

Planning Commission Agenda
Wednesday, February 19, 2025 7:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250

1. Call to Order.
2. Agenda Review.
3. Conflict of Interest.
4. Public Comment
5. Brad Kessler now an alternate to the PC/ZBA
6. Review and approval of the draft meeting minutes 11/20/2024.
7. Discussion of revised outline of the 6 acre development zone for The Conservation Fund's 298.2 acre property (Property ID 305000-00L) on Chunks Brook Road.
8. Zoning Administrator's Report:
 - Permit inquiry 2352 Sandgate Rd.(Property ID# 109000-00R) in light of conditional permit requirement in the flood zone.
 - Finalizing of WWCE Family Farm property subdivision at 2589 West Sandgate Rd.
 - Inquiry about right of way for property at 3767 W Sandgate Road (Property ID: 726000-0L0)
 - Building permit questions from potential buyer of Property ID 305000-00L on Chunks Brook Road—See item 7 above.
 - Boundary line adjustment 527 WOODCOCK RD (Property ID:234000-00L)
9. Other Business
10. Adjourn

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

**Planning Commission Agenda
Wednesday, April 16, 2025 7:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

FYI Zoning Administrator hours on Monday 4/21/2025 are CANCELED

1. Call to Order.
2. Agenda Review.
3. Conflict of Interest.
4. Jacob A. Fetterman, Trout Unlimited: stream restoration project on the Green River
5. Public Comment
6. Review and approval of the draft meeting minutes 11/20/2024.
7. Zoning Administrator's Report:
8. Other Business
9. Adjourn

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

Planning Commission Agenda
Wednesday, May 21, 2025 7:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250

1. Call to Order.
2. Agenda Review.
3. Conflict of Interest.
4. Samantha Page, BCRC: drafting of future land use maps in compliance with Act 181.
5. Public Comment
6. Review and approval of the draft meeting minutes 04/16/2025.
7. Zoning Administrator's Report:
 - 3402 Sandgate Rd: work in the Flood Hazard Area and River Corridor
 - Permit issued for Camp at 4401 Sandgate Rd. (Property ID 12550-00L
 - 2352 Sandgate Rd permit research: Flood Hazard Area and River Corridor
 - 4498 Rupert Rd.: permit inquiry for a 8' X 16' shed
8. Other Business
9. Adjourn

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

**Zoning Board of Adjustment Agenda
&
Planning Commission Agenda
Wednesday, June 18, 2025 at 6:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

Zoning Board of Adjustment Hearing Agenda

1. Call to Order
2. Additions or other changes to the agenda
3. Conflict of Interest
4. Reading of the Warning:

Interested persons are hereby notified and warned that the Sandgate Planning Commission will hold a Public Hearing on Wednesday, June 18, 2025, 6:00 p.m. at the Sandgate Town Hall, 3266 Sandgate Road, Sandgate, Vermont 05250.

The purpose of the hearing is to review the application for a variance in the allowed setback to build a shed on the property located at 4498 Rupert Rd. (Property ID 617500-00R) owned by Burton Golub. Participation in this proceeding is a prerequisite to the right to take any subsequent appeal.

5. Discussion of the circumstances leading to the request for a variance.
6. Board comments and questions
7. Public comments and questions
8. Hearing closing. Deliberation to follow Planning Commission Meeting

Planning Commission Meeting

1. Call to Order immediately following the ZBA Hearing
2. Additions or other changes to the agenda
3. Conflict of Interest
4. Public Comment
5. Review and approval of the draft meeting minutes 05/21/2025.
6. Zoning Administrator's Report:
 - Permits issued:
 - 64 Walsh Rd. Property ID:426500-00L Permit #2025-05-27: May be appealed by June 13,2025
 - 680 Lincoln Lane, Property ID507500-00R Permit #20235-06-02: May be appealed by June 17, 2025
 - 493 West Rd. Property ID: 357000-00B Permit #2025-06-09: May be appealed by June 24, 2025

- Permit pending: 2566 Rupert Rd. Property ID: 608500-00L: temporary structure during construction
- Letter of Zoning Compliance for 697 Hamilton Hollow Rd. Property ID 253700-00L
- Inquiry regarding 207 West Rd.: questions about subdivision
- Inquiry regarding 53 Sullivan Lane: questions about subdivision

9. Other Business

10. Adjourn

**Zoning Board of Adjustment Agenda
&
Planning Commission Agenda
Wednesday, August 13, 2025 at 6:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

Zoning Board of Adjustment Hearing Agenda

1. Call to Order
2. Additions or other changes to the agenda
3. Designation of Chair of the hearing
4. Conflict of Interest
5. Reading of the Warning:

Interested persons are hereby notified and warned that the Sandgate Planning Commission/Zoning Board of Adjustment will hold a **Public Hearing on Wednesday, August 13, 2025, 6:00 p.m.** at the Sandgate Town Hall, 3266 Sandgate Road, Sandgate, Vermont 05250.

