

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

On Wednesday, August 24, 2022 at 7:00 PM; at Town Hall (ground floor) Conference Room (1 Conant Sq.) the Brandon DRB will hold a Public Hearing to review Application #6203 from the Otter Valley Unified Union School District. The application requests Conditional Use approval for construction of a 1456 sq. ft. detached Classroom building at the Neshobe Elementary School at 17 Neshobe Circle in Forestdale (Parcel #16-20-51).

Copies of the applications are posted in Town Office and at www.TownofBrandon.com

This Meeting & Hearing will be conducted in-person and 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).

Cc: DRB, ZA (DRB Notice OVUUSD #6203 8.24.2022)

Application No.: 6203

DEVELOPMENT REVIEW BOARD
BRANDON, VERMONT

Town Office Use Only

Town of Brandon
49 Center Street
Brandon, Vermont 05733

Phone: (802) 247-3635 ext. 202
FAX: (802) 247-5481

Tax Map # 16-20-51
Parcel ID # 0098-0017
No. of Acres 20.59
Fee S 360⁰⁰ TL
Zone AQUIF.

Date Completed: _____
Decision: _____
Rec'd by _____
Deed Reference BA 62 A 179

Application for a Conditional Use Permit

Applicant:
Applicant Mailing Address:
Applicant's Phone No.:

STEPHEN EATON, FACILITIES MGR OVVUSD
802 855-3629 SEATON@RNESU.ORG

Landowner (if not the applicant): OTTER VALLEY UNION UNIFIED SCHOOL DISTRICT
Landowner Mailing Address: 49 COURT DR BRANDON VT 05733
Landowner Phone No.:

Property Location: 17 NESHOBIE CIRCLE (NESHOBIE ELEMENTARY SCHOOL)

Detailed Description of Proposed Project:

INSTALL 28'x52'x16' H MODULAR CLASSROOM BUILDING.

NOTE: A fully completed Brandon Land Use Permit Application must be included with this Application for a Conditional Use Permit.

Signature of Applicant:

[Signature]

7/27/22

STEPHEN EATON, MGR
OVVUSD

Signature of Landowner:

[Signature]

RNESU

Date:

7/27/22

Comments by Administrative Officer: APPLICATION FOR PUBLIC SERVICE USE
IS CONDITIONAL IN AQUIFER ZONING DISTRICT (SECTION 301C)

LONG FORM
COMMERCIAL W/APPENDUMS
& NON-RESID.

Application No.: 6203

RECEIVED

JUN 28 2022

TOWN OF BRANDON

Town Office Use Only			
Town of Brandon 49 Center Street Brandon, Vermont 05733	Tax Map # <u>16-20-51</u> Parcel ID # <u>0098-0017</u> No. of Acres <u>20.59</u> Fee \$ <u>360.00</u> Zone <u>AQUIF</u>	Date Completed: _____ Decision: _____ Check # _____ Deed Reference <u>B6Z P179</u>	Rec'd by _____

APPLICATION FOR LAND USE PERMIT

Name and Address of Owner(s): Otter Valley Union Unified School District Home Phone: _____
49 Court Drive Work Phone: 802-247-5757
Brandon, VT 05733 Fax Phone: _____
EMAIL _____

Name and Address of Applicant(s)
(if different from property owner):
Stephen Eaton Home Phone: _____
49 Court Drive Work Phone: 802-855-3629
Brandon, VT 05733 Fax Phone: _____
EMAIL seaton@rnesu.org

Current property information/location (for boundary adjustments include for all parcels involved):
Parcel ID 0098-0017 - 17 NESHOBEE CIRCLE (NESHOBEE ELEM. SCH.)

