

FORM
MATERIAL
ON-RESID.

Application No.: 6229

RECL...
JAN - 5 2023
TOWN OF BRANDON

<i>Town Office Use Only</i>			
Town of Brandon 49 Center Street Brandon, Vermont 05733	Tax Map # <u>15-20-17.1</u>	Parcel ID # <u>0007-0121</u>	Date Completed: _____
Phone: (802) 247-3635 ext. 202	Fee \$ _____	No. of Acres <u>0.26</u> <small>some</small>	Decision: _____
FAX: (802) 247-5481	Zone <u>AQUIF.</u>	Check # _____	Rec'd by _____
		Deed Reference _____	

APPLICATION FOR LAND USE PERMIT

Name and Address of Owner(s):
JENNIFER KEZLER
PO BOX 366
BRANDON VT 05733

Home Phone: _____
Work Phone: _____
Fax Phone: _____
EMAIL

Name and Address of Applicant(s)
(if different from property owner):
MATTHEW CRAM
MARY CRAM

Home Phone: (802) 247-0131
Work Phone: (802) 771-7387
Fax Phone: _____
EMAIL mmmcram@yahoo.com

Current property information/location (for boundary adjustments include for all parcels involved):
121 FORNACE RD (NOTE THIS MAY NOT BE OFFICIAL VTE #) SURVEY BK 11, Pg 3

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

Application No.: _____

1. Give a detailed description of the CURRENT use of the property, how many buildings and their respective uses, dimensions, setbacks, etc.; vacant lot
2. Give a detailed description of the PROPOSED project:
 - a) Describe the construction (include building dimension, size and location), and the proposed use: 16 x 30' building with a 8' x 30' porch
 - 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? partly If Yes, Please complete Addendum E attached.

JAN - 3 2023

TOWN OF BRANDON

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

Application # 6229

LANDOWNER: JENNIFER KEELER PHONE: _____
EMAIL: _____

APPLICANT (IF Not the Owner) MATTHEW & MARCY CRAM PHONE: (802) 247-0131
EMAIL: mmcram@yahoo.com

ADDRESS OF SUBJECT PROPERTY _____ TAX MAP# _____

ZONING DISTRICT: _____ SUBJECT PROPERTY AREA (acreage): 0.26

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

Our Intent will be to build on a concrete slab as a foundation. We intend to build a 16' x 32' structure on the higher elevation of the lot. Our intention will be to build as far away from neighboring properties as possible within this space that will allow us to build outside of the floodplain. Given that the northern section of the lot falls within the FEMA flood plain, we do not have the option to utilize the entire lot for building purposes. Based on the state of Vermont recommendations this is the best possible use of this lot. We ask the board to consider that this is a pre-zoning, non conforming lot and may qualify for a setback waiver.

Thank you for your consideration.

Signature of Landowner(s): Jennifer Keeler date 12/31/22

Signature of Applicant(s) if not the same Matthew & Marcy Cram date _____

Development Review Board Hearing

TO ATTEND VIRTUALLY (VIA ZOOM)

To attend this meeting you have 2 options:

Option 1: Video Conference This option is available only if:

- You have a computer with a built-in or external camera and microphone (*Zoom Software download required*)
- Have a phone with a built-in camera (*Zoom App download required*)

