

Permit # 16-038

ZONING PERMIT APPLICATION

Date Received: 8/9/16

Zoning District B

TOWN OF EAST MONTPELIER

Parcel # 10-018.000

Overlays FF

PO Box 157, East Montpelier, VT 05651

Tax Map # 12-01-30.000

- A.**
- Name of Landowner Josh + Randy Demers Phone No. 802-229-6262
 - Address of Landowner 1528 US-2 E Montpelier, VT 05651
 - Applicant (other than owner) Ashley Demers Phone No. 802-793-0146
 - Address of Applicant PO Box 659 Montpelier, VT 05601
 - Location of Property 1528 US-2 E Montpelier, VT 05651

B: Application is made (check appropriate boxes):

- | | | |
|--|---|--|
| To: | For: | For: |
| <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 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 Renovation of the Interior.

C. Lot description:

- acrage 5
- road frontage 350 Ft.
- depth front yard 75 Ft.
(Road centerline to building)
- depth side yards 50 Ft. 50 Ft.
(building to lot lines)
- depth rear yard 250 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 [Signature] Date 8/6/16
Applicant Ashley Demers Date 7/10/16

Zoning Permit Fee: \$ 225.00 Cash Check # 1552 Date 8/9/16 Rec'd by D.B.
DRB Hearing Fee: \$ _____ Cash Check Date _____ Rec'd by _____

Make checks payable to the "Town of East Montpelier"

Ashley Demers
Po Box 659
Montpelier, VT 05601
802-793-0146

Green Mountain Day Spa will open its business doing Nails, Waxing's, & Body Treatments.

The Business will have its own entrance which is shown in the floor plan attached with the hours of
Monday-Friday 8-5, Sat 8-12.

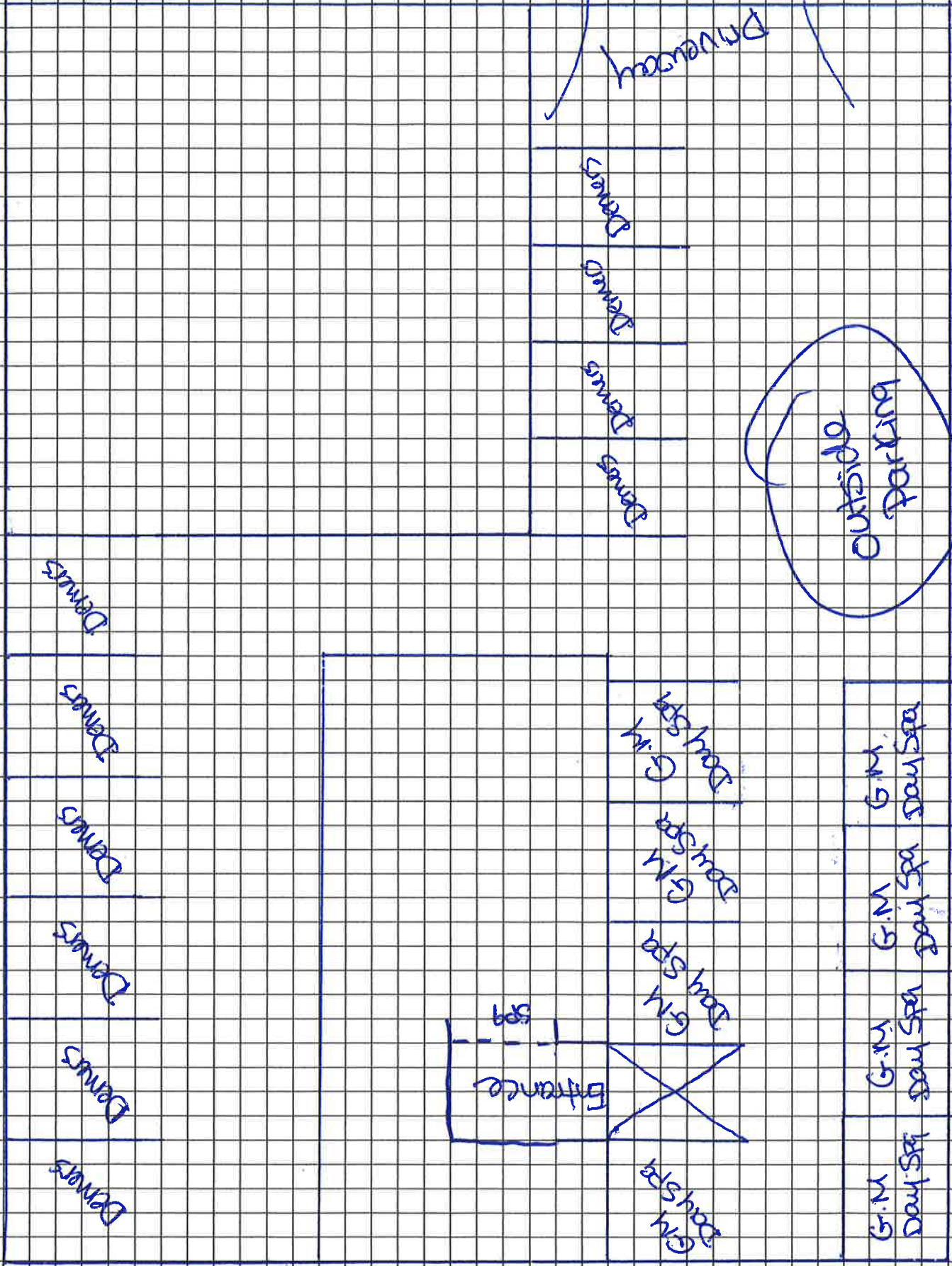
The spa will be utilizing 400 square feet of existing building space with its own bathroom.

