



**Development Application**  
**Town of Stowe Planning & Zoning Department**  
**PO Box 730**  
**Stowe, VT 05672**  
**Telephone: (802) 253-6141**

**Project #**  
 (To be assigned)

**Date Received:**

**This form serves as an application for all requested zoning and subdivision reviews.**

**Property Owner Information**

Property Owner	JON HANSON
Mailing Street Address City, State and Zip	2481 Nebraska Valley Rd.
Telephone Number (802) 253-7982	Email jon@pshift.com

**Applicant Information (Relationship to Owner)**

- Owner (If so, skip to property information)  
  Lessee  
  Contractor  
 Architect/Designer  
  Agent for Owner  
  Under purchase contract

**All information and correspondence is sent to applicant/contact.**

Applicant Name Company (if any)	
Mailing Street Address City, State and Zip	
Phone Number	Email

**Property Information & Location**

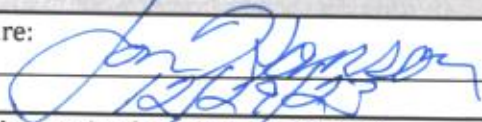
Physical Address	Across the road from 2481 Nebraska Valley Rd.
Tax Map ID	Map 5 Lot 20.01
Existing Use improved lot	Proposed Use single family home

**Please briefly describe the proposed project, intended use, and/or development request below:**

Construct new single family home on Lot #4 with request for variance of front yard setback to stay out of the flood zone.  
 Same a previous permit #Z-3340 issued 3/5/07 and variance #3412 approved 6/12/07. Also as previously approved by DRB on 11/9/20 but not issued.  
 Along with Health Permit #H-93-12 dated 4/7/93.

**For All Approvals:**

The below signed hereby agrees that the proposed work shall be done in accordance with the application, plan, specifications, and other associated documentation and that the work shall conform to all applicable town ordinances and regulations. Signing as an "Agent for Owner" indicates that the person signing has the permission of the owner to act on the owner's behalf. Additional permits may be needed from the State of Vermont and/or the Town of Stowe for development.

Indicate if: <input checked="" type="checkbox"/> Property Owner OR <input type="checkbox"/> Agent for Owner	Signature:  Date: 2/28/23
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**Additional application information is required on reverse side: →**

**Note: Local Zoning approval does not cover any required state approvals. Wastewater System and Potable Water Supply permits may be required for construction or modifications that change the wastewater flow. Other State permits may be required for certain uses. The applicant is advised to contact a DEC Permit Specialist to discuss the State permit requirements at 802-505-5367.**



# Federal Emergency Management Agency

Washington, D.C. 20472

**March 15, 2023**

MR. JON HANSON  
2481 NEBRASKA VALLEY ROAD  
STOWE, VT 05672

**CASE NO.: 23-01-0149A**  
COMMUNITY: TOWN OF STOWE, LAMOILLE  
COUNTY, VERMONT  
COMMUNITY NO.: 500066

DEAR MR. HANSON:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Sincerely,

Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

**LIST OF ENCLOSURES:**

LOMA-OAS DETERMINATION DOCUMENT (OUT AS SHOWN)

cc: State/Commonwealth NFIP Coordinator  
Community Map Repository  
Region



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (OUT AS SHOWN)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	TOWN OF STOWE, LAMOILLE COUNTY, VERMONT	A parcel of land, as described in the Warranty Deed recorded as Document No. 000734, in Volume 218, Pages 121 and 122, in the Office of the Town Clerk, Town of Stowe, Vermont  The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 500066	
AFFECTED MAP PANEL	NUMBER: 5000660060E  DATE: 8/4/2005	
FLOODING SOURCE: MILLER BROOK		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 44.467128, -72.776165 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS OUTSIDE OF THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	--	2481 Nebraska Valley Road	Portion of Property	X (unshaded)	--	--	--

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

**ADDITIONAL CONSIDERATIONS** (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION  
PORTIONS REMAIN IN THE SFHA

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). The subject property is correctly shown outside the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMA Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP AMENDMENT  
DETERMINATION DOCUMENT (OUT AS SHOWN)**  
ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

**LEGAL PROPERTY DESCRIPTION (CONTINUED)**

Beginning at an iron rod at the most southeasterly property corner of Lot 4, land of Jon Hanson, then N 78°41' W a distance of 201.4' along the northerly highway limits to an iron rod; then along the common boundary of Lot 4 and Lot 5, Lot 5 also being land of Jon Hanson, N 23°38' E a distance of 52'; then S 71°19' E a distance of 197.4'; then along the easterly limits of Lot 4 S 23°22' W a distance of 26' to the Point of Beginning.

**PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)**

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426.

A handwritten signature in black ink, appearing to read "Rick Sacbibit".

Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

**TOWN OF STOWE**  
**DEVELOPMENT REVIEW BOARD**  
**Findings of Fact & Conclusions of Law**

IN RE:           **Jon Hanson**  
                    **2481 Nebraska Valley Road**  
                    **Stowe VT 05672**

3412

**PROCEDURAL HISTORY:**

The Development Review Board received this application on May 11, 2007. The application was warned in the Stowe Reporter and posted on May 17, 2007. A public hearing was held on June 5, 2007 at which time the hearing was closed. The Board rendered this decision electronically on June 12, 2007. Jon Hanson presented the application to the Board.

**FINDINGS OF FACT & CONCLUSIONS OF LAW: During its review of this application, the Board made the following Findings of Fact:**

1. Jon Hanson owns 1.8+- acres of land across the road from 2481 Nebraska Valley Road in the RR-5 zoning district.
2. The parcel is currently vacant.
3. The parcel is a pre-existing small lot as defined under Section 4.6 and is required to meet RR-2 setbacks. The required front yard setback for RR-2 is 60 feet.
4. The applicant is seeking a variance to allow a front yard setback of 10 feet.
5. The Miller Brook bisects the property and is approximately 150 feet from the right-of-way line.
6. In 1980 the Flood Insurance Rate Maps (FIRM) were amended to include a special flood hazard area (100-year flood zone) on the Hanson property. The flood hazard area is approximately 50 feet back from the right-of-way line.
7. The area to the rear of lot beyond the flood hazard area is steep and not suitable for development.
8. The applicant submitted a site plan prepared using Town GIS mapping and orthophotography depicting the flood hazard area and the desired dwelling location.
9. Under the provisions of the Zoning Ordinance, this application was reviewed as a request for a variance.