The purpose of the hearing is to review the application for a variance in the allowed setback to move an existing structure at 3458 Sandgate Rd. (Property ID 120000-00R).

Participation in this proceeding is a prerequisite to the right to take any subsequent appeal.

Additional information can be obtained by contacting Sandgate Zoning Administrator:

Sheila Kearns:
sandgatevtza@gmail.com
802-379-9961

6. Discussion of the circumstances leading to the request for a variance.
7. Board comments and questions
8. Public comments and questions
9. Hearing closing. Deliberation to follow Planning Commission Meeting

Planning Commission Meeting

1. Call to Order immediately following the ZBA Hearing
2. Board reorganization.
3. Additions or other changes to the agenda
4. Conflict of Interest
5. Public Comment
6. Review and approval of the draft meeting minutes 06/18/2025.

7. Zoning Administrator's Report:
 - a. Permit approved: 2566 Rupert Rd. Property ID: 608500-00L: New residence with temporary structure during construction.
 - b. Research on limit of the number of structures allowed that are exempted from permit requirements due to size: **Section 1.5 Exemptions: (B)** Accessory buildings under 150 square feet in area and under 8 feet tall, not located in a designated FHO or RCO, and limited to two such buildings per residential property. Setbacks or other zoning restrictions must be kept.
 - c. Adding a caveat to map of River Corridor and Flood Hazard maps
 - d. Floodplain Administration presentation—Jack
 - e. Request for Zoning Letter of Compliance: 231 Tudor Rd.; Parcel ID 422500-00B
8. Other business
9. Adjourn

**Zoning Board of Adjustment Agenda
&
Planning Commission Agenda
Wednesday, October 8, 2025 at 6:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

Zoning Board of Adjustment Hearing Agenda

1. Call to Order
2. Additions or other changes to the agenda
3. Designation of Chair of the hearing
4. Conflict of Interest
5. Reading of the warning:

Town of Sandgate
Notice of Public Hearing

Interested persons are hereby notified and warned that the Sandgate Planning Commission/Zoning Board of Adjustment will hold a Public Hearing on Wednesday, October 8, 2025, 6:00 p.m. at the Sandgate Town Hall, 3266 Sandgate Road, Sandgate, Vermont 05250.

The purpose of the hearing is to review the application for subdivision of the 90.3 acre property at 53 Sullivan Lane. (Property ID 210500-00R). Participation in this proceeding is a prerequisite to the right to take any subsequent appeal.

6. Review of preliminary plat
7. Board comments and questions
8. Public comments and questions
9. Hearing closing. Deliberation to follow Planning Commission Meeting

Planning Commission Meeting

1. Call to Order immediately following the ZBA Hearing
2. Additions or other changes to the agenda
3. Conflict of Interest
4. Public Comment
5. Review and approval of the draft meeting and hearing minutes 08/13/2025.
6. Signing Hearing Decision from 08/13/2025
7. Zoning Administrator's Report:
 - a. Permit issued: 5662 Sandgate Rd. Property ID 136500-00R: addition

- b. Zoning Letters of Compliance; 231 Tudor Rd., Parcel ID# 422500-00B;
951 Rupert Rd., Sandgate, VT 05250, Parcel ID# 601000-00B; 2899
WEST SANDGATE RD., Sandgate, VT 05250, Parcel ID# 721500-00L
- 8. Other business
- 9. Adjourn

Planning Commission Meeting Minutes
Wednesday, April 16, 2025 7:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250

Board Members Present: Richard Zoppel (Chair), James Aschmann, Jack Blandford, Rob Viglas

Board Members Absent:

Also Present: Sheila Kearns (Zoning Administrator), Jacob Fetterman, Trout Unlimited

1. The meeting was called to order at 7:01.
2. The agenda was reviewed and there were no changes or additions.
3. No conflicts of interest were noted.
4. Jacob A. Fetterman of Trout Unlimited visited to discuss the stream restoration project on the Green River. Mr. Fetterman focused on two projects, specifically one right across from the Town Hall where berms and high flow energy is disrupting trout habitat in the river. The berm breeches at this location might require a tree removal but that is pending a conflict due to a bat moratorium. The second focus spot is near the Blandford residence farther downstream. At that location there is an 8 ft. tall eroding bank that needs attention. The addition of Christmas trees will help to catch sediment and fortify the bank.
5. No public comment was made.
6. Review and approve Draft Minutes from 11/20/24 took place. Rob Viglas motioned to approve the minutes and James Aschmann seconded. The members unanimously approved the minutes as written.
7. Zoning Administrator's Report:
 - Boundary line adjustment 527 WOODCOCK RD (Property ID:234000-00L).
 - Permit inquiry 2352 Sandgate Rd. (Property ID# 109000-00R) in light of conditional permit requirement in the flood zone.
 - Review of development zone for The Conservation Fund's 298.2 acre property (Property ID 305000-00L) on Chunks Brook Road.
8. No other business was presented to the board.
9. At 7:34 pm James Aschmann made a motion to adjourn the meeting. Jack Blandford seconded the motion and the board approved the motion unanimously.

