

# Town of East Montpelier

# ZONING PERMIT

# NOTICE

[To Be Displayed on the Property in Full View of the Public Right-of-Way]

Date Issued: May 10, 2016

Effective Date: May 25, 2016

Location: 110 VT Rte. 14 N

Owner: Town of East Montpelier

For: 27-slot Park'n Ride Facility w/  
Bus Shelter, Bike Racks, & EV Charging Stations

Application # 16-007

Approved by: **C. Bruce Johnson, ZA**

Do not start project or commence use prior to the Effective Date. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any state or local appeal process. This application is available for inspection at the Town Office. This poster must be displayed on the property in full public view for 15 days.

**APPEALS TO DRB:** A notice of appeal, including the \$150 fee, must be filed with the East Montpelier Town Clerk or Zoning Administrator at the Town Office by the listed Effective Date.

**WARNING:** State permits may be required for this project. Contact the state Permit Specialist, at (802) 505-5367, before beginning any construction.

# TOWN of EAST MONTPELIER

P.O. Box 157  
East Montpelier, VT  
05651-0157

C. Bruce Johnson, ZA  
eastmontadmin@comcast.net  
(802) 223-3313 ext. 204

May 10, 2016

Town of East Montpelier  
Attn: C. Bruce Johnson  
PO Box 157  
East Montpelier, VT 05651

Re: East Montpelier Zoning Application #16-007

Dear Mr. Johnson:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the park 'n ride facility contained in your zoning application #16-007 as presented with one advisory condition:

- Consideration be given to installing a pedestrian connection to the East Montpelier Village sidewalk system

You have the right to appeal the decision of the Development Review Board. 10 V.S.A. §8504, 24 V.S.A. §4471 and V.R.E.C.P. 5 provide guidance on appeals to the Environmental Division of the Vermont Superior Court, but should you wish to appeal you should seek the advice of an attorney to determine your rights and duties in this particular situation. Generally any appeal must be filed with the Environmental Division within 30 days of the issuance of the decision.

Based on the above-referenced DRB approval I have issued East Montpelier Zoning Permit #16-007 for the construction of a park 'n ride facility with 27 parking spaces, bus shelter, bike racks, and electric vehicle charging stations as depicted in application #16-007. The town now requires a Certificate of Compliance for most new non-residential structures. Issuance of the certificate is required prior to use of the new structure. When the project is complete, please fill out and submit the enclosed form.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson  
East Montpelier Zoning Administrator

**TOWN OF EAST MONTPELIER  
DEVELOPMENT REVIEW BOARD**

**FINDINGS & DECISION**

In the matter of:       Town of East Montpelier  
                                  110 VT Rte. 14 N  
                                  Parcel # 08-002.100   Tax Map # 21-52-32.100

East Montpelier Zoning Application #16-007

**INTRODUCTION & PROCEDURAL HISTORY**

1. On March 28, 2016, Bruce Johnson, East Montpelier Town & Zoning Administrator, filed an application with the Town of East Montpelier for Development Review Board conditional use approval to build a Park 'n Ride/ Bus Stop facility on town owned property located at 110 VT Rte.14 N, the former Washington Electric Cooperative garage parcel.
2. The property in question lies in the Residential/Commercial District – Zone C and is subject to DRB regulation as an East Montpelier Land Use & Development Regulations Section 4.13 protected public use.
3. A public notice was duly published in the Times Argus on April 18, 2016 for a hearing, which was conducted on May 3, 2016.
4. Bruce Johnson, East Montpelier Town and Zoning Administrator, represented the town along with Gary Santy, PE, Senior Principal, Stantec, and Wayne Davis, Project Supervisor, Municipal Assistance Bureau, VTrans Highway Division. An Interested Person (IP), Erik Esselstyn, was sworn in for public comment. There was no additional public comment.
5. The Board members who voted on this issue were Curtis, Cueto, Lane, Kappel, Welch, Santor, Hill, Greenwald and Watson.

**FINDINGS OF FACT**

1. The applicant wishes to construct a park 'n ride and commuter bus station.
2. The existing building will be demolished and the concrete floor will be broken up for drainage purposes and left in place.
3. There will be 27 parking spaces, a bus shelter, and a bike rack. There will be 4 Level I charging stations for electric vehicles and one Level II charging station.
4. There will be limited excavation and the site will be raised to a level within a foot of VT Rte. 14 N.

