

Appeal Period Expires 7.31.20
 Zoning District R2

Town of Essex, Vermont
Application for Zoning Permit
 www.essex.org

Application Date _____
 Permit Number 2020-132

All construction is to be completed in accordance with the Town of Essex Zoning Regulations and any/all federal or state regulations now in effect. You are required to post this permit in a conspicuous location on the property during the appeal period and it must remain posted throughout the construction period. You are required to contact the necessary state agencies to obtain state permits @ 477-2241 (Jeff McMahon, Permit Specialist).

Any interested person may appeal the decision of the Zoning Administrator to the Zoning Board of Adjustment within fifteen (15) days of the permit's date of issuance. Commencing construction within this fifteen (15) day appeal period is prohibited by law.

Signed: [Signature]

A Parcel Account Numb. (Map-Parcel-Lot) 2-050-042-000
 (found in Town Assessor's Office)
 Property Address: 217 SAND HILL
 Owner: Joseph M Bissonette
 Owner Address: 19 Timber Ridge Rd Underhill, VT
 Owner Phone: (work) _____ (home) _____
 (cell) 802-324-3603 (Email) SPINYSBB@GMAIL.COM
 Applicant Contractors name: Chad Riley d/b/a Spinys BBQ LLC Phone: _____ Cell: _____
 (Temp. Use)
 Estimated Construction Dates: Start: 7.13.20 Completion: 10.1.20
 Sq. Feet: 0 Estimated Cost (labor & materials): \$ 0

B Sewage Disposal (Please attach Sewer or Septic Application).
 Public Private Connection Fee \$ _____ Date Paid: n/a
 Proposed New Bedrooms: _____ Existing Bedrooms n/a

C Water (Please attach Water Service Application).
 Public Private Fee \$ _____ Date Paid: n/a

D Driveway (Please attach copy of approved Curbcut / Utility Application).
 Date of approval 7.16.20 attached

E Stormwater
 Project disturbs an area greater than or equal to 1 acre – Erosion Control Permit Required. Attach completed permit application. n/a
 Project creates new or expands existing impervious surface greater than or equal to 1/2 acre – Erosion Control Permit and Stormwater Management Permit required. Attach completed permit application.

F Diagram – Show a sketch of project on reverse of this application with property lines, building, and setbacks or attach separate sheet.

G TO be operated as approved by ZBA + PC Approvals. EA
 Signature of Tenant and Signature of Owner [Signature]

G
 Check box(es) which describe proposed use or construction (circle choice in parenthesis).
 N = New A = Addition R = Remodel

Residential:	N	A	R
Single Family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Two-family (duplex)(other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multi-family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Condominium / Townhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inclusions or Additions:			
Garage (attached) (detached)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Porch (enclosed) (open)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool (in) (above) ground	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barn (residential) (agriculture)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-residential:			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater:			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:			
Change in use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Temp Transfer FOOD TRUCK FOR 2020.

Office Use Only

Fees	Type	Amount	Date Pd
Permit		\$ <u>85</u>	
Recreation		\$ _____	
Recording		\$ <u>30</u>	<u>7/16/20</u>
Certificate of Occ		\$ <u>75</u>	<u>7/16/20</u>
Other		\$ _____	

Building Permit Approved Rejected Date 7/16/20
 Issued to: Joseph M. Bissonette
 Zoning Administrator: Shawn Kelley
 Notes: ADD TO RC APP FOR 2021
 C.O. Required Yes No

