

Town of East Montpelier

ZONING PERMIT

NOTICE

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

Date Issued: September 27, 2019

Effective Date: October 12, 2019

Location: 50 Packard Road

Owner: Malone Packard Road Properties LLC

For: Vermont Country Camper Sales, Inc. to conduct
a Limited Motor Vehicle Sales & Service Use at Facility

Application # 19-040

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

September 27, 2019

Vermont Country Camper Sales, Inc.
Attn: Layne Gregoire, President
1498 US Rte. 2
East Montpelier, VT 05651

Re: East Montpelier Zoning Application #19-040

Dear Mr. Gregoire:

Please find enclosed the written decision of the East Montpelier Development Review Board approving your change of use application #19-040 as presented. 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 #19-040 authorizing a limited motor vehicle sales and service use in a portion of the 50 Packard Road facility. A copy of the permit and supporting materials have been provided to property owner Malone Packard Road Properties LLC.

Please 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

September 27, 2019

Malone Packard Road Properties, LLC
Attn: Patrick Malone
338 River Street, Suite 7
Montpelier, VT 05602

Re: East Montpelier Zoning Application #19-040
50 Packard Road Change of Use

Dear Mr. Malone:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the Vermont Country Camper Sales, Inc. change of use application #19-040 as presented. 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 #19-040 authorizing a limited motor vehicle sales and service use in a portion of the 50 Packard Road facility. A copy of the permit and supporting documents is enclosed.

Please 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

September 27, 2019

Ellery Packard
PO Box 70
East Montpelier, VT 05651

Re: East Montpelier Zoning Application #19-040
50 Packard Road Change of Use

Dear Mr. Packard:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the Vermont Country Camper Sales, Inc. change of use application #19-040 as presented. As a representative for an abutting corporate landowner who participated in the DRB 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 #19-040 authorizing a limited motor vehicle sales and service use in a portion of the 50 Packard Road facility.

Please 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: Malone Packard Road Properties LLC
 50 Packard Road
 Parcel # 10-008.000 Tax Map # 12-01-48.200

East Montpelier Zoning Application #19-040

INTRODUCTION & PROCEDURAL HISTORY

1. On August 9, 2019, Vermont Country Camper Sales, Inc., on behalf of property owner Malone Packard Road Properties LLC, filed an application with the Town of East Montpelier to change the use of a portion of the 50 Packard Road property from professional office/wholesale business to motor vehicle sales & service.
2. The property in question is located in the Industrial District – Zone B. Motor vehicle sales & service is a permitted use in Zone B, so the requested change in use requires East Montpelier Land Use & Development Regulations Section 5.4 site plan review by the Development Review Board.
3. A public notice was duly published in the Times Argus on August 17, 2019 for a hearing, which was conducted on September 3, 2019.
4. The DRB conducted a site visit to the property on September 3, 2019 prior to the public hearing.
5. Applicant representative Layne Gregoire, abutting property owner Ellery Packard, and Zoning Administrator Bruce Johnson appeared and participated in the September 3, 2019 hearing. There was no additional public comment.
6. The Board members who voted on this issue at the September 3, 2019 hearing were Kappel, Cueto, Lane, Justis, Weyant, Oates, Cutler, Hill, and Watson.

FINDINGS OF FACT

1. Applicant proposes to utilize approximately 10,000 square feet of the facility located at 50 Packard Road, formerly used by Zutano, as an adjunct location for Vermont Country Campers, a large recreational vehicle sales & service business, whose main location is at 1468 US Rte. 2 in East Montpelier.
2. The property is located in Zone B – the industrial district, where motor vehicle sales and service is an allowed use. Applicant intends to use the facility mostly for servicing of RVs, especially for new unit dealer prep. Under cover and under heat service options are limited at the 1468 US Rte. 2 location, so this facility will increase the ability of the business to meet service needs throughout the year. There will be no retail sales and little

customer traffic at the site. Parking is limited so there won't be a significant outdoor RV presence on the property. No increase in traffic to the property is expected.

3. Applicant intends to add an oversized door to the front of the facility, but no other structural changes are anticipated.
4. No signage is currently requested, although Applicant anticipates the installation of signage at some point in the future. Applicant understands that there will be a need for additional permitting at that time.

CONCLUSIONS

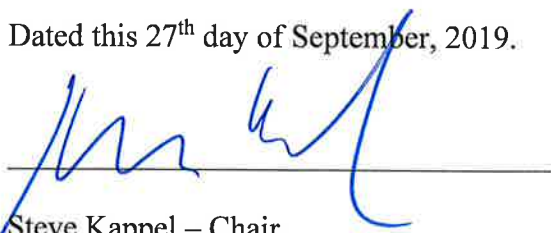
The standards for the issuance of site plan approval are set forth in Section 5.4 of the East Montpelier Land Use & Development Regulations. It is found that the site plan standards in Section 5.4 (C) have been reviewed and incorporated into this decision.

