

Permit # 14-066

**ZONING PERMIT APPLICATION**

Date Received: 11/10/14

Zoning District 3

**TOWN OF EAST MONTPELIER**

Parcel # 10-016.000

Overlays COAS, SFHA

PO Box 157, East Montpelier, VT 05651

Tax Map # 12-01-28.000

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- A. 1. Name of Landowner 1368 US ROUTE 2, LLC Phone No. 223-6417  
 2. Address of Landowner ATTN: LAYNE GREGOIRE, 1498 US ROUTE 2, E. MONTPELIER VT  
 3. Applicant (other than owner) ..... Phone No. 05651  
 4. Address of Applicant.....  
 5. Location of Property 1368 US ROUTE 2

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

- |  |  |  |
|--|--|--|
| To:  | For:   | For:   |
| <input type="checkbox"/> Construct             | <input checked="" 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 checked="" type="checkbox"/> Accessory Structure                              | <input type="checkbox"/> Extraction of earth resources |
| <input 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 type="checkbox"/> Other                         |

Describe work to be performed CHANGE USE ONLY- SEE COVER LETTER

**C. Lot description:**

- |                                   |   |
|-----------------------------------|---|
| 1. acreage <u>8.5 AC</u>          | 4. depth side yards <u>FT 250</u> Ft. <u>LT 140</u> Ft. |
| 2. road frontage <u>579</u> Ft.   | (building to lot lines)                                 |
| 3. depth front yard <u>80</u> Ft. | 5. depth rear yard <u>545</u> Ft.                       |
| (Road centerline to building)     | (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:**

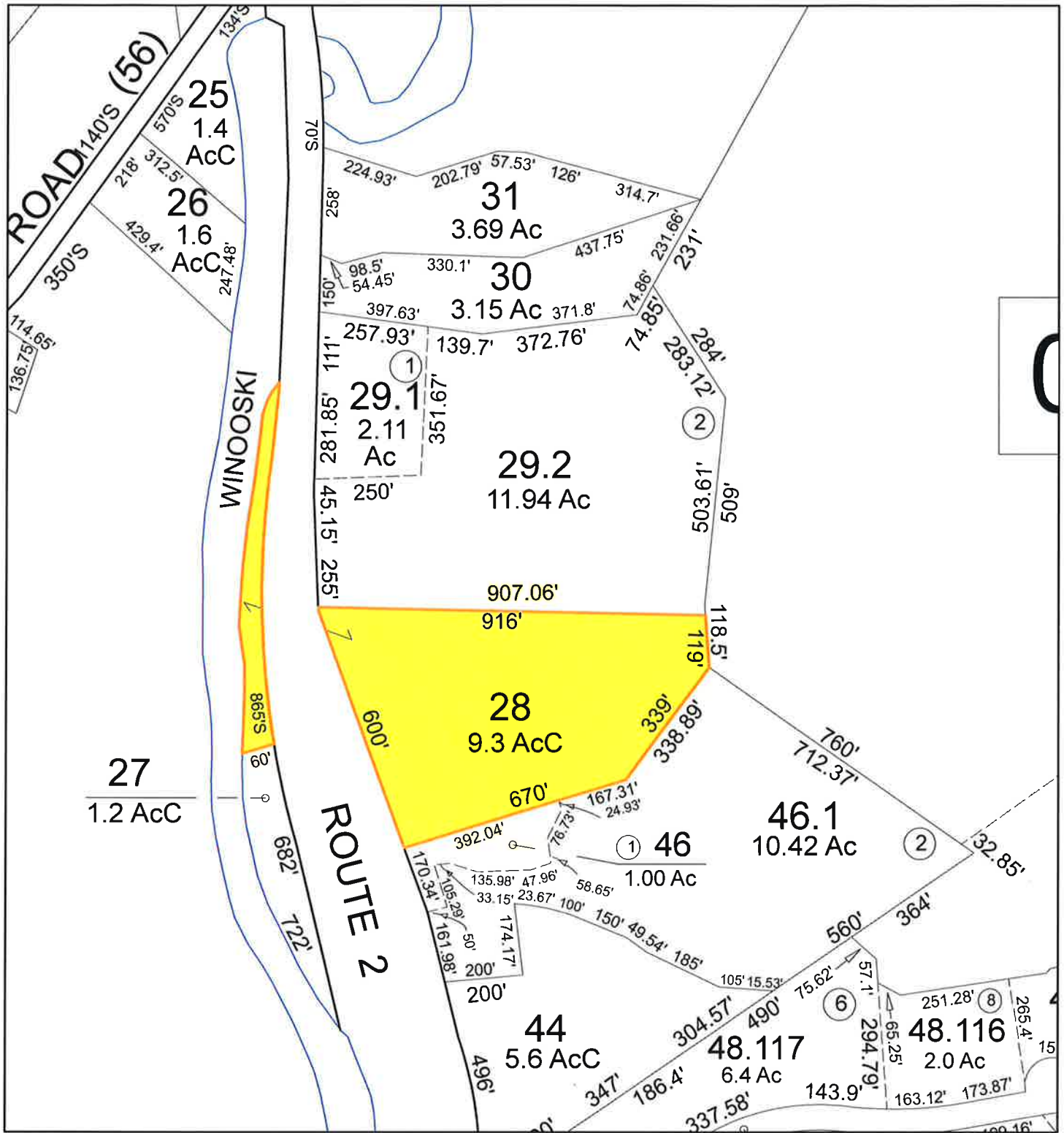
In accordance with 24 V.S.A. §4446, no development or subdivision of land may begin in the Town of East Montpelier until all applicable municipal land use permits and approvals have been issued. The undersigned requests a zoning permit as described above, understanding that the permit will be voided 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 Layne W Date 11/10/14  
Applicant ..... Date .....