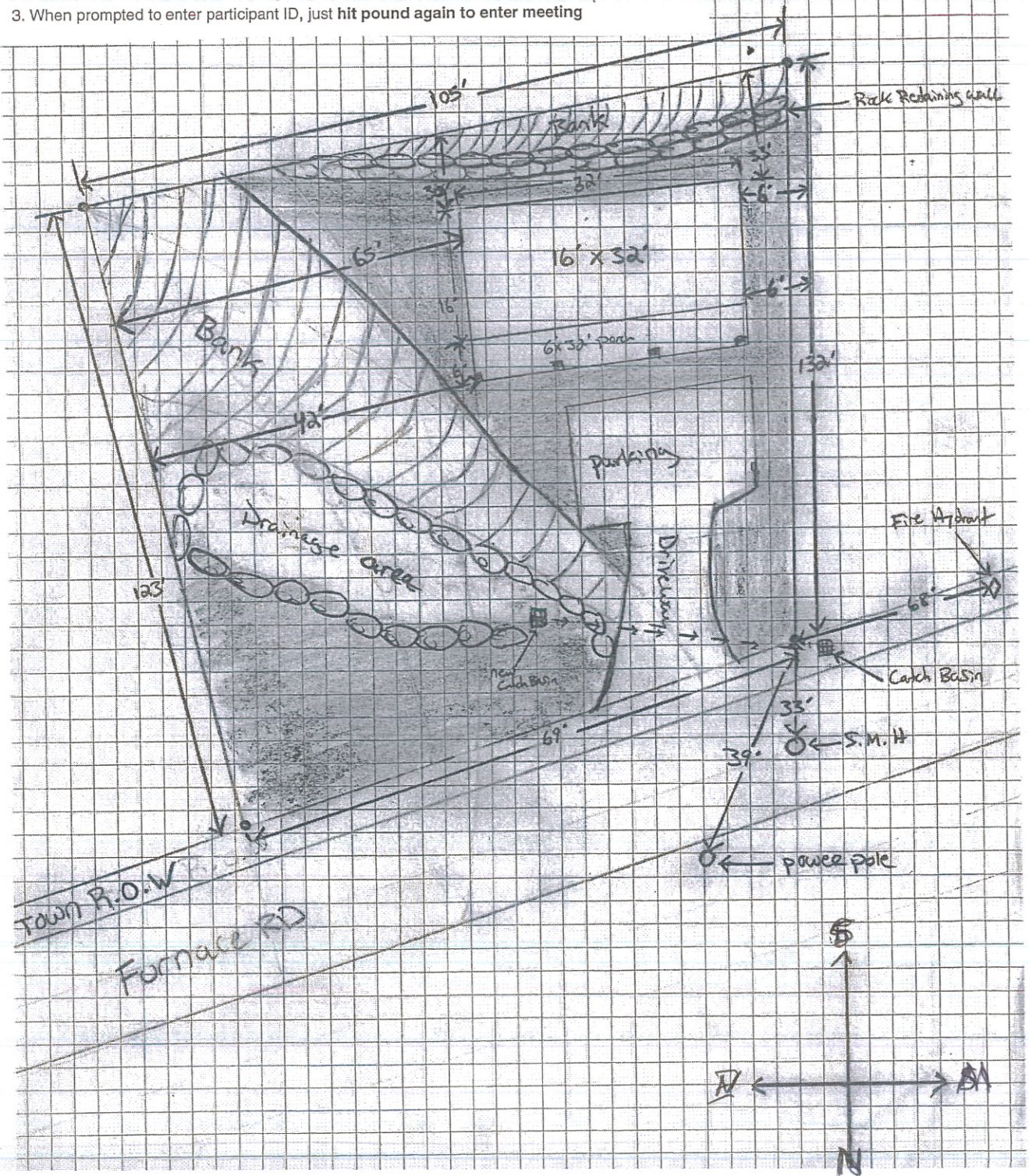
Visit: <https://us02web.zoom.us/j/84094564293>

(This will prompt the download if you do not have the software/app already installed)