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

Application No.: 6203

1. Give a detailed description of the CURRENT use of the property, how many buildings and their respective uses, dimensions, setbacks, etc: 4 Buildings; 3 for Educational use and 1 for storage. Sizes range from 33,000 sq ft. to 500 sq ft. Setbacks for the closest building is approx. 55ft to a property line, and 110 ft to Forestdale rd.
2. Give a detailed description of the PROPOSED project:
 - a) Describe the construction (include building dimension, size and location), and the proposed use: 28 ft X 52 ft. Modular Classroom, located between our Art building and garage
 - b) Does it involve erecting a sign (Please complete Addendum C attached), fence, pre-made structure or installing a pool? ☒ If yes, describe dimension, size and location: Pre made Structure 28 ft X 52 ft
 - 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: \$ \$ 300,000
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: June 2022
Intended Completion Date: Dec 2022

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 5/5/22 Landowner Other Valley Union Unified School District
Landowner _____

If different from landowner, Applicant Stephen Eaton Hyd/Est 5/5/22
Facilities Manager RUESU

Comments by the Administrative Officer: INITIAL REVIEW: APPLIC. INCOMPLETE (LACKS SITE PLAN DETAILS, CORRECT FEE, UT WASTE PERMIT). REFERRED TO DRB 7/27/22. WARNED FOR HEARING 7:00 PM WED. 8/24/22 AT TOWN HALL (1 CONANT SQ.) JMB/ZA

NO: ACT 250 ADMINISTRATIVE REVIEW (TOWN REVIEW NOT REQUIRED)
VT WASTE - WATER PERMIT

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? propane fired heater
- 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? _____ lights that illuminate in excess of 0.5 footcandles when measured at adjacent residential boundaries? _____
- 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*? yes What is the maximum number of vehicles expected on site at any given time? _____ Attach a parking plan showing 9' x 18' spaces for each vehicle. *Not required if property is located in Central Business District.
NO increase in the number of people on site
- 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)? yes Will it be installed and anchored as required? yes
- 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? Y

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: (X) town sewer () private septic () not required.
 Are you increasing the number of bedrooms? _____, if so, how many? no bedrooms
 Are you increasing the number of dwelling units? _____, if so, how many? _____
 If this is a business/home occupation, how many employees are expected? _____; 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, (X) 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: (X) 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? _____
 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)? _____ Will all new driveways have an area to turn around on site? _____ Attach access (driveway cut) permit. How many parcels will access drive serve? no changes to road access
- 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 house 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? _____ If yes, explain _____

Article III. Land Use District Regulations

Section 300. Establishment of Land Use Districts

For the purposes of this Ordinance, the Town of Brandon is hereby divided into the following land use districts: Aquifer, Central Business, High Density Multi-Use, Neighborhood Residential, and Rural Development. These districts are described below and delineated on the official Land Use District Map maintained in the Brandon Town Office and reproduced in the Appendix to this Ordinance.

Section 301. Aquifer Districts

(a) The Aquifer Districts encompass those lands that provide the water sources and storage for wells maintained by municipal fire districts. For zoning purposes the boundaries of the Aquifer District are located on the official Land Use District Map posted in the Brandon Town Offices.

(b) Uses Not Permitted in the Aquifer Districts: High Impact Uses.

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

(d) Additional Performance Criteria. See Section 622 for additional performance criteria unique to Aquifer Districts.

(e) Maximum Building Height in Aquifer Districts: 36 Feet (*See Section 325 for height exemptions.*)

(f) Maximum Impervious Lot Coverage by Building and Paving in Aquifer Districts: 25%