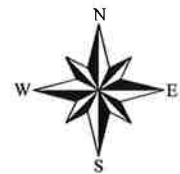
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Zoning Permit Fee: \$ 225.00 Cash \_\_\_\_\_ Check #47622 Date 11/10/14 Rec'd by D.B  
DRB Hearing Fee: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

Make checks payable to the "Town of East Montpelier"



**1368 US Route 2, LLC**  
**Town of East Montpelier**



11/14/2014



Surveyors & Septic Designers, Inc

301 North Main Street, Suite 1  
Barre, VT 05641

**WILLIAM R. (BILL) CHASE, PLS**

**CRAIG D. CHASE (SEPTIC DESIGNER)**

**ASSOCIATES: KRIS JURENTKUFF, ROBERT BROWN**

Phone 802-479-9636

Fax 802-479-4017

E-mail BillChase@chasesurveyors.com

E-mail CDChase@chasesurveyors.com

E-mail: KJurentkuff@chasesurveyors.com

November 10, 2014

Bruce Johnson, Zoning Administrator  
Town of East Montpelier  
P.O. Box 157  
East Montpelier, VT 05651

RE: Change of Use & Conditional use review 1368 US Route 2, LLC, former Green Valley Campground

Dear Bruce,

Please find attached the long-awaited application for a proposed change of use at the former Green Valley Campground. This application is to garner the Board's approval for the property as it is currently being used. No construction or additional development is proposed.

As we have discussed, the former 27-site Green Valley Campground predated the local regulations that would prohibit such a use within the Industrial Zone. Under the Statutory protections afforded pre-existing, non-conforming uses, the campground use is allowed to continue until such time as that use is abandoned. It appears at this time that the campground, as typically understood with site rental to the general public, has been abandoned. This application is simply to permit the property as it has been used since the abandonment of the campground, in compliance with the regulations as they currently exist.

The property consists of 8.25 acres on the east side of Route 2 and includes an additional 0.25 acres west of Route 2 where the yellow "campground" sign resides. All development on the property is served by on-site water supply and sewage disposal systems, ostensibly as approved under State Campground permit TT-5-0005. More on that later. As currently configured, the property sees the following uses:

- A three-bedroom, single-family residence located at the rear of the campground area. This residence was in existence when the campground was permitted and was included as part of that permit. A single-family residence in the Industrial

Zone would typically be a Conditional use, but as the use predates the current regulations, we don't believe this use requires CU approval.

