



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

In Re: Applicant Naylor & Breen Builders

Landowner: Smith Block LLC (Matt Bonner)

Permit Application No. 5939

Introduction and Procedural History

This proceeding involves review of an application for conditional use submitted by applicants: Naylor and Breen Builders and landowner: Smith Block LLC (Matt Bonner) under the Town of Brandon Zoning Bylaw.

The application was received by the Town of Brandon on January 23, 2018. A copy of the application is available at the Brandon Town Office, 49 Center St.

On February 7, 2018 a notice of public hearing was sent for publication to the "The Reporter".

On February 5, 2018, a copy of the notice of the public hearing was mailed to the applicant and landowner by certified mail and to the adjoining property owners 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 February 28, 2018.

The Development Review Board reviewed the application under the Town of Brandon Zoning Bylaw, as approved May 7, 2012.

Present at the hearing were the following members of the Development Review Board: Samantha Stone, Robert Clark, Amber Lovely-Lee and Tom Bohler.

Anna Scheck, Zoning Administrator, Todd Cooley, Diane Bryant, Ralph Either, Bernie Carr, Tanner Romano and Matt Bonner were sworn in. Also present for the hearing was Hillary Knapp, Secretary.

FINDINGS

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

The applicant seeks a conditional use permit to renovate the interior and the exterior of an existing residential structure to accommodate a mixture of commercial and residential uses.

The parcel is in the Central Business District.

Pursuant to Section 302 of the Brandon Land Use Ordinance, Dwelling Units on all non-street and street levels require a conditional use permit.

The property will be renovated into 14 residential units on the two levels that are vacant. The rear of the building will contain a stair tower and an elevator to service all four levels of the building with a 26'x 20' addition.

The exterior of the building will receive minor repairs for repointing and painting of deteriorated areas.

The addition to the building was previously submitted for the addition to the back of the building for the previous owner in 2011. The new project has more residential units proposed than the original permit.

DECISION AND CONDITIONS

Based upon these findings, the Development Review Board voted 4-0 to approve the conditional use permit #5939 to renovate the interior and exterior of the existing structure for residential and commercial uses.

Approval is with the following conditions:

- Parking will be established for the tenants in public parking areas within the ¼ required and not on Route 7, pursuant to Section 1013, subsection A2 of the Brandon Land Use Ordinance.

Dated at Brandon, Vermont, this day of

Samantha Stone, Chair

NOTICE: This decision may be appealed to Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

Brandon Development Review Board
Applicant: Naylor & Breen Builders Landowner: Smith Block LLC

Conditional Use
5939