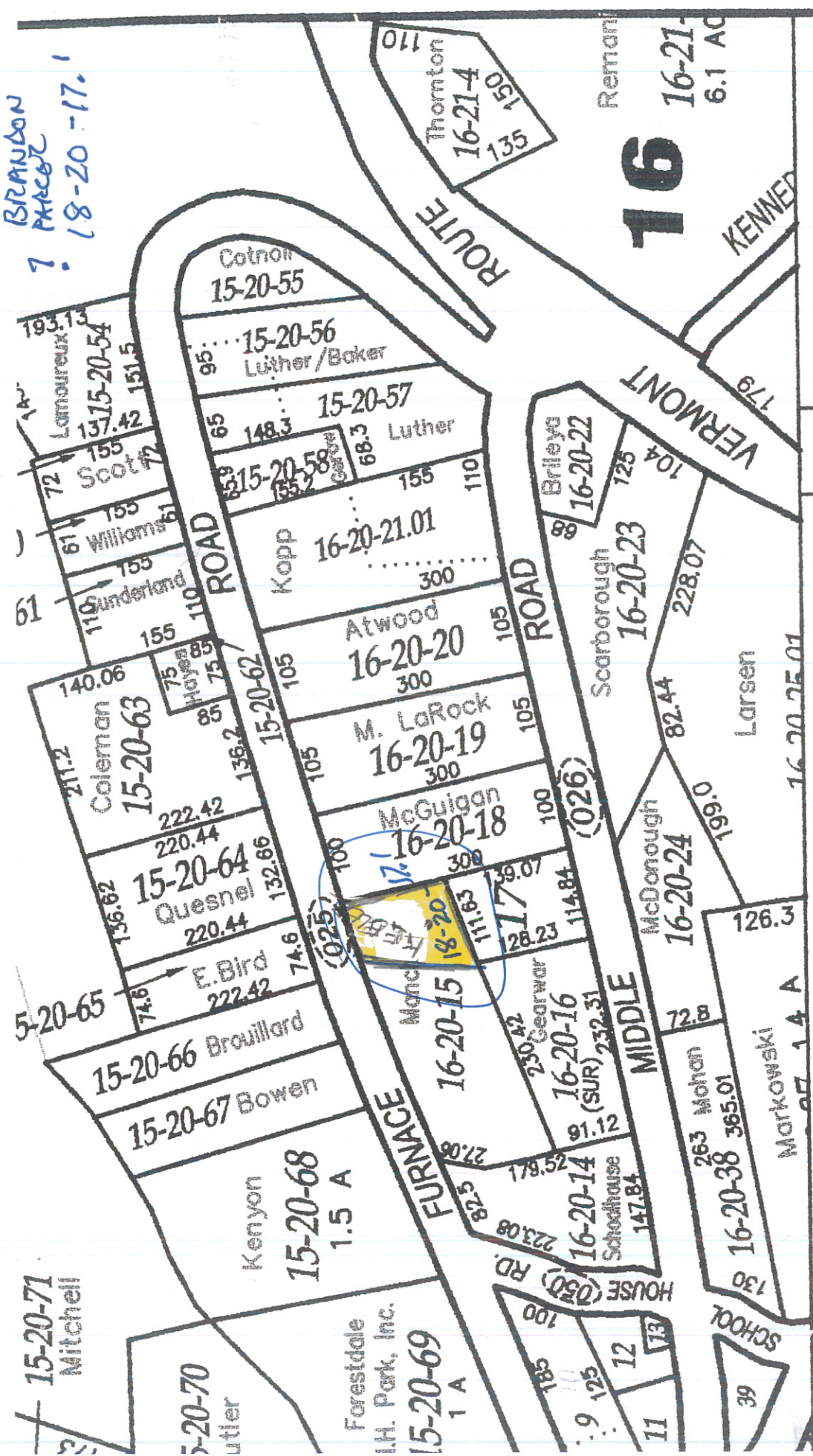
Meeting ID (840 9456 4293)

Option 2: Conference Call: To dial in for audio only:

1. Dial: (929) 205 6099
2. Follow instructions to enter Meeting ID (840 9456 4293) then confirm by hitting pound
3. When prompted to enter participant ID, just hit pound again to enter meeting



