

**APPROVAL OF
An Additional Access through the Greenbelt Overlay District
on Parcel #0800046 (234 Mountain Rd.)
issued to**

Geoffrey Steinfeld and Halbert Coleman

Permit Application: #0800046-A. Official Submission dated August 23, 2022

Land Owners: Geoffrey Steinfeld and Halbert Coleman (Deed at Book 72 Page 148)

Applicant: Geoffrey Steinfeld

Identification of Parcel: Lot 0800046 (Stratton parcel identification)

Summary of the Project: This is an application to install a second access for a parcel within Stratton's Greenbelt Overlay District along Mountain Rd.. The access falls within the 2000 ft limitation between accesses imposed on that district. This lot is separated by Little Kidder Brook, which restricts access to the north side of the lot from its south side, where the existing access is located. This lot has only 718 feet of road frontage and the cost of bridging the brook within the lot is cost-prohibitive. *(For Greenbelt Construction Limitations, see Stratton Zoning Ordinance (2016) Section 610.1)*

Finding of Facts and Conclusions of Law:

An Access Permit for an additional Access was submitted to the Stratton Board of Selectmen on August 16, 2022. This permit application was considered at the Selectmen's Meeting of August 22, 2022 and approved on September 12, 2022, with the following conditions: 1) This Property is within the Town's Greenbelt Zone. Final approval is contingent on receiving a waiver / approval from the Zoning Board of Adjustment / Zoning Administrator. 2) Culvert installation shall be coordinated with the Road Foreman. *(For Dimensional Waiver Review, see Stratton Zoning Ordinance (2016) Section 320.3.4.2.)*

On August 23, 2022, the applicant submitted a Zoning Permit application to the Town. The Zoning Administrator reviewed said permit and determined it to be "Incomplete" in accordance with the Stratton Zoning Bylaws (2016), because of its location in the Greenbelt Overlay District and its need for a dimensional waiver from the Zoning Board of Adjustment (ZBA) for a distance between accesses less than 2000 ft apart. The applicant had made a verbal request that the application be submitted to the ZBA for consideration of said waiver.

Therefore, a Public Hearing and Site Visit were warned as follows:

**NOTICE
Town of Stratton
Zoning Board of Adjustment**

In accordance with 24 VSA §4464 and the Stratton Zoning Ordinance (2016), the Stratton Zoning Board of Adjustment will meet to consider a request submitted by Geoffrey Steinfeld for a waiver of distance between

road accesses on commonly owned property within the Green Belt Overlay District on Mountain Rd. for lot 0800046.

A Site Visit will be held at said location on Wednesday, September 28, 2022 at 6:00PM. The Site Visit will be followed by the Public Hearing at 7:00PM, at the Stratton Town Office, 9 W. Jamaica Rd., in Stratton.

Participation in the local proceedings is prerequisite to the right to take any subsequent appeal. All documents submitted with the application are available to be reviewed at the Stratton Town Office, Monday through Thursday from 9 a.m. to 3p.m.

Tom Montemagni
ZBA Chair

Certificate of Service:

Copies of the Notice of Public Hearing for this Dimensional Waiver were properly posted within the Town of Stratton on September 8, 2022, published in the Brattleboro Reformer (September 13, 2022) and sent on September 8, 2022 to the owner, the applicant, all ZBA members, the Zoning Administrator, the Board of Selectmen and the following abutters and organizations, as required by law:

Stratton Corp.
Attn: Bill Nupp
5 Village Lodge Rd.
Stratton Mt., VT 05155

Ross Powers
PO Box 657
Stratton Mt., VT 05155

The Hearing proceeded as follows:

*TOWN of STRATTON ZONING BOARD OF ADJUSTMENT
APPLICATION FOR A DIMENSIONAL ZONING WAIVER REQUEST
TO INSTALL A SECOND CURB CUT ON THE PROPERTY at 234 MOUNTAIN ROAD, STRATTON*

REGARDING PARCEL # 0800046, a 7.22-acre plot located at 234 Mountain Road.

A hearing and a site visit were held the evening of Wednesday September 28, 2022.

The town was represented by the Zoning Boarding members Greg Marcucci, Tom Montemagni, Denny Ray Holton and Paul Bernard.

On August 8, 2022 the said parcel's owner Geoffrey Steinfeld submitted an Access Permit with the Town of Stratton's Selectboard for a second curb cut to access the said parcel. The board determined and ordered Steinfeld to obtain a waiver access approved by the town's Zoning Board of Adjustment.

