

\$195

Appeal Period Expires 6/17/14 Town of Essex, Vermont Application Date 1/1  
 Zoning District B1 Application for Zoning Permit Permit Number 2014-64  
 www.essex.org

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 @ 879-5676.  
 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: Blaine Martin

Parcel Account Numb. (Map-Parcel-Lot) 2047-012-817  
 (found in Town Assessor's Office) 1 Market Place  
 Property Address: 255ex Tonne Center Unit 10  
 Owner: John Boyd (Simply Components LLC)  
 Owner Address: Same  
 Owner Phone: (work) 802 879 5355 (home) \_\_\_\_\_  
 Tenant (cell) 802 777 6524 (Email) leah@hydrangea100.com  
 Contractors name Bryan Benoit Phone: 802 355 7487  
 Cell: \_\_\_\_\_  
 Estimated Construction Dates: Start: 7/7/14 Completion: 8/15/14  
 Sq. Feet: 1380 Estimated Cost (labor & materials): \$ 20K

**G**

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

<b>Residential:</b>	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"/>
<b>Inclusions or Additions:</b>			
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"/>
<b>Non-residential:</b>			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Stormwater:</b>			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other:</b>			
Change in use <u>Perit Yoga Studio</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Miscellaneous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**B Sewage Disposal** (Please attach Sewer or Septic Application).  
 Public  Private  Connection Fee \$ \_\_\_\_\_ Date Paid: 1/1  
 Proposed New Bedrooms: \_\_\_\_\_ Existing Bedrooms \_\_\_\_\_

**C Water** (Please attach Water Service Application).  
 Public  Private  Fee \$ \_\_\_\_\_ Date Paid: 1/1

**D Driveway** (Please attach copy of approved Curbcut / Utility Application).  
 Date of approval 1/1 Existing

**E Stormwater** n/a  
 Project disturbs an area greater than or equal to 1 acre – Erosion Control Permit Required. Attach completed permit application.  
 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. (Instruction sheet available upon request.)

**Office Use Only**

Fees	Type	Amount	Date Pd
Permit		\$ <u>100</u>	<u>5/19/14</u>
Recreation		\$ _____	<u>1/1</u>
Recording		\$ <u>20</u>	<u>5/19/14</u>
Certificate of Occ		\$ <u>75</u>	<u>5/19/14</u>
Other		\$ _____	<u>1/1</u>

Building Permit  
 Approved  Rejected  Date 5/20/14  
 Issued to Simply Components LLC  
 T. Leah Martin leah@hydrangea100.com  
 Zoning Administrator Theresa Kelly  
 Notes Energy code given