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

Sandgate Planning Commission Minutes
Wednesday, May 21, 2025 7:00 p.m.

Board Members Present: Richard Zoppel (Chair), Jack Blandford, Rob Viglas

Board Members Absent: James Aschmann

Also Present: Sheila Kearns (Zoning Administrator-ZA), Samantha Page and Nick Zaic (Bennington County Regional Commission--BCRC)

1. The meeting was called to order at 7:00 p.m.
2. The agenda was updated to include additions to the Zoning Administrator's report: 2089 W Sandgate Rd.-new porch; 64 Walsh Road; 493 West Rd. –storage/garage
3. No conflicts of interest were reported.
4. Samantha Page and Nick Zaic, BCRC Planners, presented an overview of the process of drafting of future land use maps in compliance with Act 181. This mapping process is a requirement for all VT regional planning commissions and will be reflected in the next iteration of the BCRC Regional Plan. The presentation emphasized that this mapping process does not require revisions of current municipal zoning maps and that future zoning maps will not be required to conform to the regional land use maps. After reviewing the 10 land use categories created by Act 181, Samantha & Nick presented a draft of what the regional land use map would look like for Sandgate. On this draft map only 4 of the 10 land use categories were shown to be applicable:
 - Village Center: Traditional and historic mixed-use centers bringing together economic activity and civic assets;
 - Rural – General: areas with lower residential density, working landscapes, natural features;
 - Rural – Agriculture and Forestry: blocks of forest and farmland, home to natural resources, working lands, and scenic beauty;
 - Rural – Conservation: areas of significant natural resources that require special protection.

While Board members acknowledged the general appropriateness of the draft map, they noted the concern that they did not wish to see increased density along town roads that would negatively impact the open nature of the landscape. It was also noted that there might be an over representation of Rural – Agricultural and Forestry Areas, where use has more traditionally been in the Rural – General category. Nick and Sam agreed that they would take a closer look at the Rural Residential areas on the municipal zoning maps and explore extending some of the Rural – General areas of the draft map.

BCRC will continue to work with the PC/ZBA as they refine the maps.

5. No members of the public were present

6. After a review of the draft meeting minutes of the May meeting Rob Viglas moved to accept the minutes as written. The motions was seconded by John Blandford, and the motion was approved by unanimous consent.

7. Zoning Administrator's Report:

- 3402 Sandgate Rd: (Green River Inn) work in the Flood Hazard Area and River Corridor: Richard Zoppel (PC/ZBA Chair) reported that after discussions with the property owner and the contractors the determination was made that the excavation and pouring of concrete for these areas did not violate the Flood Hazard Area (FHA) and River Corridor (RCO) zoning regulations and that if as described, the planned pool is at current ground level it would also be compliant. Sheila Kearns (ZA) noted that any fencing around these areas would be subject to review to determine that it conformed with FHA and RCO. Rob Viglas asked about any regulations regarding pool safety requirements such as fencing, The ZA noted that Sandgate has no such regulations, though it would be at the discretion of the PC/ZBA to establish such regulations. Additionally, the ZA requested the direction of the PC/ZBA to create more explicit means to assure that any work (not just the building of structures) in the FHA and RCO is reviewed by the ZA. The ZA will draft language and possibly a checklist that will allow property onweres to report the nature of the work that they are doing in these areas.
- 2089 W Sandgate Rd.-new porch: An after the fact permit was accepted after the Chair discussed the need for a permit with the property, who was not aware that the expansion of the the existing porch required a permit. The permit was prepared with the assistance of the Chair and the ZA.
- 64 Walsh Road: Once again work has begun on the construction of a residence on this property without a permit. The Chair discussed the matter with the contractor and obtained details about the size and location of the structure that indicate that it would be in compliance with current zoning regulations, but a permit has not yet been submitted. The ZA noted that once the permit is received in will be posted in accordance with the bylaws and will be subject to the normal appeals process. Any appeals that the PC/ZBA deems appropriate will have to be addressed by the property owner and failure to do so may result in zoning violation proceedings.
- Permit issued for camp at 4401 Sandgate Rd. (Property ID 12550-00L)
- 2352 Sandgate Rd permit research: Flood Hazard Area and River Corridor. The ZA had a conversation with a representative of MSK Engineering about conditional permit requirements, including the need for a public hearing. Once a permit has been submitted, the ZA will schedule the hearing and make the necessary notifications.
- 4498 Rupert Rd.: permit review for a 8' X 16' shed. During a discussion with the property owner, the ZA determined that a variance would be needed because the planned structure will not meet the side setback requirements. The hearing will be scheduled for the June PC/ZBA meeting,
- 493 West Rd. –storage/garage with no residential use. The ZA noted that there is no existing residence on the property though there is an existing State Water &

