

**NOTICE OF ACTION OF THE PLANNING COMMISSION AND ZONING BOARD OF ADJUSTMENT  
TOWN OF ROCKINGHAM, VERMONT**

**INTRODUCTION:**

Application #4250-16 is for the Blake Street Garage site improvements that requires conditional use approval under Section 1413 and non-conforming structures approval under Section 2600 of the Rockingham Zoning Bylaws. The property is owned by the Bellows Falls Village Corporation and leased to the Town of Rockingham. The property is located on 19 Blake Street in the Residential 7 zoning district.

This Notice of Action is produced by the Rockingham Planning Commission and Zoning Board of Adjustment. The Notice of Action is presented in separate sections called; Introduction, Findings, Conclusions, and Decision. In making its decision, the Planning Commission and Zoning Board of Adjustment held public hearings on June 22, 2016, July 27, 2016, and August 17, 2016 to collect testimony from the Town of Rockingham staff and to review the zoning application and project plan sheets. The Notice of Action, along with the application and plan sheets, is filed with the Town Clerk's office and Planning & Zoning's digital land use records.

**FINDINGS:**

- F1. As shown on the project plans, the applicant submitted an application for three different projects.
  - (1) Construct a new three-faced enclosed shed for residents to load sand and salt (listed in the plan sheets as a sand shed)
  - (2) Enlarge an existing salt shed for added storage capacity
  - (3) Install 4 storage containers within an existing outside storage area
- F2. The project does not involve changes to the driveway, parking, or lighting.
- F3. The project does propose installing vegetative screening between Blake Street and the storage containers. The evergreen screen is installed behind the containers to block the site line from the traveling public. Landscaping and site lines are noted on the plans.
- F4. The project does not involve changing public access of the salt/sand shed, altering municipal operations, or impacting employee use of this facility.
- F5. The front setback is 40 feet from the edge of the public right-of-way. The setback and right-of-way are a total of 56 feet from road centerline.
- F6. The existing sand shed is within the front yard setback. The proposed shed is a smaller structure, placed on the south-side of the existing building footprint, rendering it a less non-conforming structure. Maintaining the shed at this location allows residents to easily access the shed to load sand or salt. The close proximity to the public road is convenient and safe and it does not conflict with municipal maintenance operations further up the driveway. The shed allows public access at all hours while the rest of the Blake Street garage and facility can restrict access for security purposes.
- F7. These additions all allow for more municipal equipment, materials, and supplies to be stored under cover for municipal operations and public use.
- F8. Section 3150 (reference to VSA, T.24, S.4413) limits zoning regulations on public/municipal facilities to regulating location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise,

lighting, landscaping, and screening. Local regulations are allowable insofar as they do not interfere with the functional use of the Blake Street municipal facility.

**CONCLUSIONS:**

The Zoning Board of Adjustment shall base its decision by applying the relevant criteria allowable under Section 3150 Public Use Exemptions of the Zoning Bylaws. The Zoning Board of Adjustment finds that:

- C1. There are no change of uses that alter existing traffic, parking, or noise generation.
- C2. The storage containers require landscaping and screening. The use of an evergreen shrub line adequately blocks visibility from the public road and meets those standards. The evergreen shrub line must be maintained to permanently screen the containers from the public right of way. This screening meets the criteria established in Section 3400 of the Zoning Bylaws.
- C3. The enlargement of the salt shed and addition of storage containers conform to the allowable setbacks. The construction of a new three-faced enclosed shed violates the front property setback.

The Planning Commission shall base its decision by applying the relevant criteria allowable under Section 2600 non-conforming structures of the Zoning Bylaws. The Planning Commission finds that:

- C4. The three-faced enclosed shed violates the front property setback and is defined as a non-conforming structure. The shed does not increase the level of non-compliance as a structure nor does the structure increase the detrimental impact to the neighborhood or abutting properties under the review criteria listed in Section 2600 Section 2 (II).

**DECISION:**

Based upon the Findings and Conclusions, the Planning Commission and Zoning Board of Adjustment approves the request for site improvements located at 19 Blake Street.

Approved on September 28, 2016.

