

# Town of East Montpelier

# ZONING PERMIT

## NOTICE

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

Date Issued: October 3, 2019

Effective Date: October 18, 2019

Location: 2641 US Rte. 2

Owner: GOALASKA LLC

For: 3' 6" x 4' 6" Lighted Sign  
Attached to 4"x4" Post Frame

Application # 19-049

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

October 3, 2019

GOALASKA LLC  
c/o Sue & Alex Aldrich  
6 Richardson Street  
Montpelier, VT 05602

Re: East Montpelier Zoning Applications #19-048 & 19-049

Dear Mr. & Ms. Aldrich:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the GOALASKA LLC change of use application #19-048 and sign application #19-049 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 #19-048 authorizing the addition of a professional office space use to the existing residential use of the property located at 2641 US Rte. 2. Further, I have issued East Montpelier Zoning Permit #19-049 for the installation of a 3'6" x 4'6" lighted sign attached to a frame made of 4" x 4" posts. It is understood that this "sign" is actually two separate one-print-side sheets attached to opposite sides of the frame. Please note that the lighting of the sign is limited to business hours only, and not later than 10:00 p.m.

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:       GOALASKA LLC  
                              2641 US Rte. 2  
                              Parcel # 10-040.000   Tax Map # 21-51-53.000

East Montpelier Zoning Applications #19-048 & 19-049

**INTRODUCTION & PROCEDURAL HISTORY**

1. On September 11, 2019, Alex Aldrich, representing GOALASKA LLC, filed two applications with the Town of East Montpelier on behalf of then-property owners Maurice & Barbara Brown. The first, #19-048, sought to change the use of the Browns' 2641 US Rte. 2 property from single-family residential with an accessory dwelling to a combination of professional office space and single-family residential. The second, #19-049, is for a sign in support of the professional office use.
2. The property in question is located in the Residential & Commercial District – Zone C, where professional office use is a permitted activity. Since the property currently has a single-family residential use, also a permitted activity in Zone C, the application is seeking an East Montpelier Land Use & Development Regulations Section 4.11 mixed use approval for the combination of an existing residential use coupled with the requested professional office use. Mixed uses require condition use review by the Development Review Board.
3. A public notice was duly published in the Times Argus on September 14, 2019 for a hearing, which was conducted on October 1, 2019.
4. On September 30, 2019 the property at issue in these applications was transferred from Maurice & Barbara Brown to GOALASKA LLC.
5. Applicant representatives Alex & Sue Aldrich and Zoning Administrator Bruce Johnson appeared and participated in the October 1, 2019 hearing. There was no additional public comment.
6. The Board members who voted on this issue at the October 1, 2019 hearing were Kappel, Cueto, Lane, Justis, Weyant, Cutler, and Oates.

**FINDINGS OF FACT**

1. Applicant proposes to add a professional office use to the single-family residential use of the 2641 US Rte. 2 property. The intent is to operate Coldwell Banker Classic Properties out of

the main portion of the house and retain the existing accessory dwelling element as a rental apartment.

2. The property is located in Zone C – the Residential/Commercial District, where professional office space is a permitted activity. Single-family residential is also a permitted use in Zone C. Section 4.11 mixed use allows, subject to conditional use review, multiple primary uses on one parcel.
3. Applicant proposes to install a sign just outside the US Rte. 2 right-of-way. A lighted freestanding sign no larger than 16 square feet per face is allowed in Zone C. The two sign faces will each be just under 16 square feet and will be attached to a frame made of 4" x 4" posts. The sign will be lit by two gooseneck style lights attached to the top of the frame. The lighting will be aimed and shielded so as to light only the sign faces. Sign lighting is limited to hours when the premises are occupied or open for business, with an outside limit of 10:00 p.m. Applicant's representatives understand the lighting limitation and will abide by the requirements.
4. Outside of the sign and associated lights, no new lighting or other external improvements to the property related to the requested commercial use are proposed. The realty firm has one full-time employee that will work regular hours at the office, Monday-Friday from 7:00 a.m. until 4:00 p.m. The rest of the firm's 8-10 employees will use the office as a home base, but are rarely on-site except for firm meetings, real estate closings, and similar events. There is no anticipated increase in the traffic to and from the property. There appears to be sufficient parking for the proposed uses, but a secondary 3-space lot will be constructed if necessary.
5. There are no changes proposed for the existing accessory dwelling element of the structure. This is currently utilized as a rental apartment and that use will continue.
6. US Rte. 2 access is controlled by the VT Agency of Transportation (VTrans). Currently the property has two curb cuts onto the highway and utilizes a "U" driveway connecting the two cuts. VTrans has provided a Letter of Intent to issue a permit authorizing the use of US Rte. 2 access for the GOALASKA LLC proposal. The northern curb cut will be eliminated, and the connecting element of the driveway landscaped. The southern curb cut will be improved to meet current VTrans standards and will serve as the only access point for the property. The net effect on the internal traffic flow and parking will be negligible.