Wastewater permit in place. Board members requested that the permit clearly state that the use will be strictly for storage and noted that any use for residential purposes (short or long term) would require a change of use permit. The Chair and ZA will schedule a site visit and a properly drawn plot plan will be required before the permit can be approved.

8. There was no other business and at 8:15 p.m. John Blandford moved to adjourn the meeting. The motions was seconded by Rob Viglas and by unanimous consent, the meeting was adjourned

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

**Zoning Board of Adjustment Minutes
&
Planning Commission Agenda
Wednesday, June 18, 2025 at 6:00 p.m.
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

Board Members Present: Richard Zoppel (Chair), James Aschmann, John Blandford, and Rob Viglas

Also Present: Sheila Kearns, Zoning Administrator(ZA) and Lawrence Golub: representative of property own Burton Golub. No other members of the public were present to appear as parties to the hearing.

Zoning Board of Adjustment Hearing Minutes

1. The hearing was called to order and 6:03 p.m.
2. No additions or changes to the agenda were made
3. No conflicts of interest were reported
4. The chair read the hearing warning:

Interested persons are hereby notified and warned that the Sandgate Planning Commission will hold a Public Hearing on Wednesday, June 18, 2025, 6:00 p.m. at the Sandgate Town Hall, 3266 Sandgate Road, Sandgate, Vermont 05250.

The purpose of the hearing is to review the application for a variance in the allowed setback to build a shed on the property located at 4498 Rupert Rd. (Property ID 617500-00R) owned by Burton Golub. Participation in this proceeding is a prerequisite to the right to take any subsequent appeal.

5. Mr. Golub described the factors that have led to the decision to place the shed in the proposed location: lack of any other level location on the narrow lot that would not interfere with access to the well.
6. Board member John Blandford and ZA Sheila Kearns reported that they had visited the property and verified that limitations conformed to what Mr. Gollub described.
7. The hearing was called to a close at 6:11 p.m. with deliberation to follow the Planning Commission Meeting. The written decision is appended to these minutes

Planning Commission Meeting Minutes

1. The meeting was called to order at 6:12 p.m.
2. No additions or changes to the agenda were made
3. No conflicts of interest were reported

4. After review of the draft meeting minutes 05/21/2025 Rob Viglas motioned to approve the minutes and James Aschmann seconded. The members unanimously approve the minutes as written.
5. Zoning Administrator's Report:
 - Permits issued:
 - 64 Walsh Rd. Property ID:426500-00L Permit #2025-05-27: May be appealed by June 13,2025
 - 680 Lincoln Lane, Property ID507500-00R Permit #20235-06-02: May be appealed by June 17, 2025
 - 493 West Rd. Property ID: 357000-00B Permit #2025-06-09: May be appealed by June 24, 2025
 - Permit pending: 2566 Rupert Rd. Property ID: 608500-00L: temporary structure during construction
 - Letter of Zoning Compliance for 697 Hamilton Hollow Rd. Property ID 253700-00L
 - Inquiry regarding 207 West Rd.: questions about subdivision
 - Inquiry regarding 53 Sullivan Lane: questions about subdivision
9. No other business was conducted
10. At 6:44 pm James Aschmann made a motion to adjourn the meeting. Jack Blandford seconded the motion and the board approved the motion unanimously.

TOWN OF SANDGATE, VERMONT
ZONING BOARD OF ADJUSTMENT

In re: Golub Zoning Permit Application
Application No. 2025-05-19

Landowner: Burton Golub
Property Address: 4498 Rupert Rd., Sandgate, VT (Property ID 617500-00R)
Hearing Date: June 18, 2025

FINDINGS OF FACT, CONCLUSIONS, AND ORDER

Introduction and Procedural History

Lawrence Golub, representing landowner Burton Golub submitted a Zoning Permit application dated May 19, 2025 to construct a 8' X 16' shed on the property located at 4498 Rupert Rd. Sandgate, Vermont. On My 26, 2025 the Zoning Administrator (ZA) denied the application on the basis that the proposed site of the shed did not meet the minimum side setback of 25', and the ZA also referred the matter to the Zoning Board of Adjustment ("ZBA") for review of the denial.