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- The former campground pavilion building houses a 1-bedroom apartment on its second floor. The ground floor of the building contains the typical campground amenities: laundry facilities, showers and office space. Mr. Gregiore wishes to permit this space for retail sales with a maximum occupancy of 5 employees.

Retail sales is a permitted use in this zone, and one apartment, as a single-family dwelling, is a Conditional Use. We believe that these uses satisfy the Mixed Use criteria un Section 4.10.

- Four to six of the former campground spaces are utilized occasionally to accommodate RV's of employees or patrons of Vermont Country Campers, Mr. Gregiores business located on the adjoining property next door at 1498 US Route 2. These camp spaces are not rented to the general public, but their use is allowed for the placement of personal RV's of seasonal employees, as well as for patrons of the camper business who need lodgings when their RV's require service. Mr. Gregiore would like to maintain five of the 27 developed campsites for this purpose.

The intermittent use of these few sites has continued uninterrupted, preserving the protections afforded the pre-existing, non-conforming use. But because the use of these camp spaces is appurtenant to the Vermont Country Campers sales establishment, and is not accessible by the general public, it is believed that this use is allowed as provided for under Section 4.4(A)(1).

- The balance of the former campground area is, and will continue to be, utilized by Vermont Country Campers for parking of RV units. Whether for display, inventory or customer units in for service, the additional space provided on the campground property is crucial to Mr. Gregiore's business. An internal connector drive was constructed several years ago to provide access between the adjoining properties without entering Route 2.

Again, it is believed that this use is allowed appurtenant to the permitted use of retail sale of RV's and in accordance with Section 4.4(A)(1).

Please note that adequate parking as specified in the Ordinance has been provided for each use and the dedicated areas noted on the site plan. It is therefore our understanding that the property, as a whole, satisfies the requirements Mixed Use per Section 4.10 and may be approved as a Conditional Use. In response to the CU Review requirements, we have the following to offer:

- (1) **The capacity of existing or planned community facilities and services.**

The project utilizes no additional existing and no planned community facilities or service beyond those (fire protection, ambulance service) that the property has enjoyed for many years.

**(2) Character of the neighborhood or area affected**

The project is located in an industrial zone, with the dominate uses in the vicinity being the adjacent Vermont Country Campers business, Mekkelsen Trailer Sales a short distance up Route 2 and an auto body shop between. The character of the area is RV and auto sales, and this proposal is in keeping with that character.

**(3) Traffic on roads & highways in the vicinity.**

With the construction of the internal drive connecting the Vermont Country Campers property with subject property and the elimination of the comings and goings of the occupants of 27 campsites, the impacts of this project represent a significant reduction in traffic entering and exiting Route 2.

**(4) Bylaws in effect.**

This proposal is in accordance with all by-laws in effect.

Per our discussions, because no physical changes to the property are proposed, this project does not require Site Plan Review. For the Boards convenience, the following is offered to demonstrate the existing sites conformance with the site plan criteria:

**(1) Access.**

Access to the project will be maintained from the existing curb cut onto Route 2 and via the internal drive connecting the property to the adjacent lands of the owner.

**(2) Circulation.**

The existing loop drive within the property will be maintained, and provides convenient circulation within the site.

**(3) Parking, Loading, Service & Outdoor Storage Areas.**

Parking areas dedicated to the individual uses within the property have been denoted on the site plan, including two handicapped spaces for the retail sales use. Significant portion of the useable property are dedicated to the outdoors storage of RV's in similar fashion the adjacent Vermont Country Campers.

**(4) Landscaping & Screening.**

A hedgerow of balsam trees planted along the Route 2 right-of-way provides significant screening, aided by the elevational difference between the old campground and the traveled portion of Route 2. No additional screening is necessary or proposed.