  
\_\_\_\_\_  
Alan LaCombe, Chair  
Planning Commission

**Planning Commission members approving decision:**

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

**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).

**Copies to:**

Applicants (Certified Mail) \_\_\_\_, Town Clerk \_\_\_\_, Posted \_\_\_\_, Webpage \_\_\_\_, Listers \_\_\_\_

**TOWN OF ROCKINGHAM  
APPLICATION FOR ZONING PERMIT**

(OFFICE USE ONLY)	
Date filed: <u>16 May 2016</u>	Applicant: <u>Town of Rockingham/BFVC</u>
Fee Paid: <u>N/A</u>	Owner: <u>Town of Rockingham/BFVC</u>
Zoning District: <u>Residential 14/7</u>	Parcel Map# <u>15-3830010</u>
Referred to:	W/in 100 yr. floodplain? <u>no</u>
<input checked="" type="checkbox"/> Planning Commission <u>Site Plan / Conditional Use</u>	W/in Regulated Wetland? <u>no</u>
<input type="checkbox"/> Board of Adjustment _____	
Date: <u>15 June 2016</u>	<b>PLOT PLAN ATTACHED &amp; APPLICATION COMPLETE ( )</b>

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 Town of Rockingham / BFVC  
(List Names of all Property Owners as shown on deed.)  
Mailing Address: PO Box 370 Zip Code 05101  
Tel. No.: (Daytime) 463 3456 (FAX) — Email: manager@rocksf.org
- APPLICANT(s) Names: Same  
(If different than Landowners)  
Mailing Address: Same Zip Code Same  
Tel. No.: (Daytime) Same (FAX) — Email: Same
- Contact Person: Chip Stearns (Daytime Tel.) 463 3456

**Property Information**

- PROPERTY LOCATION: Street Number 19 Street Name Blake Street
- Property Owner's Deed is recorded in Book — Page — Date of Sale —  
(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: 60.22 Acres (Square Feet or Acres)  
Lot Frontage on Road/Right-of-way 850+ ft. Lot Depth (front to rear) 2500 +/- ft.

**Use of Property Information**

8. CURRENT USE: Describe What the Property Is Used for Now. If there is more than one use, describe them all.  
Residential: Single-family ( ) Two-Family ( )  
Multiple-family ( ) Number of Apartments \_\_\_\_\_

Describe:  
Commercial ( ): \_\_\_\_\_

Industrial ( ): \_\_\_\_\_

Other (X): Public Facility

9. PROPOSED USE

Residential:  
Single family ( ) Multiple-family ( ) Number of Existing Apartments: \_\_\_\_\_  
Two-family ( ) Number of Proposed Apartments: \_\_\_\_\_  
Total Number of Apartments: \_\_\_\_\_

Non-residential: Describe the Products You Will Be Making and Activities You Intend to Conduct.  
Commercial ( ) \_\_\_\_\_

Industrial ( ) \_\_\_\_\_

Other (X) Public Facility

10. What, if any, Current Uses Will Continue ( List): garage will continue

11. Prior Zoning Permits. Has this parcel of land been the subject of any prior Town Zoning Permits or Subdivision Permits? If yes, indicate for what: \_\_\_\_\_  
\_\_\_\_\_

**Proposed Construction Activity**

12. New Construction (X) Describe Briefly ① New shed/enclosure ② Expand shed ③ cold storage Addition

Remodeling/Addition ( ) \_\_\_\_\_

Has construction started? \_\_\_\_\_ Yes X No. Describe: \_\_\_\_\_

For property within the **Design Review & Historic Districts**, see Part III for additional information to submit with application.

13. Residential: Current Number of Bedrooms \_\_\_\_\_ Number of bedrooms after remodeling/addition: \_\_\_\_\_

14. Approximate Construction Costs: \_\_\_\_\_

15. SIZE OF PROPOSED STRUCTURE OR ADDITION: Width \_\_\_\_\_ ft. Length \_\_\_\_\_ ft.

Height \_\_\_\_\_ ft.

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**Plot Plan**

16. **PLOT PLAN:** All applications must provide a plot plan of the property, drawn to scale. Graph paper is provided for drawing a plot plan. If the graph paper is too small, please use a larger sheet. If you have a survey of the property, this may be used and is preferred.

**PLOT PLAN ATTACHED** (✓). Please check to indicate that the following information is shown on the plot plan. If the information is not complete, the application will be returned.