**24.6 (3) – Standards of review for variance:** Pursuant to the requirements of the Stowe Zoning Ordinance, the Board may grant a variance if all of the following facts are found:

10. **Section 24.6 (3) (A) That there are unique physical conditions and that unnecessary hardship is due to such conditions and not to the conditions created by the zoning regulations in the district in which the property is**



**located:** The Miller Brook flooding and the steep topography to the rear make the area closest to the road the most suitable area for development.

**Conclusion:** The Board concludes that the natural occurrence of flooding and the existing steep topography are unique physical conditions that limit reasonable development to an area approximately 50 feet along the right-of-way.

11. **Section 24.6 (3) (B) That in order to enable reasonable use of the property, the provisions of the zoning regulations cannot be conformed to:** The normally required RR-2 60-foot front setback would require any development to occur within the flood hazard area. Although a house could be elevated so that the first floor would be above the flood zone, such development would require meeting flood construction standards and result in a house being constructed above the existing grade. In addition, construction in the flood hazard area conflicts with the goals of the Stowe Municipal Plan which include protecting water quality by "restricting development in designated floodplains to recreation and other non-commercial and non-residential land uses..."

**Conclusion:** The Board concludes that it is unreasonable and not in the public interest to require development within a flood hazard area when other suitable land is available on the property.

12. **Section 24.6 (3) (C) That such unnecessary hardship has not been created by the appellant:** The area suitable for development is a result of naturally occurring flooding and existing topography.

**Conclusion:** The Board concludes that the unnecessary hardship is not created by the applicant.

13. **Section 24.6(3) (A) That the variance would not alter the character of the district, nor adversely affect the appropriate use of adjacent property, nor be detrimental to the public welfare:** The applicant testified that he inventoried developed parcels along Nebraska Valley Road and found a significant number of homes closer than the 60 feet from the right-of-way. Homes in this area were historically developed close to the road.

**Conclusion:** The Board concludes that the requested 10-foot setback would not be unusual in this area and would not alter the character of the area, adversely affect adjacent properties, or be detrimental to the public welfare.

14. **Section 24.6(3) (A) That the variance will represent the minimum that will afford relief and will represent the least modification possible of the zoning ordinance and the plan. In granting any variance, the Board may prescribe appropriate conditions in conformity with this ordinance:** The applicant submitted a site plan showing the flood hazard area, existing septic leach field, replacement septic area, and proposed 50' x 26' dwelling footprint. The existing and proposed improvements, the required RR-2 side setbacks, and the required leach field isolation distance from a foundation covered the majority of area 50 feet back from the right-of-way line.

**Conclusion:** The Board concludes that based upon the site plan submitted the requested 10-foot front yard setback is the least modification of the zoning regulations possible in order to allow for reasonable development of the parcel.

**DECISION**

Based upon the foregoing Findings of Fact, in **RE: 3412 (Jon Hanson)**, the Board took the following action:

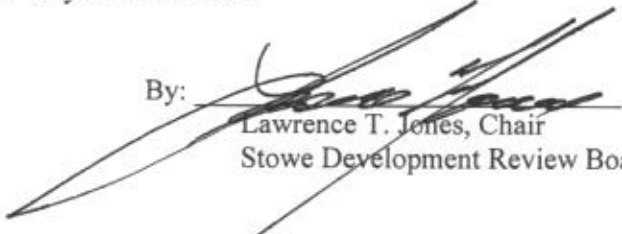
A motion was made by Mrs. Brittin and seconded by Mr. Pineles to approve the variance request allowing for a 10-foot front yard setback.

Voting in favor: Mrs. Brittin, Mr. Izzo, Mr. Jones, Mr. Pineles, Mr. Leven, Mr. Ramos, and Mr. Teffner. Voting to deny: None. Voting to abstain: None. Absent: None

The motion carries 7 – 0; the application is approved.

Dated at Stowe, Vermont this the 12<sup>th</sup> day of June 2007.

By:



Lawrence T. Jones, Chair  
Stowe Development Review Board

Any interested person may appeal this decision to the Vermont Environmental Court within thirty (30) days in accordance with 24 V.S.A. S 4471.

The foregoing represents the decision of the Development Review Board, and is NOT a permit. A zoning permit will not be issued by the Administrative Officer until:

1. All necessary approvals have been obtained
2. All relevant conditions imposed as part of the approval have been met

The commencement of the activities described within this decision without a valid permit constitutes a violation of the Stowe Zoning Regulations as provided in Section 23.4.

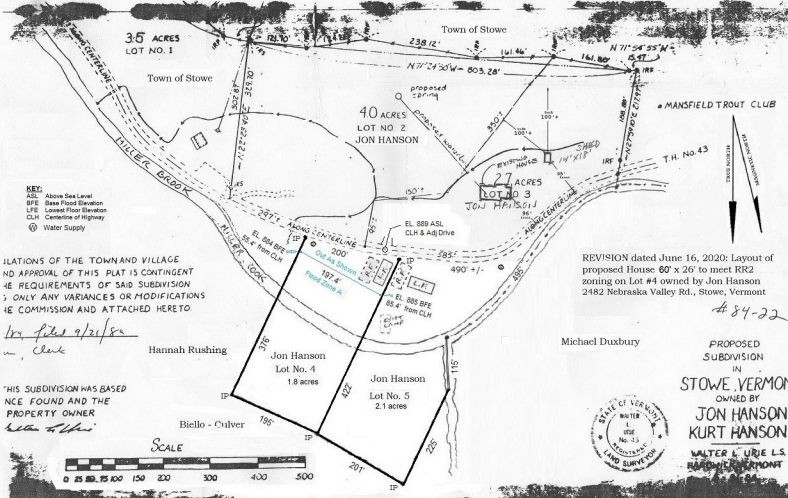
The use or occupancy of any building or activity approved in this decision requires the issuance of a Certificate of Occupancy. No Certificate of Occupancy will be issued until such time as all of the conditions of this decision have been fulfilled.

