

HARTFORD ZONING BOARD OF ADJUSTMENT

October 8, 2025

Meeting Notice and Agenda

The Hartford Zoning Board of Adjustment will meet on Wednesday, October 8, 2025, beginning at 6:30 p.m. to consider the following Applications and Administrative Matters.

This meeting will be conducted in person at Hartford Town Hall, 171 Bridge Street, White River Junction, Vermont. In addition, you may join the meeting remotely as follows:

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 264 054 700 940 8

Passcode: 6Yb3co9Y

Dial in by phone

[+1 802-377-3677,,327440621#](#)

1 (802) 377-3677

Phone conference ID: 327 440 621#

If you cannot access this meeting notice electronically or if you are having difficulty connecting to the meeting, please email Jo-Ann Ells at jells@hartford-vt.org

A. Public Hearings, beginning at 6:30 p.m.

1. Application #04-25 by Arturo Arnold and Radoyka Garcia (owners/applicants) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for the installation of an Accessory Dwelling Unit, lot 08-0238-000, 635 Valley View Road, Hartford, in a RL-10zoning district.

B. Administrative matters: 1. Public Comment. 2. Minutes. 3. Administrative Permits.
4. Availability for the next Public Hearing.

Application materials are available at the Hartford Town Hall, Department of Planning and Development Services, 171 Bridge Street, White River Junction, Vermont (802) 295-3075. Persons wishing to appear and be heard may do so in person, or be represented by another party and/or submit written testimony.

An interested person who has **participated** in a municipal regulatory proceeding may appeal a decision rendered in that proceeding to the Vermont Environmental Court. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

Stephanie Gile, Chair

**Zoning Board of Adjustment
Administrative Agenda
October 8, 2025**

1. Public Comment

2. Minutes

- August 13, 2025
- September 10, 2025

3. Administrative Permits

None

4. Availability for the next Public Hearing (November 5, 2025)

**DRAFT
MINUTES
Zoning Board of Adjustment
August 13, 2025**

Present: Stephanie Gile, Chair, Steve Lagasse, Vice Chair, Alice Maleski, Tom Franklin, and Jo-Ann Ells, Zoning Administrator

Absent: Ashley Andreas, Selectboard Liaison

Public Hearing

Stephanie Gile read the hybrid meeting script, took a roll call and administered the oath.

1. Application #03-25 by Laura Simon (owner/applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for the installation of solar panels, lot 09-0108-000, 124 Stonecrest Avenue, Wilder, in a R-3 zoning district.

Laura Simon attended remotely.

Laura Simon gave an overview of the application. She explained that she was requesting the waiver to gain more sun exposure. She noted that her property slopes up from the road.

Tom Franklin asked about the purpose of the project, noting there is solar on the roof.

Laura Simon explained that the rooftop panels are connected to the grid, and she would like more power for her property. She noted she owns an electric vehicle.

Steve Lagasse asked if Green Mountain Power had been contacted. Laura Simon confirmed that they had been contacted, and they did not have any concerns.

Steve Lagasse asked about the capacity of the system. Laura Simon stated that she would need to get back to the Board with an answer.

Steve Lagasse stated he would like to know how long it takes to charge the batteries.

Laura Simon noted that if she was required to meet the setback it would not make sense to install the panels.

Steve Lagasse stated that he would like the applicant to stake out the project and for the Board to conduct a site visit.

There was a discussion about the angle of the panels in the summer and winter months.

Laura Simon read a letter from a neighbor in support of the application.

08-13-25

Steve Lagasse moved to continue the Hearing to 10:00AM on Wednesday, September 10, 2025 in order for the Board to conduct a site visit followed by the continuation of the Hearing at Town Hall. Tom Franklin seconded, and the motion passed unanimously.

Administrative Matters

1. Public Comment

None

2. Minutes

Alice Maleski moved to approve the minutes of March 26, 2025. Stephanie Gile seconded, and the motion passed unanimously.

3. Administrative Permits

Jo-Ann Ells explained that an administrative permit had been issued to QLLA for a golf cart bridge pier repair.

4. Availability for the next Public Hearing

All Board members anticipated being available for the October 8, 2025 Hearing.

Adjournment

At 7:20 p.m., Stephanie Gile moved to adjourn. Tom Franklin seconded, and the motion passed.