**Required of All Applications:** (See example on pg. 2 of Information Sheet)

- a. (✓) Property lines of the Lot where the project is located
- b. (✓) Adjacent roads or streets and names and sidewalks
- c. (✓) Location, size and shape of any existing or proposed structures, including porches, decks, pools, fences, and accessory structures
- d. ( ) **MEASUREMENTS from existing and proposed structures to Lot lines, Road Center, Sidewalks**
  - (✓) TO FRONT LOT LINE 58 ft. TO ROAD CENTER 70 ft.
  - (✓) TO SIDE LOT LINES N/A ft. N/A ft.
  - (✓) TO REAR LOT LINE N/A ft.
- e. (✓) Driveway Location and Width, and whether paved or unpaved. *Existing driveway will not change*
- f. (✓) Parking Spaces. Show all parking spaces, and whether paved or unpaved. Indicate each parking space individually by lines. Each space is required to be 9 ft. X 22 ft. Show parking for employees, customers, and deliveries, if applicable.
- g. (✓) All rights-of-way and/or easements
- h. (✓) Indication of the plan's scale (example 1" = 20 ft.)
- i. (✓) Arrow showing North.

**Required for Home Businesses, Multi-family Residences, All Non-residential Uses.**

- j. *N/A* (✓) Landscaping. Show lawn area, trees, bushes, planters, etc. Show trees and other landscape features which are to be installed, removed or changed by the proposed work. The size at planting and type of landscape material must be noted on the plan.
- k. *N/A* (✓) Exterior Lighting. Existing and Proposed. The location, height, intensity, and bulb type of all external lighting fixtures.
- l. *N/A* (✓) Service Area Locations such as trash storage, fuel tanks, mechanical equipment, and other outside storage.
- m. *N/A* (✓) Screening of waste storage areas, condensers, etc. Show height, and what type of screening will be utilized and location.
- n. *N/A* (✓) Drainage Patterns and natural features on site (e.g. steep banks, swales, waterways etc.). Show plans for drainage control and existing drainage structures and flow.
- o. *N/A* (✓) Traffic Circulation. Show ingress and egress and interior traffic circulation pattern.

- p. (✓) Loading areas
- q. (✓) Pedestrian walks
- r. (✓) All changes to the physical features of the site. Include soil removal or filling areas.

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**Signatures**

**Signatures:** All Landowner(s) and Applicant(s) must sign the application.

By signing below, I certify that all information on this application and all supporting forms, plans, and documents are true and accurate and agree that, if any such information is found to be false or misleading, any permit or other approval granted on the basis of such information shall be deemed null and void.

Property Owner(s) Signature(s) Willis D. Starnes II Date: 5-26-16

Applicant(s) Signature(s) Willis D. Starnes II Date: 5-26-16

**PART II**

To be Completed by All Non-residential Uses, including Home Occupations, and Home Businesses

1. **Exterior Alterations.** Describe what exterior alterations will be made to the building.  
Primary garage remains unchanged, site changes only

2. **Business Area.** Provide square footage of the area which your business will occupy:  
N/A

3. **Living Area.** (if applicable). Home Occupation or Home Business - Total square footage of YOUR living area:  
N/A  
Include total living area, but do not include unoccupied attics, basements, sheds, garages, etc.

4. **Restaurant Use** (if applicable)      Number of existing seats: N/A  
Number of proposed seats: N/A  
Total Number of Seats: N/A

5. **Days/Hours**  
Describe your regular schedule of operations. List specific days of the week.  
Days: Monday - Friday      Hours: 7-5 pm (approx)  
Do you operate for any time before opening to the public?  
Explain: NO

6. Will there be special seasons with extended days and/or hours of operation? If yes, please describe:  
NO

7. **Number of employees:** (including owners and part-time)  
At Time of Application      Full Time      Part Time  
Anticipated Expansion      /      /      *property used by municipal staff*  
Number of Shifts: —      Number of Employees per Shift: —

8. **Traffic Projections.** What is the anticipated traffic now and in the future? Describe the time of arrivals and departures, type of vehicles, including waste haulers and delivery and shipping.  
Estimated Number of One-way Trips (entering or leaving the site), including employees:  
Cars:      Peak Hour Total      Daily Total  
Light trucks & vans      /      /  
Trucks more than one ton      /      /      *property used for municipal operations*

9. **Number of vehicles** owned by and used in the business. —  
(Do not include employee vehicles)      *Trip generation will remain unchanged*

Will there be any outside storage of business vehicles? N/A. If yes, describe and show location on the plot plan.