THIS PERMIT VALID FOR TWELVE (12) MONTHS FROM DATE OF ISSUE

SPARKY'S BBQ

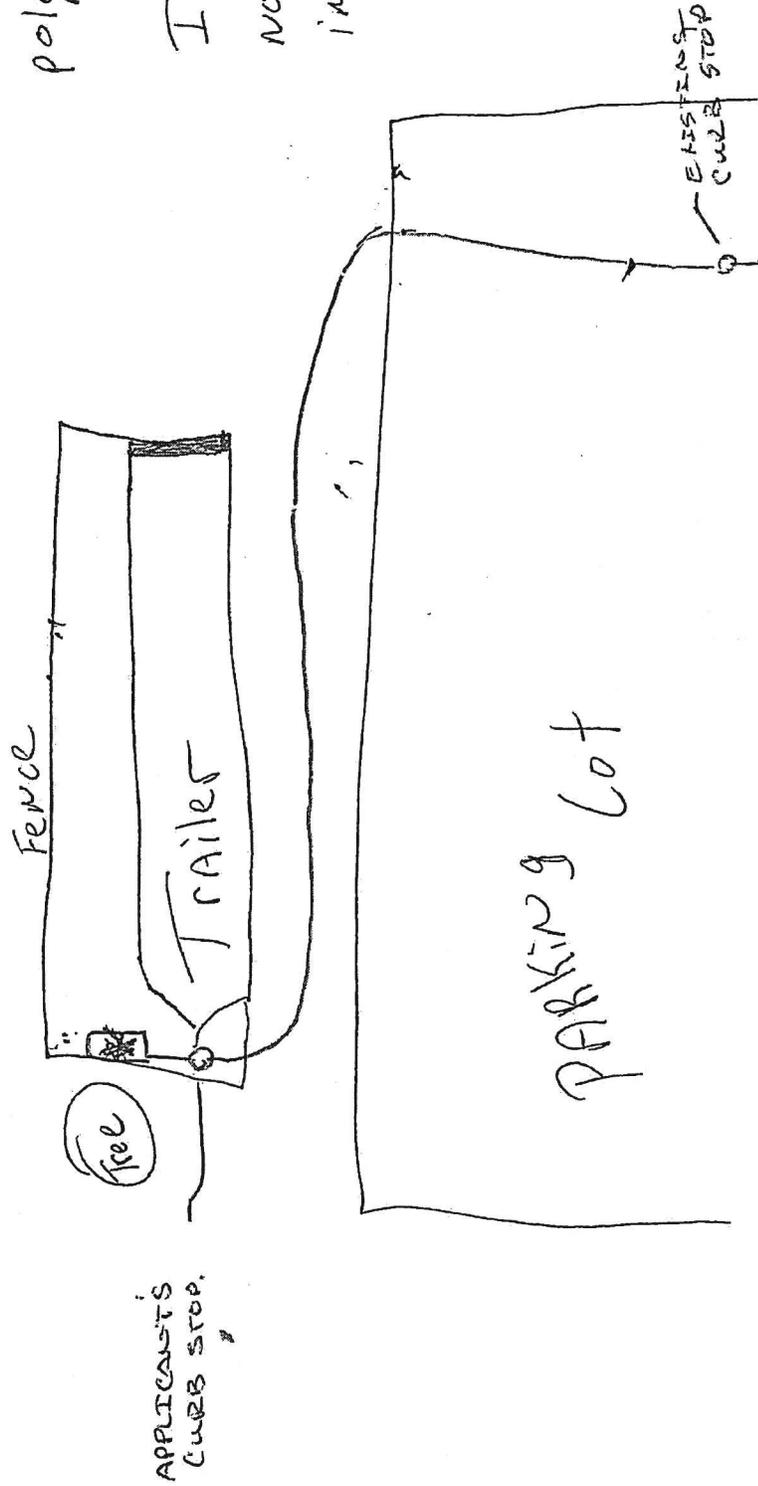
217 SAND HILL

374-3603

* = WATER meter
box in Fenced
IN AREA

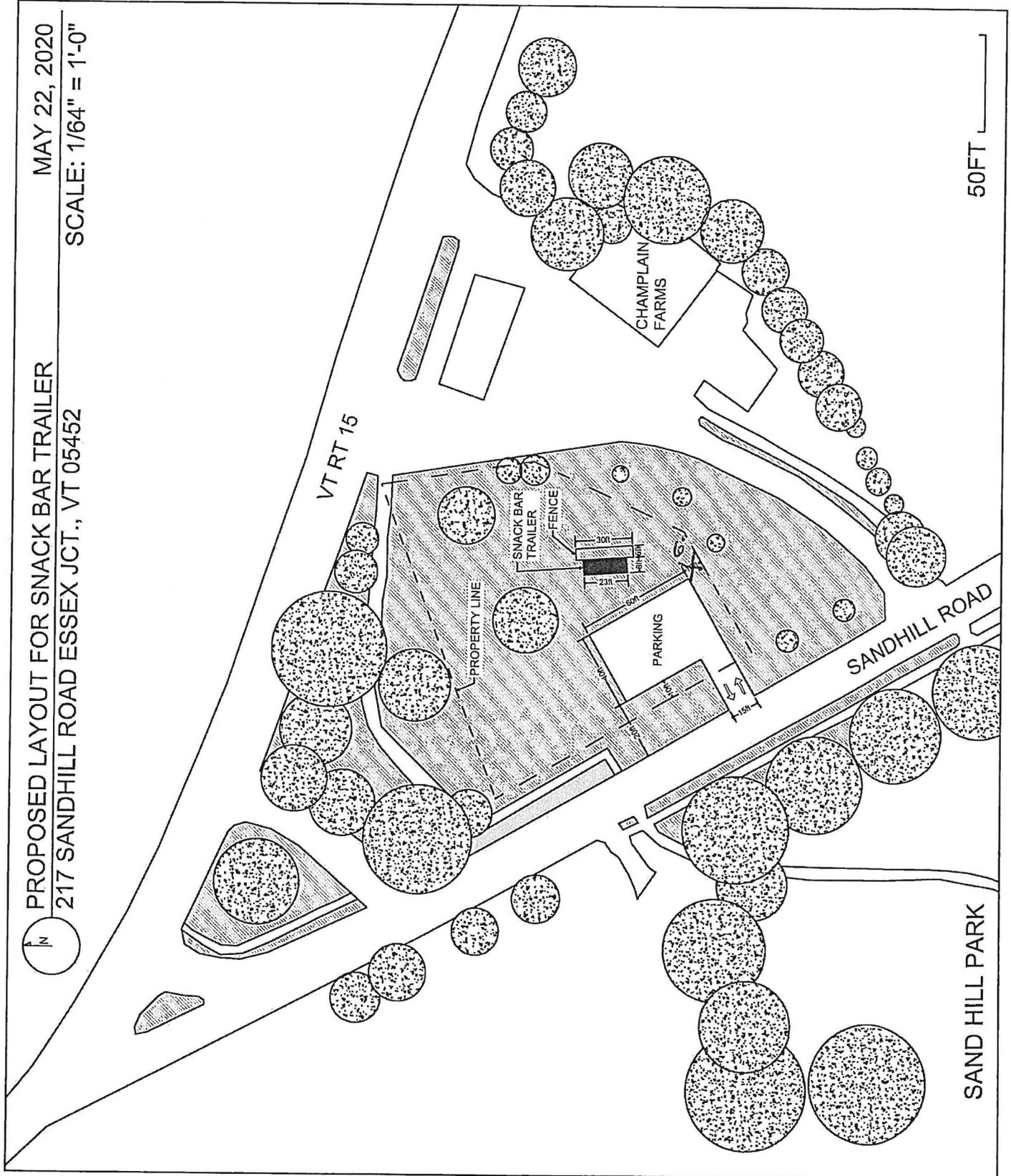
The picture/cutsheet
I have sent over
is made out of
polymer concrete.

I can get this
now and get it
installed



PROPOSED LAYOUT FOR SNACK BAR TRAILER
217 SANDHILL ROAD ESSEX JCT., VT 05452

MAY 22, 2020
SCALE: 1/64" = 1'-0"



50FT

SAND HILL PARK

**TOWN OF ESSEX, VERMONT
APPLICATION FOR CURB CUT / UTILITY PERMIT**

Pursuant to Title 19 V.S.A. Section 43. Application for curb cut and Utility Installation in Town Right-of-Way

All applications for curb cuts and utility installations shall be submitted to the Director of Public Works / Town Engineer for review. Applicants shall submit the information requested on this form and any additional information requested by the Director of Public Works / Town Engineer for a clear understanding of this application. The permit is issued under authority of the Town Manager in accordance with Section 601 of the Town Charter and 24 V.S.A. paragraph 1236 (2).

Application No. _____
Date 1/7/16/20

Property Address: 217 SAND HILL ROAD

Owner Address: SPARKY'S BBQ / CHAD RILEY

Owner Name: 498 Rte. 15 Jericho Ut. 05465

Phone Number: (home) _____ (work) _____ (cell) 324-3603

Tax Map # _____ Tax Parcel _____ Tax Lot _____

Application is for: (check one)

A) New Curb Cut B) Utility Installation: Overhead Underground

Please use attached diagram to describe location and type of installation.

