

TOWN OF EAST MONTPELIER
BOARD OF ADJUSTMENT

In the matter of:

Montpelier River Garden Initiative
PO Box 626
Montpelier, VT 05601

ZONING PERMIT APPLICATION NO. 126-03
CONDITIONAL USE

On September 18, 2003, the Montpelier River Garden Initiative, representing the interests of the Three Rivers School of Central Vermont and the Montpelier Waldorf Child's Garden, filed an application with the Town of East Montpelier for a Zoning Permit to change the use of 2290 Route 14N in Zone C from residential/agricultural to "educational".

On September 26, 2003, a public notice was duly published in the Times Argus for a hearing, which was held on October 13, 2003. The applicant was represented by Ron Koss and Julie Henderson. Several individuals with children attending the schools also participated in the hearing.

The Board members which considered the application were Ellingwood, Cueto, Strong, King, Biggam, Carver, and Curtis.

FINDINGS OF FACT

1. The Montpelier River Garden Initiative proposes to operate an elementary school at 2290 Route 14N, which has frontage both on Route 14 and on Coburn Road. The most recent use of the parcel was as a residence and commercial orchard. The school's five-year development plan anticipates starting with 25 students and four staff members and reaching 75-110 students and ten full time and five part time staff members by the fifth year. The use would begin in January 2004.
2. The parcel is 55 acres in size. The house and barn on the parcel would both be adapted for school use; however, no additions are currently planned. The second floor of the house would become office space. There would be no residential use.
3. Zone C is a Residential and Commercial District. Public facilities are allowed in Zone C as a conditional use. Article III, Section 5 (*Special Public Use Exceptions*) limits the regulation of schools to size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking and loading facilities, and landscaping or screening requirements.

5. There is an existing parking area with a capacity of about fourteen cars located between the two buildings. A second parking area with a capacity of about 48 spaces is located off of Coburn Road.
6. The area between the highway and the buildings is well landscaped, and no supplemental planting are planned. The play area would be to the rear of the house.
7. Food services are not provided. Access for large delivery trucks will not be necessary.

CONCLUSIONS

The proposed use as proposed under the five-year plan will have a minimal effect on the exterior appearance of the site, as the existing buildings, drives, and parking areas will be used. Sufficient parking is currently available for the projected use.

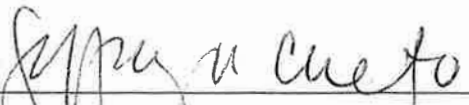
DECISION

The Board hereby grants the Conditional Use Permit subject to the following condition:

1. The applicant shall provide a parking capacity of no less than one space per three persons.

By unanimous vote, the Board voted to grant the Conditional Use Permit.

Dated this 6th day of November 2003



Jeffrey R. Cueto, Chair
Board of Adjustment