BRANDON
PARCEL
18-20-17.1



DEC. 2019

15
MAP

PROPERTY MAP OF
BRANDON
VERMONT

11-2



LOCUS
NOT TO SCALE

LEGEND

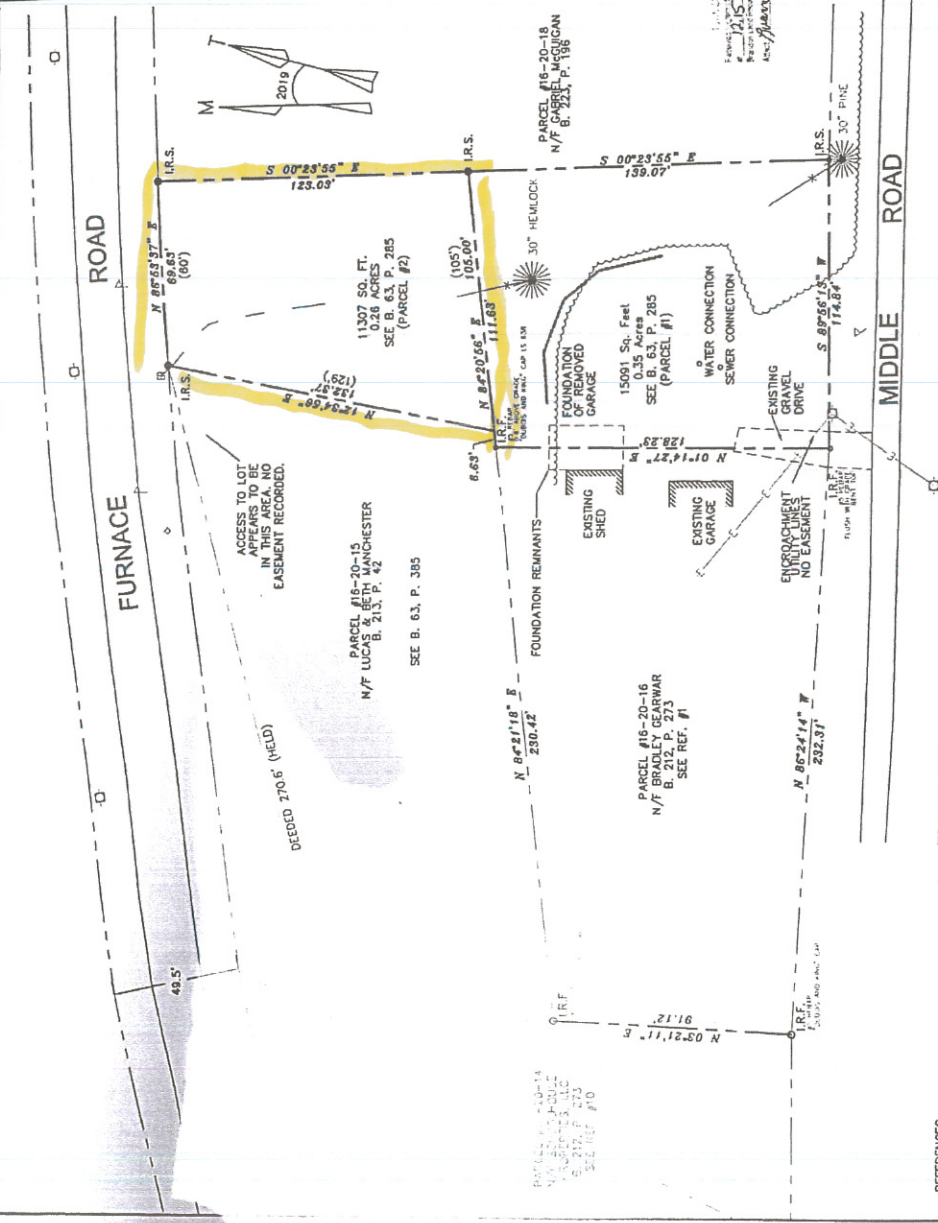
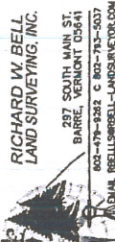
- PROPERTY LINE
- RIGHT OF WAY OR EASEMENT
- STONE WALL
- TREE, INC.
- WIRE FENCE
- ELECTRIC LINE
- POLE
- HYDRANT
- IRON ROD FOUND
- IRON ROD SET
- IRON PIPE FOUND
- DECEASED INFORMATION

SUBJECT PARCEL
PARCEL #16-20-17
JENNIFER KEELER
B. 242, P. 469

CERTIFICATION
I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE PARCEL BOUNDARIES DETERMINED AS NOTED HEREON AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY WAS PERFORMED WITH ELECTRONIC TOTAL STATION SURVEY EQUIPMENT, WITH A POSITIONAL TOLERANCE CONFIDENCE LEVEL ABOVE 95% IF FURTHER CERTAIN THAT THE SURVEY MEETS ALL THE REQUIREMENTS OF TITLE 27 V.S.A., SECTION 1403.

DATED 8/22/2021
RICHARD W. BELL L.S. #538 VT.