Comments by Director of Public Works / Town Engineer:

Culvert: Yes No

Water Bar(s): Yes No

Culvert Diameter: (18 inch minimum) _____

Total length of Culvert: (30 foot minimum) _____

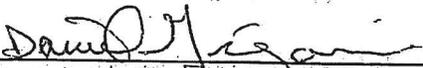
*** FOR OFFICE USE ONLY ***

Signature of Owner:



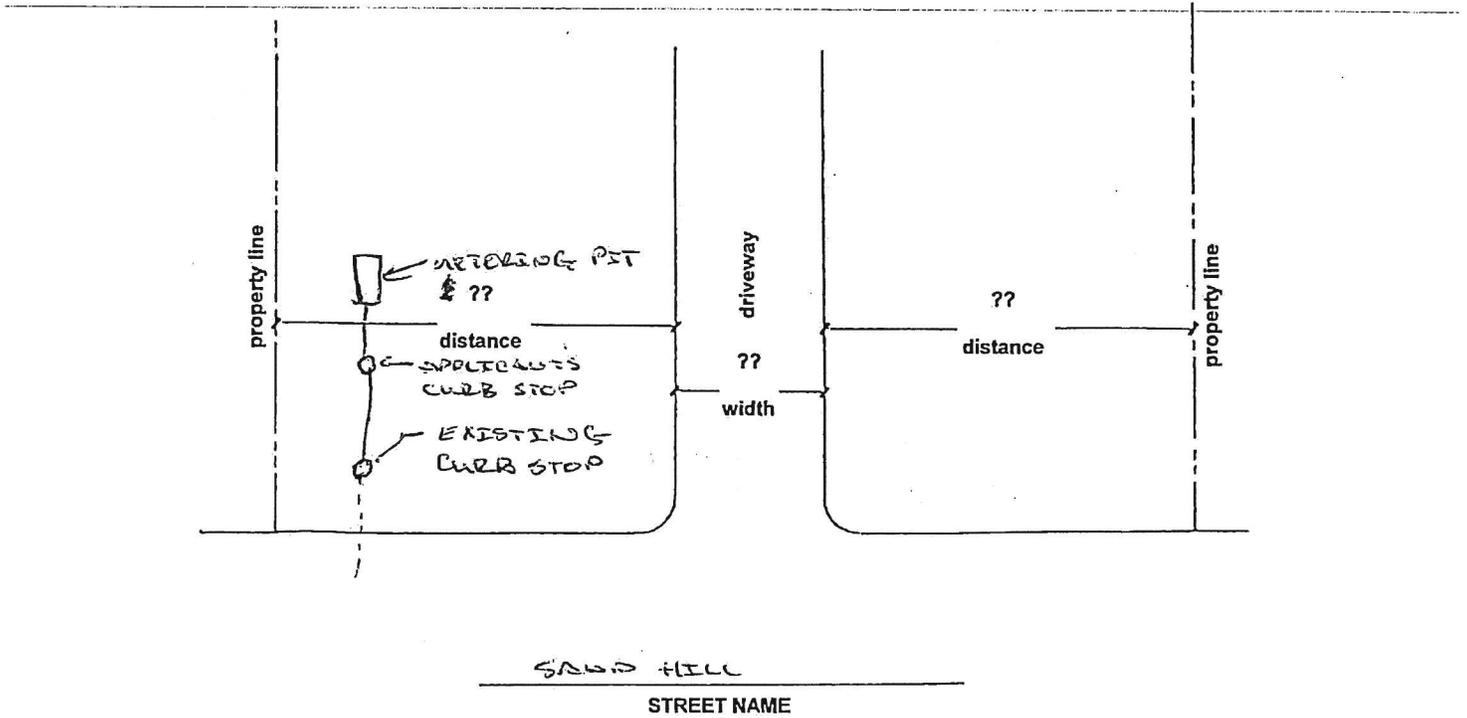
Fee Paid \$ NA

Approved Rejected


Per Authority of the Town Manager by the
Director of Public Works / Town Engineer

1. Culvert must be HIGH DENSITY POLYETHYLENE (HDPE) PIPE
2. Culvert will be purchased by the Applicant
3. Culvert will be purchased and installed by the applicant. The Town of Essex Department of Public Works will inspect.

Note: A MINIMUM OF 24 HOURS NOTICE IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.



Comments and / or special instructions from Director of Public Works / Town Engineer :

- APPLICATION TO EXCAVATE WITHIN
 THE TOWN R.O.W. TO CONNECT A NEW
 WATER SERVICE TO THE EXISTING
 CURB STOP.

-DCG 7/16/2020

NOTE: A MINIMUM OF 24 HOURS IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.

Town of Essex
Application for Water Service

Revised April 2016

The undersigned, being the owner / owner's agent of the property located at:

Street Address: 217 SAND HILL RD. Development: →

Tax Map # _____ Tax Parcel _____ Tax Lot _____
2050042000

Does hereby request a permit to initiate water service as noted below to

serve 1 unit(s) Residential Commercial Industrial structure
FOOD TRUCK

Installer / Contractor:

Name: Dan Weston

Address: Commerce Ave.

Phone: _____

Cell: 238-7652

Property Owner:

Name: Sparky's BBQ / Chad Riley

Address: 44B Rte. 15 Jericho Vt.

Phone: 324-3603

Cell: _____

Firm Performing Main Line Tap:

Name: N/A

Address: _____

Phone: _____

Cell: _____

1.) The above requested service includes the installation of a 3/4" x 5/8" water meter for residential use and up to a 2" simple meter for non-residential use. The information necessary to determine the correct meter size shall be supplied by the applicant (minimum to maximum range of use). Meters 5/8", 3/4" and 1" shall be installed by the Town. Meters above 1" shall be installed by the owner/applicant or qualified representative.

2.) Property owner / agent is responsible for and must provide all necessary excavation ~~from the main to the building or structure.~~ FROM THE EXISTING CURB STOP TO THE WATER METER VAULT.

3.) Property owner / agent agrees to provide the Town a minimum of 24 hours notice prior to installation for inspection purposes. No part of the water line may be covered until it has been inspected by the Town Representative. DGG 7/16/2020

4.) Property owner / agent agrees to restore all disturbed areas to original condition after the installation of said water service.

5.) The water service can be turned on only by an employee of the Town of Essex Water Department.

6.) Meter spacers must be obtained from the Town of Essex Water Department.

7.) The owner / agent agrees that all installation and work will conform to the Town Public Works Specifications and the Water Ordinance and Regulations of the Town of Essex.

8.) In consideration of water service supplied by the Town of Essex Water Department, I agree to be responsible for payment of all bills rendered and for all water used by me, my tenants, successors in tenancy or in ownership; and all persons at above locations, unless and until proper notice is given to the Town Water Department of termination of service on a specific date. I also agree to abide by all rules and regulations established by the Essex Water Department.