JON HANSON Lot 4 – Abutting Property Owners

**Notification Sent To:**

<b>Tax Map</b>	<b>Property Owner/Easement Holder</b>	<b>Address</b>
Tax Map # 05-003.000 Location 1450 OLD COUNTY RD	BIELLO FAMILY REVOC TRUST	7 MARSHALL WAY REHOBOTH, MA 02769
Tax Map # 05-003.000 Location 1450 OLD COUNTY RD	Vermont Nature Conservancy Attn: JON BINHAMMER	575 Stone Cutters Way Montpelier, Vermont 05602
Tax Map # 05-020.020 Location 83 MILLER BROOK LN	HANNAH RUSHING	83 MILLER BROOK LN STOWE, VT 05672





**KEY:**  
 ASL Above Sea Level  
 BFE Base Flood Elevation  
 LFE Lowest Floor Elevation  
 CLH Centerline of Highway  
 Water Supply

REGULATIONS OF THE TOWN AND VILLAGE  
 AND APPROVAL OF THIS PLAT IS CONTINGENT  
 UPON THE REQUIREMENTS OF SAID SUBDIVISION  
 AND ONLY ANY VARIANCES OR MODIFICATIONS  
 HEREON ARE BY COMMISSION AND ATTACHED HERETO.

*174 filed 9/20/82*  
*in Clerk*

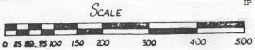
"THIS SUBDIVISION WAS BASED  
 ON A SURVEY FOUND AND THE  
 PROPERTY OWNER  
*Walter L. Urbe*"

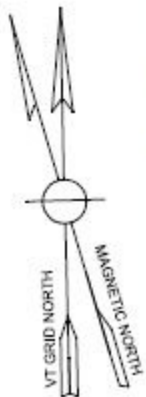
REVISION dated June 16, 2020: Layout of  
 proposed House 60' x 26' to meet RR2  
 zoning on Lot #4 owned by Jon Hanson  
 2482 Nebraska Valley Rd., Stowe, Vermont

#84-22

Michael Duxbury

PROPOSED  
 SUBDIVISION  
 IN  
 STOWE, VERMONT  
 OWNED BY  
 JON HANSON  
 KURT HANSON  
 WALTER L. URBE L.S.  
 LAND SURVEYOR VERMONT





## LEGEND

These standard symbols will be found in the drawing.

- Iron Rod
- ⊙ Iron Pipe
- 1968 Highway Limits Centerline
- - - - - Brook Boundary
- S\_FLD\_HAZ\_LN

Out As Shown Area

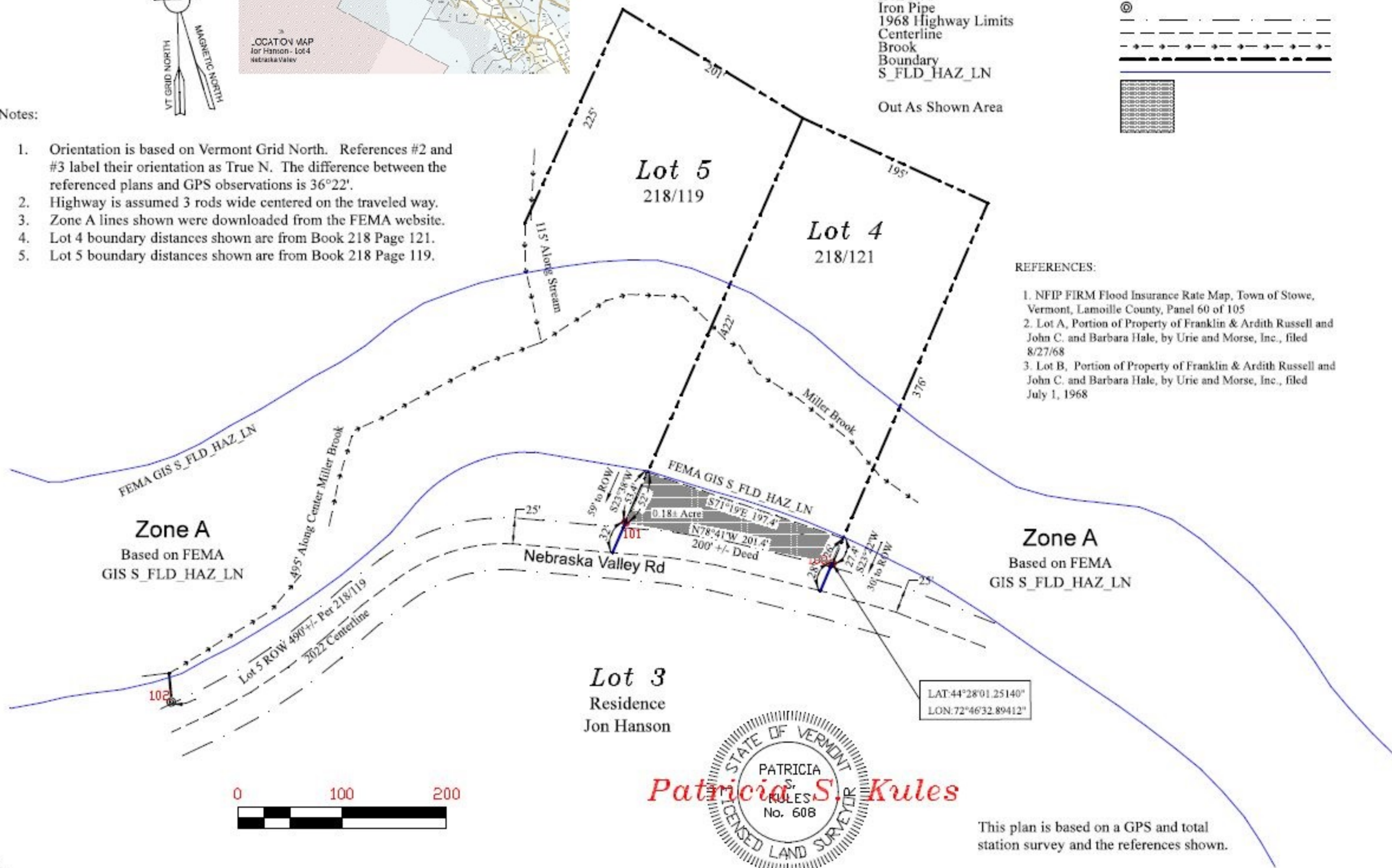


### Notes:

1. Orientation is based on Vermont Grid North. References #2 and #3 label their orientation as True N. The difference between the referenced plans and GPS observations is 36°22'.
2. Highway is assumed 3 rods wide centered on the traveled way.
3. Zone A lines shown were downloaded from the FEMA website.
4. Lot 4 boundary distances shown are from Book 218 Page 121.
5. Lot 5 boundary distances shown are from Book 218 Page 119.

