



Town of Rockingham

Planning – Zoning - Health
Charles H. Wise, Jr.
Planning-Zoning Administrator
Health Officer

Town Hall, 7 Square
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Voice: (802) 463-1229 Fax: (802) 463-1227
planning@rockbf.org

July 12, 2016

David and Patricia Lillie
1292 Brockway Mills Road
Springfield, VT 05156

Dear Mr. and Mrs. Lillie;

I have enclosed an administrative decision and a zoning permit sign that I want you to display on your property until the 28th of July (there are instructions on the sign). I may be suffering from an overabundance of caution, but I want my decision to be official and binding. If someone decides to appeal your building and kombucha enterprise, I want this discussed now as opposed to it coming to light during the construction phase.

An appeal must be based on my determination of a farm building and agricultural operation. The appellant will need to submit the appropriate forms, pay the zoning fees, and present their case to the Zoning Board of Adjustment. If nothing happens in 15 days, my decision becomes final and binding.

Mr. Vollers is one of the best attorneys practicing in the region. I applaud his decision to approach me early on in the process. For future reference and with or without Mr. Vollers, I commend you all to do this if you are considering growing your farm/business. All questions and advice is given freely and with confidentiality until such time as you provide a formal zoning application.

Please don't hesitate to contact me with questions or concerns.

very kindly yours,

Charles H. Wise Jr.

To: David and Patricia Lillie | 12 Tuttle Road | | Parcel ID 03-0041300
Applicant: Lillie Trust
Date: July 12, 2016
RE: ADMINISTRATIVE DETERMINATION – AGRICULTURAL ZONING EXEMPTION

Summary

Applicant seeks to construct a building for the purpose of producing a beverage called kombucha. The product is created on-site using well-water, vegetable products, and other inputs either generated on the farm or commercially-procured.

Findings

Lillie Brook Farm is specifically identified in the 2016 Rockingham Town Plan as a diversified farmstead under the Agricultural Resources Chapter.

While kombucha is not a traditional-Vermont type agricultural product, it conforms to the state's accepted agricultural practices (AAP). The key definition in the AAP is that this product is principally-produced at Lillie Brook Farm.

The construction of a building for this agricultural product qualifies as a farm structure which limits the application of local zoning regulations.

Decision

Constructing a farm building for kombucha production is exempted from municipal regulations and does not require a zoning permit.

Appeal

An interested person may appeal a decision of the Zoning Administrator to the Zoning Board of Adjustment. An appeal must be taken within 15 days of the date of the Zoning Administrator's decision. After the 15 day period, the decision becomes final.

Charles Wise
Zoning Administrator

12 July 2016
Date

Cc: Town Clerk ___, Applicant ___, Posted ___, Listers ___, Web _____

Town of Rockingham

ZONING PERMIT

PERMIT # 31-AGRI-16 PARCEL # 03-0041300

PERMITEE: Lillie Trust

LOCATION: 12 Tuttle Road

DESCRIPTION:

Agricultural exemption
Farm building - no permit
required

APPEAL BY 28 July 2016

Charles Wise 12 July 2016

ADMINISTRATIVE OFFICER

DATE ISSUED

POST IN A CONSPICUOUS PLACE ON THE PREMISES WHERE IT IS VISIBLE FROM THE ROAD THROUGH THE APPEAL PERIOD.

Issued by the Town of Rockingham. Approval valid 15 days from the date signed unless an appeal is filed. For more information, please email planning@rockbf.org.