In compliance, Mr. Steinfeld directed a site visit with the ZBA which started at 6 PM on the 28th of September followed by a hearing at the Town offices which started at 7:15 PM. There were no others in attendance.

The applicant had submitted a Road Crossing and Access Application requesting a second curb cut from the property to the main road on the north end of the parcel.

The board hereby grants the said request as documented in its application under the following conditions:

The board took notice that the Applicant's property is within the Mountain Road Green Belt. As such the Applicant shall provide the Board with "before" photographs of his property frontage within the property's Greenbelt before any construction begins.

This second curb-cut 's access shall begin two hundred feet south of the applicant's property's Northeast corner and in no event be wider than 30 feet wide at any point.

The applicant hereby agrees to provide the Board with copies of all documents from Vermont State agencies regarding the use of the planned second curb cut that is the subject of this permit. The applicant shall provide to the board prior to start of construction, a copy of a survey verifying the location and width of the second curb cut.

*The Town of Stratton Vermont by:
Its Zoning Board members October 2022*

Conclusion:

This dimensional waiver is in conformance with the existing Town Plan (2020) adopted December 14, 2020, the Stratton Zoning Ordinance (2016), adopted Feb 8, 2016.

Conditions:

- 1) This second curb-cut 's access shall begin two hundred feet south of the applicant's property's Northeast corner and in no event be wider than 30 feet wide at any point.
- 2) The applicant shall provide the ZBA with copies of all documents from Vermont State agencies regarding the use of the planned second curb cut that is the subject of this permit.
- 3) The applicant shall provide to the board prior to start of construction, a copy of a survey verifying the location and width of the second curb cut.
- 4) The applicant shall coordinate culvert installation with Stratton's Road Foreman.

Final Dimensional Waiver Decision by Zoning Board of Adjustment:

Approved: Tom Montemagni 10/18/22
 Tom Montemagni, ZBA Chair Date

Permit Report reviewed and Final Approval granted:

Ray Harkopf 10/18/22
 Zoning Administrator Date

Right to Appeal:

ZBA or Planning Commission decisions may be appealed to the Environmental Court. Appeals must be submitted to the Environmental Court within 30 days after a written decision has been issued.

Vermont Superior Court, Environmental Division
 32 Cherry Street, 2nd Floor, Suite 303
 Burlington, VT 05401
 Phone: 802-951-1740 - Hours: Monday-Friday, 8:00 AM-4:30 PM

Recording:

(at least 30 days after date of approval – no Appeals submitted)

TOWN OF STRATTON
HIGHWAY DEPARTMENT

ROAD CROSSING AND ACCESS
PERMIT APPLICATION

This Permit applies to the Town Right-Of-Way only.
An additional Zoning permit may be required for this project.

Owner's / Applicant's Name, Address, & Phone # Geoffrey Stempfled
P.O. Box 234, Londonderry, VT 05148 802 824 5115
Co-Applicant's Name, Address & Phone # (if different from above) Halbert Coleman
Rte. 30, Jamaica, VT
The location of work (Town, Highway route, distance to nearest mile marker or intersection & which side) 234 Mountain Rd., Stratton VT
320 ft. South of County Rd., West side of road.
Description of work to be performed in the highway right-of-way (attach sketch) New driveway entrance

Is a zoning permit required? YES NO - If yes, # _____

Is an Act 250 permit required? YES NO - If yes # _____

Other permit(s) required? YES NO - If yes name and # of each _____

Date work expected to begin Fall 2022 (Use additional sheets if necessary) _____

Owner/Applicant Geoffrey Stempfled _____

Signature [Signature] Date 8/16/22

Co-Applicant Halbert Coleman _____

Signature [Signature] Date 8/16/22

All work shall be accomplished in accordance with the attached plan dated 8/16/22

[Applicant - Do Not Write Below This Line]

PERMIT APPROVAL

(to be filled out by direction of the Select Board):

Description of Work Authorized by this Permit (include Special Conditions / Directions)

Conditions: 1) This property is within the Town's Greenbelt zone. Final approval is contingent on receiving a waiver / approval from ZBA / Zoning Admin.
2) Culvert installation shall be coordinated with the Road Foreman.

This work is subject to the restrictions and conditions of Stratton's ROAD CROSSING AND ACCESS ORDINANCE.