PLAT OF LANDS OF
JENNIFER KEELER
140 MIDDLE RD. & FURNACE RD.
(FORESTDALE) BRANDON, VERMONT
SURVEYED BY: RWB/ALC
CHECKED BY: RWB
SHEET 1 OF 1
DWG. # S-1410



SCALE IN FEET

REFERENCES

1. PLAN ENTITLED "PLAT OF LANDS OF KENNETH AND JEANETTE OSTERHOUT, TOWN HIGHWAY #26, (FORESTDALE) BRANDON, VERMONT," DATED OCTOBER 22, 1992 BY DUBOIS AND KING, INC. OF RANDOLPH, AND RECORDED AS SLIDE #3-15 OF THE TOWN OF BRANDON LAND RECORDS.
2. WARRANTY DEED OF ADELZA ELAVA CAJEN (SP) TO CLARA AND NORMAN NICKLAW DATED NOVEMBER 21, 1898, AND RECORDED IN BOOK 40, PAGE 462 OF THE TOWN OF BRANDON LAND RECORDS.
3. WARRANTY DEED OF HIRAM AND LIZZIE BURMAN TO ROY AND DORA NICKLAW, DATED AUGUST 19, 1916, AND RECORDED IN BOOK 54, PAGE 578 OF THE TOWN OF BRANDON LAND RECORDS.
4. WARRANTY DEED OF NEWTON AND THOMPSON MANUFACTURING COMPANY TO CHARLES NICKLAW, DATED MAY 9, 1927, AND RECORDED IN BOOK 63, PAGE 285 OF THE TOWN OF BRANDON LAND RECORDS.
5. WARRANTY DEED OF ARNOLD J. AND PHYLLIS B. LAROCK TO DAVID O. AND LYNN B. LAROCK, DATED JULY 9, 1970, AND RECORDED IN BOOK 80, PAGE 199 OF THE TOWN OF BRANDON LAND RECORDS.
6. WARRANTY DEED OF SOPHIA NICKLAW TO AGNES M. AND DEWEY G. LAROCK, DATED FEBRUARY 7, 1931 AND RECORDED IN BOOK 62, PAGE 330 OF THE TOWN OF BRANDON LAND RECORDS.
7. PLAN ENTITLED "PLAT OF LANDS OF JENNIFER KEELER, 140 MIDDLE ROAD, (FORESTDALE) BRANDON, VERMONT," DATED OCTOBER 30, 2019 BY RICHARD W. BELL LAND SURVEYING, INC. OF BARRIE, AND PROVIDED BY SAME.
8. WARRANTY DEED OF NEWTON AND THOMPSON MANUFACTURING CO. TO GEORGE H. AND SOPHIA NICKLAW, DATED FEBRUARY 2, 1928, AND RECORDED IN BOOK 63, PAGE 385 OF THE TOWN OF BRANDON LAND RECORDS.

9. WARRANTY DEED OF CHARLES LYONS NICKLAW TO GALEN FRANKS NICKLAW, DATED JULY 1, 1989 AND RECORDED IN BOOK 80, PAGE 1 OF THE TOWN OF BRANDON LAND RECORDS.
10. WARRANTY DEED OF MATHEW S. AND COURTNEY H. DEBISSHOFF TO DEBISSHOFF PROPERTIES, LLC, DATED MAY 31, 2005, AND RECORDED IN BOOK 175, PAGE 437 OF THE TOWN OF BRANDON LAND RECORDS.

NOTES

1. BEARINGS ARE BASED ON MAGNETIC OBSERVATIONS TAKEN AT THE TIME OF THIS SURVEY.
2. OTHER EASEMENTS RECORDED OR UNRECORDED MAY EXIST.
3. NO ENCROACHMENTS WERE OBSERVED.
4. THE RIGHT-OF-WAY OF MIDDLE ROAD IS BASED ON MONUMENTATION FOUND.

I CERTIFY THAT THIS PLAT IS AN ORIGINAL INK ON MYLAR DRAWING. RICHARD W. BELL L.S.

From: Medash, Kyle <Kyle.Medash@vermont.gov>
Sent: Wednesday, October 12, 2022 4:25 PM
To: Jeff Biasuzzi
Subject: RE: Scanned image Brandon Parcel 18-20-17.1, Furnace Rd. 0.26 acres.
Attachments: FR_SFHA_RC_Map.pdf



COPY

Hi Jeff,

Thanks for checking in. Unless there is Act 250 jurisdiction on the parcel, from a floodplain and river corridor perspective development on this parcel would be regulated at the municipal level in compliance with the BLUO, Article VIII. Flood Hazard Area and River Corridor Overlay Districts.