Respectively Submitted,

Alice Maleski, Clerk

Zoning Board of Adjustment Members/Terms:

Stephanie Gile 11-11-27

Alice Maleski 02-17-28

Steve Lagasse, Chair 02-17-28

Tom Franklin 04-14-28

**DRAFT
MINUTES
Zoning Board of Adjustment
September 10, 2025**

Present: Stephanie Gile, Chair, Steve Lagasse, Vice Chair, Tom Franklin, and Jo-Ann Ells, Zoning Administrator

Absent: Alice Maleski and Tim Fariel , Selectboard Liaison

Public Hearing

1. Application #03-25 by Laura Simon (owner/applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for the installation of solar panels, lot 09-0108-000, 124 Stonecrest Avenue, Wilder, in a R-3 zoning district.

Laura Simon was present.

It was noted that the Public Hearing on the application was opened on August 13, 2025 and continued to September 10, 2025 in order for the Board to conduct the site visit which they did the morning of September 10th before convening at Town Hall. Stephanie Gile noted the Board should voice any observations from the site visit that they want on the record.

Tom Franklin noted that he was surprised that the size of the panels was smaller than he anticipated. He asked how the panels would be tilted during the winter months and Laura Simon stated that she would manually tilt them.

Laura Simon read a statement from her contractor which outlined that he expected the panels to look similar to a raised garden expect in during the winter months when the panels will be tilted. He also noted that the purpose was to provide power to the household during a power outage.

It was noted that the panels would be operational all year.

There was a brief discussion regarding the need to tilt the panels during the winter months.

Laura Simon stated that she intends to do some low plantings such as strawberries/flowers in front of panels.

Tom Franklin noted that for many months the panels will not be tilted.

There was no public comment.

Steve Lagasse moved to close the Public Hearing. Tom Franklin seconded, and the Public Hearing was closed.

09-10-25

Stephanie Gile moved to approve the application as outlined in the draft Findings of Fact. Tom Franklin seconded, and the motion passed unanimously.

Administrative Matters

Jo-Ann Ells noted that she neglected to record the Board's Hearing in August and that she contacted the Vermont League of Cities and Towns (VLCT) for advice. She explained that the VLCT advised her to acknowledge the oversight and outline how it would be avoided in the future.

Jo-Ann Ells noted that she revised the meeting script such that the Chair/Vice Chair will ask for confirmation that the meeting is being recorded. In addition, when scheduling the TEAMS meeting, she will select the "record automatically" option. All agreed that this was a reasonable approach.

Adjournment

At 10:40 a.m. Steve Lagasse moved to adjourn. Stephanie Gile seconded, and the motion passed.

Respectively Submitted,

Alice Maleski, Clerk

Zoning Board of Adjustment Members/Terms:

Stephanie Gile 11-11-27
Alice Maleski 02-17-28
Steve Lagasse, Chair 02-17-28
Tom Franklin 04-14-28

**DRAFT
FINDINGS OF FACT
CONCLUSIONS OF LAW
AND
DECISION**

HARTFORD ZONING BOARD OF ADJUSTMENT

**Application #04-25 by Arturo Arnold and Radoyka Garcia
for approval of a setback waiver for the installation of an Accessory Dwelling Unit
lot 08-0238-000, 635 Valley View Road, Hartford
in a RL-10 zoning district**

This decision pertains to application #04-25 by Arturo Arnold and Radoyka Garcia (owners/applicants) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for the installation of an Accessory Dwelling Unit, lot 08-0238-000, 635 Valley View Road, Hartford, in a RL-10 zoning district.

FINDINGS OF FACT

Based upon the information contained in the exhibits for this application (see attached list) and the evidence adduced at the Zoning Board of Adjustment meeting of October 8, 2025 the Hartford Zoning Board of Adjustment makes the following Findings of Fact:

General Information

1. The owners of lot 08-0238-000 are Arturo Arnold and Radoyka Garcia who acquired the lot on 06-11-2018. The deed is filed in vol. 549, pp. 290 of the Hartford Land Records.
2. The lot is located at 635 Valley View Road in Hartford.
3. The lot is developed with a single-family dwelling.
4. The lot is approximately 3.09 +/- acres.
5. The lot is class three (3), on-site water and sewer.
6. The lot is in an RL-10 zoning district.

2. 04-25

This Application

7. The applicants propose to construct a 40' x 12' (480 sq. ft.) Accessory Dwelling Unit.

The applicants understand the requirements/limitations for an Accessory Dwelling Unit.
(See exhibit #8.)