### REFERENCES:

1. NFIP FIRM Flood Insurance Rate Map, Town of Stowe, Vermont, Lamoille County, Panel 60 of 105
2. Lot A, Portion of Property of Franklin & Ardith Russell and John C. and Barbara Hale, by Urie and Morse, Inc., filed 8/27/68
3. Lot B, Portion of Property of Franklin & Ardith Russell and John C. and Barbara Hale, by Urie and Morse, Inc., filed July 1, 1968



This plan is based on a GPS and total station survey and the references shown.

Little River  
Survey Company  
P.O. Box 1147, 3283 Pucker Street  
Stowe, Vermont 05672  
Tel: (802) 793-9673

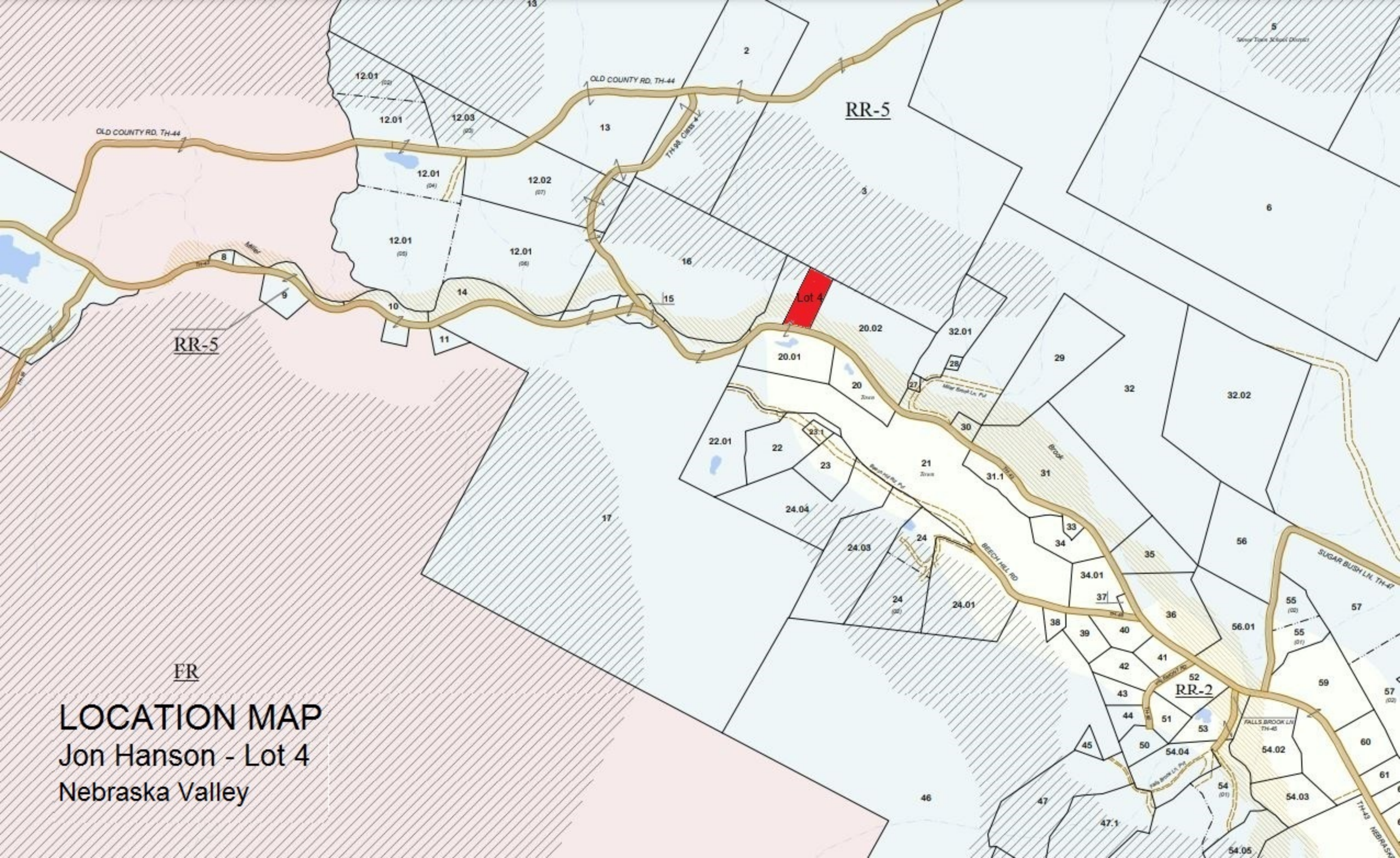
Lot 4 Plan  
Tax Parcel ID 06057-010  
Land of Jon Hanson  
2481 Nebraska Valley Rd, Stowe, VT

### REVISIONS

1/30/23

SCALE  
HORZ: 1" = 100'  
VERT: NA  
DRAWN BY: PSK  
CHECKED BY:  
DATE: Apr 2023  
JOB: 22588





ER  
**LOCATION MAP**  
Jon Hanson - Lot 4  
Nebraska Valley



FEMA GIS S\_FLD\_HAZ\_LN

ROW

S23°38'W

53.4'

52'

32'

101

34' x 26'

24' x 22'

18' x 10'

18' x 10'

10'

12'

14'

200' +/- Deed

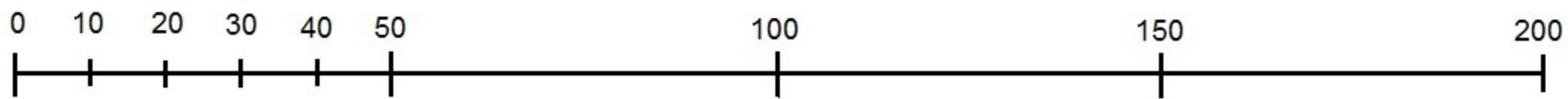
100

28'

26'

Valley Rd

JON HANSON Lot 4  
Nebraska Valley  
Site Plan - House Layout & Setbacks



FEMA GIS S\_FLD\_HA

ROW

S23°38'W

53.4'

52'

50'

34' x 26'

24' x 22'

18' x 10'

18' x 10'

12'

14'

