

# Town of East Montpelier

# ZONING PERMIT

## NOTICE

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

Date Issued: March 18, 2022

Effective Date: April 2, 2022

Location: 1589 VT Rte. 14 S

Owner: Central VT Humane Society

For: 12' x 20' Storage Shed

Application # 22-004

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) 477-2241 or [jeff.mcmahon@vermont.gov](mailto:jeff.mcmahon@vermont.gov), before beginning any construction.

# TOWN of EAST MONTPELIER

P.O. Box 157  
East Montpelier, VT  
05651-0157

C. Bruce Johnson, ZA  
manager@eastmontpeliervt.org  
(802) 223-3313 ext. 204

March 18, 2022

Central VT Humane Society  
Attn: Erika Holm  
1589 VT Rte. 14 S  
East Montpelier, VT 05651

Re: East Montpelier Zoning Application #22-004

Dear Ms. Holm:

Please find enclosed the written decision of the East Montpelier Development Review Board approving the Central VT Humane Society's request to install a 12' x 20' storage shed at the CVHS property located at 1589 VT Rte. 14 S as presented in application #22-004.

The Central VT Humane Society has 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 #22-004 for the installation of a 12' x 20' storage shed at the CVHS property located at 1589 VT Rte. 14 S. This permit is an amendment to East Montpelier Zoning Permit 08-047.

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:      Central Vermont Humane Society, Inc.  
                                 1589 VT Rte. 14 S  
                                 Parcel # 09-045.000   Tax Map # 12-01-14.000

East Montpelier Zoning Application #22-004

**INTRODUCTION & PROCEDURAL HISTORY**

1. On February 9, 2022, Erika Holm, on behalf of the Central Vermont Humane Society (CVHS), submitted an application with the Town of East Montpelier for the installation of a shed no larger than 20' x 24' on the Humane Society's property located at 1589 VT Rte. 14 S.
2. The property in question is located in the Industrial District (Zone B). The applicant is requesting an amendment of its existing conditional use permit (#08-047, as previously amended by #15-015) which allowed CVHS to operate on the 1589 VT Rte. 14 S parcel as a use similar in nature to other permitted or conditional uses in the zoning district.
3. A public notice was duly published in the Times Argus on February 12, 2022 for a hearing, which was conducted on March 1, 2022.
4. Applicant representative Erika Holm and Zoning Administrator Bruce Johnson appeared and participated in the March 1, 2022 hearing. There was no additional public comment.
5. The Board members who voted on this issue at the March 1, 2022 hearing were Kappel, Cueto, Weyant, Cutler, Justis, Watson, and Hill.

**FINDINGS OF FACT**

1. Applicant operates a humane society on an 8.1-acre parcel located at 1589 VT Rte. 14 S. under Conditional Use Permit #08-047 as amended by Permit #15-015. Applicant proposes to install a standalone 12' x 20' prefabricated shed at the west side of the CVHS parking lot in front of the cat wing of the facility.
2. The property is located in Zone B – the industrial district. There is a mapped brook along the southern edge of the parcel and a small, mapped pond on the northwestern edge. Both mapped water resources are well away from the developed portion of the lot.
3. Applicant proposes to install a shed primarily for the storage of animal crates, emergency supplies and similar materials. The shed will not have electricity, water or heat. There will be no new external lighting.

4. The property has a developed commercial curb cut on VT Rte. 14 S. The Vermont Agency of Transportation has issued a jurisdictional opinion that no access permit will be required for the proposed project.

## CONCLUSIONS

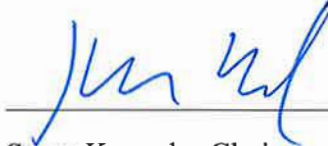
The standards for the issuance of a conditional use permit are set forth in Section 5.5 of the East Montpelier Land Use & Development Regulations. It is found that the five general standards in Section 5.5 (C) have been reviewed, and the proposal will not adversely affect any of them. It is further found 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.