10. **Trash Storage.** Will trash storage be        inside        outside.  
 How will the trash storage area be screened?        *yes, screening is vegetation cannot be seen from public road*  
 Show trash storage location and screening on plot plan. *Trash area remains unchanged but show on map sketch*

11. **Outside Storage.**  
 Will there be any outside storage of materials?        *yes*. If yes, describe and show the location on the plot plan.  
       *Outside storage already permitted*  
 Will there be any outside storage of equipment?        *yes*. If yes, describe and show location on the plot plan.  
       *Outside storage already permitted*

12. **Emissions.** Will your operations emit smoke, gas, or other vapors?        *N/A*. If yes, please describe.  
 \_\_\_\_\_  
 \_\_\_\_\_

13. **Fans/Vents.** Will there be any exterior fans or vents?        *N/A*. If yes, please describe and show location. Submit information on noise levels and hours of operation.  
 \_\_\_\_\_  
 \_\_\_\_\_

14. **Exterior Noise.** Will there be any exterior noise from equipment or other operations of the business? Explain.  
       *Municipal garage generates noise - currently changes will not impact noise generation*  
 \_\_\_\_\_  
 \_\_\_\_\_

15. **Regulated/Hazardous Materials.** Aside from heating fuel, will there be any regulated or hazardous materials used in the business? If yes, describe.  
       *N/A*  
 \_\_\_\_\_  
 \_\_\_\_\_

16. **Water/Sewer**  
 Water is        *N/A* public or        *N/A* private.  
 Sewer is        *N/A* public or        *N/A* private.

Estimate your water and sewer needs based on the type of process/activity and number of employees.

17. Additional information provided by applicant/owner:  
       *None*

ABUTTERS LIST

NOTICE TO THE FOLLOWING ABUTTERS:

RE APPLICATION # \_\_\_\_\_

DATE OF MEETING HEARING: 6/22/2014

PARCEL NUMBER: 15-0830010

DATE NOTICE MAILED \_\_\_\_\_

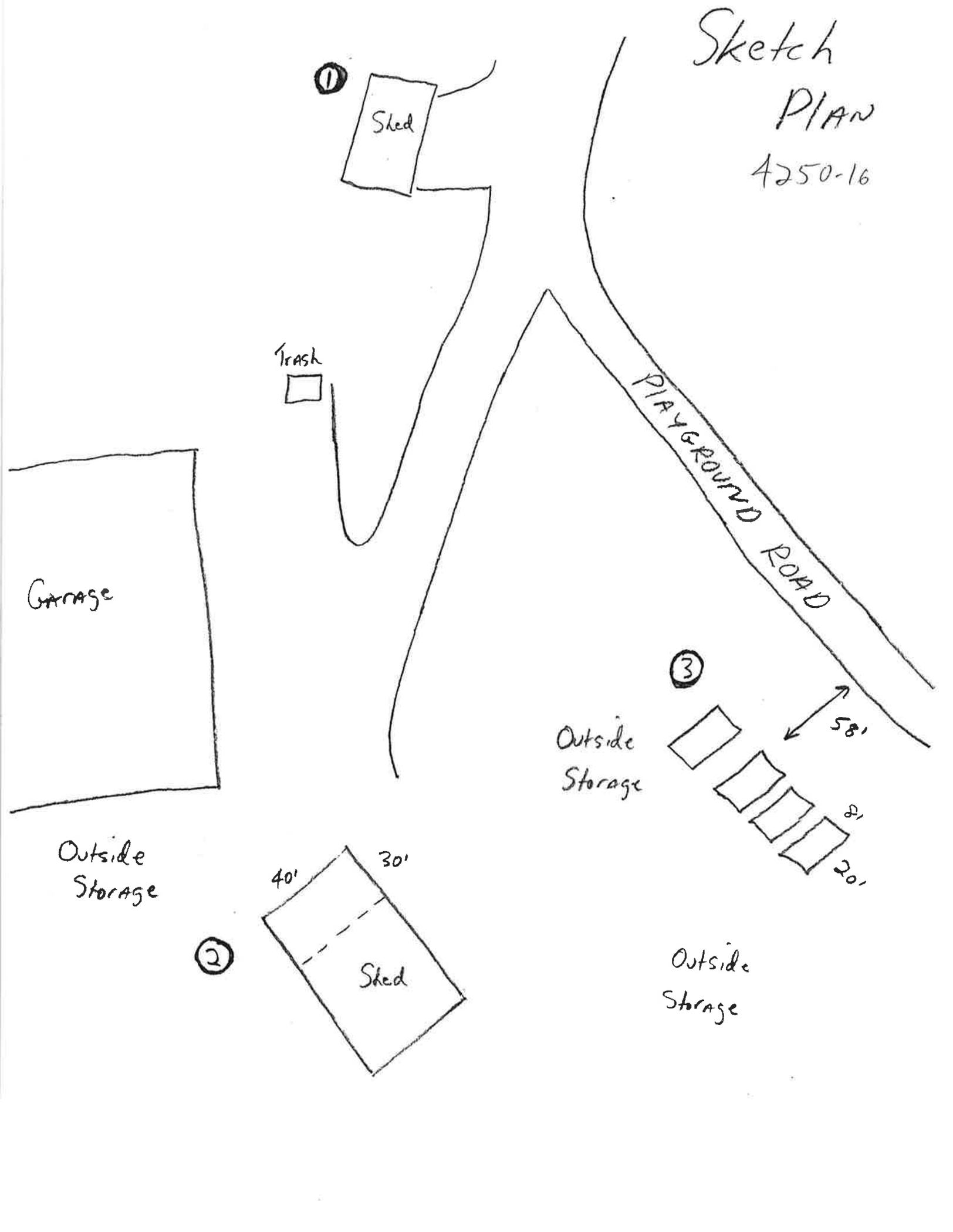
15 Blake Sr.  
Tax Map # \_\_\_\_\_ Abutter's Name & Address \_\_\_\_\_