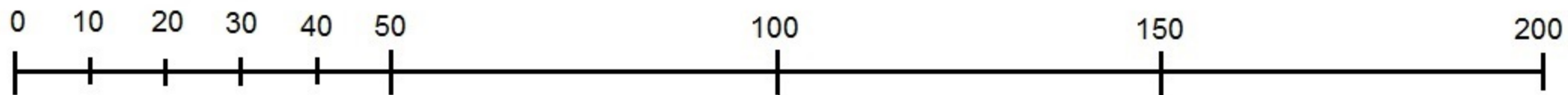
10'

200' +/- Dead

101

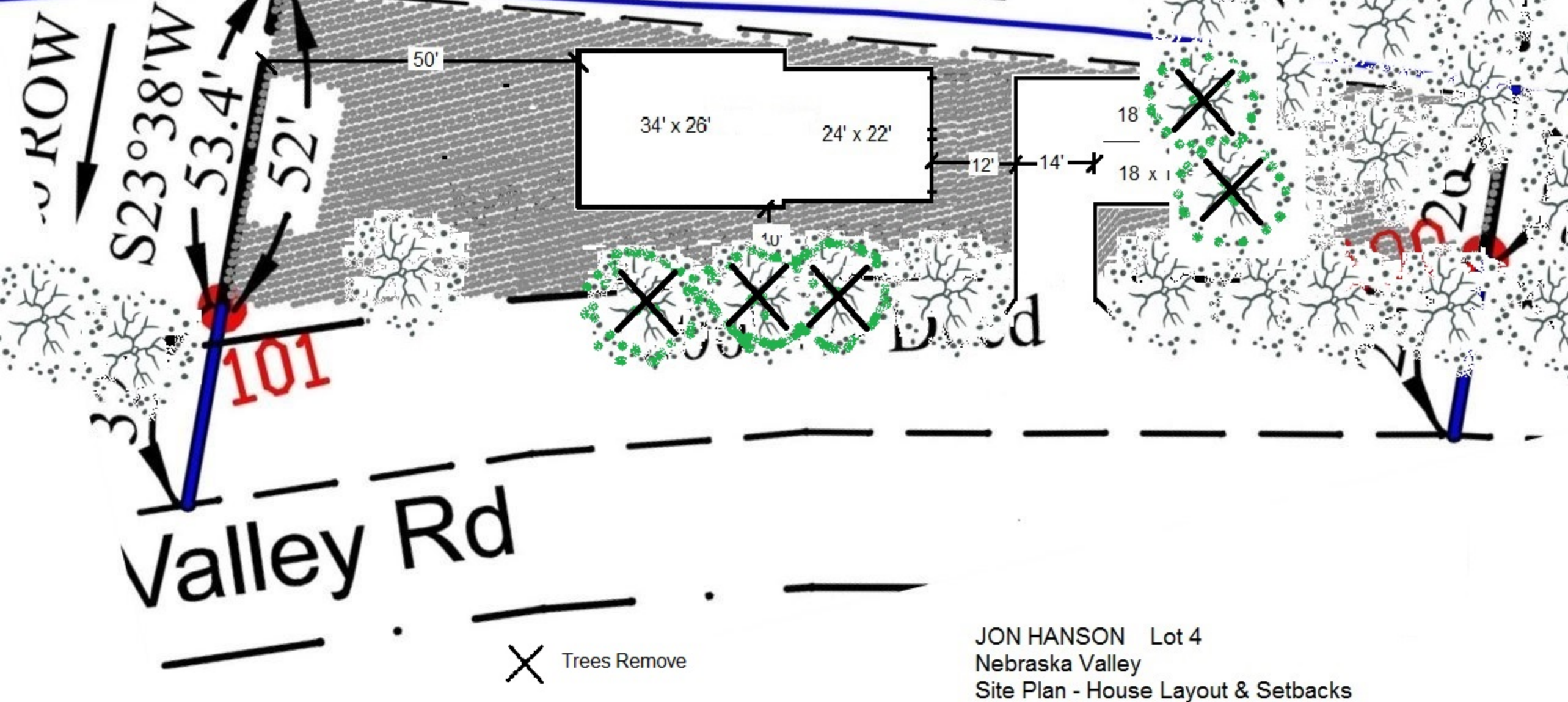
Valley Rd

JON HANSON Lot 4  
Nebraska Valley  
Site Plan - House Layout & Setbacks





FEMA GIS S\_FLD\_HA

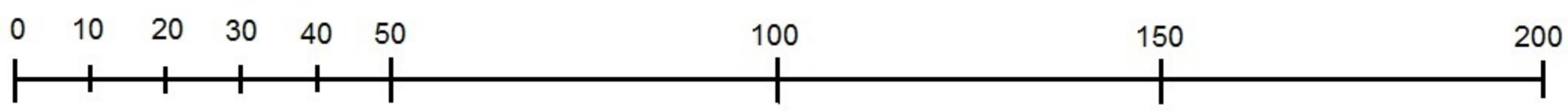


ROW  
S23°38'W  
53.4'