Findings of Fact

The property is located in the Forest 2 zoning district that requires a side setback of 25' from adjacent property boundaries. After a site visit by the ZA and ZBA member John Blandford, the proposed setback of 18' from the property located at 4548 Rupert Rd. (Property ID 618000-00R) was verified and available options for locating the structure were discussed with the applicant

Based on the evidence reviewed at the hearing, it was apparent that any alternate location would interfere with access to the existing well or would require significant excavation and clearing of trees to create a level site for the shed.

Findings of Law

In reaching its decision, the ZBA adhered to and acted strictly within the limitations of 24 V.S.A. §4469, making positive findings on all of the following facts:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is

due to such conditions and not the circumstances or conditions generally created by the provisions of this Bylaw in the district or neighborhood in which the property is located;

2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;

3. That the appellant has not created the unnecessary hardship;

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare; and

5. That the variance, if authorized, will represent the minimum variance affording relief and will represent the least deviation possible from the zoning bylaw and the town plan.

ORDER

Based on the foregoing, the ZBA grants the variance to place the proposed shed at an 18' setback from the property located at 4548 Rupert Rd. (Property ID 618000-00R)

June 18, 2025

Approved by the Zoning Board of Adjustment:

NOTICE: This Decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings before the Board. Such appeal must be taken within 30 days of the date of this Decision, pursuant to 24 V.S.A § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

**Zoning Board of Adjustment
&
Planning Commission
Minutes Wednesday, August 13, 2025
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

Zoning Board of Adjustment Hearing Minutes

Board Members Present: Richard Zoppel (Chair), Jack Blandford, and Dan Reap

Also Present: Sheila Kearns, Zoning Administrator (ZA), Suzanne de Peyster, Valerie de Peyster, John del Corral, Brita del Corral, Jean Eisenhart, Diane Jaffee, Sonia Jaffee, Jeffrey Schonberg, Phyllis Skidmore

1. The hearing was called to order at 6:05 p.m.
2. There were no additions or changes to the agenda
3. Sheila Kearns, ZA was designated by the Board to chair of the hearing with no objections from those present.
4. There were not conflicts of interest reported
5. Reading of the Warning:

Interested persons are hereby notified and warned that the Sandgate Planning Commission/Zoning Board of Adjustment will hold a Public Hearing on Wednesday, August 13, 2025, 6:00 p.m. at the Sandgate Town Hall, 3266 Sandgate Road, Sandgate, Vermont 05250.

The purpose of the hearing is to review the application for a variance in the allowed setback to move an existing structure at 3458 Sandgate Rd. (Property ID 120000-00R).

Participation in this proceeding is a prerequisite to the right to take any subsequent appeal.

6. Representatives of the Sandgate Community Church, UMC explained that due to efforts to improve the foundation of the building and to create an increased setback from the road they are proposing the move the church 10' toward the rear line of the property with no change to the side-setbacks.
7. The Zoning Administrator noted that the setbacks shown on the plot plan in the application were estimates and would need to be confirmed by consultation with the adjoining property owner Jeffrey Schonberg.
8. Mr. Schonberg and Phyllis Skidmore, representing the church, agreed to meet to review the property boundaries and provide accurate setback information. Mr. Schonberg that he had no objection the allowing a necessary variance in the required 50' setback distance from the rear line of the property.

9. Board member Dan Reap asked if moving the structure only 10' would be sufficient to accomplish the goal of providing more space between the church entrance and the road. Suzanne de Peyster stated that while a wider setback would be desirable, given the small size of the lot and the decrease in the rear setback, they felt they had reached the best accommodation.
10. Board member Richard Zoppel noted that the non-conforming setbacks had been in existence before the zoning bylaws were in place and that moving the structure further from the road would be an improvement.
11. The Board adjourned briefly to deliberate and returned to vote unanimously to approve the variance pending an update of the application with accurate setback distances. The hearing decision is appended to these minutes
12. By unanimous agreement of the Board, the hearing adjourned at 6:30 p.m.

Planning Commission Meeting Minutes

1. The meeting was called to order at 6:35 p.m.
2. After a discussion of Richard Zoppel's decision to step down as chair of the Planning Commission and Zoning Board of Adjustment (PC/ZBA), the commission members agreed unanimously to have the Zoning Administrator temporarily chair PC/ZBA meeting until such time as another current member was in a position to assume the role of Chair.
3. There were no additions or changes to the agenda.
4. No conflicts of interest were reported
5. No members of the public were present
6. Following review the draft meeting minutes 06/18/2025 were unanimously approved.
7. Zoning Administrator's Report:
 - a. Permit approved: 2566 Rupert Rd. Property ID: 608500-00L: New residence with temporary structure during construction.
 - b. Research on limit of the number of structures allowed that are exempted from permit requirements due to size: **Section 1.5 Exemptions: (B)** Accessory buildings under 150 square feet in area and under 8 feet tall, not located in a designated FHO or RCO, and limited to two such buildings per residential property. Setbacks or other zoning restrictions must be kept.
 - c. The ZA noted that a caveat needs to be added to the published maps of River Corridor and Flood Hazard maps to indicate the need for verification.
 - d. Request for Zoning Letter of Compliance: 231 Tudor Rd.; Parcel ID 422500-00B
8. With no other business to conduct, the meeting was adjourned by unanimous agreement at 7:05 p.m.