8. The setbacks in the RL-10 zoning district are 50' to all property lines.

9. The applicants seek a Setback Waiver to allow the proposed structure to infringe on the southern setback. The proposed structure will be a minimum of 24' from the property line.

All other setbacks will be met.

10. Section 260-52 of the Zoning Regulations sets forth a process and criteria for obtaining a setback waiver. The intent of section 260-52 of the Zoning Regulations "is to provide flexibility in setback requirements for the placement of primary and accessory structures in all zoning districts while maintaining the character of the area." A setback waiver may be considered, providing that a minimum setback of 5' is maintained, if one of the following criteria is met.

- (A) When the reduction is no greater than the front or side setbacks for existing structures on adjacent lots on the same street frontage.
- (B) For greater fire safety as recommended by the Hartford Fire Department.
- (C) For greater preservation of open land/agricultural land or scenic vistas.
- (D) For greater preservation of other natural resources, such as, but not limited to surface waters, wetlands, or steep slopes.
- (E) For increased energy conservation and renewable energy structures.
- (F) The waiver, if authorized, will represent the minimum necessary to achieve the stated purpose of this Section."

The structure will meet the 5' setback requirement.

According to the applicants, "the proposed location preserves open land by minimizing the amount of new driveway (impervious area) that must be created, is within an existing cleared area, thus preventing the need for additional land clearing and soil disturbance, and is generally centered between the existing tree line and an existing steep slope along the roadway to further minimize earthwork and soil disturbance." (C, D)

3. 04-25

11. The applicants understand that the structure must meet the Residential Building Energy Standards as required by the State of Vermont.
12. The applicants understand that construction of the project must comply with the following:

Earth moving and hauling, rock drilling or crushing, jack hammer and similar excessively loud equipment shall not be operated on Sundays or between the hours of 5:30 p.m. and 7:00 a.m. except in emergency situations.
13. The applicants understand that any stockpiling of materials related to the construction of the project must be located twice the distance of the height of the stockpiled materials from any public or private right-of-way or property boundary.
14. The applicants understand that the project must meet the following standards:
 - (1) Any changes in grading shall be made so that runoff is directed to established drainage courses and will not cause ponding or flooding of other properties, or exceed the capacity of downstream drainage facilities.
 - (2) When possible, drainage systems shall be designed so that water runoff existing prior to site development shall not be increased after development.
 - (3) All changes in grade shall be controlled so as not to cause a nuisance or damage to other properties or erosion of topsoil.

According to the applicants, “The portion of our existing lot upon which the ADU will be located is a grassed area, with a slight, uniform grassed slope down towards the existing roadside swale, then a steeper, grassed slope down into the swale. This swale then flows to a culvert passing under Valley View Road. The location of the ADU is such that surface drainage will sheet flow overland through the grassed area and into the existing roadside drainage infrastructure. The total new developed area including building structure and gravel drive/parking is approximately 1,500 square feet. There will technically be a very small increase in the “proposed conditions” stormwater discharge due to the conversion of a small amount of grassed area to impervious area. However, the amount of increase in stormwater is negligible as compared to the existing stormwater that flows to the existing swale and culvert.”

15. The applicants understand that during construction erosion and sediment control measures as specified in the most current edition of the Low-Risk Site Handbook for Erosion Prevention and Sediment Control published by the Vermont Department of Environmental Conservation will be followed.

The applicants have states that they will “request that our contractor consult and follow the erosion and sediment control measures as specified in the most current edition of the *Low Risk Site Handbook for Erosion Prevention and Sediment*

Control published by the Vermont Department of Environmental Conservation.”

16. The applicants understand that they retain the obligation to identify, apply for, and obtain any relevant State permits for this project.
17. The applicants understand that a zoning permit is required to finalize this approval. In addition, the applicants understand that before the commencement of construction of the project they Zoning Permit must be obtained. The applicants further understand that the issuance of the zoning permit only authorizes the construction of the project in compliance with the Findings, Conclusions of Law, Approved Plans, Exhibits and Conditions as specified herein.
18. The applicants understand that all activities authorized by the issuance of the zoning permit shall be started within six (6) months and completed within two (2) years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. Any activities not completed within the above permit period shall be subject to any ordinance in effect at the time of reapplication. One six (6) month extension to both time periods may be granted by the Planning Commission prior to the expiration periods noted.
19. The applicants understand that they must obtain a Certificate of Occupancy from the Zoning Administrative Officer upon completion of the project. The applicant understands that a Certificate of Occupancy will not be issued if the project is not in compliance with these Findings, Plans and any conditions placed on the Decision.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Hartford Zoning Board of Adjustment concludes that the proposed development will:

- Be compatible with the scale and design of structures and overall existing development pattern of the surrounding area.
- Not impair reasonable or appropriate use of adjoining properties.
- Not result in greater impacts on natural resources.
- Not impair sight distances on public or private roads.

