

**TOWN OF BRANDON  
DEVELOPMENT REVIEW BOARD  
APPLICATION FOR APPEAL  
FINDINGS AND DECISION**

In Re: Landowner: Kjell & Linda Thompson

Appellant: James Disorda

Appeal # 5873

Introduction and Procedural History

This proceeding involves the review of an appeal of a permit issued to Kjell and Linda Thompson for construction of a storage shed by adjoining landowner, James Disorda under the Town of Brandon Zoning Bylaws.

The permit was issued on March 27, 2017.

The notice of appeal was received by the Town of Brandon on April 11, 2017. A copy of the application is available at the Brandon Town Office, 49 Center St., Brandon, VT.

On May 10, 2017, a notice of public hearing was published in "The Reporter."

On May 10, 2017, notice of public hearing was posted at the following places:

- a. The bulletin board outside the Town Office, 49 Center St., Brandon.
- b. The bulletin board in the lobby at Lake Sunapee Bank, 2 Park St., Brandon
- c. The bulletin board outside Dave's Forest Dale Grocery, North St., Brandon.

On May 8, 2017 a copy of the notice of the public hearing was mailed by certified mail to the appellant and the landowner and sent to the adjoining property owner by regular mail. List is included in the file, located in the Brandon Town Office, 49 Center St., Brandon.

The application was considered by the Development Review Board at a public hearing which was opened and closed on May 31, 2017.

The Development Review Board reviewed the application under the Town of Brandon Zoning Bylaw, as approved May 1, 2017.

Present at the hearing were the following members of the Development Review Board: Samantha Stone, John Peterson, Amber Lovely-Lee and Bob Clark.

Anna Scheck, Zoning Administrator, Kjell & Linda Thompson, James & Vicki Disorda were sworn in .

Three exhibits were submitted to the Board during the meeting. Exhibit A was a letter written by James Disorda to the board with supporting documentation for their appeal. Exhibit B was a letter written by Kjell & Linda Thompson about the purpose of the shed being built on their property. Exhibit C was a letter from the Town of Brandon (dated May 4, 1999) describing the use of the property before it was owned by Kjell & Linda Thompson.

## **FINDINGS**

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

Kjell & Linda Thompson were permitted by the Town of Brandon to construct a 24' x 48' by 18' storage structure with no water or sewer connections.

The Appellant is an interested party as defined at V.S.A. 4465 (b).

The notice of appeal listed several grounds for appeal including illegal land filling and storage of junk too close to the property line. In addition, appellant seems to be arguing that the landowners are operating a junkyard without a permit as well as not having a conditional use permit for agricultural uses in a residential area.

These issues are not relevant to the issuance of a permit for construction of a storage structure under Section 1010 of the Brandon Bylaws. They are enforcement issues for the Town of Brandon and not for adjudication in these proceedings.

The other issue raised by appellants is that the land use application did not contain a sufficient description of the current and proposed uses of the property. The application provides an adequate description of the current and proposed uses and very detailed information about these uses were provided at the hearing.