BFVC/TOR

- |     |  |     |  |
|-----|--|-----|--|
| 1.  | <u>15-1910002</u><br><u>Reginald + Emily Abare</u><br><u>158 Alden Rd</u><br><u>Westminster VT 05158</u> | 2.  | <u>15-3440100</u><br><u>Pic3 Road LLC</u><br><u>48 Pic3 Rd</u><br><u>Westminster VT 05158</u>      |
| 3.  | <u>22-3400020</u><br><u>Dana + Julie Jones</u><br><u>PO Box 255</u><br><u>BF VT 05101</u>                | 4.  | <u>22-3400018</u><br><u>Ralph Straub + Linda Toussaint</u><br><u>21 Reese Circle</u><br><u>BF.</u> |
| 5.  | <u>22-3400014</u><br><u>Daniel + Sheila Turner</u><br><u>20 Reese Circle</u><br><u>BF.</u>               | 6.  | <u>22-3400014</u><br><u>Richard Adams</u><br><u>18 Reese Circle</u><br><u>BF.</u>                  |
| 7.  | <u>22-3480005</u><br><u>Jerry + Ruth Keefe</u><br><u>15 Tower Rd</u><br><u>BF.</u>                       | 8.  | <u>22-3480006</u><br><u>Bryan + Carolyn Atwood</u><br><u>14 Tower Rd</u><br><u>BF.</u>             |
| 9.  | <u>22-3500052. 58 + 62</u><br><u>76 Griswold Dr.</u><br><u>BF.</u><br><u>Timothy + Simona Fisher</u>     | 10. | <u>22-3500080</u><br><u>Biter Trace</u><br><u>72 Griswold Dr.</u><br><u>BF.</u>                    |
| 11. | _____  | 12. | _____  |
| 13. | _____  | 14. | _____  |
| 15. | _____  | 16. | _____  |