Date work is to be completed _____ 20 _____

Approved / Denied

[Signature]

[Signature]

Board of Selectmen

Date 8/22/2022

No work shall be performed under this permit until the owner / applicant has contacted the Stratton Road Foreman at _____ (If no response, contact the Town Garage at 896-6224 or the Town Office at 896-6184 during normal working hours).

TOWN OF STRATTON
Application for a Zoning Permit

Permit # 080046-A

Address of Property: 234 Mountain Rd, Stratton Zone: _____ Parcel # 0800046
 Name of Applicant: Geoffrey Steinfeld (Owner) Agent (Circle one)
 Mailing Address: P.O. Box 234
Londonderry, VT 05148 Phone #: 802 824 5115

**Does landowner own adjoining property? If so, please explain: NO

Existing Use: raw land

Proposed Use: Residential Commercial _____ Industrial _____ Professional _____ Agriculture _____
 Project Description: install curb cut at north end of property

Dimensions of proposed building or addition (length, width, height and total square footage):
N/A

(Attach a detailed floor plan of all structures.)
 Lot size: Acres 7.22 Road frontage: 718 feet Height (see Zoning for criteria) N/A feet
 Setback from: Road right of way: _____ feet Rear property line: _____ feet
 Left Side property line: _____ feet Right Side property line: _____ feet

A general plot plan showing the boundaries, dimensions, and area of the lot and existing and proposed buildings must be provided on a separate page. Three copies of a more detailed site plan and project description are required for projects requiring Site Plan Review or requiring a Waiver or Variance.

By signing this application, the applicant and owner agree to: 1) adhere to the Stratton Zoning Bylaws available at the Stratton Town Office or at www.townofstrattonvt.com. 2) adhere to applicable State and Federal requirements (Visit the State Permit Assistance website www.anr.state.vt.us/dec/ead/pa/index.htm.) 3) Follow VT Bldg Energy Standards www.ecodes.biz/ecodes_support/Free_Resources/2011Vermont/11Vermont_main.html. 4) Allow the Zoning Administrator access to the property for inspections; and 5) allow the Listers (Assessors) or their representative access for property appraisal purposes. The applicant is responsible for obtaining all other required permits or following guidelines, including but not limited to: LOCAL: Road Access, Separate Zoning permits for infrastructure, Signage, Subdivision, Automatic Fire Alarm and Security Gates. STATE: Act 250, Access to State Highways, Water/Wastewater, Storm water runoff, Subdivision, Fire Safety. Property located at elevations above 2500 ft require Act 250 consideration.

I swear under the pains and penalties of perjury that all information submitted with this application is true to the best of my knowledge and belief.

Applicant's Signature: [Signature] Date: 8/23/22
 (Agents must provide a letter of permission signed by the Owner)

ZONING APPLICATION FEE SCHEDULE

\$ <u>20.00</u> (\$20.00 for first \$10,000.00 cost)	Builder's estimate \$ <u><10,000.00</u>
\$ _____ (\$5.00 for each additional \$10,000.00 or fraction thereof.)	Sub. Contractors \$ _____
\$ <u>15.00</u> (\$15.00 / page recording fee)	Land Preparations \$ _____
\$ <u>35.00</u> (\$35.00 - 911 processing fee) (911 fee for main building only)	TOTAL \$ <u>35.00</u>
\$ <u>35.00</u> Total Fee	

FOR USE BY ADMINISTRATIVE OFFICER

Date Received 8/23/2022 Fee Received 35.00 pcd

Approved Incomplete Forwarded to PC or ZBA (circle one)
 Administrative Officer's Signature: [Signature] Date: 8/23/22

(If routing is not required, N/A the following section, and complete the "Final Status" section)

Zoning Board Hearing Date: 9/28/2022 Date Warned 9/8/2022

Approved / Denied (circle one) Approved Tom Montemagni Date: 10/18/2022
 ZBA Chair

(Return to the Zoning Administrator for further processing)

Planning Commission Hearing Dates: _____ Date Warned _____

Approved / Denied (circle one) N/A Date: _____
 PC Chair

(Return to the Zoning Administrator for further processing)

FINAL STATUS
 Permit Approved / Denied (circle one) Reason if denied _____
 (Attach all applicable paperwork!)

Administrative Officer's Signature: [Signature] Date: 10/18/22
 Rev. 1/20/2019