5. There is no buffer shrubbery planned for this site.

## CONCLUSIONS

The standards for the issuance of a conditional use permit are set forth in Section 5.5 of the East Montpelier Land Use & Development Regulations. It is found that the five general standards in Section 5.5 (C) have been reviewed, and the proposed use will not adversely affect any of them. It is further found that the specific standards in Section 5.5 (E) are not applicable to the project. As part of conditional use review Section 5.4 (C) site plan standards have been evaluated and incorporated into this decision.

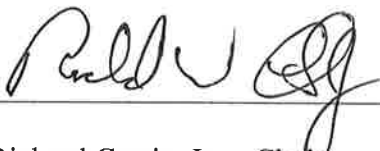
## DECISION

By unanimous vote of 9 – 0, the DRB approves Conditional Use Permit #16-007 to allow the park ‘n ride facility to be built as presented with the following advisory condition:

- **Consideration be given to installing a pedestrian connection to the East Montpelier Village sidewalk system**

**Warning:** State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Call (802) 505-5367 to speak to the state Permit Specialist before beginning any construction.

Dated this 10<sup>th</sup> day of May, 2016.



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Richard Curtis, Jr. – Chair  
East Montpelier Development Review Board

**Notice:** The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

1. “Participation” in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.
2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

# TOWN of EAST MONTPELIER

P.O. Box 157  
East Montpelier, VT  
05651-0157

C. Bruce Johnson, ZA  
eastmontadmin@comcast.net  
(802) 223-3313 ext. 204

May 10, 2016

Norman & Claire LaPerle  
PO Box 131  
East Montpelier, VT 05651

Re: East Montpelier Zoning Application #16-007

Dear Mr. & Mrs. LaPerle:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the park 'n ride facility contained in the Town of East Montpelier's zoning application #16-007 as presented with one advisory condition:

- Consideration be given to installing a pedestrian connection to the East Montpelier Village sidewalk system

As abutting neighbors that attended the DRB hearing, you may have the right to appeal the decision of the Development Review Board. 10 V.S.A. §8504, 24 V.S.A. §4471 and V.R.E.C.P. 5 provide guidance on appeals to the Environmental Division of the Vermont Superior Court, but should you wish to appeal you should seek the advice of an attorney to determine your rights and duties in this particular situation. Generally any appeal must be filed with the Environmental Division within 30 days of the issuance of the decision.

Based on the above-referenced DRB approval I have issued East Montpelier Zoning Permit #16-007 for the construction of a park 'n ride facility with 27 parking spaces, bus shelter, bike racks, and electric vehicle charging stations as depicted in application #16-007.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson  
East Montpelier Zoning Administrator

# TOWN of EAST MONTPELIER

P.O. Box 157  
East Montpelier, VT  
05651-0157

C. Bruce Johnson, ZA  
eastmontadmin@comcast.net  
(802) 223-3313 ext. 204

May 10, 2016

Erik Esselstyn  
2850 VT Rte. 14 N  
Plainfield, VT 05667

Re: East Montpelier Zoning Application #16-007

Dear Mr. Esselstyn:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the park 'n ride facility contained in the Town of East Montpelier's zoning application #16-007 as presented with one advisory condition:

- Consideration be given to installing a pedestrian connection to the East Montpelier Village sidewalk system

As a member of the public that participated in the hearing process, you may have the right to appeal the decision of the Development Review Board. 10 V.S.A. §8504, 24 V.S.A. §4471 and V.R.E.C.P. 5 provide guidance on appeals to the Environmental Division of the Vermont Superior Court, but should you wish to appeal you should seek the advice of an attorney to determine your rights and duties in this particular situation. Generally any appeal must be filed with the Environmental Division within 30 days of the issuance of the decision.