DECISION

The Hartford Zoning Board of Adjustment, based upon the forgoing Findings of Fact and Conclusions of Law, hereby approves application #04-25 by Arturo Arnold and Radoyka Garcia (owners/applicants) for approval of a setback waiver under section 260-52 of the Hartford

5. 04-25

Zoning Regulations for the installation of an Accessory Dwelling Unit, lot 08-0238-000, 635 Valley View Road, Hartford, in a RL-10 zoning district **on the condition that:**

- 1. The applicants include a complete application for an Accessory Dwelling Unit with the Zoning Permit application to finalize this Decision.**
- 2. Before a Certificate of Occupancy is issued:**
 - **The applicants submit written verification confirming that the project was constructed in accordance with this Decision.**
 - **The applicants record a Residential Building Energy Standard Certificate in the Land Records.**

This decision is also subject to the condition that no modification or expansion shall be made to the project as described and limited in the above Findings of Fact and Conclusions of Law without the written approval of the Hartford Zoning Board of Adjustment and/or the Hartford Planning Commission. This decision may be revoked, and a new application or permit required if conditions and findings are violated or modified without written approval.

The applicants are responsible for insuring compliance with all applicable State and Federal regulations pertaining to this application.

Those in favor:

Those in opposition:

Those not participating:

Dated at Hartford, Vermont this ____ day of October 2025.

HARTFORD ZONING BOARD OF ADJUSTMENT

By: _____
Chairperson/Vice-Chairperson

Appeal Rights: An interested person who has participated in the proceeding related to this decision has the right to appeal this decision to the Vermont Environmental Court, pursuant to 24 V.S.A. s. 4471 and V.R.E.C.P.5, in writing, within 30 days of the date of this decision. If you fail to appeal this decision as described above, your right to challenge this decision at some future time may be lost. You will be bound by this decision, pursuant to 24 V.S.A. s. 4472 (d) (exclusivity of remedy; finality).

6. 04-25

EXHIBIT LIST

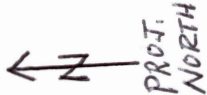
1. Application #04-25
2. Site Plan prepared by Tim Schaal dated September 10, 2025
3. Application for a Setback Waiver Supplemental Information dated September 10, 2025
4. Letter dated September 10, 2025 from Arturo Arnold and Radoyka Garcia
5. Memo from Jo-Ann Ells dated September 4, 2025
6. Letter dated August 29, 2025 from Arturo Arnold and Radoyka Garcia
7. Project location map
8. Accessory Dwelling Unit form (blank)

ARNOLD & GARCIA SKETCH PLAN

Scale: 1"=50 ft.

Prepared by: Timothy L. Schaal, P.E.
451 Valley View Rd., WRJ, VT
September 10, 2025

US INTERSTATE 89



APPROX. END
OF TOWN R.O.W.
FOR VALLEY VIEW RD.

I-89 R.O.W.

R/L R.O.W. $\approx$ 990'
FROM END OF
VALLEY VIEW RD

PL+/-

PRIVATE ROAD
EASEMENT
 $\approx$ 50'

(I-89 R.O.W.)

PL+/-

PRIVATE ROAD

$\approx$ 75'-

ADDED
25'x40'
GRAVEL DRIVE

$\approx$ 100'
(TO R)

$\approx$ 100'
(TO R)

$\approx$ 75'-

$\approx$ 100'
(TO R)

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Lot 08-237 / 461 Valley View Rd.

N/F Tim & Anna Schaal

451 Valley View Rd.

WRJ, VT

EX. SHRUBS

EX. 18" MAPLE

EX. 18" SPRUCE

EX. GRVEL DR.