## CONCLUSIONS

The standards for the issuance of a conditional use permit are set forth in Section 5.5 of the East Montpelier Land Use & Development Regulations. It is found that the five general standards in Section 5.5 (C) have been reviewed and the proposed use will not adversely affect any of them. It is further found that the specific standards in Section 5.5 (E) are not applicable to the project. As part of conditional use review Section 5.4 (C) site plan standards have been evaluated and incorporated into this decision.

The standards for the issuance of a sign permit are set forth in Section 3.15 of the East Montpelier Land Use & Development Regulations. It is found that the relevant general standards in Section 3.15 (B) have been reviewed and the proposed sign will not violate any of them.

## DECISION

By unanimous vote, the DRB approves Conditional Use Permit #19-048 to allow the requested mixed commercial and residential use of the 2641 US Rte. 2 property as presented in Zoning Application #19-048 and approves Zoning Permit #19-049 to allow the requested sign 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 3<sup>rd</sup> day of October, 2019.

A handwritten signature in blue ink, appearing to read 'Steve Kappel', is written over a horizontal line.

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 # 19-049  
Zoning District C  
Overlays —

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

Date Received: 9/11/19  
Parcel # 10-040.000  
Tax Map # 21-S1-S3.000

\*\*\*\*\*

A. 1. Name of Landowner: Maurice/Barbara Brown Phone No. \_\_\_\_\_  
2. Address of Landowner: 2641 US Route 2, E. Montpelier 05657  
3. Applicant (other than owner): Alex/Sue Aldrich Phone No. 802.777.1322  
4. Address of Applicant: 6 Richardson St. Montpelier 05602 GOALASKA, LLC  
5. Location of Property: 2641 US Rte 2 E Montpelier

**B. Sign Data:**

1. Sign size (height & width): 3'6" x 4'6"  
2. Construction material: 4"x4" Pressure-treated Framing, Aluminum Composite Face  
3. Lettering: ☐ One side only ☒ Both sides  
4. Is sign lit: ☒ Yes ☐ No If yes, please describe Goose-neck LED atop of frame  
5. Free standing sign: ☒ Yes ☐ No If yes: Height from ground at peak 6'6"  
Distance from road centerline 25' minimum  
Part of multi-sign platform: ☐ Yes ☒ No  
6. Sign attached to building: ☐ Yes ☐ No If yes: ☐ Wall mounted ☐ Hanging  
7. Sign consists of wall lettering &/or graphics: ☒ Yes ☐ No  
Describe sign to be installed: (See drawings) 4x4 Pressure-treated mortised frame  
with UV Printed Aluminum Composite sheet attached to both sides  
Goose-neck fixtures mounted on top of sign to illuminate sign  
faces only

**Important:** Please provide a picture, sketch, or some other visual depiction of the desired sign. Also, please provide a location sketch showing sign placement on the property and orientation to the nearest public road. If the sign is on a building, show both the location of the sign on the building and the building on the property.

**READ CAREFULLY:**

A zoning permit shall be required prior to the erection, construction or replacement of any outdoor sign, except for signs which are specifically exempted or specifically prohibited by the East Montpelier Land Use & Development Regulations.

The undersigned requests a zoning permit as described above, understanding that the permit will be voided and penalties imposed, if the sign is not completed as described. The permit will be voided if the sign is not erected 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.