## DECISION

By unanimous vote, the DRB approves, as presented, Conditional Use Permit #22-004, as an amendment to the existing permit (#08-047, as previously amended by #15-015), to allow the requested 12' x 20' shed. All prior conditions remain in force.

**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) 477-2241 to speak to the state Permit Specialist before beginning any construction.

Dated this 18<sup>th</sup> day of March, 2022.



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 # 22-004

## ZONING PERMIT APPLICATION

Date Received: 2/9/22Zoning District B

## TOWN OF EAST MONTPELIER

Parcel # 09-045.000Overlays WR

PO Box 157, East Montpelier, VT 05651

Tax Map # 12-01-14.000

- \*\*\*\*\*
- A. 1. Name of Landowner Central Vermont Humane Society Phone No. 802-476-3811 <sup>X</sup><sub>103</sub>
2. Address of Landowner 1589 VT RT 14S, EAST MONTPELIER VT 05651
3. Applicant (other than owner) Erika Holm Phone No. 802-249-2127
4. Address of Applicant same
5. Location of Property 1589 VT RT 14S, EAST MONTPELIER

## 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 checked="" type="checkbox"/> Accessory Structure                   | <input type="checkbox"/> Extraction of earth resources   |
| <input type="checkbox"/> Extend               | <input type="checkbox"/> Commercial / Business                            | <input type="checkbox"/> Ground water withdrawal         |
| <input type="checkbox"/> Remove               | <input type="checkbox"/> Light Industrial                                 | <input type="checkbox"/> Landfilling                     |
| <input type="checkbox"/> Change use           | <input type="checkbox"/> Industrial                                       | <input checked="" type="checkbox"/> Other - storage shed |

Describe work to be performed.

Construct a storage shed, no larger than 20' x 24', to be placed on concrete pads or pylons.

## C. Lot description:

- |                                                                     |                                                                                         |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1. acreage <u>8.1</u>                                               | 4. depth side yards <u>105</u> Ft. <u>68<sup>+</sup></u> Ft.<br>(building to lot lines) |
| 2. road frontage <u>860</u> Ft.                                     |                                                                                         |
| 3. depth front yard <u>239</u> Ft.<br>(Road centerline to building) | 5. depth rear yard <u>200</u> Ft.<br>(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 Erika Holm Date 2/9/2022Applicant Erika Holm Date 2/9/2022

\*\*\*\*\*

Zoning Permit Fee: \$ N/C \* Cash      Check      Date 2/9/22 Rec'd by D.S.DRB Hearing Fee: \$      Cash      Check      Date      Rec'd by     

\* SB decision - see 01/10/2022 minutes

**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](http://publicservice.vermont.gov/energy_efficiency/rbes)  
Commercial Building Energy Standards: [http://publicservice.vermont.gov/energy\\_efficiency/cbes](http://publicservice.vermont.gov/energy_efficiency/cbes)

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**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 # 22-004 Date Issued 03/18/2022 Effective Date 04/02/2022

**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

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

1. Public Notice Date 02/12/2022
2. Date(s) of Hearing 03/01/2022
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: March 18, 2022

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.

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9 February, 2022

CVHS has determined we need more space for the storage of items such as cat/dog transport crates, wire crates, humane traps, snow melt, cat litter, etc. We keep significant quantities on hand at all times for use in an emergency, such as responding to an animal hoarding/cruelty case, or helping out at an emergency shelter established due to a natural disaster in our area.

These items currently take up a huge amount of space inside our shelter, which could be put to better use for the animals. We also have some lawn care items that we have stored in a tarped structure (barn-in-a-box) in the past, but those structures just can't handle our Vermont winters, and we finally took it down, after having it tear and collapse multiple times.

The storage shed will be a simple wood structure, similar to the sheds you can purchase as a kit from the box store lumber companies (see pictures, similar, not exact), and will be painted/stained to be aesthetically compatible to the shelter structure.

