

Certificate of Mailing:

TOWN OF MONTGOMERY
DEVELOPMENT REVIEW BOARD
NOTICE OF PUBLIC HEARING

The Public Hearing will be **Thursday, April 24** at 5:30 pm at the Montgomery Public Safety Building, 86 Mountain Rd, Montgomery, Vermont.

The Town of Montgomery has submitted an application for Conditional Use Approval and Request for Variance from setback requirements for a Water Resource Recovery Facility, which is a public use facility, at 428 Mountain Road. The parcel for the proposed facility is ID #00242.039X of 14.6 acres. The parcel lies in the Rural Residential Zoning District and partially in the River Corridor. Conditional Use Review for a public facility and Variance both require a public hearing by the Development Review Board.

The Town of Montgomery has also submitted an application for Conditional Use Approval for a pump station, which is a public use facility on North Main Steet, parcel ID#ON118.050X. The parcel is 1.76 acres in the Village 1 Zoning District, and partially in the River Corridor and Special Flood Hazard Area. Conditional Use Review for a public facility requires a public hearing by the Development Review Board.

The Town of Montgomery has also submitted an application for Hazard Area Review for components of the Montgomery Center Wastewater Infrastructure that are proposed within the Special Flood Hazard Area and River Corridor. These components include replacement of existing underground tanks and pipelines on several different parcels in the Village 1 Zoning District in Montgomery Center. Hazard Area Review requires a public hearing by the Development Review Board.

Further information may be obtained from the Zoning Administrator, Ellen Fox, or at the Montgomery Town Clerk's Office.

An interested person must participate in the local proceeding as a prerequisite to the right to any subsequent appeal.

Notice of Hearing and copy of the application to the applicant:

Town of Montgomery
PO Box 356
Montgomery Center, VT 05471

**TOWN OF MONTGOMERY, VERMONT
APPLICATION TO DEVELOPMENT REVIEW BOARD**

APPLICANT (s): Name (s) Town of Montgomery Phone: 802-326-4719
Address 86 Mountain Road, Montgomery Center, VT 05471

PROPERTY: Parcel I.D. No. 242.039X Zoning District Rural Residential
Location 428 Mountain Road
Date Acquired March 26, 2024 Town Land Records - Book 103 Page 116
Present Use Open Land Proposed Use Public Uses and Facilities
Lot Size 14.59 Acres Depth 1,050 ft Frontage on Public Road or R.O.W. 487 ft

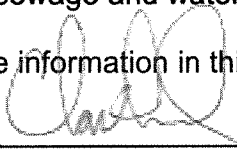
TYPE OF APPLICATION:

- Appeal from a decision of the Administrative Officer
- Application for a Conditional Use Permit
- Application for a Variance from the Town's Zoning Regulations
- Approval of lot(s) accessed via Right-of-Way of record
- Site Plan approval for Subdivision
- Request for interpretation of Zoning Regulation or Map

State reason for Application Conditional Use Permit application to change the property to the conditional use of public uses and facilities listed in Table 4(A) of the Zoning Regulations and application for variance (waiver) from Town's front yard setback for structures in the Rural Residential zoning district, refer to attachments.

ADDITIONAL INFORMATION REQUIRED WITH APPLICATION: A plot plan must be submitted with this application to show; property boundary lines with dimensions, easement and right-of-way lines, all existing and proposed structures and alterations, proposed subdivision of land, scale and true north, location of sewage and water supplies, and other relevant information.

I hereby certify that the information in this application, (including attachments), is true and correct.

Signed:  Date: 3/31/2025
Applicant (s) or Authorized Agent

Submit to Town Clerk with required fee: N/A (Checks payable to Town of Montgomery).

FOR USE BY DEVELOPMENT REVIEW BOARD

DRB Application No. _____ Zoning Permit Application No.: _____ Fee Paid: _____

Date Received: _____ Notice of Hearing Date: _____ Date of Hearing: _____

Decision of Board: Approved () Denied () Date of Decision: _____

Conditions: _____

Secretary, Development Review Board

RECEIVED/PAID

Original to DRB and copies for applicant, listers, town clerk

APR 03 REC'D

Application for a Conditional Use Permit and Setback Variance (Waiver) – Town of Montgomery Water Resource Recovery Facility (WRRF)

This application proposes the change of use for 428 Mountain Road from its existing use of open land to a conditional use of public uses and facilities per Table 4(A) of the Zoning Regulations. Refer to Sheet G1 for the drawing legend and abbreviations. Refer to sheets C1-C7A for the plot plan of the site including the Water Resource Recovery Facility (WRRF) consisting of a retaining wall, 16'x18' control building (refer also to A1-A3) and buried/partially buried treatment infrastructure (equalization tanks, equalization pump station, Secondary + Treatment tanks, drip dispersion wet well), buried piping and the drip dispersion disposal field. The proposed WRRF control building structure is within the Rural Residential district and exceeds all setback requirements, refer to Table 1 below. The Montgomery Center Zoning Regulations definition for Structure includes walls, the WRRF site retaining wall does not meet the front yard setback requirement of 25' from the R/W for approximately 115.5' of the 194' long wall, refer to Table 1 below. The project is requesting a Waiver for the lesser setback of 7' min. for the site retaining wall. In accordance with Section 4.3(B) the proposed setback will not unreasonably interfere with a neighboring properties privacy or quiet enjoyment, a reduced setback is necessary for the project because of geographic conditions of the lot as the retaining wall is required for the steep slopes off of Rte. 242, and lastly, the reduced setback is in keeping with the purpose of the District as defined in the bylaws (Section 3.1(A)(2)) and Town Plan (Proposed Land Use Districts section) as the site balances municipal uses with the natural landscape of forests and meadowlands and the site aesthetics to the extent possible work to balance and maintain Montgomery's rural character. The plot plan includes proposed structures, existing conditions such as the ROW, other utilities, and property boundaries, location of natural features, setbacks can be measured on the sheet, and location and dimensions of the parking area are shown in accordance with Table 5 of the Zoning Regulations. Refer to the C-Details and P-Series for additional site and infrastructure information.

Table 1 WRRF Control Building Structure Setback Requirements

Setback	Rural Residential Dimensional Standard	WRRF Structure Setback	Retaining Wall Structure Setback
Front Yard	25' from R/W	26.5' min.	7' min.
Side Yard	50' from P/L	104' min.	67.5' min.
Rear Yard	50' from P/L	1,000' min.	1,000' min.

Note 1: Min. is minimum