8 Parking spots will be available for clients and business owner (No employees planned).

Thanks



Ashley Demers



Dorms

Dorms

Dorms

Dorms

Dorms

Dorms

Dorms

Dorms

Dorms

Dorms

Outside
Parking

Entrance

SPP

Dorms
G.M.

Dorms
G.M.

Dorms
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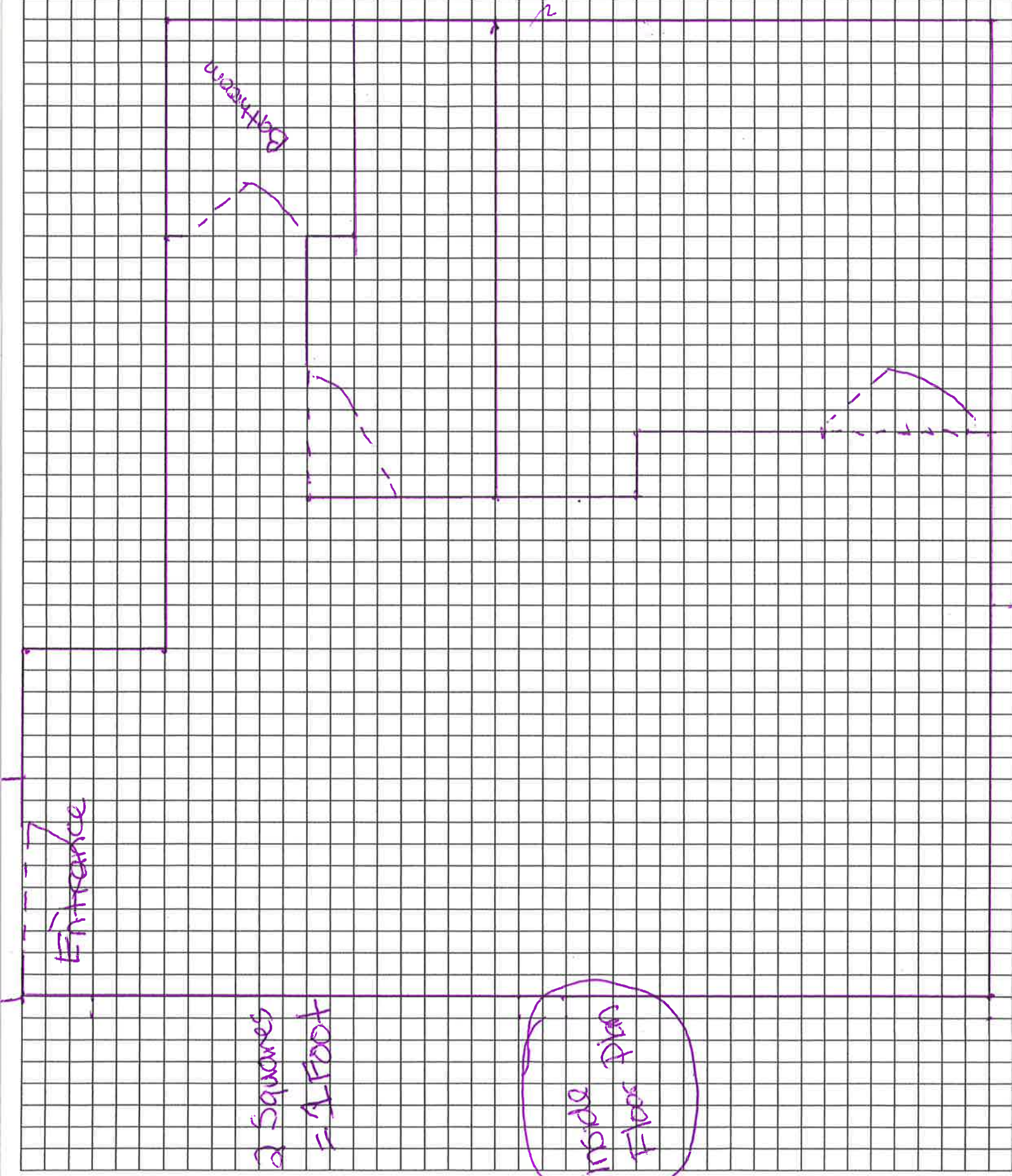
Entrance