The parcel is not located in the River Corridor (RC). In this area, the RC boundary is generally along the backs of the homes on the opposite side of Furnace Rd. closer to the Neshobe (RC shown as the yellow shading in the attached map).

The parcel is located within the regulated FEMA SFHA (1% annual chance/100 year floodplain), shown as the red shading in the attached. The gray shading shown further east on Furnace Rd., upstream of this parcel depicts the 0.2% annual chance/500 year floodplain. The 500 year floodplain is not regulated under the BLUO.

The flatter area on the north of the parcel near the road sits at the 583'-585' contours. There is a LOMA (non-removal) for the house across the street at 116 Furnace Rd. which reports a base flood elevation (BFE) of 585.0'. Given this information, its fairly safe to say that the northern portion of the parcel is approximately 2' below the BFE, within the SFHA, and likely ineligible for a LOMA. The southwestern corner of the parcel looks to be much higher ground 585'-595' so that would be the spot to look into for development, to be outside the SFHA. Though that higher portion is still mapped in the SFHA, some part of it could likely be removed from the SFHA via a metes and bounds LOMA.

Developing new structures on that lower portion is allowable under the BLUO, though it would be a bit more of a challenge in terms of the engineering and survey needed for the design. Any below grade space is prohibited so you would be looking at an open foundation design, elevated on post or piers, or similar. The low floor would need to be 2' above BFE, so this would equate to the low floor approximately 4' above grade which may present other design challenges.

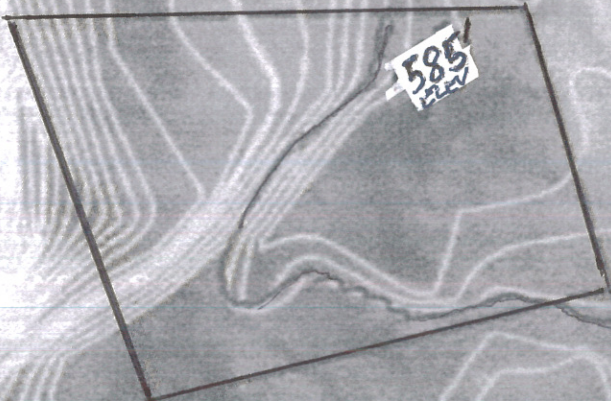
You could also look at a design where the bottom floor is only parking/storage space and is wet-floodproofed (flood vents), with the living floor and utilities/mechanicals above. Depending on the size of the footprint, new building footprints/foundations/site grading may need to have a hydraulic analysis completed to demonstrate no rise in base flood elevations or diversion of water/flood risk onto other properties. The reason for this, while it may seem like a small parcel, that lower area being 2' below the BFE with many surrounding homes does provide floodwater storage at base flood conditions. Compensatory storage may be required in this case. Other items to consider would be fuel storage tanks, must be 2' above BFE, or vented 2' above BFE w/ engineering detail that it is adequately anchored/secured.

Clearly there are a few options, I'd recommend starting with the feasibility of development on the southwest portion of the lot above the floodplain and leaving that lower portion for parking/access. If development on the lower portion is desired - more detailed information and review is needed for project design, would likely be more costly in terms of engineering design, flood insurance on the building may incur higher premiums, etc. Additionally, building a structure on that lower portion of the lot that will eventually flood kind of works against the FEMA buyout work being completed just downstream - we're essentially removing flood prone structures downstream, just to be replaced in upstream locations in the same floodplain. Happy to discuss this further with you or any potential buyers/developers of the parcel - please feel free to send them my way if needed.

Respectfully,
Kyle Medash | Western Floodplain Manager Vermont Agency of Natural Resources | Department of Environmental Conservation Watershed Management Division, Rivers Program
450 Asa Bloomer State Office Building, 88 Merchants Row | Rutland, VT 05701-5903
802-490-6154 cell
kyle.medash@vermont.gov



APPUC #6229



EL RACEIRO