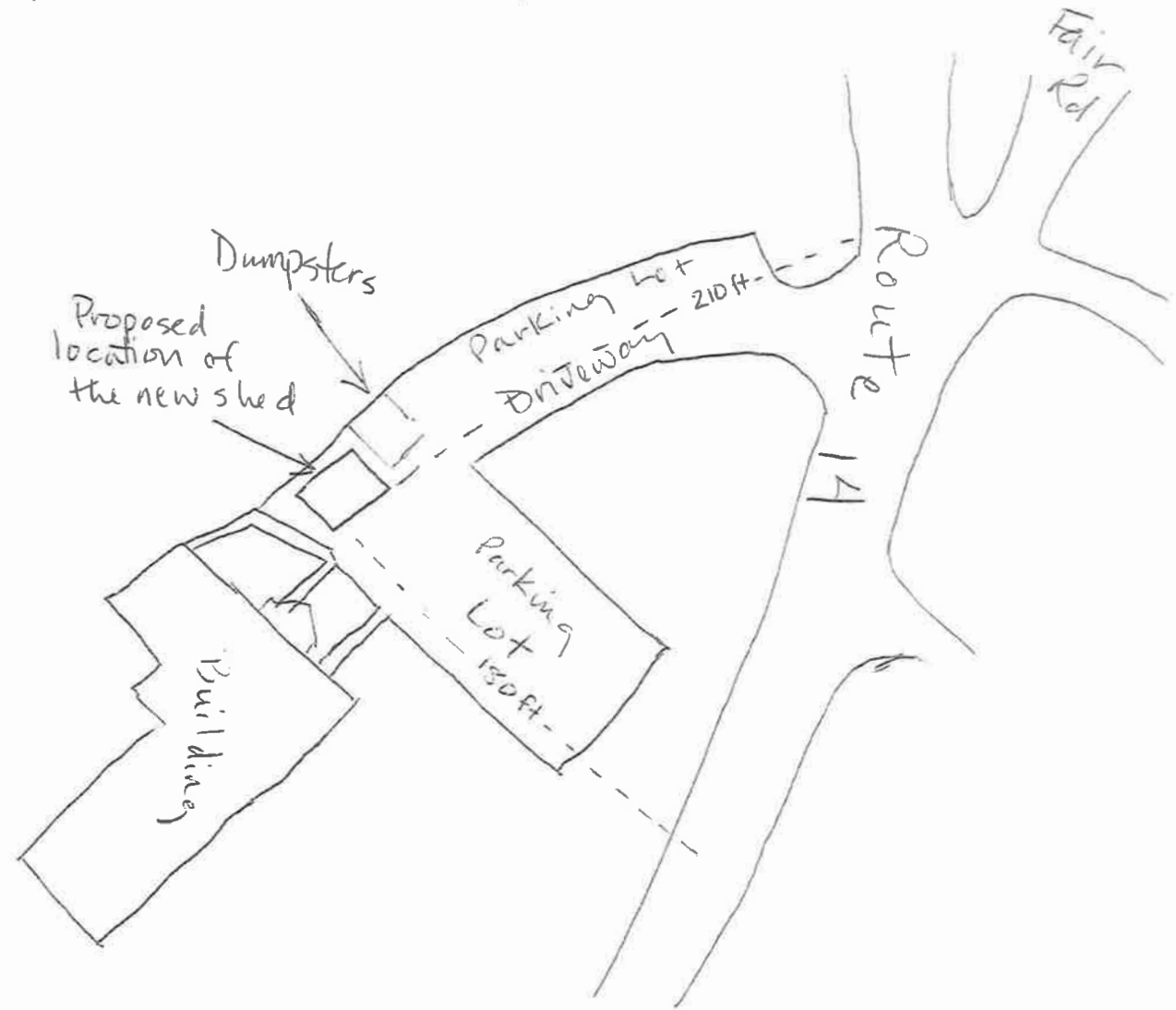


Central Vermont Humane Society  
1589 VT Rte 14S, EAST MONTPELIER, VT



2022, 9 February  
Erika Holm, Director of Operations

Central Vermont Humane Society  
1589 VT RTE 14S, EAST MONTPELIER, VT



2022, 9 February  