EX. HOUSE

EX. REBAR & PIPE
CORNER
PINS

EX. BARB
WIRE FENCE
IS THE R

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N/F

ARNOLD ARTURO

GARCIA RADOYKA

635 VALLEY VIEW ROAD

MAP ID 8-238

3.09 ACRES

APPROX
EX. TREE
LINE

R $\approx$ 750'
FROM CORNER PINS

800

Lot 08-276-1

N/F Andrew Jones & Sheila Hastie

850 Kings Highway

WRJ, VT

Arturo Arnold & Raydoyka Garcia
635 Valley View Road
White River Jct., Vermont 05001

August 29, 2025

Jo-Ann Ells
Town of Hartford
Department of Planning & Development Services
171 Bridge Street
White River Jct., Vermont 05001

Subject: Application to Planning & Comm. & ZBA and Setback Waiver Application for Proposed Accessory Dwelling Unit (ADU) at Lot 08-238 / 635 Valley View Road

Dear Jo-Ann,

This letter is provided as a "project narrative" for the above referenced project and in support of the accompanying Town of Hartford *Application to Planning Commission &/or Zoning Board of Adjustment* and *Application for a Setback Waiver*.

As we discussed during our meetings, we are proposing to construct a 12'x40'(480 sf), single-story ADU for our mother to reside. This ADU will be accessed from our existing driveway which is off the private road section of Valley View Road. The private road and its maintenance easement bi-sect our lot, with a long, skinny & virtually unbuildable parcel on the north side of the private road, and the remaining, developed section with our existing house on the south side of the road. The proposed ADU would be on the south, developed side of the road and within an existing cleared area. Please refer to the attached sketch plan.

As is noted on the attached Sketch Plan, we would like to locate the ADU 24' feet from our southern property line, which puts the ADU within the prescribed 50 feet side setback for the RL-10 Zoning District. This southern property line is visible, as it delineated by an existing barbed-wire fence, as referenced in the 2/12/99 survey plat by Hathorn Surveys, titled "Survey & Subdivision of Lands Owned by Srah Burnham, Kings Highway, Hartford, Vermont."

This location is advantageous for many reasons, including that it utilizes an existing cleared area, and requires only a very short driveway /parking area off of our existing driveway. With regards to the criteria in the *Application for Setback Waiver*, the proposed ADU location meets Criteria 1 C. and D., as:

- The proposed 24 feet side setback is more than the minimum requirement of 5 feet.
- The proposed location preserves open land by minimizing the amount of new driveway (impervious area) that must be created.
- Is within an existing cleared area, thus preventing the need for additional land clearing and soil disturbance.
- Is generally centered between the existing tree line and an existing steep slope along the roadway to further minimize earthwork and soil disturbance.

With regards to the Setback Waiver Item 2., the proposed ADU will:

(A) "Be compatible with the existing scale and design of structures and overall existing development pattern of the surrounding area." The proposed ADU is smaller than most other structures in the area and will not result in a greater number of overall structures on our lot than currently exists on nearly all of the surrounding lots.

(B) We have spoken with our neighbors Andrew Jones and Sheila Hastie and have confirmed that the ADU "will not impair reasonable or appropriate use" of their adjoining property. They have no issues with the ADU location, as their property is over 100 acres, and their house is located over 2,000 feet from the subject property line.

(C) By locating the ADU as is proposed, the impacts on natural resources will be minimized as compared to locating it in an alternate location that meets the setback requirements.

(D) The location of the ADU is such that there will be no impacts to sight distances on this private road.

We look forward to the hearings with the Zoning Board and Planning Commission members to answer any questions they may have. In the meantime, if you have any questions or require any additional information, please do not hesitate to give us a call.

Respectfully Submitted,

Arturo Arnold & Raydoyka Garcia

Encl.

Application to Planning Commission &/or s
Zoning Board of Adjustment
Application for Setback Waiver
Sketch Plan

Arturo Arnold & Raydoyka Garcia
635 Valley View Road
White River Jct., Vermont 05001

September 10, 2025

Jo-Ann Ells
Town of Hartford
Department of Planning & Development Services
171 Bridge Street
White River Jct., Vermont 05001

**Subject: Setback Waiver Application for
Proposed Accessory Dwelling Unit (ADU) at Lot 08-238 / 635 Valley View Road**

Dear Jo-Ann,

This letter is provided in response to the September 4, 2025 Memorandum concerning our Setback Waiver Application. We offer the following replies for the Boards' your consideration, following the same Item numbering in the Memorandum:

1. It is understood that we retain the obligation to identify, apply for, and obtain any relevant local and state permits for this project.
2. The site plan has been amended to identify the name of the person who prepared the plan and to add the date the plan was drawn.
3. We will talk to Hartford's Environmental Sustainability Coordinator about the Vermont Residential Building Code Standards.
4. We will contact the Fire Marshal, Tom Peltier, to determine if there are any applicable Public Building Permit requirements for the ADU.
5. It is understood that we must apply for and obtain a Zoning Permit to finalize an approval by the Zoning Board and before construction may commence.
6. The location of the proposed ADU will be staked not later than September 15, 2025.
7. This project conforms with the intent of the "Grading and Drainage" requirements of section 260-27 C of the Hartford Zoning Regulations, as follows:

The portion of our existing lot upon which the ADU will be located is a grassed area, with a slight, uniform grassed slope down towards the existing roadside swale, then a steeper, grassed slope down into the swale. This swale then flows to a culvert passing under Valley View Road. The location of the ADU is such that surface drainage will sheet flow overland through the grassed area and into the existing roadside drainage infrastructure. The total new developed area including building structure and gravel drive/parking is approximately 1,500 square feet. There will technically be a very small increase in the "proposed conditions" stormwater discharge due to the conversion of a small amount of grassed area to impervious area. However, the amount of increase in stormwater is negligible as compared to the existing stormwater that flows to the existing swale and culvert.

8. We will request that our contractor consult and follow the erosion and sediment control measures as specified in the most current edition of the *Low Risk Site Handbook for Erosion Prevention and Sediment Control* published by the Vermont Department of Environmental Conservation.

9. We understand that once the project is complete and before a Certificate of Occupancy will be issued that we must submit written verification certifying that the project was constructed in compliance with the permit, and if required by the State, we will record an Energy Code Certificate in the Land Records.
10. A single email has been sent containing all application materials, including this response and the revised plan.
11. Enclosed are 5 copies of all application materials, including this Memo response, revised plan, and the Hearing fee (\$155.00).

Respectfully Submitted,

Arturo Arnold & Raydoyka Garcia

Encl.

5 Copies Each of:

August 29, 2025 Cover Letter
Memo Response Letter
Application for Setback Waiver
Sketch Plan
Site Location Plan
Hearing Fee (\$150)



Town of Hartford

Application for a Setback Waiver

Supplemental Information - Building or Zoning Permit Required

Applicant name: Arturo Arnaud MAP/LOT #: 08 - 238

Location of Property: 635 Valley View Rd, White River Jct, VT 05001

1. A setback waiver may be considered by the Zoning Board of Adjustment, providing that a **minimum setback of 5'** is maintained, if one of the following criteria is met.

- (A) When the reduction is no greater than the front or side setbacks for existing structures on adjacent lots on the same street frontage.
- (B) For greater fire safety as recommended by the Hartford Fire Department.
- (C) For greater preservation of open land/agricultural land or scenic vistas.
- (D) For greater preservation of other natural resources, such as, but not limited to surface waters, wetlands or steep slopes.
- (E) For increased energy conservation and renewable energy structures.
- (F) The waiver, if authorized, will represent the minimum necessary to achieve the stated purpose of this Section.

How does your application meet these criteria?

See AUGUST 29th, 2025 COVER LETTER

2. The Zoning Board of Adjustment determine that in issuing the setback waiver, the proposed development will:

- (A) Be compatible with the scale and design of structures and overall existing development pattern of the surrounding area.
- (B) Not impair reasonable or appropriate use of adjoining properties.
- (C) Not result in greater impacts on natural resources.
- (D) Not impair sight distances on public or private roads.

How does your application meet these criteria?

SEE AUGUST 29th, 2025 COVER LETTER

The applicant retains the obligation to identify, apply for, and obtain any relevant local or state permits before any construction may commence. Please call 802-282-6488 to speak with the State Permit Specialist.