Signed: [Signature]

Date: 07-16-20

PLEASE MAKE CHECK PAYABLE TO TOWN OF ESSEX WATER AND SEWER DEPARTMENT.
DO NOT COMBINE WITH ZONING PERMIT FEE.

All water services are subject to a service initiation fee as set by the Water/Sewer Fee Schedule adopted by the Selectboard. The following fee schedule shall apply to all municipal water connections.

FOR OFFICE USE ONLY: N/A FOR EXISTING CONNECTION

_____ gallons/day x \$ 5.73 = \$ _____ + \$1,000 = \$ _____

DGG 7/16/20

Connection Fee: \$ _____ Rcvd by: _____ Date: _____ Finance Notified

Approved by: _____ Date: _____ Letter Sent Finance Notified

Inspected by: _____ Date: _____ Tie Drawing Finance Notified

Meter Installed Date: _____

Master List Updated: Approved Inspected Metered

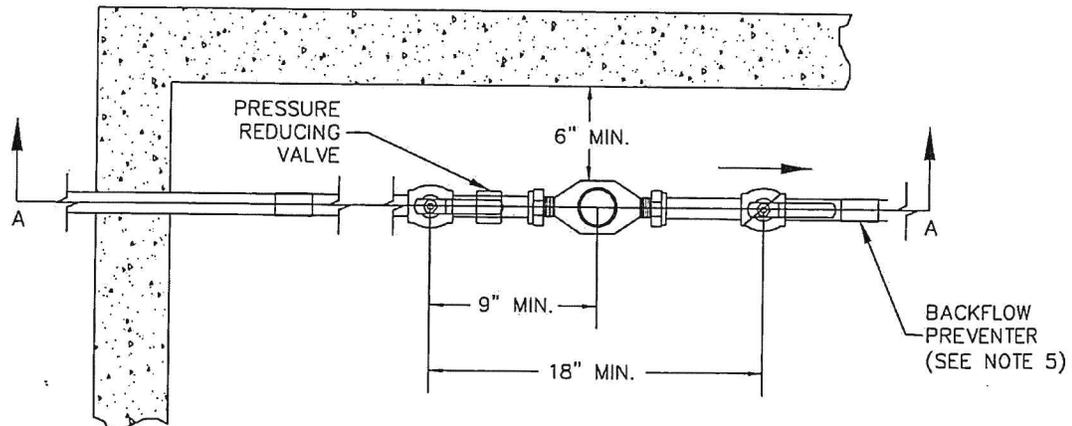
CONDITIONS:

1. WATER METER VAULT TO BE SET ON MIN. 8" OF DRAINAGE STONE.

2. ~~DEPT~~ ESSEX WATER/SEWER DEPT. WILL REMOVE THE METER (MUST BE SCHEDULED BY APPLICANT) FOR WINTER STORAGE & REPLACE IN THE SPRING. METER INSTALL/REMOVAL FEE APPLIES.

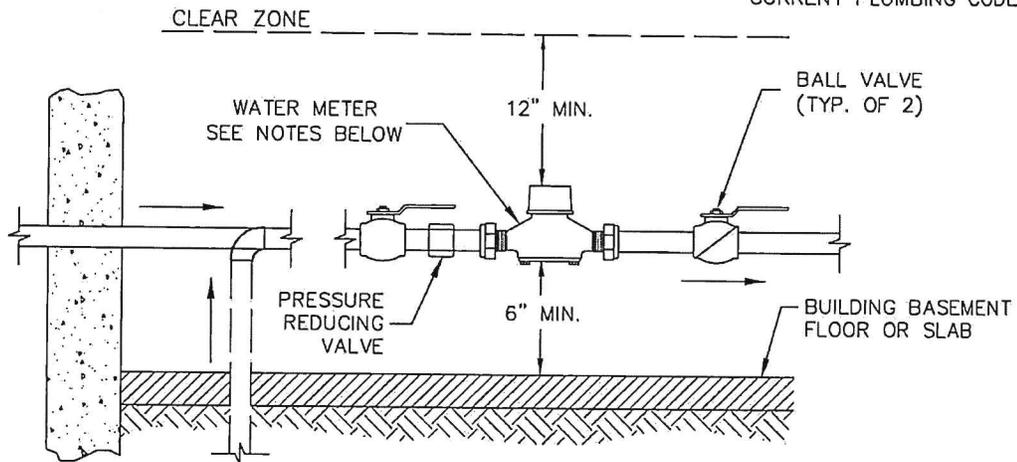
3. IF 1 YEAR AVERAGE METERED USAGE IS GREATER THAN 200 G.P.D., SERVICE WILL BE ASSESSED FOR USAGE BEYOND 200 G.P.D.

DGG 7/16/2020



PLAN

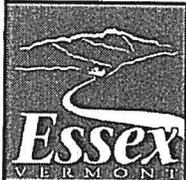
BACK FLOW PROTECTION
DEVICE TO BE DETERMINED
IN ACCORDANCE WITH
CURRENT PLUMBING CODE



SECTION A-A

NOTES :

1. THE CONTRACTOR SHALL INSTALL A SPACER BAR IN THE LOCATION WHERE THE NEW METER IS TO BE LOCATED.
2. THE TOWN OF ESSEX WATER AND SEWER DEPARTMENT SHALL INSTALL ALL METERS UP TO AND INCLUDING 1". ALL METERS GREATER THAN 1-1/2" WILL BE INSTALLED BY A CONTRACTOR. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO SCHEDULE AN APPOINTMENT WITH THE TOWN FOR ALL METER INSTALLATIONS.
3. ALL NEW METERS AND METER READERS WILL BE PROVIDED BY THE TOWN OF ESSEX.
4. ALL PLUMBING FOR METER CONNECTION MUST BE INSTALLED LEVEL. THE TOWN OF ESSEX WILL NOT INSTALL A METER IF THE PIPING IS NOT LEVEL.
5. DUAL CHECK VALVE / BACKFLOW PREVENTER SHALL BE INSTALLED ON THE HOUSE SIDE OF THE METER. CHECK VALVE SHALL BE A WILKINS MODEL 700XL OR APPROVED EQUAL.



