

**TOWN OF BRANDON, VERMONT  
DEVELOPMENT REVIEW BOARD  
REVIEW OF ACT 250 CRITERIA 6, 7 & 10**

Application: #03262025

Applicants: Rutland County Humane Society

Landowner: Ultravation, Elwin Jackson (Owner)

Location: 218 Jones Drive (024) 0104-0218

**Findings of Fact and Conclusions of Law**

Applicants: Rutland County Humane Society and landowner: Ultravation, Elwin Jackson (Owner) have filed an application to the Brandon Development Review Board ("DRB") to consider application #03262025 to undertake local Act 250 review of potential municipal impacts caused by a development (as defined in 10 V.S.A. chapter 151 ("Act 250")), pursuant to the process specified in 24 V.S.A. §4420.

This project ("Project") is described as a proposed project on Jones Drive for the following:

- Renovate the current building at 218 Jones Drive to house the Rutland County Humane Society.

A hearing notice was posted on March 5, 2025, at the bulletin board at Brandon Post Office, the Town bulletin board in Forest Dale and the Town bulletin board by the Town Office and published in The Reporter on March 5, 2025.

The Town sent notices of the hearing by certified mail, return receipt, to the owner of the property. Notices of the hearing were sent to all property owners adjoining the project.

The hearing was held on March 26, 2025, at the Brandon Town Hall Basement. The hearing was closed at the conclusion of the hearing that evening.

Development Review Board members present at the hearing were: Sam Stone, John Peterson, Jack Schneider, Ralph Either and Jim DesMarais.

Also present were Hillary Knapp (Secretary), Larry Stevens (Zoning Administrator) and Mei Mei Brown.

The following witnesses were sworn in and testified: Larry Stevens (Zoning Administrator) and Mei Mei Brown.

The following Exhibit was submitted: Exhibit A was present at the hearing. This exhibit was a packet from DLI with plans for the projected humane society building.

**Criterion 6 Educational Services:**

There will be no additional burden or change to educational services.

**Criterion 7 Municipal Services:**

Municipal Impact Questionnaire was received late the day of the hearing by the Zoning Administrator. The Chief's of the Fire Department, Police Department, Rescue Squad and the Town Highway Department have all stated their capacity to provide services without burden on this project. This will be forwarded to the Development Review Board.

**Criterion 10 Consistency with Brandon Town Plan**

This project involves the building of the new humane society building. The Humane Society will bring people from across Rutland County and the State of Vermont to adopt animals. This will be an economic boost to the Town as those individuals will also shop and eat in our Downtown areas. The Rutland County Humane Society has done extensive research around noise mitigation. The design and engineering of the building at 218 Jones Drive will ensure that the Humane Society falls within the required noise requirements of the BLUO.

Based on information presented in the application and exhibits and testimony taken at the hearing, the Development Review Board issues the following Findings of Fact and Conclusions of Law:

**DECISION General:**

The proposed project at 218 Jones Drive is for the following:

- Remodel of the current building into the Rutland County Humane Society.

**SECTION 6086(a)(6) EDUCATIONAL SERVICES:**

This project will have no impact on educational services.

**Based upon findings above, the Development Review Board concludes that this project will not place an unreasonable burden on the ability of the Town of Brandon to provide educational services.**

**SECTION 6086(a)(7) MUNICIPAL SERVICES:**

The Town Manager, Chief of Police Chief of the Fire Department, Chief of Rescue Squad and the Highway Department have signed off that services can be provided without burden as a result of this project.

**Based upon findings above, the Development Review Board concludes that this project will not place an unreasonable burden on the ability of the Town of Brandon to provide municipal or governmental services.**

**SECTION 6086(a)(10) CONFORMANCE WITH THE LOCAL PLAN OR CAPITAL PROGRAM UNDER CHAPTER 117 OF TITLE 24:**

The Humane Society will bring people from across Rutland County and the State of Vermont to adopt animals. This will be an economic boost to the Town as those individuals will also shop and eat in our Downtown areas. The Rutland County Humane Society has done extensive research around noise mitigation. The design and engineering of the building at 218 Jones Drive will ensure that the Humane Society falls within the required noise requirements of the BLUO.

**Based upon findings above, the Development Review Board concludes that this project is in conformance with the Brandon Town Plan and the Regional Plan.**

**SUMMARY CONCLUSION OF LAW**

Based upon the foregoing Findings of Fact, it is the conclusion of the Brandon Development Review Board by a vote of 5 (approve)-0 (deny) that the project described in the application referred to above, if completed and maintained in conformance with all of the details as described in the application, will not cause or result in a detriment to public health, safety or general welfare under the criteria described in 10 V.S.A. Section 6086(a)(6), 6086(a)(7) and is found to be in compliance with the Brandon Town Plan, 10 V.S.A. Section 6086(a)(10)(town plan).

Dated in Brandon, Vermont on this 24 day of April 2025.



[Samantha Stone \(Apr 24, 2025 12:43 CDT\)](#)

Sam Stone  
Chair Development Review Board

**Notice: There is no right of appeal from this decision. Instead, this decision constitutes a rebuttable presumption of compliance with Act 250 criteria 6, 7 and 10 (town plan). The presumption may be rebutted in a proceeding under Title 10 V.S.A. Chapter 151 before the District #1 Environmental Commission.**