\* Landowner: Maurice F. Brown Date 9/11/19  
Applicant: Alex/Sue Aldrich for GOALASKA LLC Date 9/11/19

\*\*\*\*\*

Zoning Permit Fee: \$ 35.00 Cash ☐ Check #102 Date 9/11/19 Rec'd by D.S.  
DRB Hearing Fee: \$ \_\_\_\_\_ Cash ☐ Check ☐ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

Make checks payable to the "Town of East Montpelier"

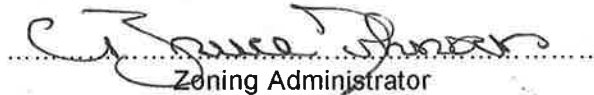
**C. Action by Zoning Administrator:**

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 # 19-049 Date Issued 10/03/19 Effective Date 10/18/19

**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.**

  
Zoning Administrator

**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.

**D. Action by Development Review Board:**

1. Public Notice Date 14 SEPT 2019
2. Date(s) of Hearing 1 OCT 2019
3. ☒ Granted ☐ Without conditions ☐ With conditions (See written decision for conditions)
4. ☐ Denied (See written decision for reasoning)

  
Chairman, Development Review Board

**Important Notice:**

The DRB's written decision was issued on: October 3, 2019

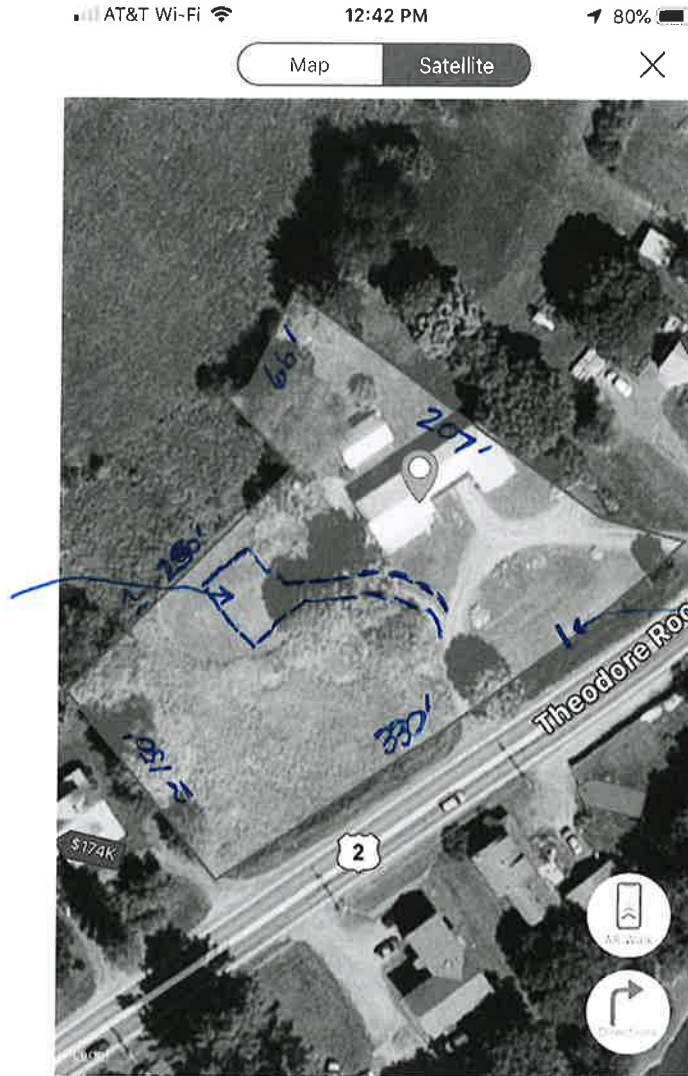
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GOALASKA, LLC

Coldwell Banker Classic  
Properties  
2641 US Rte. 2.  
East Montpelier  
1.1 acres

Proposed  
Parking  
≤ 3 spaces



Sign



4' 6"



3' 6"



3'

