

**NOTICE OF ACTION OF THE PLANNING COMMISSION
TOWN OF ROCKINGHAM, VERMONT**

INTRODUCTION:

Application #4238-16 is for a garage/shed that requires approval under Section 2600 of the Rockingham Zoning Bylaws. The property is owned by Sean and Joan Campbell. The property is located on 615 Rockingham Hill Road in the Rural Residential 1 zoning district.

This Notice of Action is produced by the Rockingham Planning Commission. The Notice of Action is presented in separate sections called; Introduction, Findings, Conclusions, and Decision.

In making its decision, the Planning Commission held two public hearings on April 20, 2016 and May 25, 2016 to collect testimony from the Town of Rockingham staff, testimony from the property owners, written testimony from Vermont Academy, and to review the zoning application and appended materials.

This Decision with attachments is filed with the Town Clerk's office and Planning & Zoning's digital land use records.

FINDINGS:

- F1. The applicants submitted a zoning application for the construction of a garage/shed accessory building at 615 Rockingham Hill Road located within the Rural Residential 1 zoning district. The garage/shed is 24 x 32 feet with a total square footage of 768 feet. The garage/shed has a 14.5 x 5 foot breezeway connecting this building to the existing house.
- F2. The garage/shed meets the minimum side and rear property setbacks on this +/- 20 acre parcel. The applicants must encroach upon the 50 foot required front setback.
- F3. The siting of the garage/shed reflected certain topographic constraints as stated by the applicants. The property slopes downward from the roadway. The slope of the land has not been altered by the applicants and at that location once existed a barn which directly fronted the roadway. The barn burned circa 1967 and was not replaced. The garage/shed is located as to improve the functionality of the building, facilitate ease of access to the existing house, minimize the need for infill and drainage improvements, and reduce impacts to the agricultural lands located directly behind the existing house and proposed garage/shed. The existing driveway would be used to access the new garage/shed.
- F4. Within the Town of Rockingham, the required front setback is measured from the edge of the dedicated street line. The street line is considered to be 25 feet from the center of the dedicated right-of-way (or road centerline). The front yard setback shall be measured from the edge of the dedicated street line.
- F5. The circa 1830s house encroaches upon the required front setback. The house was constructed prior to the enactment of the Rockingham Zoning Bylaws. The house is

- approximately 11 feet from the dedicated street line. The house is defined as a nonconforming structure as outlined in Section 2600 of the Rockingham Zoning Bylaws.
- F6. The garage/shed is proposed to be 4 feet back from the house frontage or located 15 feet from the dedicated street line. The required minimum front setback requirement in the Rural Residential zoning district is 50 feet. The necessary encroachment into the front setback is measured at 35 feet.
- F7. Under Section 2600 (2) of the Rockingham Zoning Bylaws, nonconforming structures may continue indefinitely. Changes to a nonconforming structure can be approved by the Planning Commission provided that those changes have no greater detrimental effect on the neighborhood or abutting properties.

CONCLUSIONS:

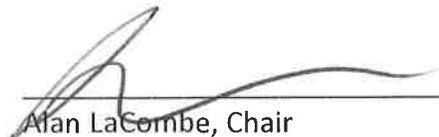
The Planning Commission shall base its decision on a nonconforming structure alteration by applying the relevant factors listed in Section 2600 (II) of the Rockingham Zoning Bylaws. The Planning Commission finds that:

- C1. The garage/shed has no impacts on abutters and the neighborhood.
- C2. The location of the garage/shed maximizes the continued use of the abutting agricultural lands.
- C3. The garage/shed location allows this structure to be efficiently connected with and to provide service to the existing house.
- C4. The location of the garage/shed minimizes stormwater drainage towards the existing house or onto the abutting agricultural lands.

DECISION:

Based upon the Findings and Conclusions, the Planning Commission approves the request to construct a garage/shed located at 615 Rockingham Hill Road.

Approved by the Planning Commission on June 22, 2016.



Alan LaCombe, Chair
Planning Commission

Planning Commission members approving decision:

Alan LaCombe, Patrick Moyna, Vincent Cherico, Renee Vondle, Kath Martin

Copies to:

Applicants (Certified Mail) ____, Town Clerk ____, Posted ____, Webpage ____

Appeals:

Interested persons have the right to appeal this decision to the Vermont Environmental Court within 30 days of the date this decision is issued (24 V.S.A. §4471). The decision becomes final after the appeal period has passed (24 V.S.A. §4472).