**(5) Site Layout & Design**

No changes are proposed to the pre-existing site layout. All structures satisfy applicable setbacks.

**(6) Lighting**

No changes to the existing lighting are proposed. Details can be provided at the Boards request.

Upon approval of the DRB, an application to amend the existing State Campground Permit (now called a Wastewater and Water Supply Permit) will be filed with the District 5 office to incorporate the project as described here as the “permitted” project. In preparing the site plans and reviewing the prior permits, it has been discovered that the prior owner of the property installed a new well in 2005 to serve the campground. No permits were apparently sought for this change, and unfortunately, the well was installed within the Route 2 right-of-way. Attempts to negotiate an easement or the transfer of a small piece of land with VTrans were rebuffed, leaving no option but to drill a new well. The pending application will reflect the new well location. On the whole, the project proposed here represents a reduction of daily water and sewer flows from 4000 GPD as permitted for the campground to 1000 GPD...assuming full occupancy of all five camp spaces. Suffice it to say that the systems in place, save for the well, are more than adequate to serve the needs of the project as now configured.

We look forward to a hearing on December 2. Thank you for your help with this matter.

Sincerely,



Kris Jurentkuff  
Senior Technician

# Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, December 2, 2014 at 7:00 p.m. at the Municipal Office Building to conduct conditional use review of zoning application #14-066 submitted by 1368 US Route 2, LLC. This is essentially a request to allow the existing uses, most currently unpermitted, of the property to continue with the addition of a retail sales use of the first floor of the former campground's pavilion building. The following notice will appear in the Times Argus Monday, November 17, 2014:

**The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, December 2, 2014 at 7:00 p.m. at the Municipal Office Building to consider the following:**

**Conditional use review of Application #14-066, submitted by 1368 US Route 2, Inc., for mixed use development of the property located at 1368 US Rte. 2, the site of the former Green Valley Campground. The property owner is requesting a continuation of two single family dwelling uses, a new retail sales use, and a new motor vehicle sales & service use. The public campground use would be eliminated. The retail sales and motor vehicle sales & service uses are designed to allow Vermont Country Campers to use a portion of the property for RV sales and service in conjunction with its main location on the adjacent property at 1498 US Rte. 2. As part of this use, Vermont Country Campers would like to maintain five of the existing campground sites for occasional employee and customer use. The property is located in Zone B – Industrial/Commercial and is in both the Special Flood Hazard Area and Conservation Overlay Area S.**

The applicant must hand deliver or send by certified mail a copy of this notice to all abutting landowners at least 15 days before the Development Review Board's hearing date. Neighbors do not need to attend the hearing unless they would like to make comments to the Development Review Board. **However, participation (in person or in writing) in the local proceeding is a prerequisite to the right to appeal any resulting decision or action of the Development Review Board, pursuant to 24 VSA §4464(a)(1)(c).**

Questions may be directed to the zoning administrator at the East Montpelier Municipal Office Building (802-223-3313x204) or by e-mail at [eastmontadmin@comcast.net](mailto:eastmontadmin@comcast.net).

C. Bruce Johnson  
East Montpelier Town & Zoning Administrator  
P.O. Box 157  
East Montpelier, VT 05651

**Town of East Montpelier**

# **PUBLIC HEARING NOTICE**

**Date of Hearing: December 2, 2014**

**Time of Hearing: 7:00 P.M.**

The East Montpelier Development Review Board will hold a public hearing at the East Montpelier Municipal Office Building on the above date and time for the following application:

**Applicant: 1368 US Route 2, LLC**

**Address: 1368 US Rte. 2**

**For: Conditional Use Review of**

**Zoning Permit Application #14-066**

Participation in the local proceeding is a prerequisite to the right to take any subsequent appeal. This poster must be displayed on the property, in full view of the public way, for 15 days. The application is available for inspection at the East Montpelier Municipal Office Building, 40 Kelton Road. For information contact Bruce Johnson, 223-3313x204 or eastmontadmin@comcast.net