TOWN OF ESSEX
PUBLIC WORKS
81 MAIN STREET
ESSEX JCT., VT
05452

P: 802 878-1344
F: 802 878-1355
E: www.essex.org

TOWN OF ESSEX, VERMONT
STANDARD SPECIFICATIONS FOR CONSTRUCTION

WATER METER INSTALLATION

Detail No: 400.10

Scale: NOT TO SCALE

Date: JAN. 2017

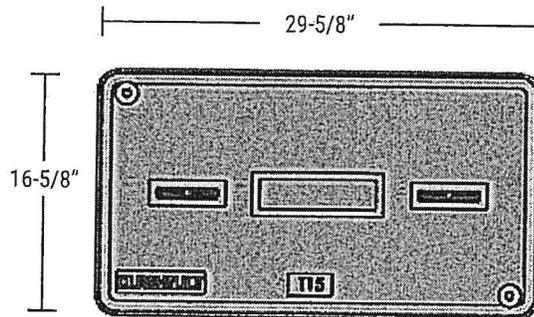
A-40

1730F

OLDCASTLE FRP

COVER

Style:	Flush
Material:	Polymer Concrete
Model:	17" x 30"
Std. Fasteners:	1/2-13 Stainless Steel Hex Head Bolt, Washer and Floating Nut
Options:	Logos and Special Markings
Surface:	Slip Resistant
Performance:	ANSI/SCTE-77 Tier 15



BODY

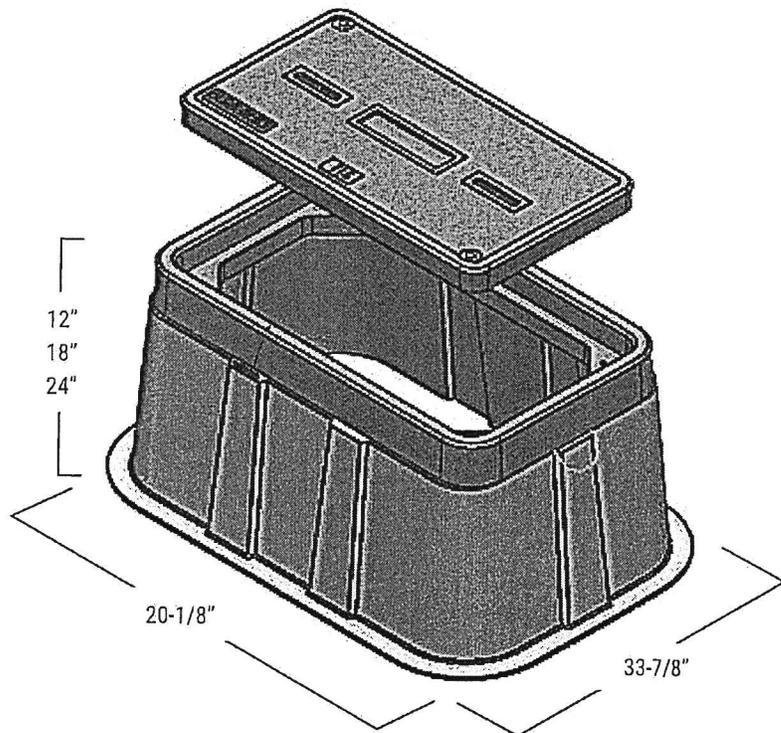
Material:	Fiber Reinforced Polymer w/ Polymer Concrete Ring
Model:	17" x 30"
Depths:	12", 18", 24"
Wall Type:	Flared
Performance:	ANSI/SCTE-77 Tier 15

LOAD RATING / NOTES



MEDIUM DUTY
ANSI/SCTE TIER 15

For use in non-vehicular traffic situations only. Weights and dimensions may vary slightly. Actual load rating is determined by the box and cover combination.



Deana Stoneback

From: Daniel Gregoire
Sent: Friday, July 17, 2020 12:46 PM
To: Deana Stoneback; Sharon Kelley
Cc: Chad Riley; Aaron Martin
Subject: 217 Sand Hill Road Curb Cut Application
Attachments: 217 Sand Hill Curb Cut With Attachments.pdf

Sharon and Deana,

Please see, attached, the approved (with conditions and attachments) curb cut application for 217 Sand Hill Road.

As noted in the conditions, this permit is not valid until the southernmost property corner has been confirmed.

Public Works will require that the Applicant contact the office prior to paving but after fine grading of the 24" of subbase for inspection to verify thickness of subbase, layout, and grade.

Inspection of apron pavement will also be required. Please make these a requirement of your final sign off.

Thank you,

- Dan

TOWN OF ESSEX, VERMONT
APPLICATION FOR CURB CUT / UTILITY PERMIT

#20026-132

Pursuant to Title 19 V.S.A. Section 43. Application for curb cut and Utility Installation in Town Right-of-Way

All applications for curb cuts and utility installations shall be submitted to the Director of Public Works / Town Engineer for review. Applicants shall submit the information requested on this form and any additional information requested by the Director of Public Works / Town Engineer for a clear understanding of this application. The permit is issued under authority of the Town Manager in accordance with Section 601 of the Town Charter and 24 V.S.A. paragraph 1236 (2).

Application No. _____ / _____
Date

Property Address: 217 Sand Hill Rd.

Owner Address: 19 Timber Ridge Rd

Owner Name: Joseph M Bissonette

Phone Number: (home) _____ (work) _____ (cell) 324-3603

applicant -
Cheryl Ryan
↓

Tax Map # 050 Tax Parcel 042 Tax Lot 000

Application is for: (check one)

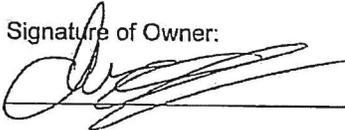
A) New Curb Cut B) Utility Installation: Overhead Underground

Please use attached diagram to describe location and type of installation.

Comments by Director of Public Works / Town Engineer:

Culvert: Yes N/A No Water Bar(s): Yes No DEK
Culvert Diameter: (18 inch minimum) _____ Total length of Culvert: (30 foot minimum) _____

