

Town of Brighton
Development Review Board
Minutes of Hearing Held July 28, 2022

Re: Jeffrey Predom

Application No. 22-22

A public hearing pursuant to Section 506(Subdivisions of Land) as it relates to Section 210(4) Rural Residential District, of the Town of Brighton Zoning Bylaws was held July 28, 2022 on the above entitled application for a Subdivision of Land by Jeffrey Predom. The proposed subdivision is on Atwood Drive, Island Pond, Vermont.

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

Kaitlyn Tranmer
State of Vermont-Forests and Parks
Amy Storm
Eric Locke
Dennis Dwinell
Ethan & Jessica Valliere

Notices were mailed by Certified Return Receipt on July 14, 2022.

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 July 28, 2022 at 2:30 p.m., with board members Pete Pedersen, Alan Wing, Mike Clarke, Stacey Roese and Margaret Muraca (Clerk). Jeffrey Predom, the applicant was present, as well as Frank Predom

At the site, Jeffrey Predom, confirmed his intention to subdivide his property. The diagram provided, indicated the 5 lots-Lot 1-5.01 acres, Lot 2-12.96 acres, Lot 3-11.43 acres, Lot 4-13.50 acres, and Lot 5-11.39 acres.

The public hearing was called to order at 3:00 p.m. by Pete Pederson, Chair, with all the above named board members present. Also present was Jeffrey Predom, the applicant. Other interested parties in attendance were: Frank Predom, Eric Locke, Amy Storm, Adam Storm, KerryAnn Mcquade and John Zuppa.

The chair read the warning that was publicly posted.

Jeff Predom, the applicant, as well as all others in attendance were sworn in by Pete Pedersen.

It was noted that the application was dated 6/28/22 and referred to this Board on June 30, 2022, by the Zoning Administrator for review.

S506 Subdivisions of Land

- (1) Applications for minor subdivisions of land shall be reviewed by the Zoning Administrator under the Administrative process.
- (2) Applications for major subdivisions of land shall also be subject to Site Plan Review by the Development Review Board after public notice and hearing. In accordance with 24 V.S.A.s4464(a)(1), the warning period for the public hearing shall not be less than 15 days.
- (3) Any application for subdivision of land shall be accompanied by a plat of sufficient scale and clarity to portray existing conditions and proposed development. The plat shall include all lot lines and boundary dimensions, names of roads abutting the property, location and size of existing improvements identified as "existing", location and size of proposed improvements identified as "proposed", setback dimensions of proposed and existing structures, location of existing and proposed driveways and culverts, location of existing and proposed wells and/or septic systems and location of waterways, wetlands, and flood plains, In addition, a topographic survey may be required.
- (4) No lot that is created as the result of subdivision of land shall have more than 50% of its buildable area in slopes greater than 20%.
- (5) An undersized lot resulting from subdivision of land may be created, provided it is combined with land from an adjacent property to form a conforming lot, and a single property description with a new warranty or similar deed is filed in the Town's land record.
- (6) The approved subdivision may not be officially filed until all appeal periods have expired and/or appeals are concluded.
- (7) A final plat or mylar must be submitted to the Zoning Administrator for approval before the subdivision is filed in the Town's land records.

The specifics of the planned subdivision were again reviewed by Jeffrey Predom. It was noted that the subdivision is in Rural Residential 210(4) which requires a minimum lot size of 2 acres and a minimum lot width of 200ft. Mr. Predom provided a large full size diagram of the proposed subdivision which reflected the 5 lots, one is five acres and the other 4 lots are each between 10 and 13 acres. Also noted in the diagram was a driveway and turn around to access each of the properties. It was determined that the minimum width requirement of 200 ft, is met. The applicant stated that his intention was to continue to provide snowmobile and ATV access and this will be incorporated in the deeds as the properties are sold.

With no further questions or discussion Mr. Predom and all other non-board participants were then excused from the hearing.

The deliberative session (3:25 p.m.) was called to order. A review of Section 506-Subdivisions of Land determined that the site plan as presented met the requirements for a subdivision of land in Rural Residential as defined in the Brighton Zoning Bylaw. Stacey Roese made a motion to grant the permit for a subdivision as outlined on the map prepared by Horizon Engineering/ Jeffrey Predom , dated June 7, 2022. The motion was seconded by Alan Wing. A vote was taken and unanimously approved by the membership.

The meeting was adjourned at 3:35 p.m.

Dated at Brighton(Island Pond), Vermont this 28th day of July 2022.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

cc: Pete Pedersen
Jeffrey Predom, 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 July 28 2022.

1. The hearing was called to order by the Chair at 3:00 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. Jeffrey Predom and other attendees were sworn in by Pete Pedersen, Chair. The Chair asked board members if they had any questions or concerns.
4. The requirements found in Sec 506 of the Town of Brighton Zoning Bylaws relative to the proposed subdivision 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 506 facts)

The Board determined that the site plan/application submitted meets all of the requirements, as outlined in Section 506-Subdivisions of Land. 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 July 28, 2022:

Per the town's Zoning map the subject property is located in the "Rural Residential" District in Sec. 210(4) of the Zoning Bylaws.

Further, Sec. 506 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/Subdivision by the committee the following motion was made:

Stacey Roesse made the motion to approve the site plan, for a subdivision of the land as outlined on the survey map provided by Horizons Engineering, dated June 7, 2022. Seconded by Alan Wing. Each Board member voted affirmative.

The deliberative session closed at 3:35 p.m.

Dated at Brighton(Island Pond), Vermont this 28th day of July 2022.

Margaret Muraca, Clerk
Development Review Board
Town of Brighton

cc: Jeffrey Predom, Applicant
Pete Pedersen, Chair DRB
Town of Brighton, Clerks Office
Joel Cope, Town Administrator, ZA

**Town of Brighton
Development Review Board**

RE: Jeffrey Predom
32 High Street
Ludlow, Vt. 05149
Application # 22-22

Decision

A public hearing pursuant to Section 506 of the Town of Brighton Zoning Bylaws was held July 28, 2022 on the above entitled application for a Site Plan Review/Zoning permit as filed by Jeffrey Predom; for the subdivision of property at Atwood Road, Island Pond, Vermont. Notice of said hearing was provided to the following adjacent property owners identified by the applicant:

Kaitlyn Tranmer
State of Vermont Forests & Parks
Amy Storm
Eric Locke
Dennis Dwinell
Ethan & Jessica Valliere

Notices were mailed by Certified Return Receipt on July 14, 2022. 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 July 28, 2022 preceded the public hearing. Board members who visited the site were Pete Pederson, Alan Wing, Michael Clarke, Stacey Roese and Margaret Muraca(clerk). Also present was Jeffrey Predom, the applicant, and Frank Predom.

The public hearing followed the site visit with the above named board members in attendance. Also present was Jeffrey Predom, the applicant; Frank Predom, Eric Locke, Amy Storm, Adam Storm, KerryAnn McQuade, and John Zuppa. In a unanimous vote the Development Review Board Members:

Pete Pederson
Alan Wing
Stacey Roese
Mike Clarke
Margaret Muraca

voted to APPROVE the site plan/subdivision of property located at Atwood Drive, Island Pond, Vermont providing that 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 28th day of July 2020.

Margaret Muraca, Clerk
Development Review Board

cc: Jeffrey Predom, Applicant
Pete Pedersen, Chair, DRB
Town of Brighton, Clerks Office
Joel Cope, Town Administrator