



GEORGIA VERMONT

DRB MEETING

Tuesday, August 20, 2024 at 7:00 PM
Chris Letourneau Meeting Room and via Zoom
Agenda

Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. CALL TO ORDER - 7:00 PM
2. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA
3. PUBLIC HEARINGS
 - A. Conditional Use Application (CU-002-24) for James Asmell
4. APPROVAL OF MINUTES
 - A. DRB Meeting Minutes: August 6, 2024
5. OTHER BUSINESS
 - A. Development Regulations Update
6. PLAN NEXT MEETING AGENDA
 - A. September 3, 2024
7. DELIBERATIONS
8. ADJOURN

Posted to the Town website, four designated places within the Town of Georgia (Town Clerk's Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.

Signed: Douglas Bergstrom, Zoning Administrator, DRB Coordinator

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com



GEORGIA VERMONT

Date Received: 7/23/24 Fee Paid \$ 500 Ck # 1522 CU - 002 - 24
Tax Parcel ID: 117060000 Hearing Date: 8/20/24

TOWN OF GEORGIA DEVELOPMENT REVIEW BOARD CONDITIONAL USE APPLICATION

Applicant(s)

Name James Asmell
Address 568 Silver Aiken Hwy
City/State/Zip Milton VT 05468
Phone 802-503-7029
Email _____

Property Owner(s) if different

Name _____
Address _____
City/State/Zip _____
Phone _____
Email _____

CERTIFICATION OF APPLICANT

The undersigned applicant(s) hereby certifies that all information submitted on this application is true and accurate and that the information provided is complete.

7-18-24
Date

[Signature]
Applicant

Applicant

PROPERTY OWNER AUTHORIZATION

The undersigned property owner(s) hereby certifies that the information submitted in this application regarding the property is true, accurate, and complete and that the Applicant(s) has full authority to request approval for the proposed use of the property and any proposed structures.

7-18-24
Date

[Signature]
Property Owner

Property Owner

Conditional Use for Auto Repair Business

VT Trans
Shaun and Bethany Bedard living trust 103 Guilders Ln.

1. ABUTTING PROPERTY OWNERS

List names and mailing addresses of all adjacent property owners including those across the road right-of-way and all property owners on a shared private right-of-way whether or not they abut the subject parcel. Please submit a stamped, addressed envelope for each property owner listed, together with a stamped, addressed envelope for Applicant/owner (use a separate sheet if necessary).

Maurice Baker 367 Ethan Allen Hwy. Milton Ut.
Harvey Odum 634 Ethan Allen Hwy.
Michelle and Jeanette Boy 49 Manor Dr.
Robert Abernethy 21 Guilders Ln.

2. REQUEST FOR CONDITIONAL USE:

Section(s) _____ of the Town of Georgia Development Regulations.

3. PROPERTY IDENTIFICATION:

E911 Address 568 Ethan Allen Hwy Milton Ut.

Other identification: _____

Deed Reference: Book _____, Page _____

Subdivision Name (if applicable): _____

4. ZONING DISTRICT: AR-3

5. PROPERTY DIMENSIONS:

Lot size: 1.2 acres: or dimensions: _____

Lot frontage: 276'

6. NATURE OF PROPOSED REQUEST: Please provide a complete narrative on a separate sheet of paper describing the nature of the proposed request explaining in detail the proposed use(s) of the property. Please also address each of the following applicable elements in a descriptive manner: building size(s), type(s) and use(s) thereof, landscaping and/or screening, access to property, impact on traffic, internal circulation of vehicular and pedestrian traffic, parking requirements, lighting (size, type, location and number), number, size and location of proposed sign(s), proposed days and hours of operation, and proposed number of employees.