*** FOR OFFICE USE ONLY ***

Signature of Owner: _____


Fee Paid \$ N/A

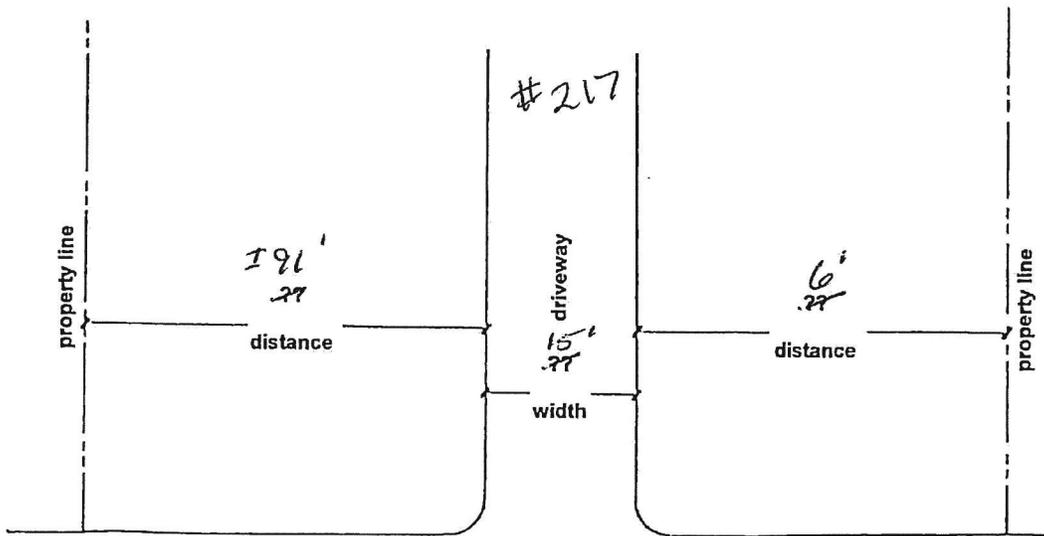
Approved Rejected

WITH CONDITIONS ATTACHED

David Johnson
Per Authority of the Town Manager by the
Director of Public Works / Town Engineer

1. Culvert must be HIGH DENSITY POLYETHYLENE (HDPE) PIPE
2. Culvert will be purchased by the Applicant
3. Culvert will be purchased and installed by the applicant. The Town of Essex Department of Public Works will inspect.

Note: A MINIMUM OF 24 HOURS NOTICE IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.



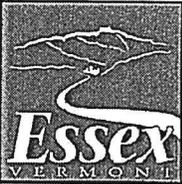
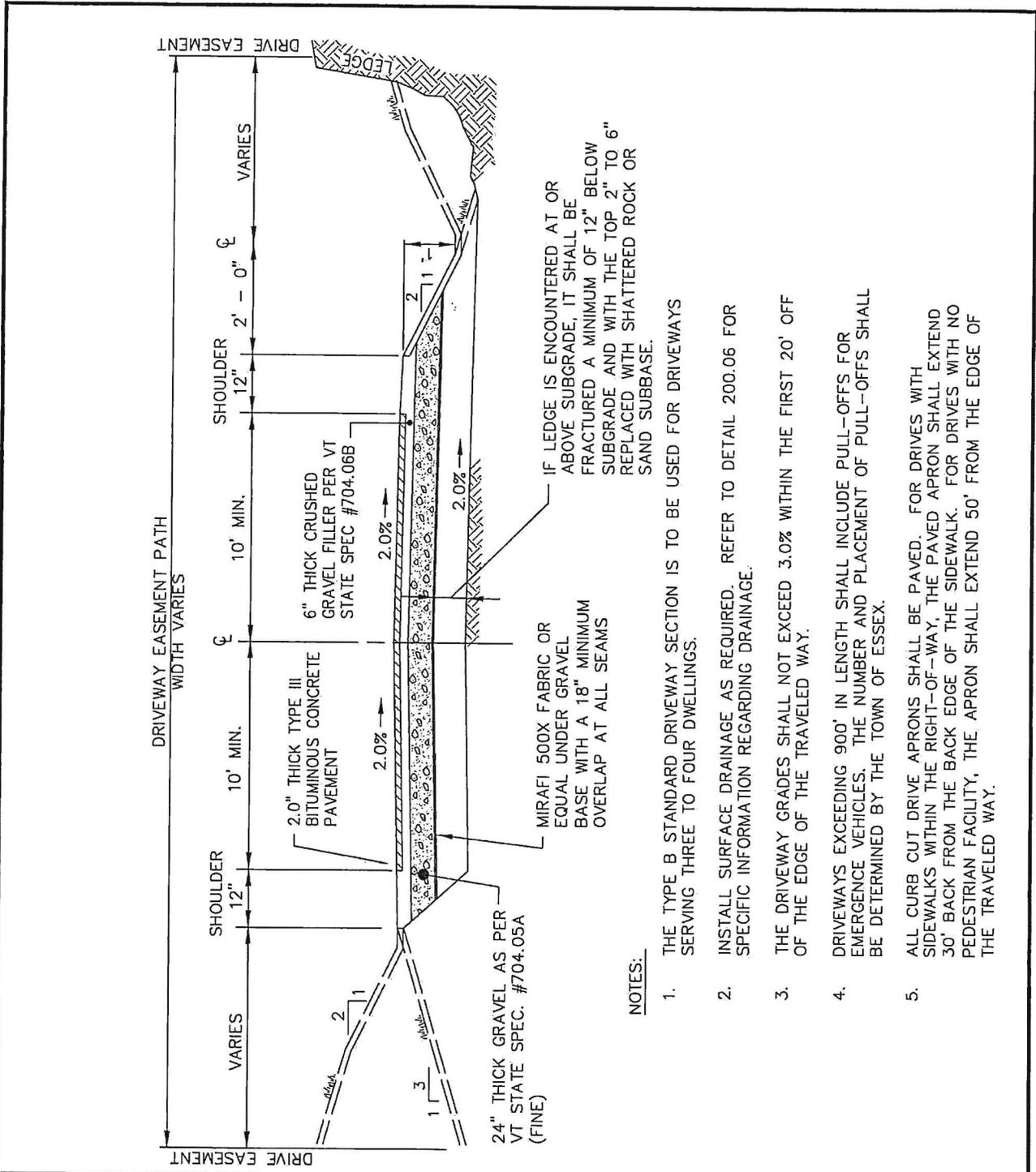
SAND HILL RD.
STREET NAME

Comments and / or special instructions from Director of Public Works / Town Engineer :

- ° AS CONDITIONED, JUNE 4, 2020, ZONING BOARD OF ADJUSTMENT, PROPERTY CORNER NEAREST CURB CUT MUST BE CONFIRMED. FOR CURB CUT LOCATION PLACEMENT. (ATTACHED) PERMIT NOT VALID OTHERWISE.
- ° DRIVEWAY MUST CONFORM TO THE TOWN OF ESSEX STANDARD SPECIFICATIONS FOR CONSTRUCTION DETAIL NO. 100.11 (A-11) (ATTACHED)
- ° DRIVEWAY FINAL GRADE MUST SLOPE AWAY FROM THE ROAD ~ 3% UP TO THE R.O.W. TO PREVENT STORM WATER FROM ENTERING THE ROADWAY FROM THE DRIVE.

DGL
7/17/20

NOTE: A MINIMUM OF 24 HOURS IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.



