

**Findings of Fact, Conclusions of Law and Decision  
Mendon Zoning Board of Adjustment**

**In re: Application of Anthony Altobell and Louis Altobell  
Northam Road**

Anthony Altobell and Louis Altobell filed an application to the Zoning Board of Adjustment for a Conditional Use Permit to construct a seasonal dwelling on their property on the Northam Road in the Wheelerville District. A hearing on the application was scheduled and came before the Board for hearing on September 30, 2025 beginning at 5:30 p.m. Present for the Board were Harvey Zara and Teri Corsones in person and Susannah Loffredo remotely via the GoToMeeting platform. In Chair Jack Kennelley's absence, Teri served as Acting Chair. Applicants' father, Tony Altobell, was present in person. Anthony Altobell was present remotely via the GoToMeeting platform. Mendon Zoning Administrator Greg Smith was also present in person. No adjoining landowners were in attendance.

Notice of the Hearing had been posted in the Town Clerk's office and at DePalo Coffee Store (formerly the Mendon Country Store). Notice was published in the Rutland Herald on September 10, 2025. Tony Altobell wrote a statement indicating that he mailed a copy of the Notice of Hearing to adjoining landowner Brian Catellier on September 19, 2025, and indicating that he hand-delivered copies of the Notice of Hearing to adjoining landowners Brian Fitzsimmons and Andy Cristelli within the past two weeks.

## **FINDINGS OF FACT**

The Altobell property tax map number is: map 08, block 03, Lot 40-11. The overall lot size is 18.6 acres. There are no structures currently on the property. The applicants seek a conditional use permit to build a two-story 14' x 24' seasonal camp with a single pitched roof with a total height of 24'. There will be stairs to the second floor. The construction time frame is approximately 18 months. Applicants will use the property for recreational purposes, approximately 7 – 8 times per year.

A written narrative was attached to the application, along with drawings of the proposed structure entitled “North Face”, “West Wall”, “East Wall”, “Southern Face” and “Birds’ Eye View”. In lieu of a site plan, applicants also provided a Google Earth overview of the property depicting the boundary lines and the location of the proposed structure. The property has not been surveyed. The proposed site is more than 150' from any stream. The application and attachments comprise Exhibit A.

The property fronts the Northam Road, which is a Class 4 road. Instead of building a driveway to the proposed camp site from the Northam Road, applicants plan to access the site through a neighbor’s property to the south, who is a relative. Mr. Altobell was encouraged to secure a written right of way to document that arrangement. The site is located on a flat part of the property. Although the property is largely wooded, little clearing is expected. Applicants do not plan to dig a well but will bring in potable water. They anticipate using an outhouse in lieu of a septic system. Members explained that the Vermont Agency of Natural

Resources has jurisdiction over water and sewer systems, and that applicants should contact the Agency to confirm whether a permit is needed and to confirm what manner of septic systems are allowed. ZA Smith indicated that he would provide applicants with the contact information for an Agency of Natural Resources permit specialist.

### **Conclusions of Law**

Section 310 of the Mendon Zoning Regulations pertains to the Wheelerville District. Section 310(d) provides that seasonal camps require a conditional use permit. The property and the proposed structure meet all of the dimensional requirements in Section 310.

Section 310 (d) also provides that all conditional uses are subject to the provisions of Section 616. The proposed structure meets the requirements in Section 616 including the setback distances from streams and roads, placement of structures and clearing provisions.

Sections 504 – 506 govern conditional use intent, scope and general review standards. The proposed structure meets the criteria cited including not having an undue adverse effect on the character of the area, traffic and Section 402 performance standards in general.

### **DECISION**

Following the conclusion of testimony, Harvey Zara made a motion to approve the application conditioned on applicants confirming with the Agency of Natural Resources whether a wastewater permit is need and what manner of waste removal is permitted for the type of seasonal camp that's being proposed. Susannah Loffredo

seconded the motion and the motion carried. Based on the foregoing findings of fact and conclusions of law, the Zoning Board of Adjustment hereby grants a conditional use permit to Anthony Altobell and Louis Altobell to construct a seasonal camp as more specifically set forth in Exhibit A. This conditional use permit is subject to the following terms and conditions.

Any modifications to the placements of the building as set forth on Exhibit A shall require an amendment to this permit. The Zoning Administrator may require a more definite site plan for the location of the building.

By acceptance of this permit, the Applicants agree to allow representatives from the Town of Mendon to access the property covered by this permit, to ensure compliance with the conditions of this permit.

By acceptance of this permit and its conditions without appeal, the Applicants confirm for themselves and their successors, heirs and assigns in interest, that this permit and its condition shall run with the land and the land uses permitted herein, and shall be binding upon and enforceable against the Applicants and all successors, heirs and assigns in interest.

The Mendon Zoning Board of Adjustment maintains continuing jurisdiction during the lifetime of this permit and may require periodically that the permit holders file an affidavit certifying that the project is being completed in accordance with the terms of this permit.

If the work described in this zoning permit has not been completed within two (2) years of the date of issuance, this permit shall expire and have no continuing effect.

This approval is conditioned upon receipt of any other permits required by local, State, and federal agencies, including the Vermont Agency of Natural Resources. No construction or use may take place until all required permits are filed with the town office. If any changes to the project are made in other permits, the Applicants must also receive approval for these changes from the Zoning Board of Adjustment. Any conditions of other permits are automatically made a part of this permit and shall be included as conditions of this permit.

Failure to comply with any of the above conditions shall constitute a violation of this permit.

APPROVED by the Zoning Board of Adjustment this 8th day of October, 2025.

MENDON ZONING BOARD OF ADJUSTMENT

*/s/ Teri Corsones*

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Teri Corsones, Acting Chair

cc:

Harvey Zara  
Susannah Loffredo  
Jack Kennelley

## **ACKNOWLEDGMENT**

By this form and signature, I do hereby attest that I have read and understand the Zoning Board of Adjustment's Findings of Fact, Conclusions of Law and Decision, and all applicable sections of the Mendon Zoning Ordinance, and do hereby agree to abide by the document as written and approved. I also acknowledge that I may appeal this Decision of the Board of Adjustment by filing a Notice of Appeal within thirty (30) days of the date of this Decision pursuant to 24 Vermont Statutes Annotated §4471 and Vermont Rule for Environmental Court Proceedings 5(b). Any Notice of Appeal of this Decision must be filed with the Clerk of the Environmental Court, by certified mail, within thirty (30) days of the date of this Decision.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Anthony Altobell

\_\_\_\_\_  
Louis Altobell