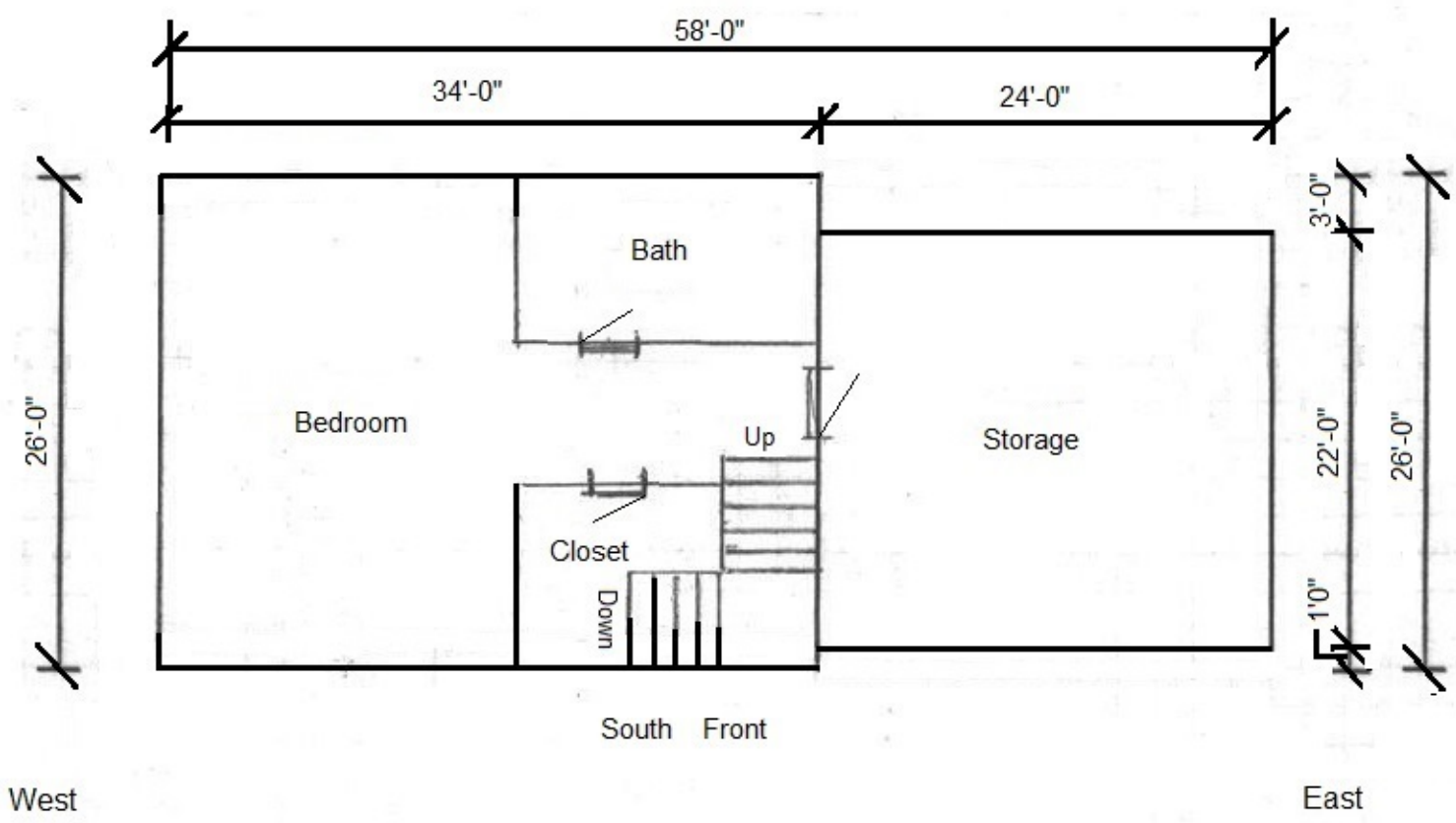
101

X Trees Remove

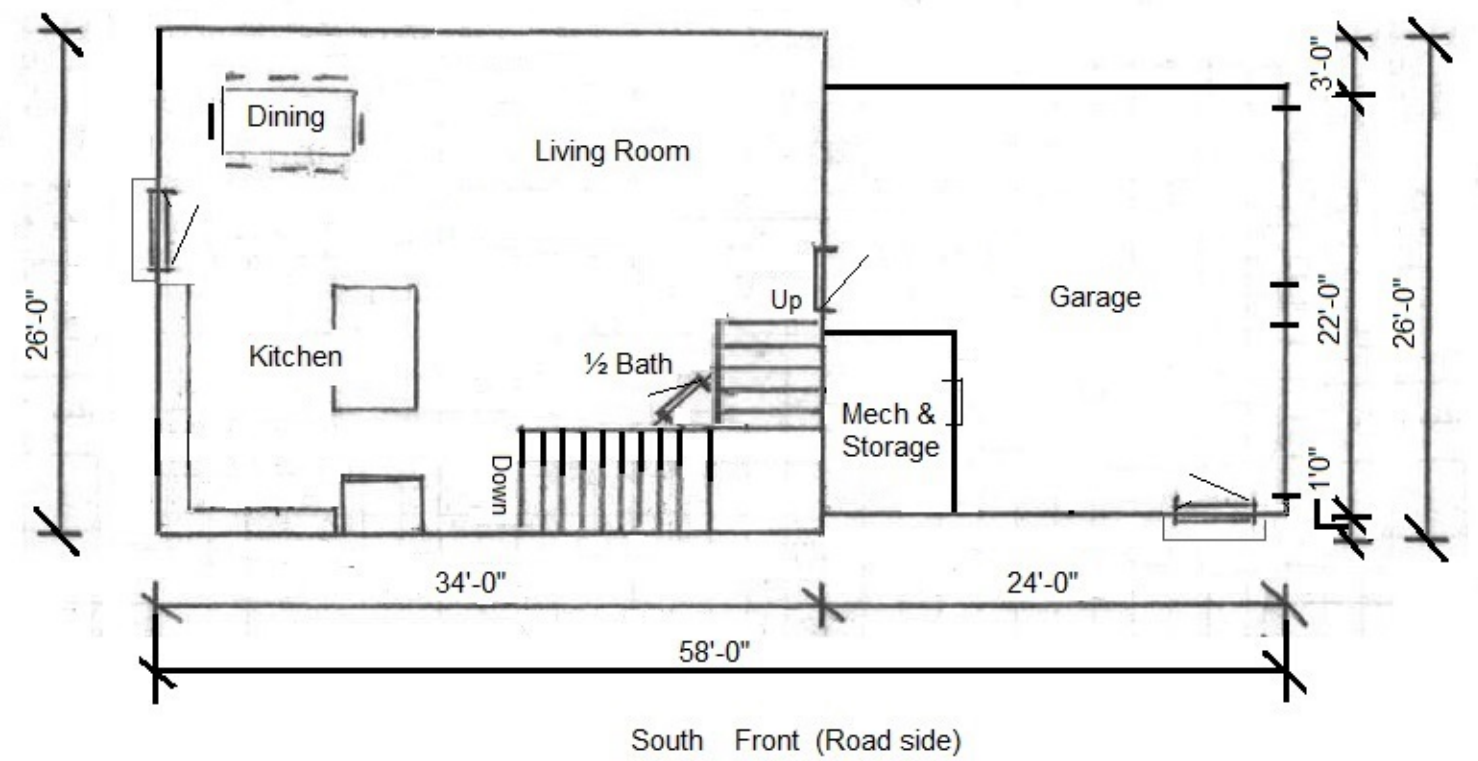
JON HANSON Lot 4  
Nebraska Valley  
Site Plan - House Layout & Setbacks