TOWN OF SANDGATE, VERMONT
ZONING BOARD OF ADJUSTMENT

In re: Sandgate Community Church, UMC Zoning Permit Application No.2025-08-10

Landowner: Sandgate Community Church, UMC Zoning

Property Address: 3458 Sandgate Rd., Sandgate, VT (Property ID 12—0000-00R) Hearing Date:
August 13, 2025

FINDINGS OF FACT, CONCLUSIONS, AND ORDER

Introduction and Procedural History

The Sandgate Community Church, UMC submitted a zoning application to replace the existing foundation of the church and in doing so the move the building 10' further away from the road. Because the current structure does not conform to the required setbacks at the front, rear, and one side of the parcel and the new proposed setbacks would still be non-conforming, the Zoning Administrator referred to application to the Planning Commission/Zoning Board of Adjustment to conduct a hearing to determine if a variance would be granted.

Findings of Fact

The structure sits on a small parcel of only 0.33 acres and there is no situation in which it could be brought into compliance with the required setbacks in the Rural Residential district (minimum 50' setbacks on the front, rear, and sides). The proposal to move the structure an additional 10' from the front of the parcel would bring it closer to compliance by increasing the front setback from 25' to 35'. However, th decrease in the rear setback from 33' to 23'

Based on the evidence reviewed at the hearing it was apparent that the proposal to move the structure 10' further from the road and closer to the rear parcel boundary was the best accommodation for allowing a greater distance from the road for the front entrance of the church. The owner of the adjoining property agreed that the proposed move would not substantially or permanently impair the appropriate use or development of his property.

Findings of Law

In reaching its decision, the ZBA adhered to and acted strictly within the limitations of 24 V.S.A. §4469, making positive findings on all of the following facts:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Bylaw in the district or neighborhood in which the property is located;
2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the

authorization of a variance is therefore necessary to enable the reasonable use of the property;

3. That the appellant has not created the unnecessary hardship;

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare; and

5. That the variance, if authorized, will represent the minimum variance affording relief and will represent the least deviation possible from the zoning bylaw and the town plan.

ORDER

Based on the foregoing, the ZBA grants the variance to move the existing structure in accordance with the plot plan submitted with Zoning Permit Application No.2025-08-10 for the property located at 3458 Sandgate Rd., Sandgate, VT (Property ID 12—0000-00R).

August 13, 2025

Approved by the Zoning Board of Adjustment:

Richard Zoppel, Chair

John Blandford

Dan Reap

NOTICE: This Decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings before the Board. Such appeal must be taken within 30 days of the date of this Decision, pursuant to 24 V.S.A § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

**Town of Sandgate
Zoning Board of Adjustment
&
Planning Commission Minutes
Wednesday October 8, 2025**

Zoning Board of Adjustment Hearing Minutes

Board Members Present: Richard Zoppel (Chair), Jack Blandford, Dan Reap, and Rob Viglas

Also Present: Sheila Kearns, Zoning Administrator (ZA), David Spurr (Blaze Design); Daryl and Maureen Sullivan, property owners; and Ken and Elaine Kulmane, adjacent property owners.

1. The hearing was called to order at 6:00 p.m.
2. There were no additions to or other changes to the agenda
3. No conflicts of interest were reported
4. Reading of the warning:

Interested persons are hereby notified and warned that the Sandgate Planning Commission/Zoning Board of Adjustment will hold a Public Hearing on Wednesday, October 8, 2025, 6:00 p.m. at the Sandgate Town Hall, 3266 Sandgate Road, Sandgate, Vermont 05250.

The purpose of the hearing is to review the application for subdivision of the 90.3 acre property at 53 Sullivan Lane. (Property ID 210500-00R).

Participation in this proceeding is a prerequisite to the right to take any subsequent appeal.

