

Town of Montgomery Development Review Board

**PO BOX 356 MONTGOMERY VT 05471
(802) 326-4719**

FINDINGS AND DECISION

Montgomery Historical Society

APPLICATION FOR SITE PLAN REVIEW AND APPROVAL TO REPLACE A NON CONFORMING STRUCTURE

Thursday, January 23, 2025

INTRODUCTION AND PROCEDURAL HISTORY

This proceeding involves an application submitted by the Montgomery Historical Society for Site Plan Review and Approval to replace a nonconforming structure and add a parking area on Parcel ID# N118.137X of .71 acres at 2044 North Main St in Montgomery.

1. A **Public Hearing** was warned for January 23, 2025.
2. **Notice of the Hearing**, including notice to abutting property owners, was posted on **January 6, 2025** at **Montgomery Village Post Office, Montgomery Public Safety Building, Sylvester's Market, Montgomery Town Website** and published in *The St. Albans Messenger on January 7, 2025*.
3. Joe Sherman and Jessica Provost have requested interested party statues as prescribed by 24 V.S.A. § Section 4465(b), and under the **TOWN OF MONTGOMERY ZONING BY-LAWS AND REGULATIONS, Article 9**, interested person (a) the party owning title to the subject property and (b) a person owning or occupying property in the immediate neighborhood who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed.
4. This application was considered by the **Montgomery Development Review Board** at a **Public Hearing on January 23, 2025** at the **Montgomery Public Safety Building, Conference Room**.
5. Present at the Hearing were **Development Review Board Members: Parma Jewett (Chair), Charles Snedikor (alternate) and Barry Kade**. John Kuryloski, Suzanne Wilson and Mary Garceau were present and will recuse themselves due to a conflict of interest. **Scott Perry was present as representative of the Montgomery Historical Society**. As Chairperson of the Board he has been given authority to speak on their behalf. **Visitors included:** Clerk of the Board, Lynda Cluba.
6. At the outset of the **Hearing, Parma Jewett, Chair of The Development Review Board** afforded an opportunity for persons wishing to speak to sign and take the oath. She administered the oath and all present affirmed. All must state their name before speaking.
7. She also asked if any Board members felt they had a conflict of interest. John Kuryloski, Suzanne Wilson and Mary Garceau stated they will recuse themselves as they serve on the Board of the Montgomery Historical Society.
8. The hearing was called to order at 5:30 pm.

FINDINGS

Based on the Application, sworn testimony, exhibits, and other evidence the **Development Review Board** makes the following findings:

1. The subject property is **.71 acres** identified as **Parcel ID #N118.137X** located at **2044 North Main St** in the **Town of Montgomery, Vermont**.
2. This property is located in the **Village 1 Zoning District** as described on the **Town of Montgomery Official Zoning Map** on record at Town of Montgomery Municipal Office and Section 3 of the **Town of Montgomery Zoning By-Laws and Regulations**.

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FINDINGS (Continued)

3. The application requires review under the following sections of the Montgomery Zoning By-Laws.
 - a. Article 8, Section 8.1: Applicability and Interpretation
 - b. Article 8, Section 8.2 Development Review in the Hazard Areas
 - c. Article 8, Section 8.5 Hazard Area Development Standards

FINDINGS OF FACT

1. Applicants have submitted an application to the Development Review Board for approval to replace a non conforming structure and add a parking area at 2044 North Main St known as the Pratt Hall in Montgomery.
2. Pratt Hall was formerly the Episcopal Church which is currently governed by the Montgomery Historical Society.
3. Applicant explains the property in question was a former residence which is contiguous with Pratt Hall and is now governed by the Historical Society.
4. This property currently has a non conforming structure. The roof leaks, it has no water and very little heat.
5. The Board of the Montgomery Historical Society would like to rebuild the former residence and use it as an archival structure in order to preserve items reflecting Montgomery's history.
6. They would raise money in order to construct the building.
7. An Archival historian has informed the Board there is not many preservation funds available for this project.
8. There is no current septic. The proposed building will have little usage so it will have one bathroom with a sink and toilet which would include a holding tank with no drain field that will be pumped out routinely.
9. The plan is to move the new building closer to North Main St. and meet setbacks according to Montgomery Zoning Regulations.
10. As the current structure is located in the Flood Zone AE it is suggested by the DRB to raise the proposed building higher depending on the Architect plans.
11. Scott Perry, Chairperson of the Historical Society, states that considerations have been made, with the consulting firm, as to rules and standards for a public building and what new construction could include..
12. DRB would also suggest approval should be subject to confirmation from the State Agency that the new building would not be in a flood zone. Scott explains this is one of the reasons the Board hired engineers to address these concerns.

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DECISION

Based upon the findings, the Montgomery Development Review Board **APPROVES** the application to replace a nonconforming structure and add a parking area on Parcel #N118.137X.

Barry made a motion and was seconded to APPROVE the application, with the condition to construct the building outside of the flood hazard area and river corridor with a suggestion, in consultation with the engineers, to raise the building 1 (one) foot above ground level.

Roll Call Vote: Parma - YES; Barry - YES; Charlie - YES John, Suzanne and Mary have recused themselves. Motion passed 3-0

A copy of this decision shall be mailed to the Applicant by certified Mail, and a copy shall be mailed to every person claiming interested party status at the hearing.

An Interested Person may appeal a decision of the Development Review Board to the Environmental Division, in writing, within thirty days of the date the decision was issued.

If no appeal of the decision is filed within the thirty (30) day appeal period, all parties shall be bound by the decision and shall not thereafter contest it. 24 V.S.A. § Section 4472 (d).

Dated at Montgomery, Vermont, this 4th day of March, 2025.

Parma Jewett, Chairperson Montgomery Development Review Board