DECISION

By unanimous vote, the DRB gives site plan approval for Permit Application #19-040 to allow the requested change of use as presented.

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 27th day of September, 2019.



Steve Kappel – 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.

Permit # 19-040
Zoning District B
Overlays WR

ZONING PERMIT APPLICATION

TOWN OF EAST MONTPELIER

PO Box 157, East Montpelier, VT 05651

Date Received: 8/9/19
Parcel # 10-008.000
Tax Map # 12-01-48.200

A. 1. Name of Landowner Malone Packard Road Properties, LLC Phone No. 802 223 9954
2. Address of Landowner 338 River St, unit 3, Montpelier VT
3. Applicant (other than owner) Vermont Country Camper Sales Inc. Phone No. 802-249-7820
4. Address of Applicant 1498 US Route 2, East Montpelier VT
5. Location of Property 50 Packard Road East Montpelier, VT 05651 (Wayne A. Gregoire President)

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 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 Service, repair, paperwork for sales facility, also add another door to front of the building

Change of use

C. Lot description

1. acreage	4. depth side yards Ft. Ft. (building to lot lines)
2. road frontage Ft.	
3. depth front yard Ft. (Road centerline to building)	5. depth rear yard 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 8/7/19
Applicant [Signature] Date 8/7/19

Zoning Permit Fee: \$225.00 Cash check #59537 Date 8/9/19 Rec'd by D.S.

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 # 19-040 Date Issued 09/27/19 Effective Date 10/12/19

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

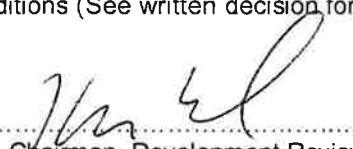
F. Action by Development Review Board:

1. Public Notice Date 8/17/2019

2. Date(s) of Hearing 9/3/2019

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: September 27, 2019

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.

Site Plan for Country Camper's Additional Facility

Building Use: Country Camper will utilize the building as a Service, Parts, and Delivery Center for Incoming Guests and Vendors. Country Camper is expanding service, parts, and delivery capabilities with this site in addition to the current business operations at 1498 U.S. Route 2 and 1368 U.S Route 2. The building will also be utilized for additional office space and sales.

Estimated Unit Traffic Per Day: 10 to 20 Campers Per Day

Estimated Delivery Traffic: 1 to 3 Tractor Trailers and Parts Delivery Vehicles Per Day