Erika Holms, Director of Operations



Central VT Humane Society -- 1589 VT Rte. 14 S

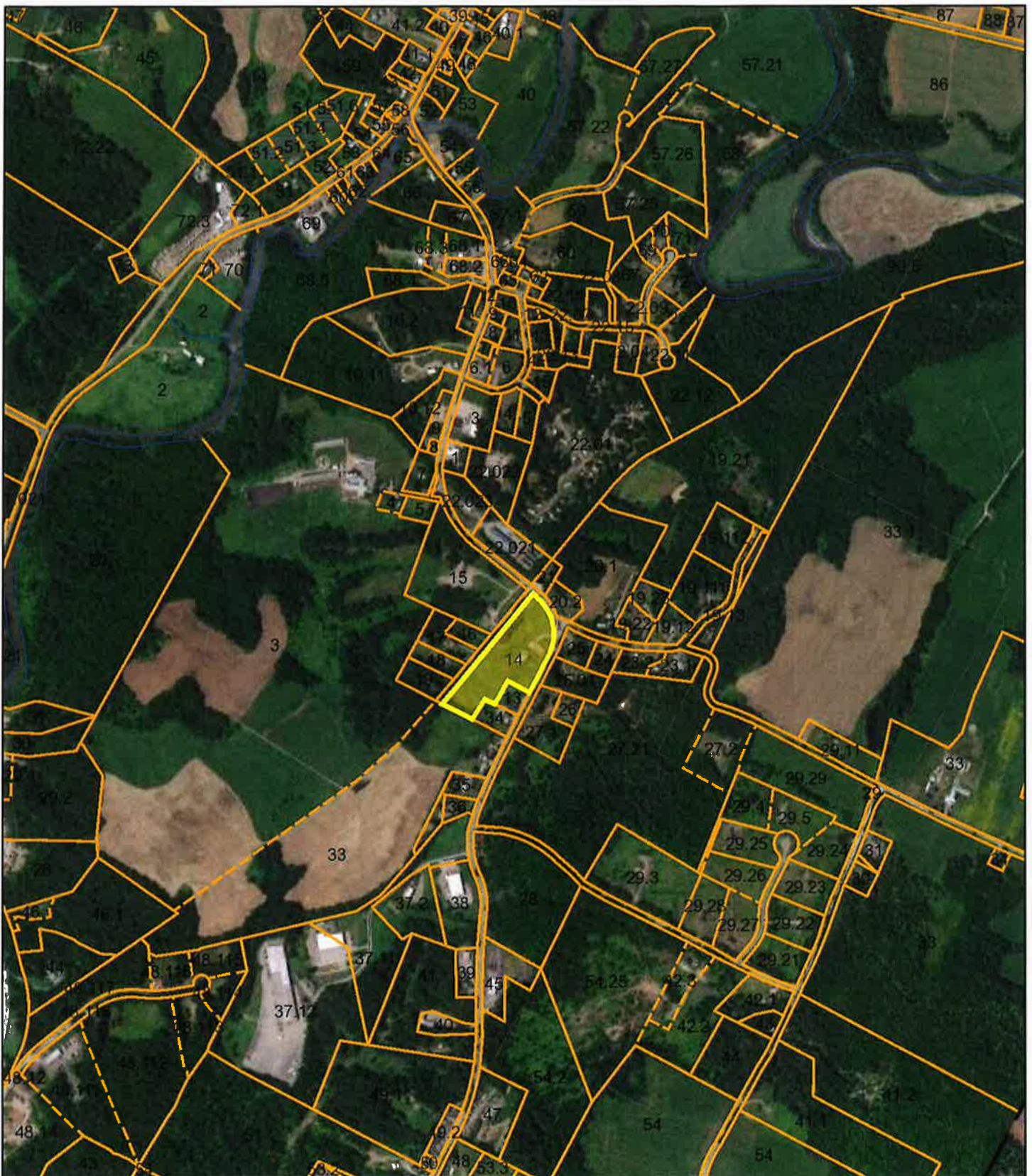
East Montpelier, VT

1 inch = 1079 Feet



February 9, 2022

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



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