5. Surveyor David Spurr of Blaze Design reviewed the details of the preliminary plat provided with the subdivision application. He described the existing residence, septic system and water supply and noted the location of a proposed easement that would be established were the subdivided portion of the property to come under ownership other than that of the current owners. This proposed easement would preserve access to the portion of the property remaining after the subdivision had occurred. Additionally, he pointed out the approximate location of the boundary marking the Forest 1 and Forest 2 zoning districts that places all but a very small portion of the 90.3 acre property in the Forest 2 district.
6. After initial review of the application, by unanimous consent the Planning Commission designated the proposed subdivision to be a minor subdivision.
7. Richard Zoppel asked for clarification of the portions of the property that are in the Forest 1 and 2 districts. Davis Spur explained that base on the available copies of the Sandgate Zoning District overlay map, he approximated the boundary line between the Forest 1 and Forest 2 Districts by measuring 400' from the center line of Southeast Corner Road that being the distance recorded on the overlay map from the road to the boundary of the district. The ZA noted that her measurements using the GIS tools available on the State of Vermont Natural Resource Atlas (<https://anrmaps.vermont.gov/websites/anra5/>) also place the district boundary in the approximate location indicated on the plat.

8. John Blandford asked about development requirements would apply to the subdivided 5 acres given that it would not constitute the 25 acre minimum required for residential development in the Forest 2 district. The ZA noted that all current zoning regulations would apply with renovations or additions to the existing structures being permitted in conformance with existing requirements for the Forest 2 district. Any new development may not be permitted or may require conditional approval or a waiver.
9. Ken Kulmane raised the question of what might be involved in a boundary line adjustment with an adjacent property that would encompass the proposed 5 acre subdivision. He was advised that a boundary line adjustment would be subject to at least administrative approval by the ZA or might be referred to the Planning Commission for a decision. The property owners stated that they had chosen to pursue the subdivision application in favor of any arrangement that might involve a boundary line adjustment.
10. The hearing was called to a close by unanimous consent with deliberation following. A copy of the decision is attached to these minutes.

Planning Commission Meeting

1. The meeting was called to order at 7:13 p.m.
2. There were no additions or other changes to the agenda
3. No conflict of interest were identified
4. No members of the public were present
5. After review of the draft meeting and hearing minutes 08/13/2025, John Blandford made a motion to approve the minutes as presented with a second from Dan Reap. The minutes were approved by a vote of 3 to 1 with Rob Viglas abstaining since he was not present at the meeting.
6. Zoning Administrator's Report:
 - a. Permit issued: 5662 Sandgate Rd. Property ID 136500-00R: addition
 - b. Zoning Letters of Compliance; 231 Tudor Rd., Parcel ID# 422500-00B; 951 Rupert Rd., Sandgate, VT 05250, Parcel ID# 601000-00B; 2899 WEST SANDGATE RD., Sandgate, VT 05250, Parcel ID# 721500-00L
7. There was no other business to conduct, and the meeting was adjourned at 7:30 p.m.

**Town of Sandgate
Planning Commission
October 8, 2025**

FINDINGS OF FACT AND DECISION

**Final Plat Application for a 2-lot Minor Subdivision for
Town of Sandgate Parcel Number 210500-00R Book 46/Page 225**

This proceeding involves the review of a Final Plan application for a 2-lot Minor Subdivision submitted by Daryl Sullivan (applicant & owner) for approval under the Town of SANDGATE LAND USE & DEVELOPMENT BYLAW (adopted 5/6/2024) for the 90.3 acre property located at 53 Sullivan Lane and identified as Parcel 210500-00R (BK 46/PG 225). (hereby identified in this decision as “the property”). The vast majority of the property is in the Forest 2 district with a less than 1 acre portion in the Forest 1 district. Lot E-1 as identified on the final plat will be 5 acres and contains the small area of the property in the Forest 1 district and the existing residence. The remainder of the property consists of Lot E-2 (32.9 acres) and Lot D 52.42 acres) as identified on the final plat. No new development is proposed on this portion of the property.

This Subdivision application was considered by the Planning Commission at a publicly warned hearing held on October 8, 2025. Present at the public hearing were the following members of the Planning Commission: Richard Zoppel (Chair), John Blandford, Dan Reap, John and Rob Viglas. Additional participants and attendees included the Town Zoning Administrator, Sheila Kearns, David Spurr of Blaze Desing, Inc., Daryl and Maureen Sullivan, property owners, and Ken and Elaine Kulmane, adjacent property owners.

Findings:

Background: The property owners seek to subdivide a 5 acre portion of the property that contains the existing residence that was constructed prior to the 1986 adoption of the current zoning districts that currently require minimum lot sizes of 5 and 25 acres in the Forest 1 and Forest 2 districts.

Regulations in Effect:

Sandgate Town Plan, December 19, 202

Sandgate Zoning Bylaws and Subdivision Regulations, May 6, 2024

Decision:

Based on the submission of the final plat, the Planning Commission approves the application for the Minor Subdivision subject to the following conditions:

1. Any development on the subdivided portions of the property will be subject to the current Sandgate Land Use and Development Bylaw (adopted 6/8/2024)
2. The final subdivision plat shall be printed on Mylar. It shall be submitted along with a digital copy and two copies printed on paper. Space shall be reserved on the plat for endorsement by the Chair of the Planning Commission. The final plat shall conform to the approved preliminary plat, except as specifically approved by the Commission. Approval of a final subdivision plat

shall not constitute any acceptance by the Town of any street, easement or other open space shown on such plat.