Development Review Board Conditional Use Application

7. **Title(s) of plans(s) submitted with application;** and, if applicable, firm which prepared plan; project number; date of plans and revisions. Site plans shall include, where applicable, the following:

- a) Identifying information including record owner of land, north arrow, date (including any revision dates), and scale.
- b) Property lines and abutting streets.
- c) Rights of way or easements affecting the property.
- d) Location of existing and proposed buildings or structures including interior floor plans indicating location and floor area of individual uses.
- e) Height of existing and proposed buildings or structures.
- f) Existing and proposed setbacks of all buildings or structures to property lines and/or public or private rights-of-way.
- g) Existing and proposed lot coverage (in square feet) of all structures and hard surfaces.
- h) Existing natural features of the site including water courses and applicable buffers, wetlands and applicable buffers, floodplains, trees, and other vegetation, etc.
- i) Existing and proposed contours at no more than 5-foot intervals.
- j) Location of existing and proposed utilities and facilities (water, septic, electric, telephone).
- k) Location of existing and proposed roads, driveways, loading areas, outside storage areas, and pedestrian walkways.
- l) Location and number of parking spaces pursuant to the requirements of Section 5.6 of the Development Regulations.
- m) Location, type, size, and number of existing and proposed lighting fixtures.
- n) Location and size of existing and proposed sign(s) (please provide sketch of each sign).
- o) A landscaping plan indicating location, species, size and spacing of existing and proposed landscaping elements.
- p) Building elevations drawings to scale for all proposed and/or modified buildings and any related buildings.

where? 30x30
 Times? Fri Mon 8-5pm
 % of HO
 # employees ✓
 ? parking - to the Rt of the way
 Screening? - None

25

Please provide one full size copy to scale, eight 11" x 17" copies & one electronic copy with application.

8. **SPECIFIC AND GENERAL STANDARDS FOR CONDITIONAL USES:** Applicant must be prepared to address the specific standards for Conditional Use as set forth in each zoning district in the Town of Georgia Zoning Regulations. In addition, applicant must address the general standards for all uses as set forth in Title 24 V.S.A. Chapter 117 Section 4414(3) and Section 3.2 of the Town of Georgia Development Regulations as follows:

a. Public facilities and services (including, but not limited to fire protection, schools, roads, and other municipal infrastructure) are reasonably available to serve the proposal or are planned and included in the Town Capital Budget and program to serve the proposal at the time anticipated for its completion:

JA - ability serve letter from fire chief
 - letter VTrans

Development Review Board Conditional Use Application

d. The character of the neighborhood, area, or district affected will not be adversely impacted and that:

i) A nuisance or hazard will not be created to the detriment of the health, safety, or welfare of the intended users, neighbors, or the citizens of the town;

JA - nu
- Georgia Auto - waste oil

ii) The proposed use or building and the relationship between the buildings and the land will be compatible with the purposes of the district and the character of the surrounding neighborhood and will not unduly detract from abutting residences or other property;

JA -

iii) Appropriate use or development of adjacent property will not be impeded; i.e., the scale of the proposed development in relation to existing and proposed uses and buildings and the effect of the proposed use on the continued enjoyment of and access to existing and approved uses in the vicinity of the proposed use will not be adversely impacted.

JA

e. Traffic generated or patterns of ingress or egress will not cause congestion, hazard or detriment to the neighborhood or nearby intersections (the DRB may require a traffic study to determine compliance with this standard.

JA - 2-3 cars / day

d. The proposed use is consistent with the purpose of the district, the Town Plan, the Town of Georgia Development Regulations, and other bylaws and ordinances adopted by the Town of Georgia.

JA

e. That the utilization of renewable energy resources will not be adversely affected.

JA

Development Review Board Conditional Use Application

9. **PERFORMANCE STANDARDS:**

The proposed use:

- a. ___ will will not emit noise in excess of 70 decibels at the property line or a noise which is considered offensive;
- b. ___ will will not emit any odor, dust, dirt, or smoke which is considered offensive;
- c. ___ will will not emit any noxious gases that endanger the health, comfort, safety or welfare of any person or that could cause injury or damage to property, business or vegetation;
- d. ___ will will not cause as a result of normal operations a vibration that creates a displacement of 0.002 inches within the ground at the property lines;
- e. ___ will will not have lighting or signs that create glare that could impair the vision of a driver of any motor vehicle;
- f. ___ will will not cause a fire, explosion or safety hazard;
- g. ___ will will not create an unsafe or unhealthy condition as determined by the Town of Georgia Health Officer;
- h. ___ will will not interfere with a renewable energy resource or the ability to utilize a renewable energy resource.