Based on the above-referenced DRB approval I have issued East Montpelier Zoning Permit #16-007 for the construction of a park 'n ride facility with 27 parking spaces, bus shelter, bike racks, and electric vehicle charging stations as depicted in application #16-007.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson  
East Montpelier Zoning Administrator

Permit # 16-007

**ZONING PERMIT APPLICATION**

Date Received: 3/28/16

Zoning District C

**TOWN OF EAST MONTPELIER**

Parcel # 08-002.100

Overlays —

PO Box 157, East Montpelier, VT 05651

Tax Map # 21-52-32.100

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- A.**
- Name of Landowner: Town of East Montpelier Phone No: (802) 223-3313
  - Address of Landowner: 40 Kelton Rd, PO Box 157, East Montplier, VT 05651
  - Applicant (other than owner): Town of East Montpelier (Bruce Johnson) Phone No: (802) 223-3313
  - Address of Applicant: 40 Kelton Rd, PO Box 157, East Montplier, VT 05651
  - Location of Property: 100 VT Route 14, East Montpelier, VT 05651 110 VT Rte 14 N

**B: Application is made (check appropriate boxes):**

- |   |   |  |
|---|---|--|
| <b>To:</b>                                    | <b>For:</b>   | <b>For:</b>  |
| <input checked="" type="checkbox"/> Construct | <input type="checkbox"/> One <input type="checkbox"/> Two-family dwelling | <input type="checkbox"/> Subdivision of land           |
| <input type="checkbox"/> Repair               | <input type="checkbox"/> Multi-family dwelling                            | <input type="checkbox"/> Boundary adjustment           |
| <input type="checkbox"/> Alter                | <input type="checkbox"/> Accessory Structure                              | <input type="checkbox"/> Extraction of earth resources |
| <input type="checkbox"/> Extend               | <input type="checkbox"/> Commercial / Business                            | <input type="checkbox"/> Ground water withdrawal       |
| <input checked="" type="checkbox"/> Remove    | <input type="checkbox"/> Light Industrial                                 | <input type="checkbox"/> Landfilling                   |
| <input type="checkbox"/> Change use           | <input type="checkbox"/> Industrial                                       | <input checked="" type="checkbox"/> Other              |

Describe work to be performed: Removal of existing building and construction of a new commuter park and ride lot. The proposed lot will contain 27 parking spaces. Construction will include grading, subbase, pavement, bus shelter, signing, pavement markings, and lighting. The proposed lot will also include outlets for electric vehicle recharging.

**C. Lot description:**

- acreage 0.55 ac
- road frontage 292 Ft.
- depth front yard NA Ft.  
(Road centerline to building)
- depth side yards NA Ft. NA Ft.  
(building to lot lines)
- depth rear yard NA Ft.  
(building to lot line)

**Important** - Submit site location map which describes the property on which the proposed land development is to occur. The map should indicate the length in feet of each boundary, the location and dimensions in feet of the development within the property, the distance from that development to all adjacent property lines and the distance to the public road centerline. Each parcel created by land development should be clearly described.

**READ BELOW CAREFULLY AND SEE SECTION D ON PAGE 2 OF APPLICATION:**

In accordance with 24 V.S.A. §4446, no development or subdivision of land may begin in the Town of East Montpelier until all applicable municipal land use permits and approvals have been issued. The undersigned requests a zoning permit as described above, understanding that the permit will be voided and penalties imposed, if the land development is not completed as described. The permit will be voided if development is not substantially commenced within one year from date of issue. The undersigned hereby applies on the basis of the representations contained herein, and to the best of his/her knowledge believes them to be true. The undersigned acknowledges the Section D notices on page 2 of this application.

Landowner Bruce Johnson Date 3/11/16

Applicant \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

Zoning Permit Fee: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

DRB Hearing Fee: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

Make checks payable to the "Town of East Montpelier"

**D. Warning:** State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Call (802) 476-0195 to speak to the state Permit Specialist before beginning any construction.

**Notice:** Your project may be subject to the state's residential or commercial energy code. For more information contact the Energy Code Assistance Center at 855-887-0673 or see the following web pages: Residential Building Energy Standards: [http://publicservice.vermont.gov/topics/energy\\_efficiency/rbes](http://publicservice.vermont.gov/topics/energy_efficiency/rbes) Commercial Building Energy Standards: [http://publicservice.vermont.gov/topics/energy\\_efficiency/cbes](http://publicservice.vermont.gov/topics/energy_efficiency/cbes)

**E. Action by Zoning Administrator:**

1.  Granted  Denied Date ..... Reason.....

2. Appealed to Development Review Board ..... By .....  
Date

**Notice:** Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.

3. Final Action: Permit # 16-007 Date Issued 05/10/16 Effective Date 05/25/16

**DO NOT start this project prior to the effective date, as the statutes require a 15-day appeal period. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any appeal process.**

