

TOWN OF MORETOWN

Office of the Zoning Administrator
79 School Street Moretown, Vermont 05660
(802) 882-8237

NOTICE OF PUBLIC HEARING AND AGENDA

PLEASE TAKE NOTICE that the Moretown Development Review Board will hold a public hearing on **Thursday, April 20th, 2023 at 6:30 PM**. The Hearing will be a hybrid meeting with in person attendance at 79 School Street, or via Zoom. Join Zoom Meeting:

<https://us02web.zoom.us/j/87468303745?pwd=ckd4SzBIZ0cwcEwxWGVFdWNQQRZZz09>

Meeting ID: 874 6830 3745 | Passcode: 998733

One tap mobile: +1 312 626 6799 US (Chicago) or +1 929 205 6099 US (New York)

AGENDA

Call To Order

6:30p.m. - Application #23-12: Site plan review of application by Bernardo Silva for the use of an existing accessory structure for Home Based Business in the Commercial District located on property owned by Grow Properties at 2016 US Route 2 in Moretown (parcel ID 02-058.002), citing Moretown Zoning Regulations Sections 3.10 Home Occupation and Section 5.2 Site Plan Review.

Please note, participation in the public hearing is a prerequisite to the right to take any subsequent appeal action.

Approval of Prior Minutes

Correspondence

Other Business

Adjournment

Town of Moretown
DEVELOPMENT REVIEW BOARD

STAFF REPORT by Karen Sauther for Permit Application # 23-12

Application #: 23-12 Land Owner: Grow Properties LLC (Scott Baughman and Lisa Ransom) Applicant: Bernardo Silva Property Address: 2016 US Rte. 2, Moretown VT Parcel Number: 02-058.002 Meeting Date: 04/20/2023 Proposal/Type: Home Occupation Use/Site Plan Review

1) GUIDING ORDINANCE and POLICY PROVISIONS

Moretown Zoning [and Subdivision Regulations](#), as adopted September 14, 1976, and amended **March 7, 2023**:

- a) Section 2.5 Zoning District Uses & Specific Standards
- b) Section 3.10 Home Occupation
- c) Section 5.2 Site Plan Review

2) MATERIALS SUBMITTED

The following materials were received from the applicant:

- a) Zoning and DRB Application Forms (Exhibit A)
- b) Map titled Site Plan, Drawing No. C-1 prepared by Otter Creek Engineering (Exhibit B)
- c) Map titled Impervious Area, Drawing No. SW-1 prepared by Otter Creek Engineering (Exhibit C)
- d) Proof of mailing hearing notification to adjoining property owners (Exhibit D)

3) PROPOSED FINDINGS OF FACT

- a) Parcel is located at 2016 US Rte. 2 and is located partially in the Commercial district and partially in the Preserve district. Application proposed use is entirely in the Commercial district.
- b) The parcel is owned by Grow Properties LLC. The applicant rents and resides on the portion of property relevant to this application.
- c) The application proposes the use of accessory structures for a Home Based Business (Exhibit A). Home Based Business is an allowable use in this district (**Section 2.5**), though operating it in an accessory structure requires site plan review (**Section 3.10(A)(2)**).

- d) Existing accessory structures were permitted in 2017 (permit#17-45), and no structural alterations have occurred.
- e) Map titled Impervious Area Drawing No. SW-1 (Exhibit C) depicts already existing driveway and parking areas. No new drive or parking areas are proposed.
- f) Map titled Site Plan Drawing No. C-1 (Exhibit B) depicts contours, structure locations, right of ways, parcel information, rental property envelope, and setbacks.

4) STAFF NOTES

- a) On April 4th, 2023, applicant was provided a copy of the public hearing notice, a letter for instructions how to notify abutting property owners, and a laminated Red Zoning Permit notice of hearing poster to post visibly at the property.
- b) Notice of the public hearing was properly published. A site plan review hearing requires 7 days advanced public warning. The legal warning for a public hearing of this application was published in the Times Argus April 7, 2023, and posted on the Moretown website, at the Town Office at 79 School Street, at the Moretown post office, and at the Moretown General Store on April 4, 2023. Applicant provided proof of notice to abutting property owners.
- c) It is the opinion of the Moretown Zoning Administrator that the applicant has adequately completed the required application forms and supplied required supporting documentation. The DRB may request additional information in accordance with **Section 5.2**.
- d) Applicable state acts that explain the extent to which the Moretown municipality is allowed to regulate the proposed operation are Act 164, Act 62, and Act 158. An additional resource is the Vermont Cannabis Control Board Guidance For Municipalities June 2022.
- e) It is the responsibility of the landowner to ensure all applicable state permits are identified and obtained for the proposed use.

