

Town of East Montpelier

ZONING PERMIT

NOTICE

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

Date Issued: February 13, 2017

Effective Date: February 28, 2017

Location: 1168 County Road

Owner: Harry Morse, Jr.

For: Fully enclose 10' x 24' section
of open deck of main Morse farm building

Application # 17-001

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.

Permit # 17-001
Zoning District D
Overlays WR

ZONING PERMIT APPLICATION
TOWN OF EAST MONTPELIER
PO Box 157, East Montpelier, VT 05651

Date Received: 1/27/17
Parcel # 03-010.000
Tax Map # 08-01-38.200

A. 1. Name of Landowner Harry Morse Jr. Phone No. 802 223 2740
2. Address of Landowner 1168 County Rd, Montpelier, VT 05602
3. Applicant (other than owner) _____ Phone No. _____
4. Address of Applicant _____
5. Location of Property 1168 County Rd East Montpelier, VT.

B: Application is made (check appropriate boxes):

- | | | |
|--|---|--|
| To: | For: | For: |
| <input 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 checked="" type="checkbox"/> Extend | <input checked="" type="checkbox"/> Commercial / Business | <input type="checkbox"/> Ground water withdrawal |
| <input type="checkbox"/> Remove | <input type="checkbox"/> Light Industrial | <input type="checkbox"/> Landfilling |
| <input checked="" type="checkbox"/> Change use | <input type="checkbox"/> Industrial | <input checked="" type="checkbox"/> Other |

Describe work to be performed
We want to roof-over and enclose a 10' x 24' section of existing open deck. The purpose is thus: At our peak foliage season we have large numbers of people needing a quicker way to check out with purchases. This new enclosure will make the logistics of checking out more streamlined and quicker.

C. Lot description:
1. acreage 10 + acres
2. road frontage 750 Ft.
3. depth front yard 75 Ft. (Road centerline to building)
4. depth side yards 254 Ft. 254 Ft. (building to lot lines)
5. depth rear yard 834 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 Harry Morse Jr. Date 1/24/17
Applicant [Signature] Date 1/24/17

Zoning Permit Fee: \$ 110.00 Cash _____ Check #26641 Date 1/27/17 Rec'd by D.B.
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) 505-5367 to speak to Peter Kopsco, our region's 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/energy_efficiency/rbes
Commercial Building Energy Standards: http://publicservice.vermont.gov/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 # 17-001 Date Issued 02/13/17 Effective Date 02/28/17

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.

4. Permittee is required to submit a Certificate of Compliance form to the Zoning Administrator in accordance with East Montpelier Land Use & Development Regulations Section 7.4:

Yes (form included with permit) No


.....
Zoning Administrator

F. Action by Development Review Board:

1. Public Notice Date

2. Date(s) of Hearing

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:

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.

Addendum to description of building request

To whom it may concern:


Morse Farm Maple Sugarworks has a short window of opportunity between mid-September and mid-October to maximize sales. During this time, it has become a very popular place for tourists to visit for foliage viewing as well as for learning about the Vermont maple process. The scheme of our physical store is presently oblong, rather than square. Because of this, there is a "built-in" inefficiency in the checking-out of larger groups of shoppers, resulting in long waits and lines.

We would like to modify our deck area to accommodate an enclosed check-out area. The dimensions of this area would provide a more natural "flow" for shoppers checking out where, in the past, they have been restricted too much by the narrow area.