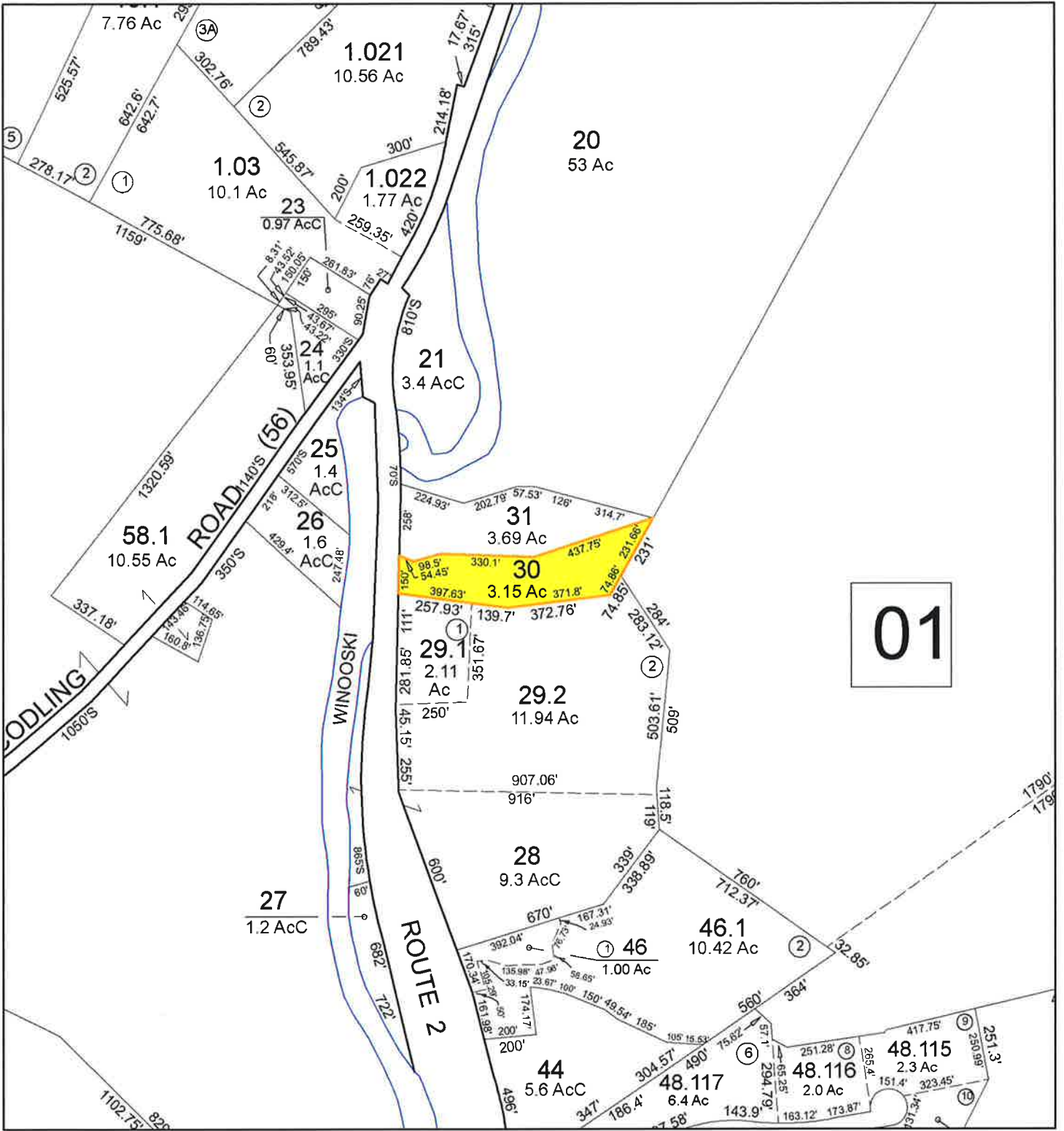
2 Squares
= 1 Foot

Inside Plan
Floor

Bathroom

2

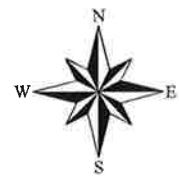




Demers -- 1528 US Rte. 2
East Montpelier



8/9/2016



Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, September 6, 2016 at 7:00 p.m. at the Municipal Office Building to conduct conditional use review of zoning application 16-038 submitted by Ashley Demers. The application is to add a day spa (Green Mountain Day Spa, offering nail, waxing, and body treatment services) to the existing Demers Auto motor vehicle sales and service business located at 1528 US Rte. 2. The spa will be located within the existing building at the west end of the structure. There will be some internal renovations, but no external alterations to the building. The following notice will appear in the Times Argus Sunday, August 21, 2016:

The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, September 6, 2016 at 7:00 p.m. at the Municipal Office Building to consider the following:

Conditional use review of Application #16-038, submitted by Ashley Demers, to add a spa business use to the R & J East Montpelier LLC mixed use property located at 1528 US Rte. 2. The proposed day spa will be housed in the existing structure along with Demers Auto, a motor vehicle sales and service operation. The property is located in Zone B – Industrial, where a §4.10 mixed use requires conditional use review, and the Special Flood Hazard Area.