3. The mylar of the final subdivision plat shall be recorded in the Sandgate Land Records within 180 days of Planning Commission approval (after being signed by the Chair or Vice- Chair of the Planning Commission).

Approved by the Sandgate Planning Commission
October 8, 2025

Richard Zoppel, Chair

John Blandford

Dan Reap

Rob Viglas

**Planning Commission Minutes
Wednesday November 20, 2024
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250**

Board Members Present: Richard Zoppel (Chair), James Aschmann, Rob Viglas

Board Members Absent: Brad Kessler

Also Present: Sheila Kearns (Zoning Administrator)

1. The meeting was called to order at 7:05.
2. No conflicts of interest were noted.
3. No public comment was made.
4. Review and approve Draft Minutes from 9/18/24 took place. Rob Viglas motioned to approve the minutes and James Aschmann seconded. The members unanimously approved the minutes as written
5. Zoning Administrator's Report:
 - Permit approved for garage: Property ID 116000-00R, 3010 Sandgate Rd.
 - Permit approved for addition: Property ID 114000-0L0, 190 Swearing Hill Rd
 - Discussion with owner of 2352 Sandgate Rd.(Property ID# 109000-00R) regarding tented platform being erected: This structure is for temporary storage of tools during an interior construction project and a permit will be sought if it is to become a permanent structure
6. No other business was presented to the Board
7. At 7:18 pm Rob Viglas made a motion to adjourn the meeting. James Aschmann seconded the motion and the board approved the motion unanimously.

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.

Planning Commission Meeting Notes
Wednesday, February 19, 2025
Town of Sandgate Municipal Office
3266 Sandgate Road, Sandgate, Vermont 05250

Board Members Present: Richard Zoppel (Chair), James Aschmann

Board Members Absent: Brad Kessler

Also Present: Sheila Kearns (Zoning Administrator -ZA), Anne Hammerle (Cemetery Commission), Julie Robertson (Cemetery Commission), Samantha Page (Bennington Count Regional Commission – BCRC), and Jim Henderson (BCRC / Sandgate Conservation Commission).

There was no formal meeting due to a lack of a quorum. However, discussions did take place regarding an inquiry from the Cemetery Commission. Below are from the topics discussed.

Cemetery Commission

Commission members expressed interest in grants for the local cemeteries. Samatha (last name?) discussed where potential funding could come from. Clarification on planning grants vs. work grants was presented. Jim Henderson presented further explanation on the needs of Sandgate cemeteries. The ZA explained how planning grants had been used in the past. Ultimately, all were in agreement on what needs to happen in the future and that funding is the greatest obstacle. Samantha gave further input on what a grant could serve for future projects.

Various services for physical work on town cemeteries, both local and beyond, were talked about. The board was then asked about road access to the West Sandage cemetery. The board explained that road access is a Select Board permit request. The board also explained that easements would be between two separate parties and not a board issue. More ideas were discussed by all. Jim Henderson presented the idea that Conservation Commission members could potentially help with physical work. The Cemetery and Conservation commission members present agreed to meet outside of the meeting to plan future collaborations.

Development zone for The Conservation Fund's (CF) property on Chunks Brook Road

The Planning Commission had previously discussed CF's plan to reserve 6 acre development zone within the 298.2 acre property (Property ID 305000-00L) on Chunks Brook Road (see July 17, 2024 minutes) and had expressed its agreement with that plan. CF recently presented a slightly revised location for that 6 acre reserve. The Planning Commission members present agreed once again that plan is in conformance

with the current Town Plan and that they had no concerns about the revised location. Planning Commission member Rob Viglas was not able to be present at this meeting, but via email to the ZA expressed his agreement that the revised outline did not raise any concern for him.

Zoning Administrators Report:

- Permit inquiry 2352 Sandgate Rd.(Property ID# 109000-00R) in light of conditional permit requirement in the flood zone.
- Finalizing of WWCE Family Farm property subdivision at 2589 West Sandgate Rd.
- Inquiry about right of way for property at 3767 W Sandgate Road (Property ID: 726000-0L0)
- Building permit questions from potential buyer of Property ID 305000-00L on Chunks Brook Road—See item 7 above.
- Boundary line adjustment 527 WOODCOCK RD (Property ID:234000-00L)

Notice concerning the next meeting of the Sandgate Planning Commission will be posted on the town website and at the Town message boards during the week before the proposed meeting.