  
Zoning Administrator

**F. Action by Development Review Board:**

1. Public Notice Date 4.18.2016

2. Date(s) of Hearing 5.3.2016

3.  Granted  Without conditions  With conditions (See written decision for conditions)

4.  Denied (See written decision for reasoning)

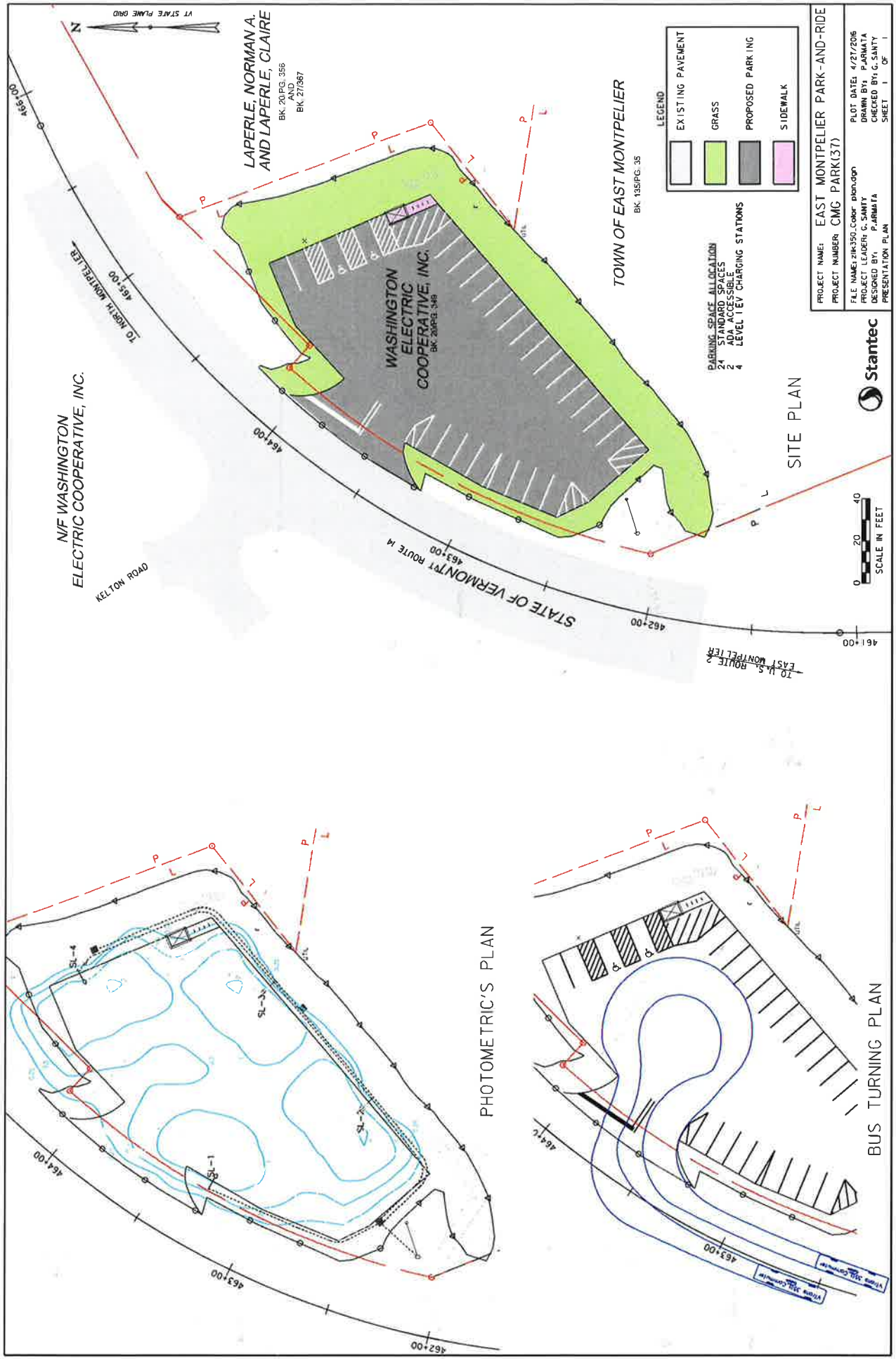
  