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 V.S.A. §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.

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

TOWN OF EAST MONTPELIER
DEVELOPMENT REVIEW BOARD

In the matter of:
Dennis Carver, owner/ Randall Demers, applicant
parcel # 10-018.000

Zoning Permit Application 10-025
SITE PLAN & CONDITIONAL USE REVIEW

Procedural History and Applicant Request

1. Dennis Carver (hereafter "Owner") owns a 3.15± acre parcel located at 1528 U.S. Route 2 in East Montpelier. This property is in the Industrial zoning district B and lies partly in the Special Flood Hazard Area and Conservation Overlay Aquifer Protection Area S. The property is developed with a 1 ½-story commercial building of approximately 40'x60' with an attached 1-story dwelling of approximately 40'x24' with an integral garage.
2. On April 15, 2010, Randall Demers (Applicant) submitted an application with the Town of East Montpelier to construct a 30'x30' addition on the south side of the building and conduct motor vehicle sales and service on the premise and in the renovated building.
3. The application was referred to the Development Review Board (DRB) for review. On May 4, 2010, applicant Randall Demers and owner Dennis Carver came to a duly warned DRB hearing for a review of their application. DRB members present: Kim Watson, Carol Welch, Mark Lane, Ken Santor, Gray Ricker, and Jeff Cueto. Zoning Administrator Dina Bookmyer-Baker (ZA) and Recording Secretary Kristi Flynn were present. Josh Demers was also present.

