

Town of Brighton
Development Review Board
Minutes of Hearing Held September 12, 2019

Re: Bowtie LLC

Application No. 31-19

A public hearing pursuant to Section 505 (Site Plan Review) as it relates to Section 210(1) Village District, of the Town of Brighton Zoning Bylaws was held September 12, 2019 on the above entitled application for a Site Plan Review/ Renovation permit as filed by Bowtie LLC. The proposed renovation is of the front porch/deck and the addition of a roof of the commercial property at 28 Cross St., Island Pond, Vermont.

Due notice of said hearing was provided to the following adjacent property owners:

Andre Masse (Simon the Tanner)

Mike and Jan Clarke

Cross and Rail LLC

Robert McComisky

Craig Goulet

Notices were mailed by Certified Return Receipt on August 29, 2019.

Public Notice was posted in three locations in town, namely, the Town Clerk's Office, and the bulletin boards outside the Island Pond Post Office and the Railroad Depot Building. It was also published in the Caledonian Record.

A site visit was held at subject property on September 12, 2019 at 3 p.m., with board members Pete Pederson, Alan Wing, Stacey Roese , and Margaret Muraca (Clerk). Mike Strait and Tim O'Bar, the applicants, were present.

At the site Mike and Tim explained the intentions for the new front deck/porch with stairs at each end. In addition a flat roof will be installed to cover the deck. They shared a photo of the design

for the new deck/porch. The current lighting will remain, however may need to be moved when the roof is installed.

The public hearing was called to order at 3:30 p.m. by Pete Pederson, Chair, with all the above named board members present. Tim O'Bar (the applicant) was present.

The chair read the warning that was publicly posted.

It was noted that the application was dated August 20, 2019 and referred to this Board on August 23, 2019, by the Zoning Administrator for a site plan review.

Tim O'Bar, the applicant was sworn in by Pete Pederson.

It was noted that there were no Public or Abutters in attendance.

S505 Site Plan Review:

No zoning permit shall be issued by the Zoning Administrator for any use or structure except for one and two unit dwellings until the Development Review Board Grants site plan approval after public notice and hearing and in accordance with 24 V.S.A. s4416. In reviewing site plans, the Development Review Board may impose appropriate safeguards with respect to the following:

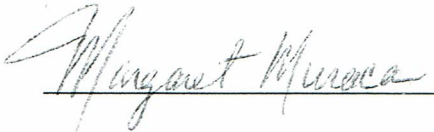
- A. The adequacy of parking
- B. Traffic access and circulation for pedestrians and vehicles
- C. Landscaping and screening
- D. The protection of the utilization of renewable energy resources
- E. Exterior Lighting
- F. The size, location, and design of signs
- G. Erosion and sedimentation control
- H. Snow removal

The applicant verified for the Board members that the dimensions of the deck would be as follows: Length- 32 ft; Depth- 5ft 6 and the flat roof will be 42 ft in Length. The current light fixtures will remain, with the possibility of relocation when the roof is installed. The site plan review specifications were reviewed as they related to the proposed renovation and roof addition. All attendees were given the opportunity to make comment and /or ask questions.

The applicant, was then excused and the deliberative session was called to order. Pete Pederson made a motion to approve the request; seconded by Stacey Roesse. The board voted unanimously to approve the request.

The meeting was adjourned at 3:50 p.m.

Dated at Brighton(Island Pond), Vermont this 12th day of September 2019.

A handwritten signature in cursive script, reading "Margaret Muraca", is written over a horizontal line.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

cc: Pete Pederson
Bowtie LLC, Applicant
Town of Brighton, Clerks Office
Joel Cope, Town Administrator/Zoning Administrator

Findings of Facts

The following facts were found at the public hearing held September 12 2019.

1. The hearing was called to order by the Chair at 3:30 p.m. and it was noted that the site visit was made by the Board Members and others as previously named.
2. The warning was read by the Chair.
3. Tim O'Bar was sworn in by Pete Pederson, Chair. The Chair also asked Board Members if they had any questions or concerns.
4. The requirements found in Sec 505 of the Town of Brighton Zoning Bylaws relative to the proposed renovation/addition were discussed. The Development Review Board may render a decision in favor of the appellant only if all of the delineated facts are found and the findings are specified in its written decision (see previously stated Sec 505 facts).