# Sketch PLAN 4250-16



## Project descriptions

1

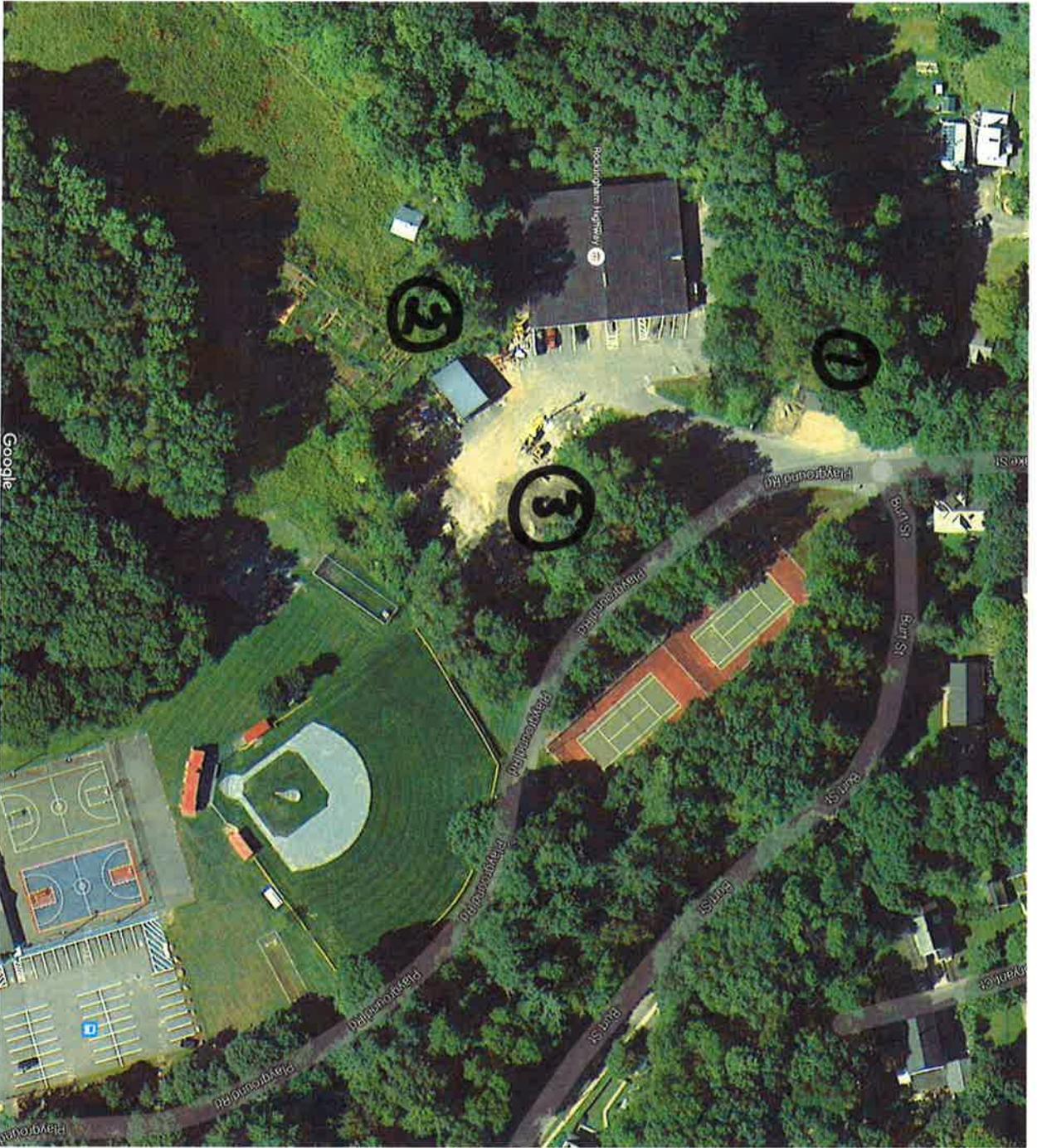
Replace existing shed with a new enclosed structure for residents to safely load personal quantities of salt and sand.

2

Expand existing salt shed by 30x40 to increase storage area and improve access for service vehicles.

3

Reallocate existing outside storage areas with a maximum of four (4) service containers each measuring 8 feet by 20 feet. The service containers are needed for improved security and to more properly shelter municipal equipment.