Applicant vacation -
February 9 first half
March

Application # 4238-16

sjmscamp@vermontel.net TOWN OF ROCKINGHAM
APPLICATION FOR ZONING PERMIT

Date filed: <u>2-9-16</u>	(OFFICE USE ONLY)
Fee Paid: <u>yes</u>	Applicant: <u>Sean + Joan Campbell</u>
Zoning District: <u>RR-1</u>	Owner: <u>same</u>
Referred to:	Parcel Map#: <u>10-0050615</u>
<input checked="" type="checkbox"/> Planning Commission	W/in 100 yr. floodplain? <u>no</u>
<input type="checkbox"/> Board of Adjustment	W/in Regulated Wetland? <u>no</u>
Date: <u>2-9-16 for 4-20-16</u>	PLOT PLAN ATTACHED & APPLICATION COMPLETE ()

COMPLETE ALL ITEMS OR APPLICATION WILL BE RETURNED. COMPLETE IN INK. DO NOT USE PENCIL.
NO CONSTRUCTION OR USE IS TO BE STARTED WITHOUT AN APPROVED PERMIT. IF CONSTRUCTION OR USE BEGINS
WITHOUT A PERMIT, A LATE FEE (See Fee Schedule Information) IS ASSESSED.

PART I
(ALL APPLICANTS MUST COMPLETE Part I)

Owner & Applicant Information

- PROPERTY OWNER(s) Names Sean P. + Joan H. Campbell
(List Names of all Property Owners as shown on deed.)
Mailing Address: P.O. Box 318 Saxtons River, VT Zip Code 05154
Tel. No.: (Daytime) 802-869-2797 (FAX) _____ Email: sjmscamp@vermontel.net
- APPLICANT(s) Names: Sean + Joan Campbell
(If different than Landowners)
Mailing Address: P.O. Box 318 Saxtons River, VT Zip Code 05154
Tel. No.: (Daytime) 802-869-2797 (FAX) _____ Email: sjmscamp@vermontel.net
- Contact Person: Sean Campbell (Daytime Tel.) 802-869-2797

Property Information

- PROPERTY LOCATION: Street Number 615 Street Name Rockingham Hill Rd
- Property Owner's Deed is recorded in Book 188 Page 115 Date of Sale 10/28/1980
(Information available in Town Clerk's Office)
- Is this lot recorded on a survey or subdivision map in the Town Clerk's Office? Yes No.
If yes, provide Book _____, Page _____, and Date Recorded _____
- DIMENSIONS of LAND:
Area of Lot: 20 +/- acres (Square Feet or Acres)
Lot Frontage on Road/Right-of-way 1625 +/- ft. Lot Depth (front to rear) 778 +/- ft.

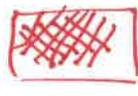
4238-16



Google earth



Campbell
615 Rockingham Hill Rd

 proposed site

43° 08' 55.51"
72° 30' 23.76"

4238-16

From: sjmscamp@vermontel.net
Subject:
Date: February 22, 2016 at 1:12 PM
To: sjmscamp@vermontel.net