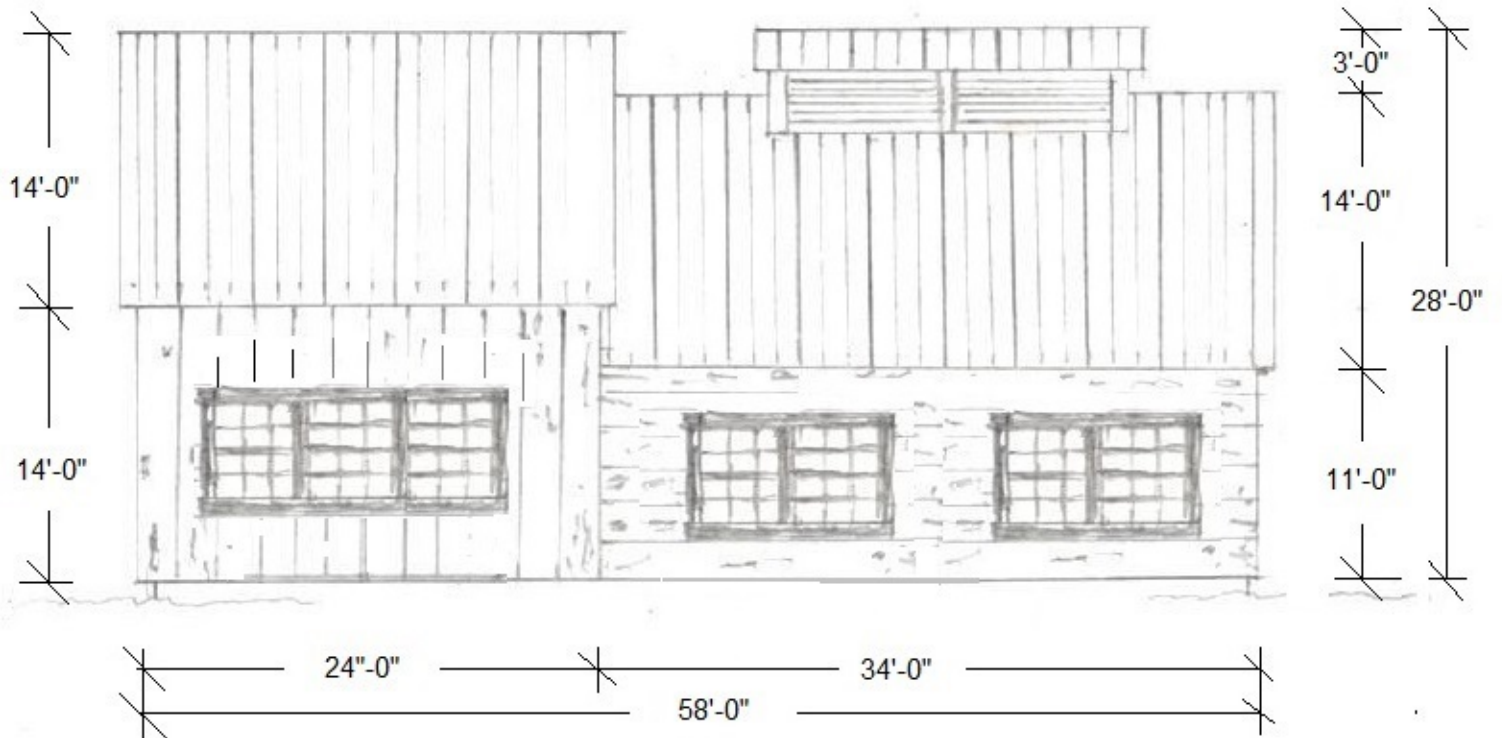
North Back - 2nd Floor (River side)



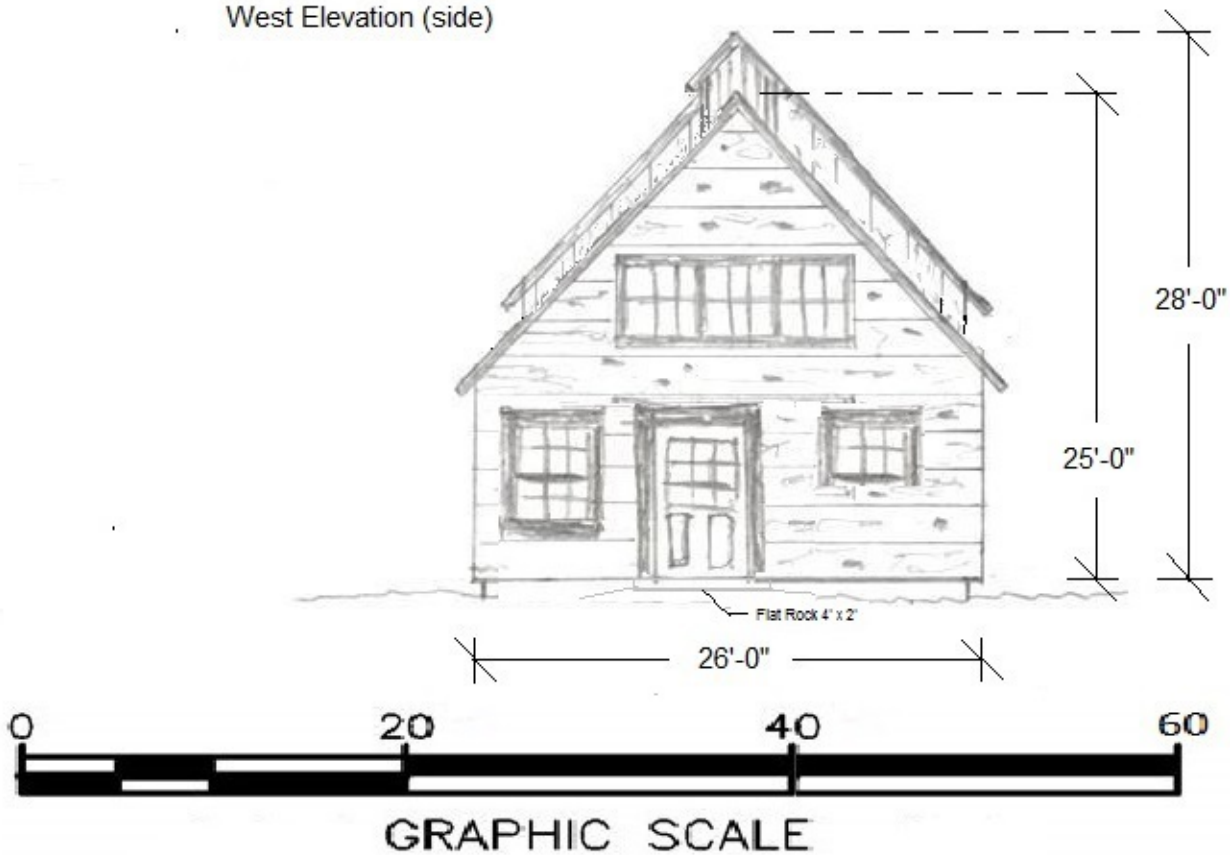
North Back - 1st Floor



North Elevation (back)