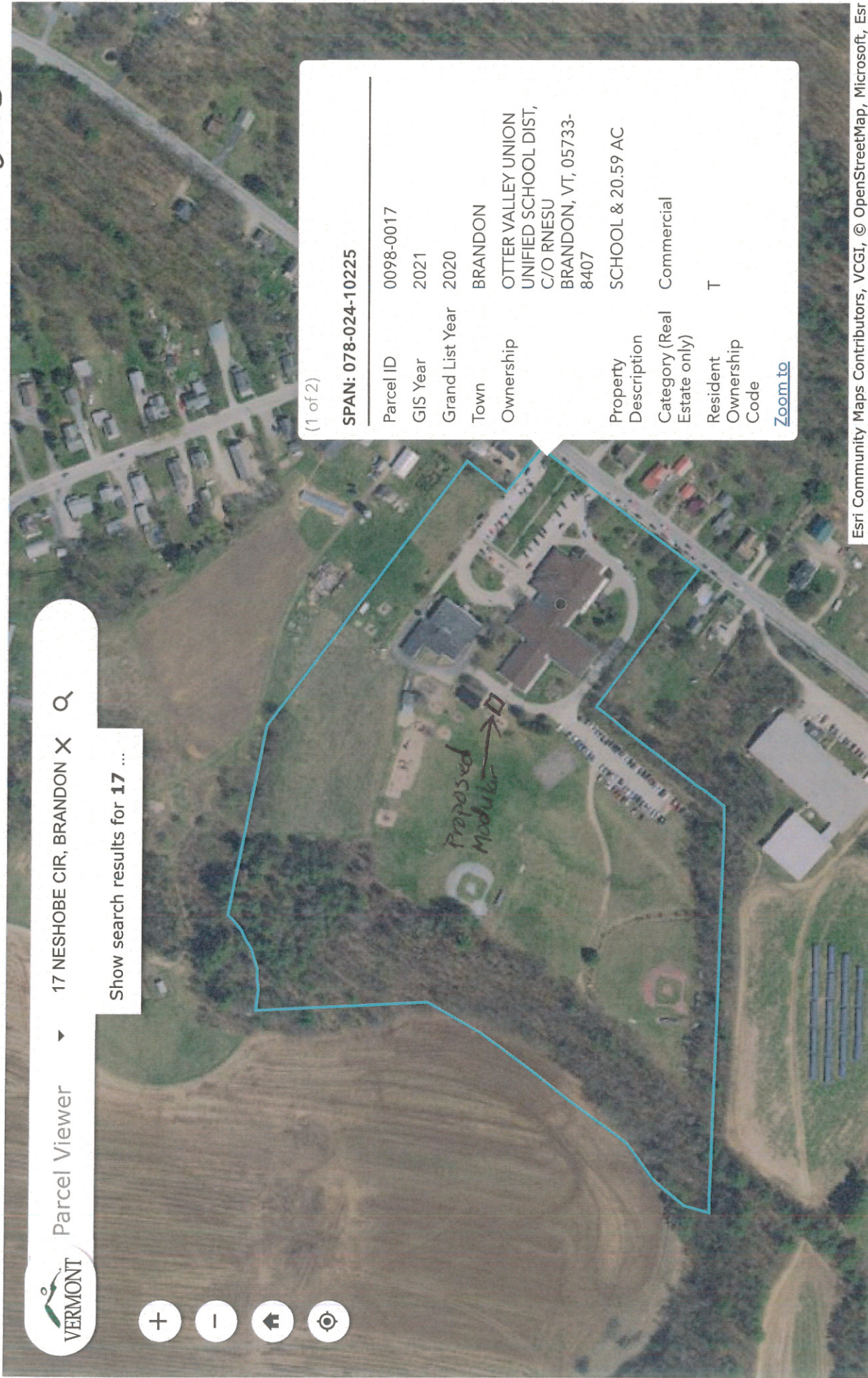
(g) Minimum Lot Size for each primary structure: One-half acre if connected to the municipal sewer system; two acres if not.

(h) Minimum Setbacks in Aquifer District:

Primary Structure from Town or State Right of Way	30 Feet
Primary Structure from Private Right of Way or Private Road	5 Feet
Primary Structure from Other Lot Lines	30 Feet
Driveway/Parking Lot from Other Lot Lines	5 Feet

(i) Minimum Number of Acres required for each dwelling unit: One-half acre. (*See Section 409 for exemption for accessory dwelling units.*)

#6203



(1 of 2)

SPAN: 078-024-10225

Parcel ID	0098-0017
GIS Year	2021
Grand List Year	2020
Town	BRANDON
Ownership	OTTER VALLEY UNION UNIFIED SCHOOL DIST, C/O RNESU BRANDON, VT, 05733- 8407
Property Description	SCHOOL & 20.59 AC
Category (Real Estate only)	Commercial
Resident Ownership Code	T

[Zoom to](#)

Esri Community Maps Contributors, VCGI, © OpenStreetMap, Microsoft, Esri

43°49'42"N 73°03'00"W

100m
300ft