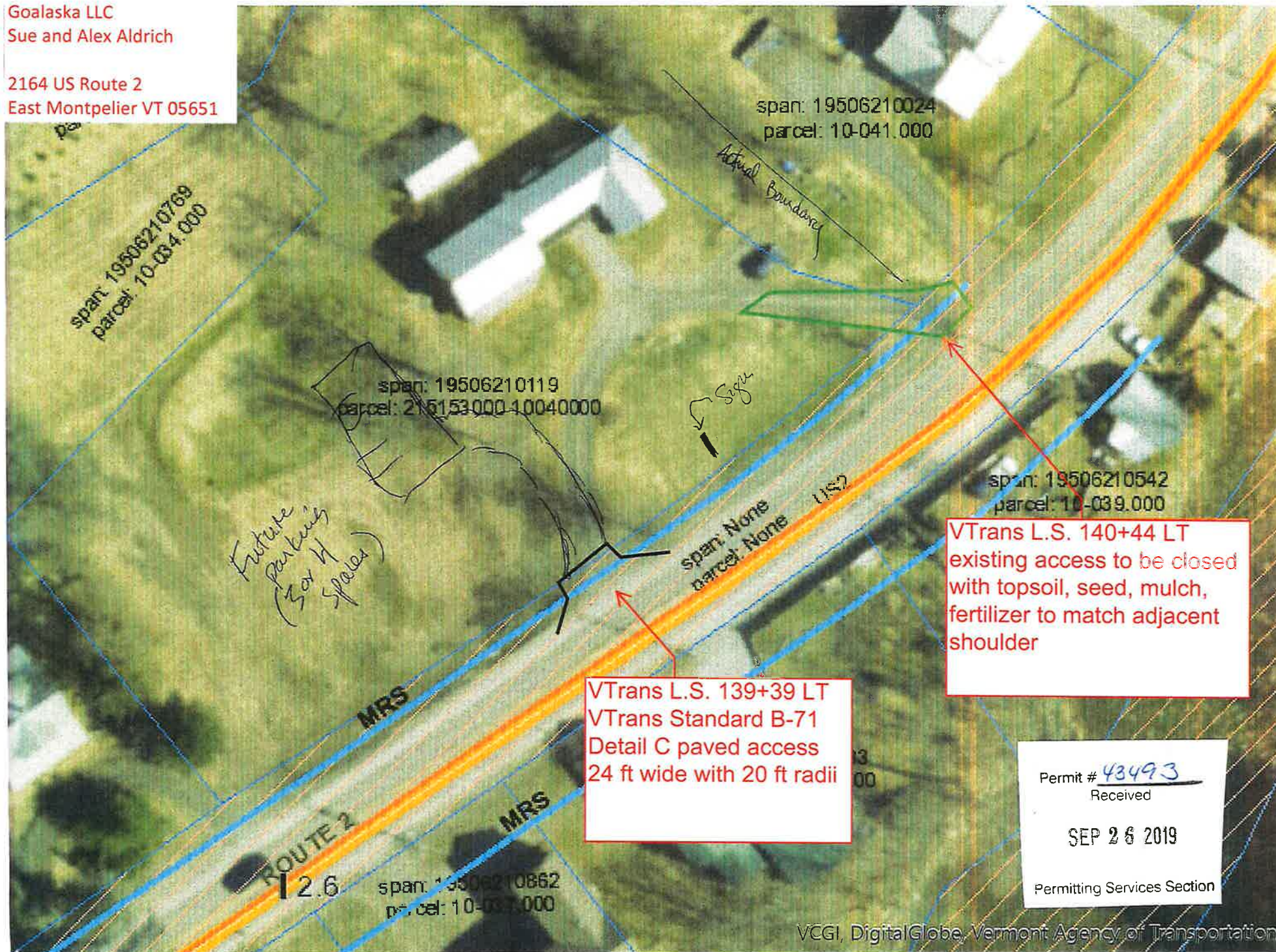


SIGN DESIGN  
37 BARRE STREET  
MONTPELIER, VT 05602  
802-229-5956



Goalaska LLC  
Sue and Alex Aldrich

2164 US Route 2  
East Montpelier VT 05651







# Brown -- 2641 US Rte. 2

East Montpelier, VT



September 12, 2019

1 inch = 350 Feet

[www.cai-tech.com](http://www.cai-tech.com)



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