

Nick Van Den Berg  
74 Coburn Road  
East Montpelier, VT 05651  
802-371-8458

May 17, 2016

To the East Montpelier Development Review Board,

Regarding the application 16-010 submitted by OVWS to use the 174 Coburn Rd property for a daycare facility I have the following questions and concerns:

## Zoning

- P. 10 Table 2.4 lists the permitted and conditional uses allowed in Zone D. Daycare facility is not included in either of these lists.
  - o Conditional uses #12 'Public Facility/Utility' refers to (P.35) Section 4.13 'Protected Public Uses'. However, Section 4.13 (B) states 'Reasonable provision has been made for siting of the above public facilities and uses within specified zoning districts, as summarized in Table 4.1. Schools are specified to exist within Zone A and Zone C, not Zone B or Zone D.
- P. 46 Conditional Use Review General Standards, Section 5.5 (C)
  - o States '...approval shall be granted by the DRB upon finding that the proposed development will not result in an undue adverse effect on any of the following:
    - (2) Character of the neighborhood affected
      - The Board shall consider the intensity and location of a proposed development in relation to the character of the neighborhood, as determined from the zoning district purpose statements and relevant testimony presented to the board. The Zone D purpose statement reads "...is to **promote** agriculture and forestry while **accommodating** low-density residential development and other compatible non-residential uses." The proposed development clearly does not promote the intended purpose for this zone, and extends far beyond the scope of previously accommodated uses. Furthermore, there has been substantial relevant testimony presented by abutting property owners in opposition to this development.
    - (3) Traffic on roads and highways in the vicinity
      - As detailed in the letter provided by Laura Stone
    - In addition, although the zoning regulations may not specifically speak to it, I believe it is relevant that the DRB consider a proposed developments potential adverse financial impact on abutting properties and their owners. For most working families a home purchase is the largest investment they will ever make and is the cornerstone upon which any future financial growth or wealth depends. Allowing the commercial use of 174 Coburn Rd. would support the

growth and revenue of a private commercial enterprise while negatively affecting the value of the neighboring residential properties.

In conclusion, I believe there is no provision anywhere within the East Montpelier Zoning Regulations that would specifically allow for the proposed use on the subject property. Approval of this application would constitute a violation of the Town's own written zoning regulations, and would benefit a single commercial enterprise at the expense of neighboring home owners.