10. **OTHER PERMITS REQUIRED:**

This project will also require the following permits (local, state, federal):

Decision of the Board

Date: _____

Approved: _____

Denied: _____

Note: You will receive a written Decision and Findings of Fact within 45 days of the close of the hearing.

**Conditional Use
Home Occupation for Automotive Repair Business
CU-002-24**

Owner: James Asmell 568 Ethan Allen Highway Milton, VT 05468 PH: 802-503-7029	Applicant:
Surveyor/Engineer:	Property Tax Parcel & Location: 568 Ethan Allen Highway Georgia, Vermont Parcel#117060000 Zoning District: AR-3

BACKGROUND

James Asmell, hereafter referred Applicant, is requesting Conditional Use to operate a Home Occupation of an automobile repair business. The parcel is located at 568 Ethan Allen Highway, within the AR-3 zoning district. The original parcel is ±1.2 acres in size, benefitted by ±276 ft of frontage along Ethan Allen Highway.

Applicant proposes the use of an existing 30 x 30 garage located on the property for use as an automotive repair business. The property consists of a single family dwelling, two accessory structures and the garage which is served by an existing driveway off of Ethan Allen Highway. The building to be used is ±900 ft² and will be 80% dedicated toward the business, with 20% utilized as storage.

The applicant has over 25 years of experience in the business working locally in Georgia and will be the only employee of the business. The primary function of the business is for general repairs, inspections and tires as associated with a automobile repair shop. Hours of operation will be 8am - 5pm Monday and Friday initially, with expansion throughout the week when business takes off. Traffic is expected to be no more than 2-3 vehicles per day. On-site parking for several cars is available on the south side of the garage.

Waste products, including waste oil and other fluids will be disposed of through Georgia Auto Parts. Tires will be stored indoors until disposal. No outside storage of vehicles, parts or other materials is located on the property. A future sign may be requested for placement by the road.

COMMENTS

Home Occupation Guidelines

Per Town of Georgia Development Regulations dated February 27, 2023 Section 6.4B

1. **Use of Residence or Accessory Structure.** *The regulations for Home Occupation can use no more than 50% of the residence or accessory structure.* The applicant is looking for a conditional use to use 80% of the accessory structure for the purpose of the home occupation.
2. **Employees.** *The regulations allow for members of the household and no more than one non-household full-time equivalent employee.* The applicant has expressed only members of the household will be active in the business.
3. **Signage.** *The regulations allow for one unlit sign not exceeding six square feet per side.* No permit for a sign was applied for at this time.
4. **Traffic.** *The regulations are that no traffic shall be generated in a volume greater than an estimated average of 10 trips per day or alters the essential character of the neighborhood or substantially impairs the use of adjacent property.* Applicant is proposing no more than 2-3 vehicles per day.
5. **Noise.** *The regulation state the occupation shall not generate excessive noise, smoke, vibration, dust, glare, odors, electrical interference, or heat that is detectable at the boundaries.* The applicant states in their application that the business will not generate anything that would be in violation of this regulation.
6. **Parking.** *The regulation for parking is where new parking is proposed, it shall be provided off-street and shall be located inside or rear yards outside setback areas. However, pre-existing residential parking areas may be utilized.* The applicant is proposing parking for several cars on the south side of the garage utilized for the business.
7. **Storage.** *The regulations for the exterior storage of materials used in the home occupation shall be limited to the smallest extent reasonably practicable, screened so as to not be visible from the street, road, or adjacent properties, and shall not be allowed in setback areas.* The applicant will utilize space inside the garage for storage of tires, fluids and other auto repair accessories.
8. **Risk.** *There shall be no potential of risk to public health from the Home Occupation, including but not limited to toxic emissions or on-site disposal of hazardous wastes.* The applicant has been in the industry for over 25 years and has knowledge in the operation and safety of the business. The applicant has developed a plan for disposal of all waste byproducts associated with the business.
9. **Conformance with Town Plan & Bylaws.** The current regulations allow for Home Occupation in the AR-3 zoning district. Proposed setbacks appear to be sufficient. All areas of Home Occupation appear to have been met except for the percentage of use of the accessory structure.