Respectfully Submitted,

Karen Sauther
Moretown Zoning Administrator

Town of Moretown, Vermont ♦ Zoning Permit

Moretown Town Office ♦ 79 School Street ♦ Moretown, VT 05660
 Zoning and Planning Administrator: 802-882-8237 ♦ Town Clerk: 802-882-8218

Property owner(s) Scott Baughman + Lisa Ransom Grow Properties LLC Phone: 802-793-5568
 Property owner's mailing address 2016 US Rt 2 Moretown, VT 05676 UNIT 1
 Applicant Bernardo Silva Phone: 802-230-5508
 Applicant's mailing address 2016 US Rt 2 Moretown VT 05676 UNIT 2
 Physical location of property (911 address) _____
 Parcel ID number 02-058,002

Describe the proposed structure and its proposed use: Home Occupation use for existing greenhouses

Check one:

Residential
 Commercial
 Other: _____

Check one:

<input type="checkbox"/> New structure	<input type="checkbox"/> Reconstruction
<input type="checkbox"/> Addition to existing structure	<input type="checkbox"/> Change in use: _____
<input type="checkbox"/> Structural alteration	<input checked="" type="checkbox"/> Other: <u>Home Occupation</u>
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Sign: _____

Lot size: 38.2 acres
 Road frontage of lot: 740 ft.
 Setback from the center line of the closest traveled way: 310 ft.
 Setback from rear property line: N/A ft.
 Setback from right property line: 870 ft.
 Setback from left property line: 160 ft.
 Setback from stream or wetland: N/A ft.

Number of stories: N/A stories
 Will there be a basement? N/A
 Will there be a garage? N/A
 Number of bedrooms: N/A
 Maximum height of structure: N/A ft.
 Size of structure: N/A ft. by N/A ft.
 Total area of structure, including basement, garage, and all enclosed space: N/A sq. ft.

Please attach a site plan showing the information listed on page 2. Application will be deemed incomplete until ALL information is received and legible.

I hereby represent, that to the best of my knowledge, the information provided in this application is true and correct.

Scott M. Ruff
 Owner's signature (required)

April 3 2023
 Date

Bernardo Silva
 Applicant's signature

 Date

Office use only

Permit number 23-12
 Date received 4/4/23
 Date deemed complete 4/4/23
 Fee paid \$50.00 zoning + \$15 recording
 Zoning district Commercial
 Flood Hazard Zone n/a
 Curb cut required no

Action:
 Approved Date _____ Permit Valid Date _____
 Denied Date _____ Permit Expiration Date _____
 Referred to: DRB Date 4/4/23
 Related applications: 23-12 DRB application

Zoning Administrator's signature _____
 Notes and conditions: _____

Town of Moretown, Vermont ♦ Development Review Board Application

Moretown Town Office ♦ 79 School Street ♦ Moretown, VT 05660

Zoning and Planning Administrator: 802-882-8237 ♦ Town Clerk: 802-882-8218

Property owner(s) Scott Baughman + Lisa Ransom (Grow Properties) Phone: 802-793-5568

Property owner's mailing address 2016 US Rt 2 Moretown, VT 05676 UNIT 1

Applicant Bernardo Sitar Phone: _____

Applicant's mailing address 2016 US Rt 2 Moretown, VT 05676 UNIT 2

Physical location of property (911 address) _____

Parcel ID number 02-058002

Proposed development or conditional use requested: Home Occupation Use for existing Greenhouses

Check one:

Residential

Commercial

Other: _____

Check all that apply:

<input type="checkbox"/> Setback waiver	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Variance	<input type="checkbox"/> Change to a non-complying structure or non-conforming use
<input type="checkbox"/> Accessory apartment	<input type="checkbox"/> Other conditional use or site plan review: _____
<input checked="" type="checkbox"/> Home occupation	
<input type="checkbox"/> Appeal to board decision	

For Subdivision Applications:

Total acreage of the parcel to be subdivided: _____

Total number of lots after the subdivision: _____

Acreage of each lot after the subdivision: _____

Existing building(s) located on lots to be subdivided: _____

For All Applications:

Describe the type of structure(s): Existing Greenhouse

Is the structure involved in this application new or existing: Existing

Describe the proposed use(s) of the structure(s): Cultivation

Lot size: 38.2 acres Number of building(s) presently on site: 8

Square footage of proposed use: 1450 sqft

Include materials listed in Section 5.1 and 6.2(B) of the Moretown Zoning Regulations with this application.

Additional subdivision application requirements are found in Table 5.1

I hereby represent, that to the best of my knowledge, the information provided in this application is true and correct.

Scott Baughman
Owner's signature (required)

April 3 2023
Date

Bernardo Sitar
Applicant's signature

Date

Office use only

Permit number 23-12

Date received 4/4/23

Date Deemed Complete _____

Fee paid \$275 DRB fee

Zoning district Commercial

Flood Hazard Zone n/a

Applicable ordinance sections:

3.10 Home Based Business

5.2 Site Plan Review

Notes & Conditions: _____

Action:

Approved

Date _____

Date permit is valid _____

Denied

Date _____

Date permit expires _____

Referred to DRB

Date 4/4/23

Related applications Zoning app 23-12

Date of DRB hearing 4/20/23

Date of Notice of Decision _____

Zoning Administrator's signature _____

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GROW PROPERTIES LLC
2016 US ROUTE 2
WATERBURY, VT, 05676

02-058.00
2

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1954 US ROUTE 2
WATERBURY, VT,
05676

FORKEY ROBERT A SR, FORKEY PAMELA J
1922 US ROUTE 2
WATERBURY, VT, 05676

NADEAU PAUL A. & SUSAN LIFE ESTATE,
1900 US ROUTE 2
WATERBURY, VT, 05676-9045

QUIGLEY CEILI, DEVECCHIO DAVID
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WATERBURY, VT, 05676

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