[Signature]
Prepared By

9/10/25
Date

May 2023

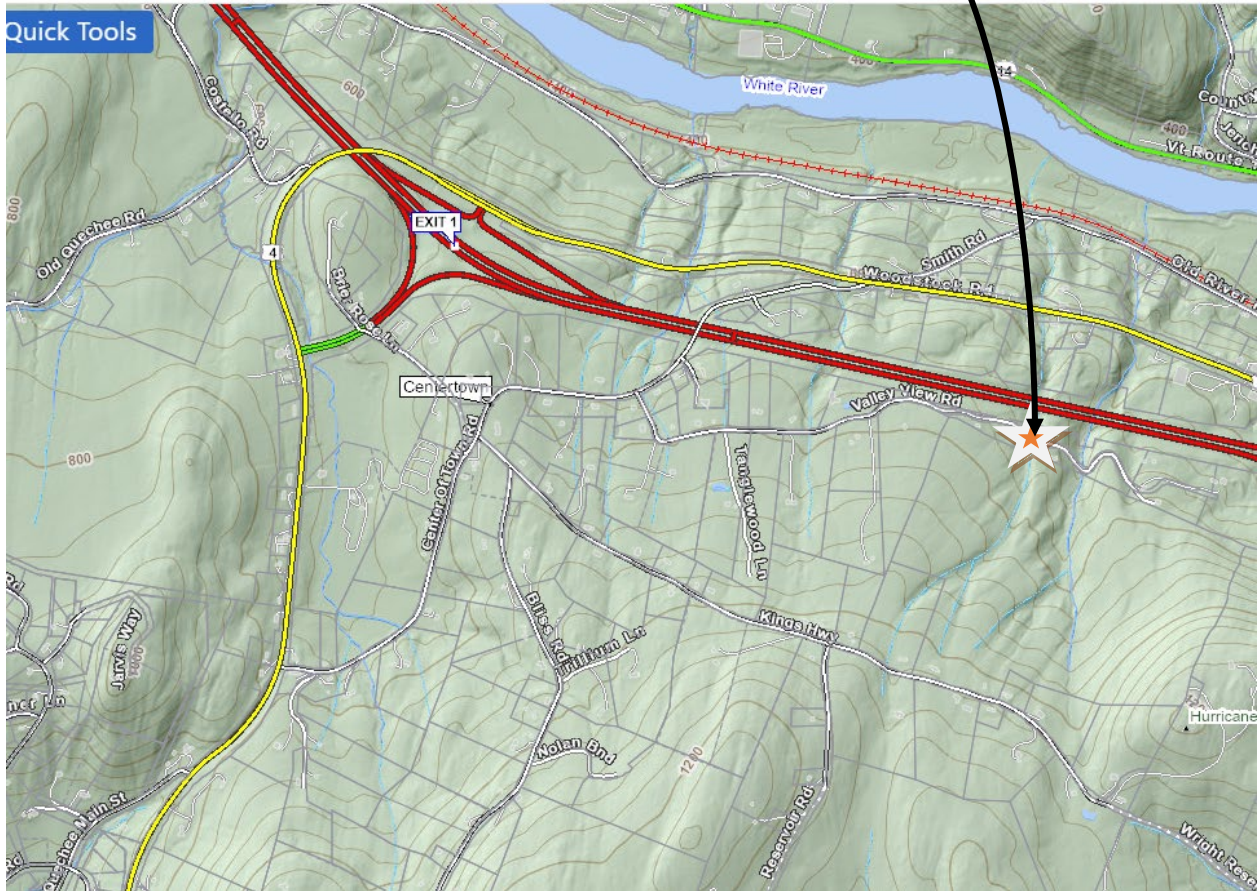
Arturo Arnold & Raydoyka Garcia

635 Valley View Road
White River Jct., Vermont 05001

PROJECT LOCATION MAP FOR LOT 08-238

Not to Scale

PROJECT LOCATION



Memorandum

To: Arturo Arnold
From: Jo-Ann Ells
Date: September 4, 2025
Re: Setback Waiver, Lot 08-0238-000

Please submit a response to the following comments/questions on your application for a setback waiver before **9:00 a.m., Friday, September 12, 2025**. If you are unable to meet this deadline, please contact me as soon as possible to discuss the deadline to have your application considered at the next round of Public Hearings.

Prior to the Zoning Board Hearing, you will receive an agenda, draft Findings of Fact, and additional staff comments if there are any. Please feel free to contact me at any time during this process.

1. Please confirm that you understand that you retain the obligation to identify, apply for, and obtain any relevant local and state permits for this project.

To determine what State Environmental Permits may be required for your project, The Vermont Agency of Natural Resources (ANR) recommends that you use ANR's Permit Navigator Tool by going to the VT Department of Environmental Conservation website [Welcome to DEC | Department of Environmental Conservation \(vermont.gov\)](#) and going to the "Permit Navigator Tool" [Permit Navigator \(force.com\)](#)

If further assistance is needed, please contact the Community Assistance Specialist for our area:

Halle Harklau, Community Assistance Specialist

Halle.Harklau@vermont.gov

802-461-7128

2. Please amend the site plan as follows:

- Identify the name of the person who prepared the plan
 - Add the date the plan was drawn
3. If you have not done so already, I encourage you to talk to Hartford's Environmental Sustainability Coordinator, Dana Clawson, about the Vermont Residential Building Code Standards. (dclawson@hartford-vt.org)
 4. Please contact the Fire Marshal, Tom Peltier, to determine if there are any applicable Public Building Permit requirements for the ADU. tpeltier@hartford-vt.org (802-299-7013).
 5. Please confirm that you understand that to finalize an approval by the Zoning Board and before construction may commence you must apply for and obtain a Zoning Permit from me.