Estimated Employees: 20 to 25

Estimated Parking Required: 20 to 25



Orange Lines: Country Camper's Portion

Maroon Circles: Parking Areas

Blue Lines: Additional Entry Door



VT Country Camper -- 50 Packard Road

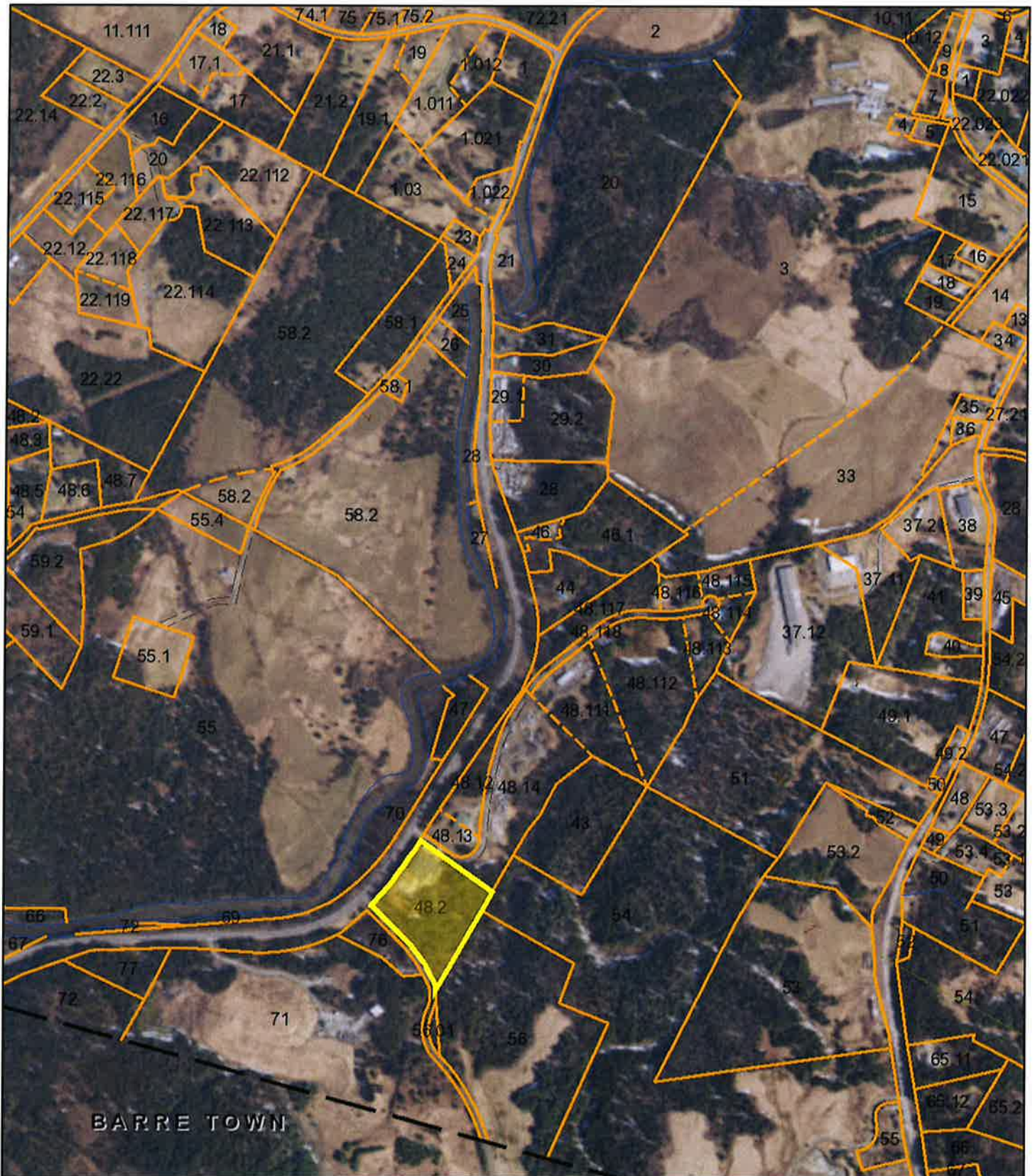
East Montpelier, VT

1 inch = 1079 Feet



August 12, 2019

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



State of Vermont

LAND USE PERMIT ADMINISTRATIVE AMENDMENT

CASE: 5W0840-14B

Vermont Country Camper Sales, Inc.
1498 US Route 2

East Montpelier, Vermont 05651
and

Malone Packard Road Properties, LLC
338 River Street, Suite 7
Montpelier, Vermont 05602

LAWS/REGULATIONS INVOLVED

10 V.S.A. §§ 6001 – 6093 (Act 250)
Act 250 Rule 34(D)

The District 5 Environmental Commission hereby issues Land Use Permit Administrative Amendment 5W0840-14B pursuant to the authority vested in it by 10 V.S.A., §§ 6001-6093. This permit amendment applies to the lands identified in Book 104, Pages 197-199, of the land records of East Montpelier, Vermont. This permit authorizes Vermont Country Campers to utilize approximately 10,000 square feet of an existing building for the servicing of campers, which will involve mostly new dealer prep. This site will function solely as an auxillary site. The 3 employees at this site will not perform oil changes or repairs; those will be done in the shop at the Applicant's main site located at 1498 U.S. Route 2. An adjacent tenant has agreed to allow temporary outdoor parking of campers between shuttle truck trips to and from the main site. There will be no retail component or customer traffic at this site. The project is locted at 50 Packard Road in East Montpelier, Vermont.

1. Except as amended herein, all terms and conditions of Land Use Permit 5W0840 and subsequent amendments remain in full force and effect.

Dated at Montpelier, Vermont this 18th day of September 2019.

By

Susan Baird, District Coordinator
Districts 5, 6 and 9 Environmental Commissions
10 Baldwin Street
Montpelier, Vermont 05633-3201
802-476-0134
susan.baird@vermont.gov

This permit is issued pursuant to Act 250 Rule 34(D), Administrative Amendments, which authorizes a district coordinator, on behalf of the District Commission, to "amend a permit without notice or hearing when an amendment is necessary for record-keeping purposes or to provide authorization for minor revisions to permitted projects raising no likelihood of impacts under the criteria of the Act." The rule also provides that all parties of record and current adjoining landowners shall receive a copy of any administrative amendment.

Prior to any appeal of this Administrative Amendment to the Superior Court, Environmental Division, the applicant or a party must file a motion to alter with the District Commission within 15 days from the date of this Administrative Amendment, pursuant to Act 250 Rule 34(D)(2).