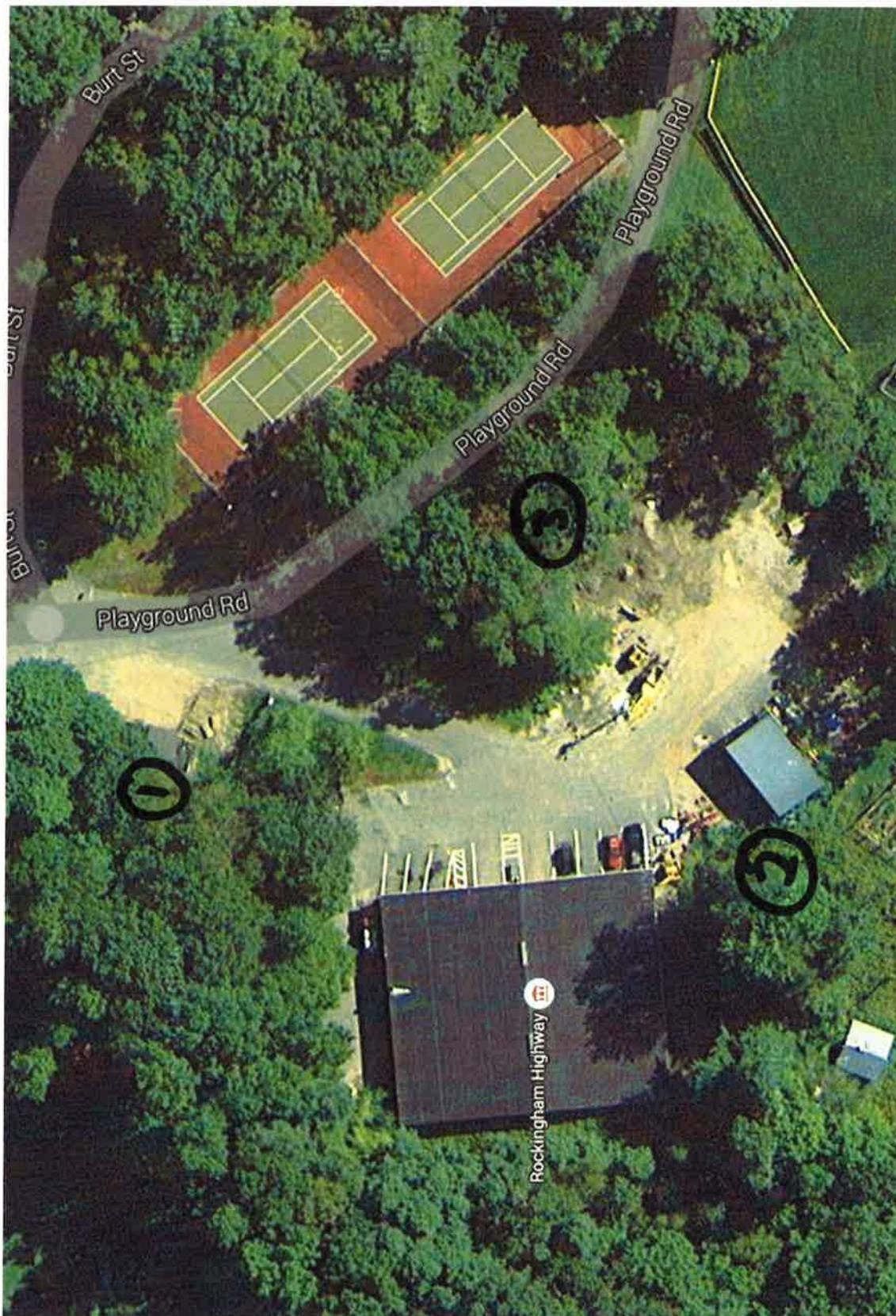
Google

↑ North

4250-16

4250-16

North



# Town of Rockingham

Town Hall, 7 Square, PO Box 370, Bellows Falls, Vermont 05101

Notice to 19 Blake Street Property Abutters  
June 7, 2016

The Town of Rockingham / Bellows Falls Village is making some changes to the Blake Street Garage.

- (1) Replace a shed to improve winter time access to salt and sand for citizens
- (2) Expand an existing salt shed to increase salt storage capacity
- (3) Add four cold-storage containers that measure 8' by 20' each. The storage containers will store municipal equipment safely and securely.

The residential zoning districts for this property allows public/municipal facilities. However, these facilities must be reviewed by the Zoning Board of Adjustment. As part of that process, we are required to contact all abutting properties to solicit your feedback. We encourage all input – positive and negative.

The meeting is at 7pm, June 22, 2016 at the Town Hall. You may submit comments in writing to [planning@rockbf.org](mailto:planning@rockbf.org) or attend the meeting in person and provide testimony.

You must participate in this local application review to be considered by the Zoning Board of Adjustment and if necessary to appeal the decision to the Environmental Court. *VSA Title 24, Chp 117, § 4471*