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TOWN OF ESSEX, VERMONT
STANDARD SPECIFICATIONS FOR CONSTRUCTION

DRIVEWAY (TYPE B)

Detail No:	100.11
Scale:	NOT TO SCALE
Date:	JAN. 2017

A-11

June 12, 2020

Joseph Bissonette
19 Timber Ridge Road
Underhill, VT 05489

CERTIFIED MAIL

Chad Riley
44B Rt. 15
Jericho, VT 05465

Re: **TEMPORARY USE**
217 SAND HILL ROAD ESSEX JCT., VT
APPROVAL # ZBA: 2020-5

Dear Messrs. Bissonette & Riley,

On June 4, 2020, the Zoning Board of Adjustment voted to approve your proposal for a Temporary Use to allow for a seasonal food trailer located at 217 Sand Hill Road, Essex, Vermont, subject to the following Findings and Conditions:

FINDINGS:

1. The applicant is Chad Riley d/b/a Sparky's Barbeque, LLC.
2. The landowner is Joseph Bissonette.
3. The parcel is located at 217 Sand Hill Road in the Medium Density Residential (R2) Zoning District. The parcel is located on the corner of Route 15 and Sand Hill Road. The existing single-family house was recently removed from the premises. Residential dwellings surround this parcel to the north and west, however two pre-existing grandfathered uses are also located in the R2 zone, as follows: a gas station/convenience store to the east, and Sand Hill Recreation Park to the south.
4. The proposal is to set up a temporary tow-behind trailer that has a full kitchen, including preparing, cooking, and washing stations. The trailer is proposed to be situated on the southeast portion of the parcel. The proposal includes a paved graveled lot where the house was situated which would accommodate 8 parking standard spaces and 4 handicap spaces. The parcel will be

accessed from Sandhill Road. Five (5) picnic tables will be provided for the public. Waste bins will be placed near the trailer and eating area. A fenced in area is proposed to serve as a housing area for garbage, propane tank, water and wastewater containers; scheduled pickups for removal shall occur 1x/week by a certified company. Existing power on the site will be relocated to an area where the trailer will be parked. The operation will run from May 1st thru September 30th, 5-days a week, Wednesday – Sunday, 11:00 a.m. to 8:00 p.m., and including closing from 2:00 p.m. to 4:00 p.m, at the applicant’s discretion. The trailer will be removed from site during the winter months. The picnic tables and electrical power meter will be kept within the fenced in area.

5. The applicant submitted the following plan for reference: “Proposed Layout for Snack Bar Trailer 217 Sandhill Road Essex Jct., VT 05452” dated May 22, 2020. The plan does not show the setback distances from the property lines.
6. The application is being reviewed by the Zoning Board of Adjustment under Sections 4.15(B)(3)-Temporary Uses and 5.7-Conditional Use. This application will also require Planning Commission approval.
7. Pursuant to state statute a ‘Notice of Hearing’ was provided to the applicant for posting on the property.
8. The abutting property owners were notified of this meeting by certified mail.
9. The applicant and landowner were mailed a copy of this Staff Report prior to the meeting.
10. Chad Riley and Joseph Bissonette provided comments on this application. No one from the public was present.
11. The number of employees is not yet locked in. The applicant, and his wife, and possibly 4 others is suggested at this time, however only 3 employees will be working in the trailer at a time.
12. Parking: Table 3.3 of the Zoning Regulations require 2.3 spaces per a single-family dwelling unit. The existing house was recently removed from the premises, therefore zero spaces for this use are proposed.

Using ‘Restaurant’ for the Food Trailer, the following spaces are required:

1 space for food truck (184SF)

1 space for each 4 outside seats (5 picnic tables proposed)

6 spaces required

12 Spaces Provided

Joseph Bissonette & Chad Riley
ZBA Approval #ZBA:2020-5
June 12, 2020

13. The cooking is done by gas and the trailer is run by electricity.
14. No lighting is proposed with this temporary use as it will only be operating during daytime hours.
15. In an email dated 5/29/2020, the Fire Chief said,
So long as they have all necessary permits and State FM approvals, we're good.
16. In email from Captain Ron Hoague, he said,
Only comment from the Police would be that they work with Champlain Farms ahead of time to address any parking issues that are sure to arise with them only having 8 spaces and an entrance from Sandhill.

Captain Ron Hogue provided additional comments in an email dated 6/4/2020, as follows:

From 06/1/15 to now there have been 12 reported crashes at Sandhill and Rt 15. I don't believe this location would be much more of an issue for traffic as it seems this is all outside seating so it will be limited numbers. My original concern was people parking on Champlain Farms property and then having us get parking complaints. I assume they have worked that out.

17. In an email dated 4/20/2020, Randy Snelling, Agency of Transportation said,
Thank you for reaching out to us regarding the proposed food trailer access located on Sand Hill Rd. After further Right-of-way research and review of the plan proposal, VTran's does not have jurisdiction for the proposed location of the access off Sand Hill Rd., nor requiring an S-1111 permit from VTran's, this jurisdiction will fall within the Town of Essex.

Please also keep in mind though, since this property does abut VT 15, which is a State of Vermont Jurisdictional Highway, no advertising signs are allowed within the State Highway Right-of-way, and have to follow the local zoning ordinances, and/or the Vermont Sign Law, whichever is more stringent. This email should address any concerns the Town should have concerning notifying VTrans.

18. The Zoning Administrator was informed by the Agency of Transportation that bids for the reconstructed intersection will go out in 2022, and construction could possibly start in 2022.
19. In a Memo dated 5/26/2020, Public Work's provided the following comments:

Joseph Bissonette & Chad Riley
ZBA Approval #ZBA:2020-5
June 12, 2020

The Applicant has proposed changes and improvements to the residential lot located at 217 Sand Hill Road to accommodate a seasonal food truck business.

The Applicant has submitted a revised site plan showing the lot changes, once the existing home has been torn down, to include a reduced curb cut, 15 feet in width at the Sand Hill Road ROW (Right-of-Way), to accommodate a paved apron and parking area.

The site plan includes approximate property lines based on tax map information which have not been confirmed in the field by survey or monument location. However, if the property lines shown are correct, the location of the curb cut is acceptable with the changes noted below. The Applicant states in the narrative that the turning lane for the future intersection configuration will not be impeded by the location of the proposed curb cut. This appears to be the case but has not been confirmed in the proposal.

Public Works has requested that the apron of the curb cut be paved to reduce tracking onto Sand Hill Road. The Applicant proposes paving the entire parking area and apron, which is acceptable. Based on the dimensions shown, the parking area appears to accommodate six, 9 ft. by 18 ft. parking spaces. The parking lot spaces are to be line striped using standard dimensions and turning movements. The applicant may have to add a back in turn out on the northwest corner of the parking lot to provide proper turning movements.