- 10. Water & air pollution.** Applicant’s plan depicts the proper disposal of any pollution produced from the business activity.
- 11. Compatibility with surroundings.** The proposed development does appear to be generally compatible with properties in the surrounding area.
- 12. Municipal services.** The Applicant has not obtained an ability to serve letter from the Fire Chief.
- 13. Vehicular traffic.** The driveway is an existing driveway providing access to the existing garage.
- 14. State Permits.** Applicant shall submit any and all required State Permits. A current Vermont Zoning Compliance Certification has been included with the application and is required for the applicant to operate as a Vermont State Inspection Center.

Respectfully submitted,

Kollene Caspers
Zoning Clerk
Planning & DRB Clerk



GEORGIA VERMONT

DRB MEETING Tuesday, August 06, 2024 at 7:00 PM Chris Letourneau Meeting Room and via Zoom Minutes

1. CALL TO ORDER - 7:00 PM

DRB BOARD PRESENT

- Chair Suzanna Brown
- Vice Chair Charles Cross
- Greg Drew
- Gilles Rainville
- Glenn Sjoblom
- Lisa Faure

DRB BOARD ABSENT

- James Powell

STAFF PRESENT

- Doug Bergstrom, Zoning Administrator
- Kollene Caspers, Zoning Clerk

PUBLIC PRESENT

- Sara Nye Vester & Granger Vester
- Linda Brier

2. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA

Add Sidewalk discussion to Deliberative session.

3. PUBLIC HEARINGS

A. Final Plat Application (FP-002-24) for Estate of Pauline Nye

- Sarah Nye Vester Present for the Estate of Pauline Nye, Final Plat Review, 2-Lot Minor Subdivision (FP-002-24)
- S. Brown read the details of the hearing.
- The property will be added to the current use of existing property. There have been no changes since last hearing to the subdivision of property.

- No additional questions from the DRB.
- No questions from the public in attendance.

Motion to Close Hearing at 7:10 pm.

Motion made by Sjoblom, Seconded by Drew.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Rainville, Sjoblom, Faure

4. APPROVAL OF MINUTES

A. DRB Meeting Minutes: July 16, 2024

Motion to approve minutes with minor changes.

Motion made by Rainville, Seconded by Sjoblom.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Rainville, Sjoblom, Faure

5. OTHER BUSINESS

6. PLAN NEXT MEETING AGENDA

A. August 20, 2024

- One hearing, CU-002-24, Asmell for Home Auto Business

7. DELIBERATIONS

Motion to enter deliberative session at 7:10 p.m.

Motion made by Rainville, Seconded by Drew.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Rainville, Sjoblom, Faure

Motion to exit out of deliberative session at 8:25 p.m.

Motion made by Rainville, Seconded by Sjoblom.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Rainville, Sjoblom, Faure

A. Sandy Birch Road LLC and Heath/Paradis Decision Letters

Sandy Birch Road LLC Decision- discussed, approved with minor edits and signed.

Paradis/Heath Decision- discussed, approved with minor edits and signed.

Nye Decision Letter- discussed, approved with minor edits and signed.

8. ADJOURN

Motion to adjourn at 8:30 p.m.

Motion made by Rainville, Seconded by Sjoblom.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Rainville, Sjoblom, Faure

Posted to the Town website.

Signed: Kollene Caspers, Zoning Clerk, DRB Clerk

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com