A complete Zoning Permit includes:

- An application for a Zoning Permit
 - Application for an ADU
 - Application fee
 - Documentation outlining how any conditions of Zoning Board approval have been met
6. Please stake the location of the proposed ADU on site.
 7. Please outline how the project conforms with section 260-27 C of the Hartford Zoning Regulations which states:

C. Grading and drainage. The following provisions shall apply to any changes which affect drainage of water to or from a property:

(1) Any changes in grading shall be made so that runoff is directed to established drainage courses and will not cause ponding or flooding of other properties, or exceed the capacity of downstream drainage facilities.

(2) When possible, drainage systems shall be designed so that water runoff existing prior to site development shall not be increased after development.

(3) All changes in grade shall be controlled so as not to cause a nuisance or damage to other properties or erosion of topsoil.

8. Please acknowledge that during construction of the proposed ADU erosion and sediment control measures as specified in the most current edition of the *Low Risk Site Handbook for Erosion Prevention and Sediment Control* published by the Vermont Department of Environmental Conservation will be followed.

9. Please acknowledge that you understand that once the project is complete and before a Certificate of Occupancy will be issued you need to:
 - Submit written verification certifying that the project was constructed in compliance with the permit.
 - Record an Energy Code Certificate in the Land Records if required by the State.
10. Please send me a single email with all application materials, including your response to this memo, and revised plan.
11. Please submit 5 copies of all application materials, including your response to this memo and revised plan, and the Hearing fee (\$155.00).

NOTE: The Town of Hartford is aware of a email scam targeting Planning Commission and Zoning Board applicants falsely claiming to be from the Town. The email threatens that non-payment will affect the application.

The scam email often includes a fake invoice requesting a wire transfer payment.

If you receive an email, please:

Do **not** click on/open any links or attachments.

Do **not** forward the email to me or the town.

Please call me and let me know you received such an email. (802) 478-1117



Town of Hartford

ACCESSORY DWELLING UNITS

Supplemental Information - Building or Zoning Permit Required

Physical Location: _____

Landowner Name: _____ Phone: _____

An Accessory Dwelling Unit (ADU) is a dwelling unit located on the same lot as a single-family dwelling either within or attached to the single-family dwelling or in a separate structure and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

OCCUPANCY: The owner must live on the property and may occupy either the single-family dwelling or the ADU.

SIZE: The ADU cannot exceed 30 percent of the total habitable floor area of the single-family dwelling or 900 square feet, whichever is greater.

Single-family dwelling square footage: _____ ADU square footage: _____

SETBACKS: If the ADU is in a newly constructed structure or an addition to an existing home, it must meet the setback requirements of the zoning district. (See Zoning Permit application)

PARKING: One parking space is required. (See sketch on Zoning Permit application)

MUNICIPAL UTILITIES:

Provide written verification in the form of an executed Allocation Agreement from the Hartford Department of Public Works for any additional flows to a municipal sewer or from a municipal water connection.

Attached _____ N/A _____

Provide an Engineer's or Licensed Designer's Permit Exemption Certification for any municipal sewer or water connection not requiring utility line construction or reconstruction.

Attached _____ N/A _____

Provide a Wastewater Disposal and Potable Water Supply Permit issued by the State of Vermont for any municipal sewer or water connection requiring construction or reconstruction.

Attached _____ N/A _____

ON-SITE UTILITIES:

Provide written verification in the form of a Wastewater Disposal and Potable Water Supply Permit issued by the State of Vermont for any on-site sewer or water connection.

Attached _____ N/A _____

I confirm that my proposed Accessory Dwelling Unit complies with the requirements as outlined above.

Applicant Signature

Date

Landowner (if different from Applicant)

Date

The applicant retains the obligation to identify, apply for, and obtain any relevant local or state permits before any construction may commence. Please call 802-282-6488 to speak with the State Permit Specialist.