Prior to construction, Public Works will require confirmation of the property corner at the ROW and the southernmost property line of the lot in order place the curb cut as far south as possible to avoid the future VT Rt 15 right hand turning lane. The offset from the property corner to the curb cut is currently shown as 10 feet on the site plan. This dimension should be reduced to the minimum offset required which is 6 feet to provide as much room as possible for the future turning lane. If confirmation of the property corner shows that the corner is substantially different than shown, Public Works is to be notified and the Project will need to be reevaluated.

Public Works' preference for site access would have been to have the Applicant provide access and parking from the abutting gas station parking lot. This would avoid potential traffic conflicts at the intersection of Sand Hill Road and Vt Rt 15. The Applicant should provide information as to whether or not an agreement to share access with the adjacent property owner has been discussed with the adjacent property owner and that such agreement could not be obtained.

It is with the understanding that the proposed facility is to be seasonal only within the dates indicated in the narrative, between May 1st and September 30th, 5 days a week. Public Works requests that the curb-cut and parking area be closed off when not in use so that they are not used by others for uses not approved for.

20. Staff recommended that the parking lot be graveled instead of paved and the approach apron should meet Public Works requirements from the curb cut into the graveled parking lot.
21. As noted in Finding 4 above, the applicant is proposing a total of 12 parking spaces in an area where the recently demolished house was situated. The applicant or landowner have not provided any information on future residential development.
22. Pursuant to Section 5.7 of the Zoning Regulations - Conditional Use, the Board finds that with proper conditions:

[CAPACITY OF EXISTING OR PLANNED COMMUNITY FACILITIES]: Currently, this is a vacant residential lot with a proposed commercial yearly temporary use on the premises. *This project does not propose to burden the existing community facilities. This project is not adjacent to, nor does it use existing community facilities with exception to fire, rescue and police emergency services. This project doesn't expect to burden these municipal services.*

[CHARACTER OF THE AREA AFFECTED]: The parcel is located in a Medium Density Residential Zoning District. Although the existing house was removed from the premises, the plan does not indicate an area for residential development. Currently, the proposal is to use the premises for a commercial business.

[TRAFFIC ON ROADS AND HIGHWAYS IN THE VICINITY]: The parcel is located at the corner of a major intersection in a high traffic area. Sand Hill Road provides access to the Town Park as well as Founders School and Essex Middle School. A traffic study was not provided however, it is noted that due to COVID, it would not reflect an accurate use of the intersection. In addition, the State of Vermont has this intersection slated for reconstruction in 2022.

[BYLAWS AND ORDINANCE IN EFFECT]: Inasmuch as Zoning Regulation Section 4.15 (B)(3) 'Temporary Uses' allows for a temporary use a commercial use is proposed on a vacant residential lot.

[UTILIZATION OF RENEWABLE ENERGY RESOURCES]: The proposed use will not adversely affect utilization of renewable energy resources.

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[CONFORMANCE WITH THE TOWN PLAN]: Accessory uses are promoted in connection with single-family homes and would be in conformance with the Town Plan; and

[SITE PLAN REVIEW CRITERIA]: Pursuant to Section 4.15 of the Zoning Regulations, the applicant is also required to receive Planning Commission approval.

The Board finds that the proposed use does not create an adverse impact on traffic and roads in the vicinity.

CONDITIONS:

- 1) Prior to construction/site preparation, the applicant shall submit a curb-cut application to Public Works through the Zoning Administrator. The applicant shall provide Public Works confirmation on of the property corner at the ROW and the southernmost property lot line.
- 2) The applicant shall submit a Use Permit for the years 2020 and 2021.
- 3) The applicant shall return to the Zoning Board for re-evaluation and approval for continued use of this site in 2022.
- 4) The applicant shall obtain and/or renew its license from the State Health Department and submit a copy to the Zoning Administrator each year.
- 5) The curb-cut and parking area shall be closed off when the business is closed for the season.
- 6) The applicant shall meet all setback requirements for placement of the structures.
- 7) A Certificate of Occupancy inspection shall be required prior to opening for business.
- 8) Prior to the start of operation in 2022, the applicant shall return to the Zoning Board for review and approval of the continued use at this location.
- 9) This temporary use shall operate each year from May 1st through September 30th. The hours of operation shall be Wednesday through Sunday, 11:00 a.m. to 8:00 p.m., and including closing from 2:00 p.m to 4:00 p.m, at the applicant's discretion.
- 10) No more than 3 employees shall work at the same time.
- 11) Pursuant to Section 3.10(A)(9), the applicant shall be allowed one sign, not to exceed 3

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square feet (3SF) in area, nor ten feet (10') in height from ground level. Such sign shall be placed at least 5' from the right-of-way and shall not interfere with motor vehicle circulation or site vision. No signage advertising any other product is allowed. No banners shall be allowed on-site. The applicant shall provide directional signage to the designated parking spaces for the handicap parking use. A menu board and one façade sign shall be placed on the food trailer. All signage shall be approved by the Zoning Administrator.

- 12) During hours when the business is closed, the food trailer shall be locked and secured.
- 13) No stand-alone exterior lighting is approved for this temporary food trailer use.
- 14) The applicant shall supply two large, covered trash bins and a recyclable bin near the food trailer and eating area. All bins shall be emptied into the permanent trash container and removed weekly from the site, including pumping the wastewater out by a certified company.
- 15) The applicant shall obtain all state permits that may be necessary for this business and provide a copy to the Zoning Administrator.
- 16) The trailer shall be removed from site during the winter months.
- 17) The picnic tables and electrical power meter shall be kept within the fenced in area.
- 18) Prior to commencement of this business, the applicant shall be required to obtain Planning Commission approval.
- 19) By acceptance of the conditions of this approval without appeal, the applicant confirms and agrees for himself and all assigns and successors in interest that the conditions of this approval shall run with the land and the land uses herein permitted, and will be binding upon and enforceable against the applicant and all assigns and successors in interest.

If you have any questions, concerns or find errors with the contents of this permit approval, please contact the Community Development Office within 14 days of receipt of this letter.

This decision may be appealed to the Vermont Environmental Court pursuant to Section 7.4 of the *Town of Essex Official Zoning Regulations* and 24 V.S.A. § 4471. Any appeal must be filed by certified mail to the Environmental Court and by mailing a copy to the Essex Town Clerk within 30 days of the date of this approval.

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Sincerely,

Justin St. James, Chair
Zoning Board of Adjustment

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