Chairman, Development Review Board

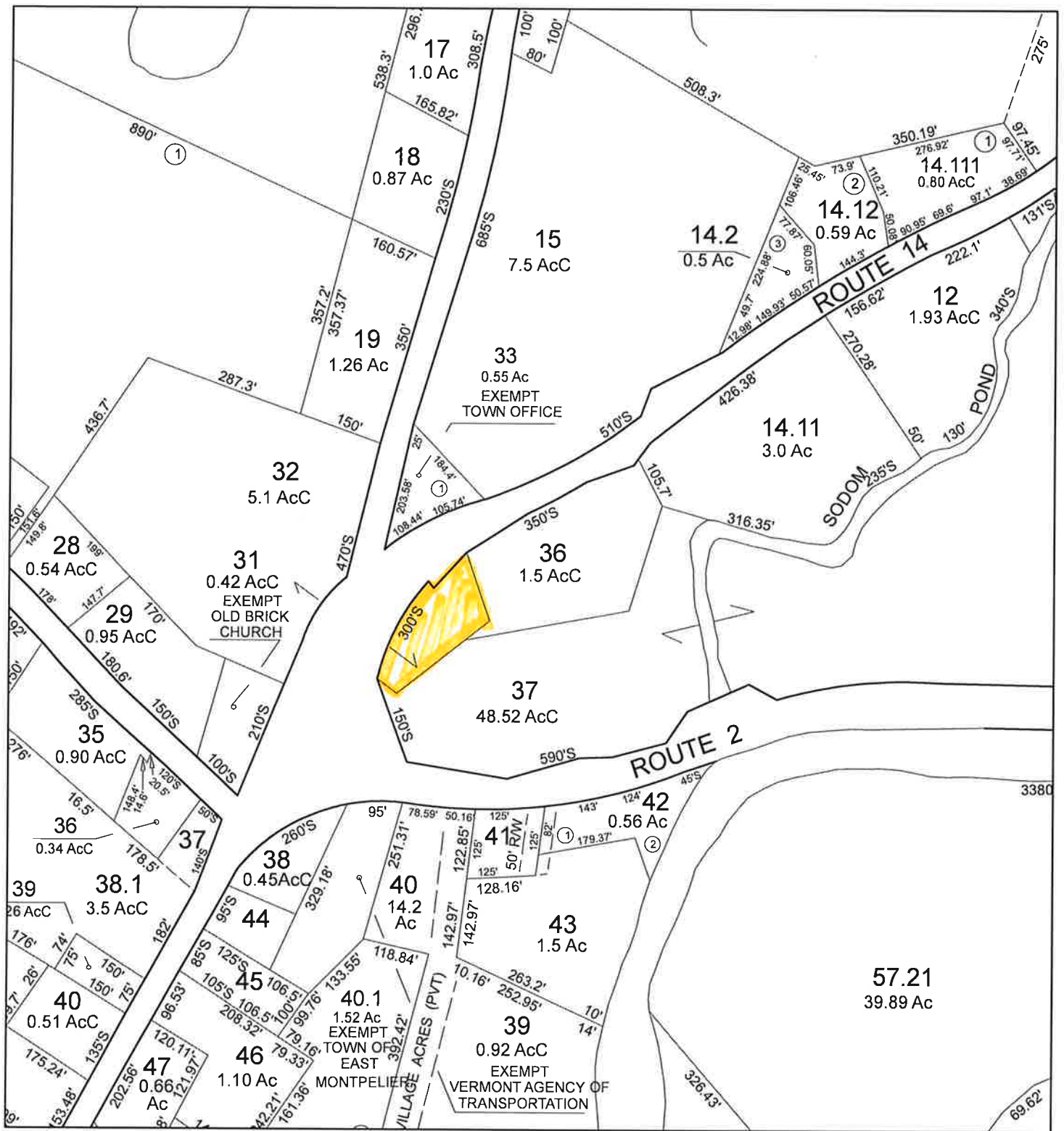
The DRB's written decision was issued on: 05/10/2016

The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

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**Park 'n Ride Facility -- 110 VT Rte. 14 N  
East Montpelier**



4/14/2016

