

DRB Hearing

September 13, 2023

BRN Franklin LLC Variance Hearing

Board Members: Sam Stone, Jack Schneider, Ralph Either, Bob Clark, John Peterson and Jim DesMarais

Others in Attendance: Jesse Bilodeau, Jeff Biasuzzi (Zoning Administrator) and Hillary Knapp (Clerk)

Hearing started at 7:31pm

Jesse Bilodeau and Jeff Biasuzzi were sworn in.

No one requested interested party status.

Jesse: My wife Hannah is also a partner in the business, her name was not listed in the warning. We have provided a letter in the packet that talks about the plans and with the passing of ACT 47 this may not be needed. Housing is touch in Brandon currently and with this purposed housing unit we would be living in one portion of the building. The building can easily be divided into multiple apartments. With ACT 47 passing the Town Water and Sewer and in the appropriate section of town we could have 4 housing units, we are asking for one above the State Statue.

Jeff: This will be the initial test for Act 47 for Brandon. Act 47 is retroactive to July 1 of 2023. State law can override municipal law in certain instances. Included in your packet is language from the State and from Cecil. The Board should review the frequently asked question sheet from the State. The building was a mental health facility before with a bedroom and kitchen for those employees staying overnight and two separate apartments. Now we do not have the ability to deny less than 5 dwelling units in an acre parcel. They must have sewer and water and off-street parking. This process was started before the Governor changed the effective date. In the BLUO there is nothing that states the Zoning Administrator can Skip the DRB hearing. A variance would be the best way to handle this type of permit request with the current BLUO.

Sam: Looking at the plans, there are 5 units, will the units be 2 bedrooms?

Jesse: There will be four 2-bedroom apartments and one single bedroom. The square footage is there but a 2-bedroom does not mean that there will be 4 people in the apartment.

Jeff: Wastewater is based on 2 people per bedroom per day. The rental code will provide the number of occupants in the building.

Sam: What is the total possible occupancy?

Jesse: 18 people at most. I am looking to have full occupancy. Depending on wastewater and rental code enforcement. This will be based on wastewater and square footage.

Jeff: The State is less strict with the number of people in an unit. Rental code enforcement will be based on the Town.

Sam: We do not know right now that wastewater or the rental officer would limit the number of people?

Jesse: There are currently 12 parking spots at the back of the property.

Jeff: 2 bedrooms would equal 2 parking spots. If it is less than 2 it would be a ½ spot per additional bed.

Jack: It is a large building on .42 acres and with 12 parking spots is it an impervious surface problem?

Jesse: The back lot is currently paved.

Jack: The neighbors had the opportunity to weigh in tonight ad they are not here.

Jeff: There is a multi-family house to the North with three apartments.

Meeting adjourned at 7:54pm