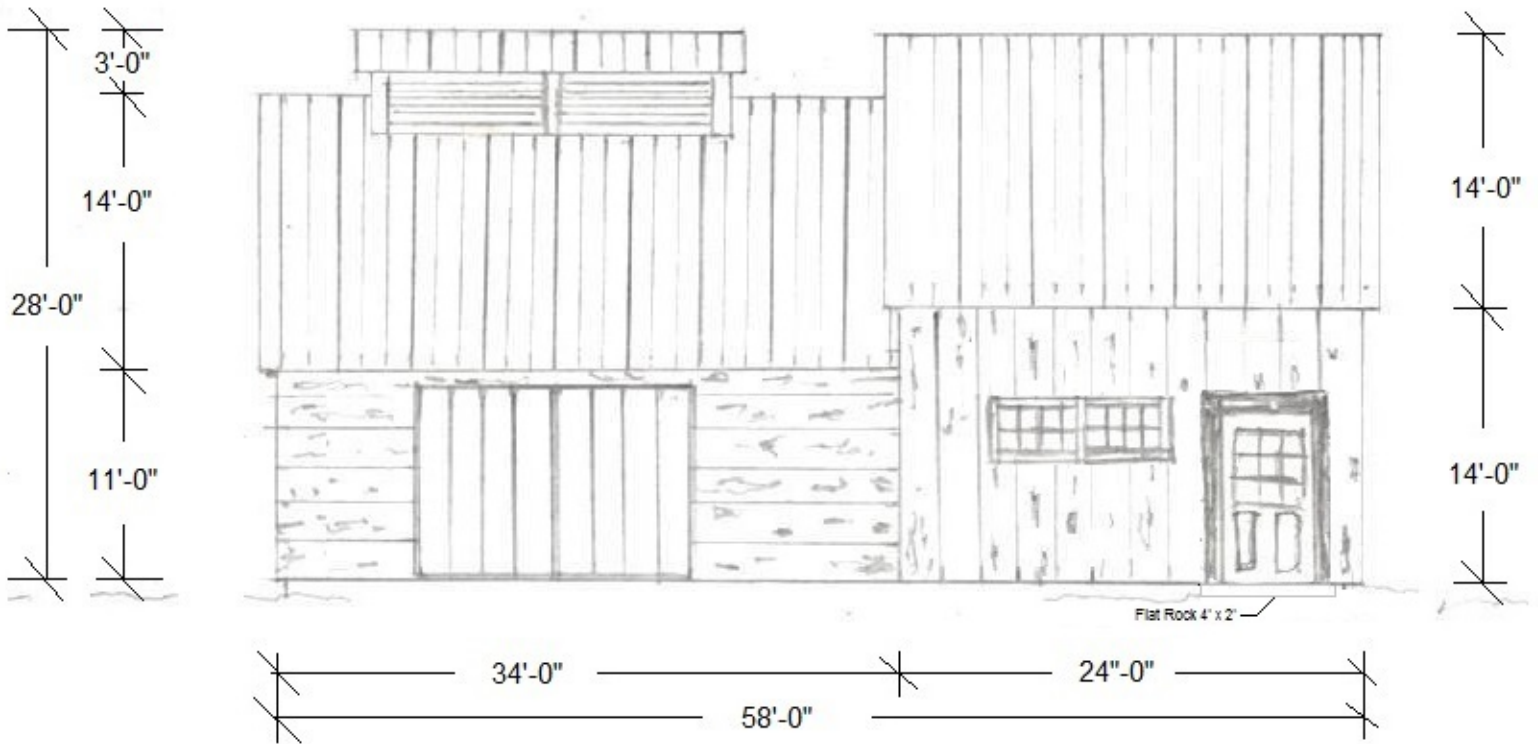


West Elevation (side)

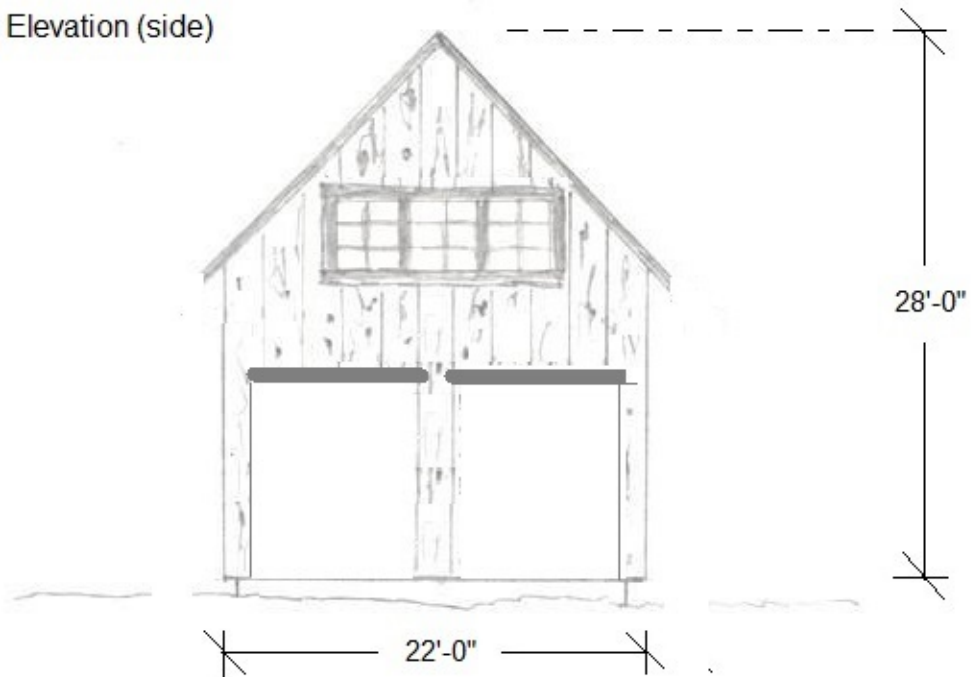




South Elevation (front)



East Elevation (side)



GRAPHIC SCALE