will the requirements of this section be met? _____
- 622 Is the proposed use in the Aquifer District? No

623 Will the project cause an excessive increase in quality, rate or rechanneling of water runoff on neighboring properties? No If yes, what provisions have been made to avoid this possibility? _____

624 Will there be an outdoor display of retail products? No Is this display within the required setback from a street or road? _____ If yes, does it: impede the flow of pedestrian traffic in the CBD? _____ What is the distance of the closest residence in HDMU? _____ Is it a farmstand? _____

625 Will there be development within 100' from the mean high water mark of named river and streams? No, if yes explain _____

Attach Vermont State Floodplain Coordinator approval, if necessary. Not in Flood Plain

626 Will there be any excavation or blasting of the clay layer that protects the public water supply? No

627 Will there be any storage of junk or uninspected/unregistered junk vehicles visible from the traveled way of a highway or abutting landowners, or within 50' of any property line? No
For "junkyards" provide state certification.

Applicant's signature Stephen W. Beck, date May 12, 2021

Property Owner: Please acknowledge that you grant permission to have the Applicant (if another Party than yourself) submit this Zoning Application.

Property Owner's signature Stephen W. Beck date May 12, 2021

The Zoning Administrator's Action for Application _____:

A) The Application is APPROVED as submitted. The Effective Date is 15 days following the issue date.

B) The Application is DENIED as submitted for the following reasons:

The Applicant may appeal the decision of the Zoning Administrator by appealing in writing and fee to the Town Clerk within 15 days of the denial.

C) The Zoning Administrator has REFERRED the Application to the Appropriate Municipal Panel (Development Review Board) per Town Zoning Regulations. REFERRED TO DRB 6/15/21 FOR PUBLIC HEARING (VIA ZOOM) ON 6/30/21 700 PM QMB/ZA

_____, date _____

Jeffrey Biasuzzi, Zoning Administrator

Section 304. Neighborhood Residential Districts

(a) Neighborhood Residential Districts are those set aside primarily for residential uses and uses that are compatible with and contribute to the viability of such neighborhoods. The boundaries of Neighborhood Residential Districts are located on the Official Zoning District Map posted in the Brandon Town Offices.

(b) Uses Not Permitted in Neighborhood Residential Districts: High Impact Uses, Light Manufacturing Uses, and Commercial II Uses.

(c) Uses Requiring a Conditional Use Permit in Neighborhood Residential Districts: Agricultural Uses, Natural Resource Extraction Uses, Commercial I Uses, Community Support and Recreational Uses, Mobile Home Parks, and Public Service Uses.

(d) Maximum Building Height in Neighborhood Residential Districts: 36 feet. (See Section 325 for height exemptions.)

(e) Maximum Impervious Lot Coverage by Building and Paving in Neighborhood Residential Districts: 40%

(f) Minimum Lot Size for Each Primary Structure in Neighborhood Residential Districts: one-quarter acre if on municipal sewer system; two acres if on private wastewater disposal.

(g) Minimum Setbacks in Neighborhood Residential Districts

Primary Structure from Town or State Right of Way	20 Feet
Primary Structure from Private Right of Way or Private Road	5 Feet
Primary Structure from Other Lot Lines	20 Feet
Driveway/Parking Lot from Other Lot Lines	5 Feet