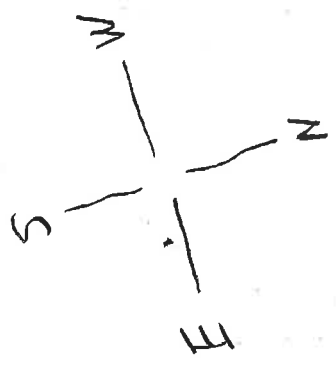
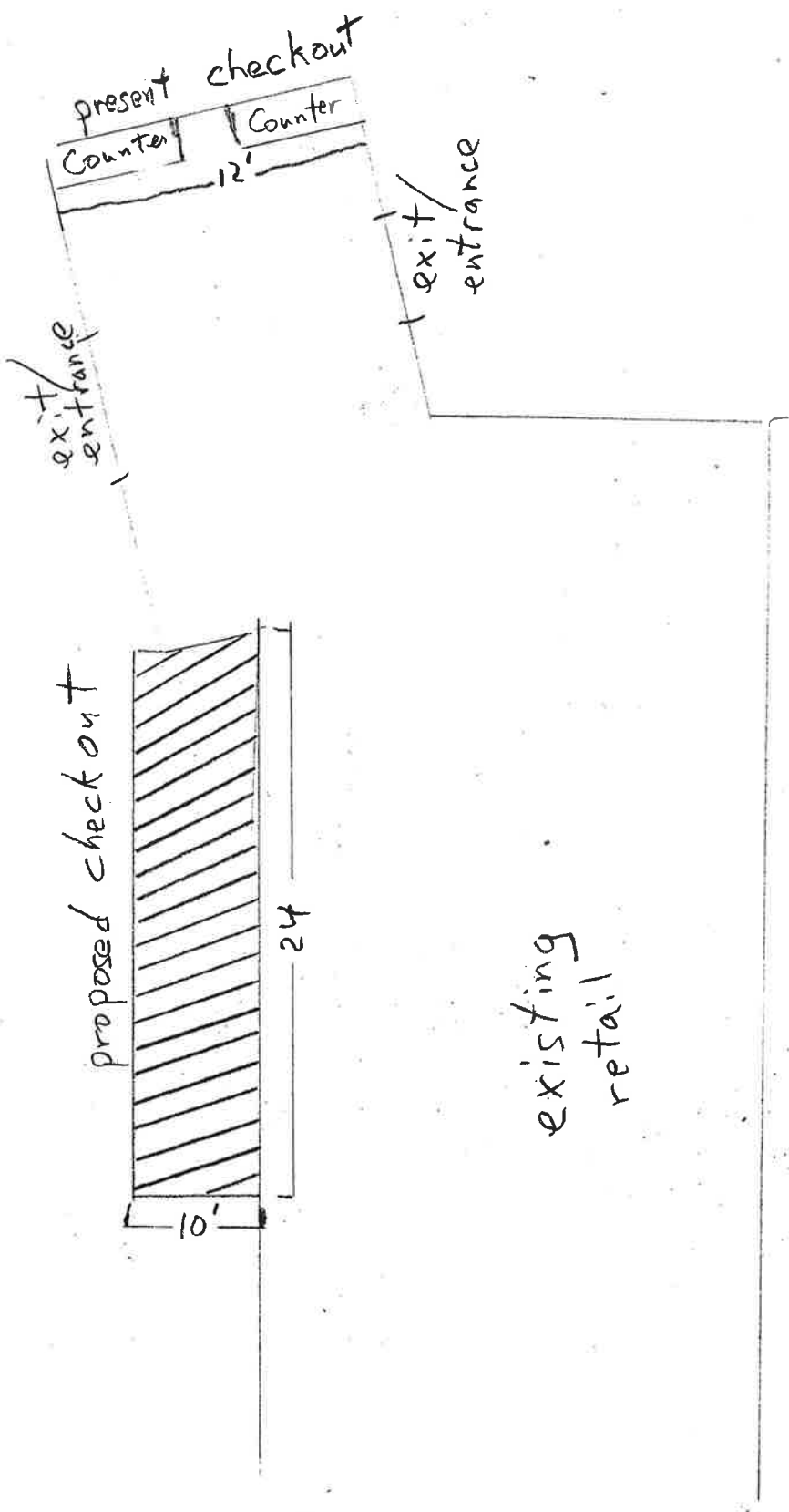
This request in no way assumes a higher level of visitation, but only a greater efficiency for the visitation we've historically had.

We certainly hope that all regulatory folks will agree to this slight modification.

Sincerely,



Harry Morse, Jr.



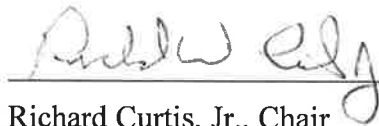
Section 5.2 Administrative Amendment of Permits Checklist

(A) **Administrative Amendment.** Amendments to final site plans or conditional use permits previously approved by the Development Review Board may be issued by the Zoning Administrator, with the concurrence of the Development Review Board Chair, or his or her designee, and without additional review by the Development Review Board, only in cases where applicants can demonstrate compliance with each of the following criteria:

1. The amendment will not result in the project's noncompliance with any standards or requirements of the zoning regulations, or any permit conditions.
2. The amendment will not result in changes to the previously approved parking or loading spaces;
3. The amendment will not result in an increase of more than five percent (5%) to the previously approved building footprint or an additional 250 square feet, whichever is less;
4. The amendment will not result in a change in location of any previously approved structure on the property which impacts the original setback distance to adjacent properties by more than ten percent (10%), or which impacts the original front setback by more than fifteen percent (15%);
5. The amendment will not result in any changes to the previously approved project that would require a variance or waiver of the zoning regulations.

Certification

I, Richard Curtis, Jr., Chair of the East Montpelier Development Review Board, concur that the project at issue in **East Montpelier Zoning Application #17-001** may be issued by the East Montpelier Zoning Administrator without additional review by the Development Review Board.