DRB heard testimony and received evidence. DRB continued the hearing to June 1, 2010 for Applicant to solicit comments from the flood plain manager. DRB also recommended Applicant submit additional information on the site plan.
4. On May 12, 2010, Applicant, Owner, and ZA met with Rebecca Pfeiffer, the flood plain manager at the subject premise, 1528 U.S. Route 2. DRB member Ken Santor was also present. Ms. Pfeiffer completed a review form and gave copies to Applicant and ZA.
5. After due notice, on June 1, 2010, Applicant and Owner returned to the DRB to continue the review. DRB members present: Richard Curtis, Kim Watson, Carol Welch, Mark Lane, Ken Santor, Gray Ricker, Jeff Cueto, and Stanley Pierce. ZA, Kristi Flynn, and Josh Demers were also present.

Findings

6. The site plan shows 44 total parking spaces. The driveway is shared with the neighboring parcel.
7. The construction will meet state requirements for a public commercial building. Applicant proposes no new outside lighting at this time.
8. Three people will be employed at the shop: Applicant Randy Demers, his son, Josh, and one additional employee. The hours of operation will be from 8:00 to 5:00 Monday through Friday and sometimes on Saturday.
9. No new sign is proposed at this time. A new sign will require a zoning permit.
10. The addition is intended to house a painting booth and frame machine. The building will not have any floor drains. All drainage material will be stored in barrels and recycled according to OSHA standards.
11. Applicant received comments from the state flood plain manager stating that if the addition is not a substantial improvement (50% of the value of the existing building), then an elevation survey is not required. The value of the building is \$138,000. Applicant's estimate for constructing the addition and making permanent improvements to the building, totals \$31, 500, which is less than 50% of the value of the building. The addition will be built at the same elevation as the existing building, will be of wood frame construction, will not have an outside entrance, and all electrical elements will be at least 4' above the floor level.

Conclusions

SITE PLAN, CONDITIONAL USE, & CONSERVATION OVERLAY AREA S:

The standards for site plan review are set forth in §5.3 of the *East Montpelier Land Use & Development Regulations*. The standards for reviewing a conditional use development proposal are set forth in §5.4, plus, in cases where the property is within Conservation Overlay Area S (the aquifer protection zone), the supplemental district standards are set forth in Table 2.6 (E). Conditional use review for development in the special flood hazard area is not required as set forth in §9.4. The six general standards of site plan review, the five general standards, seven supplemental standards, and the four supplemental district standards of conditional use review have been evaluated and incorporated into this decision.

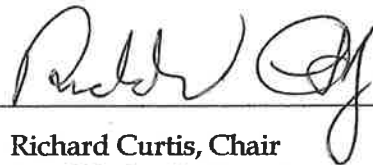
Decision

By unanimous vote, DRB approves the development proposal to renovate the existing building and conduct motor vehicle sales and service as presented, with the following conditions:

- (1) The hours of operation shall be from 8:00 a.m. to 5:00 p.m., Monday through Saturday.
- (2) A future lighting plan must comply with Section 5.3(C)(6) and shall be submitted to DRB for review prior to installation.
- (3) Construction will meet all state and local codes.

Voting in favor: Cueto, Curtis, Lane, Pierce, Ricker, Santor, Watson, & Welch; Voting to deny: None; Absent: King. The decision carries, 8-0.

Dated this 16th day of July 2010.



Richard Curtis, Chair
East Montpelier Development Review Board