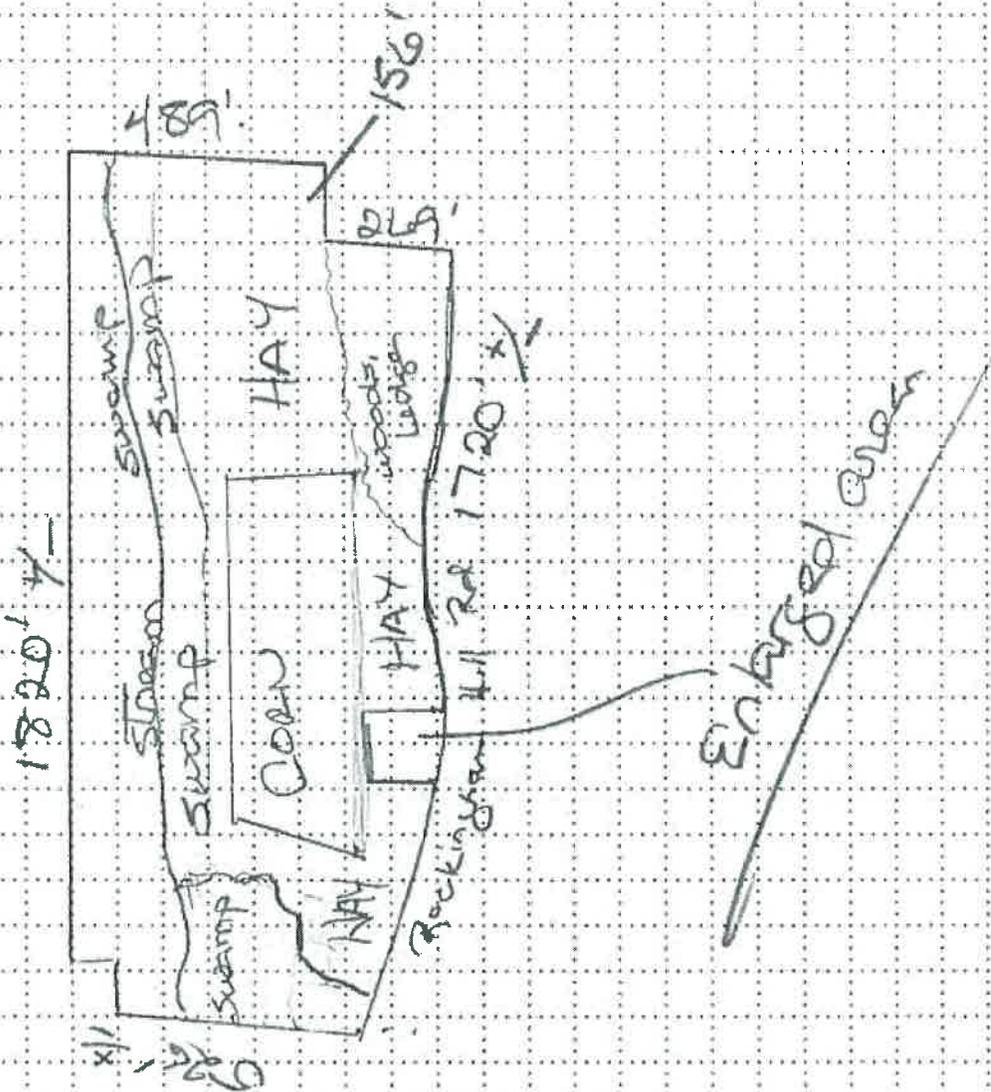


Historic Photo of property

From the workbench of:

Date:

4238-16



CAMPBELL
20.5 Rockingham Hill



From the workbench of:

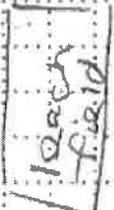
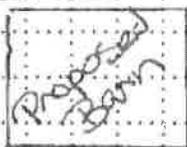
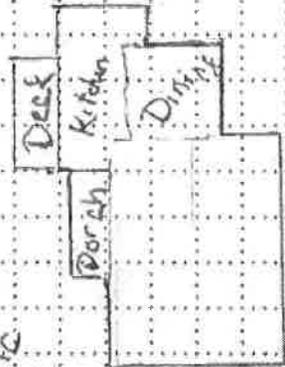
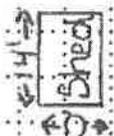
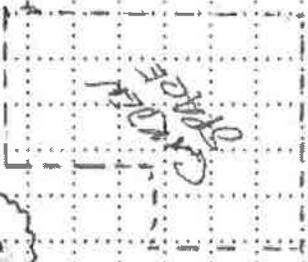
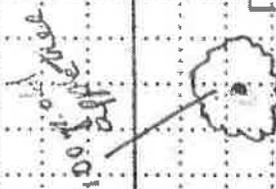
Date:

4.23.8-16



HAY MOWING

CORN FIELD



Rockingham Hill Rd 1931 Rockingham Hill Rd

CAMPBELL
615 Rockingham Hill

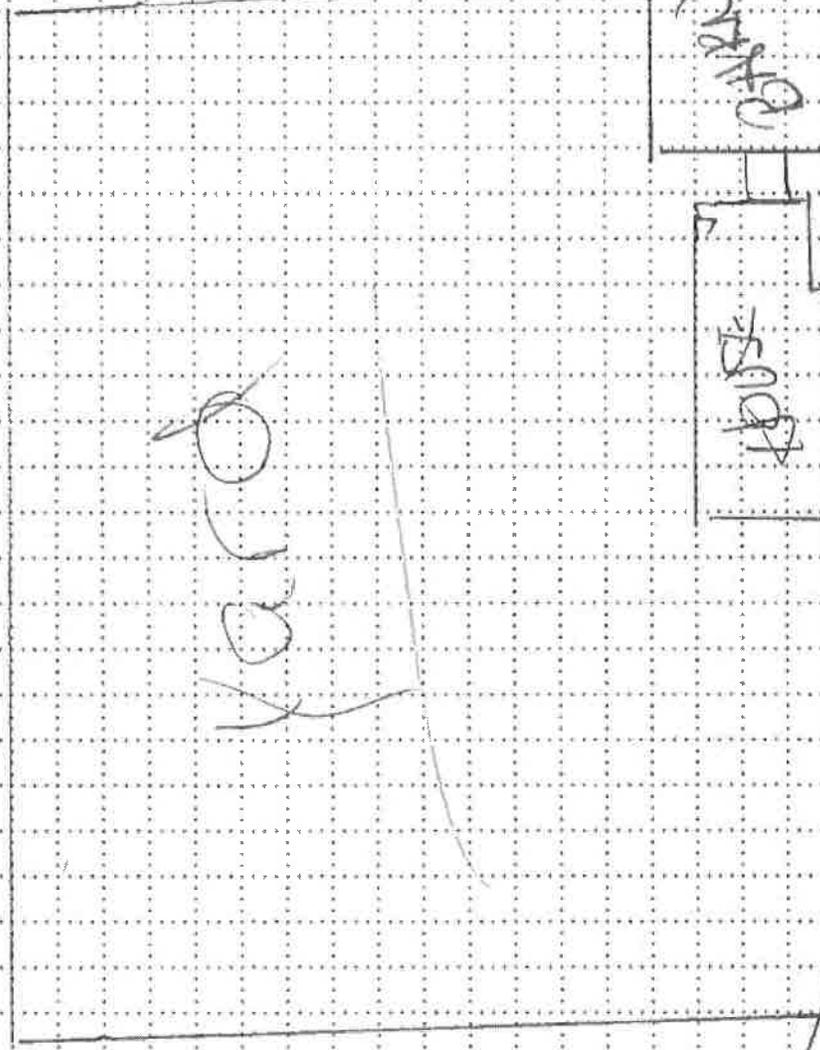
Drummond
Prof

From the workbench of:
Date:

Campbell
Dec 1967

Column

HALL



HALL

Rockingham Hill Rd 193

900000

Feb 23 - Mar 20
approx ----- March 23rd

Sean & Joan Campbell
615 Rockingham Hill Road
Saxtons River, VT 051544

Rockingham Zoning Board
Town Hall, P.O. Box 370
Bellows Falls VT 05154

Please find attached an application for the construction of a barn/garage to be attached to our home on Rockingham Hill Road. Our home was built in approximately 1830 as part of an early farm in the town and like many farms was built right next to the road. The original barns were literally built to the road's edge but burned to the ground in 1967. The house, attached to the barns was saved by the local fire departments. As such our home is a non-conforming structure under current zoning regulations with a corner of the house only 36 feet from the centerline of Rockingham Hill Road. We are asking for a permit to allow construction of a barn/garage connected by a breezeway to the house in a manner that does not increase the non-conformity. In fact the barn will be further back from the centerline than the house but still not meeting the set back standards of current RR1 zoning.

Obviously we are aware of the larger nature of the lot our home is on but as we get older the opportunity to move from the home to the cars in the barn and vice-versa will become increasingly important to us. Further, for the 35 years we have owned the home we have taken pride in sharing our acreage with local farmers. Even today our acreage is used to grow hay and cattle corn. We would like to make maximum usage of the property surrounding the house and to limit the intrusion on the rest of the land to facilitate the ongoing farming activity.

Finally, we will be out of town in late February and a significant portion of the first half of March and so would ask that any hearing required be scheduled for your late March meeting or April meeting. Thank you for your consideration

Sean and Joan Campbell



Vermont Academy

April 15, 2016

This letter is the response to a notice we received on April 12th from the Planning Commission regarding Garage-Shed Project and a Waiver to Front Setback on 615 Rockingham Hill Road. As this property's abutter we don't have any problems, limitations, or concerns for Mr. and Mrs. Sean Campbell to proceed with their building project. Please use this letter for a planned public hearing as the Academy's final comment.

Please let me know if there are any questions.

Sincerely,

Inessa S. Muse

Business Manager

Vermont Academy

802-869-6218

Town of Rockingham

ZONING PERMIT

PERMIT # 4238-16 PARCEL # 10-0050615

PERMITEE: Sean + Joan Campbell

LOCATION: 615 Rockingham Hill Rd

DESCRIPTION: Garage/shed addition

APPEAL BY July 7, 2014

Charles Wise 6/22/2014
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.