The Board determined that the site plan/application submitted meets all of the requirements. As such, the Board finds that no additional requirements are needed as long as the use does not exceed/change as is stated in the application.

Conclusion of the Law

The following conclusions were determined from the public hearing held on September 12, 2019:

Per the town's Zoning map the subject property is located in the "Village" District in Sec. 210(1) of the Zoning Bylaws.

Further, Sec. 505 of the Zoning Bylaws provided the safeguards the Board is to take into consideration when reviewing site plans and the Board finds that all issues specified therein have been adequately addressed by the applicant.

Deliberative Session

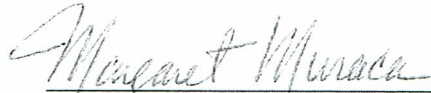
The deliberative session followed the public meeting with the same board members in attendance.

Following discussion of the applicants' request for a Site Plan Review the following motion was made :

Pete Pederson made the motion to approve the site plan, for a porch renovation and roof construction, subject to criteria under Section 505, of the Zoning Bylaws. Stacey Roesse seconded the motion. The Board voted unanimously to approve the request.

The deliberative session closed at 3:50 p.m.

Dated at Brighton(Island Pond), Vermont this 12th day of September 2019.



Margaret Muraca, Clerk
Development Review Board
Town of Brighton

cc: Bowtie LLC, Applicant
Pete Pederson, Chair DRB
Town of Brighton, Clerks Office
Joel Cope, Town Administrator, ZA

**Town of Brighton
Development Review Board**

RE: Bowtie LLC
28 Cross St, Island Pond, Vt. 05846
Application # 31-19

Decision

A public hearing pursuant to Section 505 of the Town of Brighton Zoning Bylaws was held September 12, 2019 on the above entitled application for a Site Plan Review/Zoning permit as filed by Bowtie LLC for the renovation of the front porch and addition of a roof at a commercial building at 28 Cross St., Island Pond, Vermont.

Notice of said hearing was provided to the following adjacent property owners identified by the applicant:

Andre Masse (Simon the Tanner)
Mike & Jan Clarke
Cross & Rail LLC
Robert McComisky
Craig Goulet

Notices were mailed by Certified Return Receipt on August 29, 2019. Public notice of said hearing was posted in three locations in town, namely the Town Clerk's Office, bulletin boards outside the Island Pond Post Office and the Railroad Depot Building; and published in the Caledonian Record.

A site visit on September 12, 2019 preceded the public hearing. Board members who visited the site were Pete Pederson, Alan Wing, Stacey Roese and Margaret Muraca(clerk). Also present were Mike Strait and Tim O'Bar(applicants).

The public hearing followed the site visit with the above named board members in attendance, as well as Tim O'Bar. In a unanimous vote the Development Review Board Members:

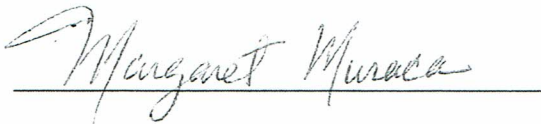
Pete Pederson
Alan Wing
Stacey Roese
Margaret Muraca

voted to APPROVE the site Plan concerning the property located at 28 Cross St., Island Pond, Vermont provided the conditions stated previously are met.

Appeal Rights

If you should disagree with the Board's Decision, you may appeal to the Environmental Court. Such appeal must be made within thirty(30) days of the date of the decision. Failure to appeal within this thirty (30) day period will result in the loss of your appeal rights and this Decision shall be considered final.

Dated at Brighton (Island Pond) Vermont this 12th day of September 2019.

A handwritten signature in cursive script that reads "Margaret Muraca". The signature is written in black ink and is positioned above a solid horizontal line.

Margaret Muraca, Clerk
Development Review Board

cc: Bowtie LLC, Applicant
Pete Pederson, Chair, DRB
Town of Brighton, Clerks Office
Joel Cope, Town Administrator