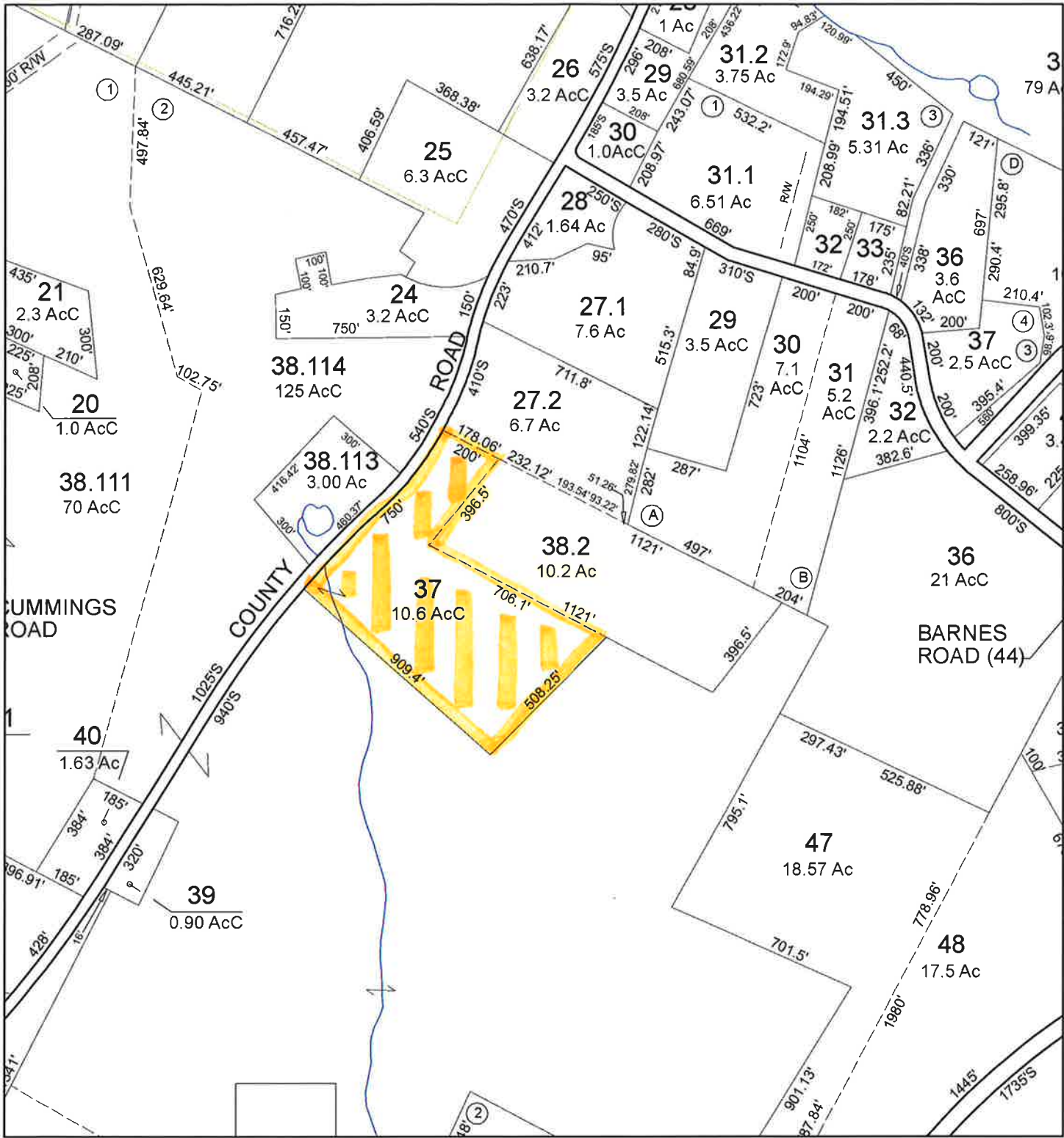


Richard Curtis, Jr., Chair
East Montpelier Development Review Board

2.13.17

Date

(B) **Application Requirements.** Applications for administrative approval under this Section shall conform with the requirements of Section 7.3 and shall be accompanied by the Administrative Amendment fee. Applicants shall provide any previously approved site plan and/or conditional use decision with the application, and shall highlight all proposed changes in the site plan or conditional use decision for which administrative approval is sought. Applicants shall also forward copies of the application for amendment to all abutting property owners, by certified mail, return receipt requested, within three (3) days following submission of the application to the Zoning Administrator.



**Morse Farm -- 1168 County Road
East Montpelier**



2/9/2017