C.O. Required Yes  No

**G** Signature of Tenant and Signature of Owner Blaine Martin X

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

TO: Zoning Administrator / Water & Sewer Bookkeeper

FROM: Public Works Department W/O # \_\_\_\_\_

The following service has been approved: Permit # \_\_\_\_\_

Date: May 30, 2014

Name: Simply Components, LLC

Street: 1 Market Place, Unit 16

Lot #: 047/012/817

Water       Sewer       Both

Number of Gallons: 83 GPD

Initials: AKM

INFINITY  
Basket Studio

Window in  
Common area  
New carpet

4. Curtain  
changing  
area

BENCH

BENCH

FRENCH DOORS

check in

29.5 FEET

HIGHLIGHTED  
AREAS ARE ONLY  
CHANGES requiring  
CONSTRUCTION

HEATED STUDIO

48 ft

37.5

FRENCH DOORS

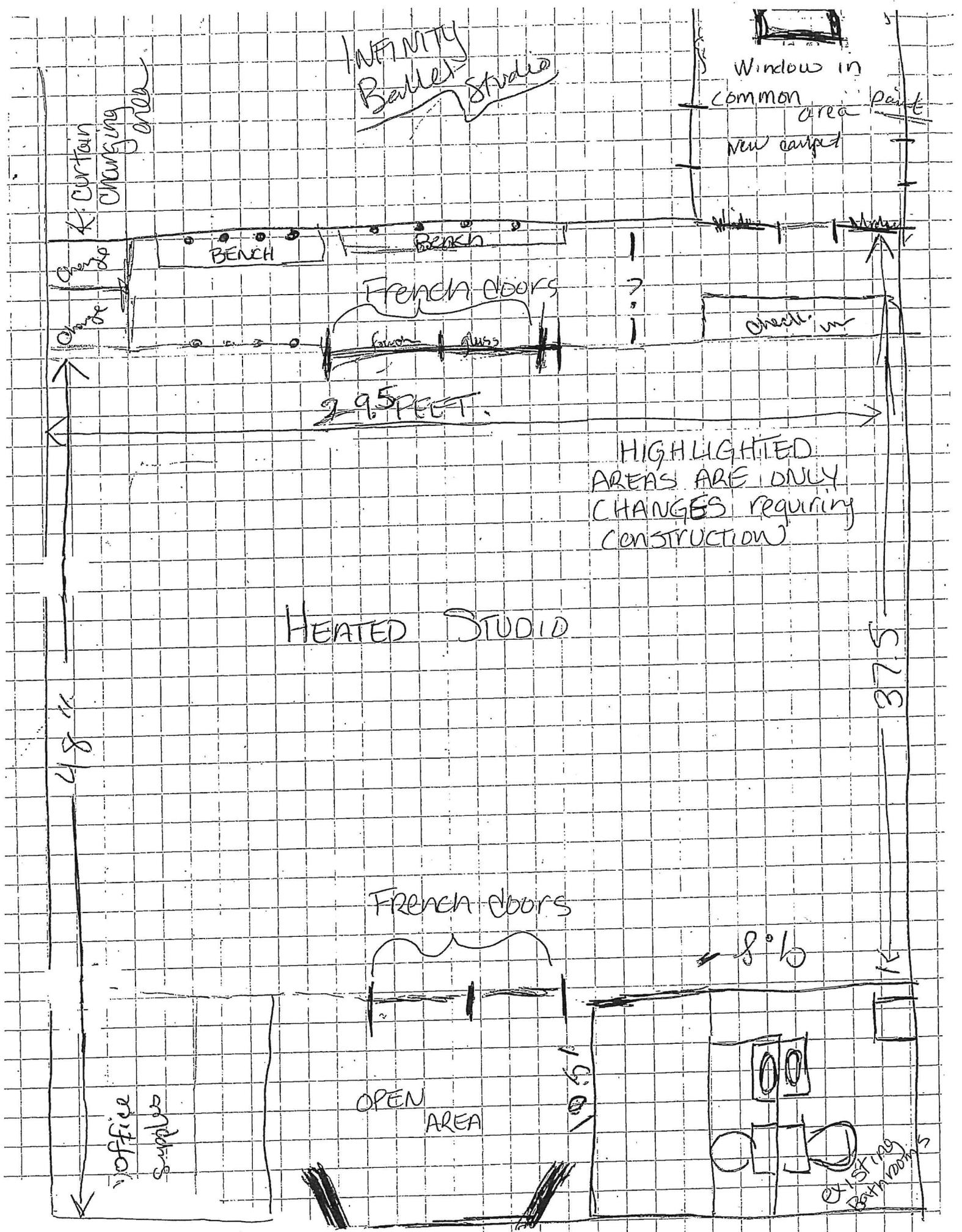
8' 6"

office  
supplies

OPEN  
AREA

10.5'

EXISTING  
BATH ROOMS





April 18, 2014

Aaron Martin, P.E., Town Engineer

Town of Essex Offices

81 Main Street

Essex Junction, VT 05452

RE: Proposed Yoga Studio in Unit #16 at the Towne Marketplace  
Wastewater Allocation Permit Application

Dear Aaron:

This is a follow-up to my email to you on April 7, 2014. As discussed in the email, unit #16 of the Towne Marketplace is currently occupied by Life Safety Systems, but is proposed to be occupied by a yoga studio. The owner of the yoga studio business is Leah Chiofaro. The anticipated occupancy is 1 instructor and 2-12 people per class, with a maximum of 5 classes per day. No showers are proposed for the participants.

Based on the calculations found in your response to my email, we understand the Town has calculated the design flow for this use based on an average class size of 8 people (including the instructor), with a per person flow of 15 gpd/person. The resulting total design flow is 120 gpd (8 gpd x 15 gpd/person).

As you know, our office performed a wastewater analysis for the Towne Marketplace last year which involved working with you to establish a summary of the uses and associated sewer flows assigned to each unit within Towne Marketplace (based on a percentage of the total allocation). Unit #16 has an allocated wastewater design flow of 37 gpd.

Since the new wastewater demand associated with this use is 120 gpd, and the currently assigned allocation for this unit is 37 gpd, the amount of sewer allocation which needs to be purchased is 83 gpd (120 gpd-37 gpd). The attached Town of Essex Wastewater Allocation Permit Application has been completed and requests 83 gpd (0.42 EUs) of additional sewer allocation. Based on the currently purchased total allocation for the Marketplace of 6,447 gpd, (based on the current spreadsheet we provided to you), this 83 gpd is only a 1.3% increase. As this increase is less than 25%, we understand your office can approve this application.

We have submitted to Sharon Kelley, Essex Zoning Administrator, a narrative of the proposed use and impacts on the Towne Marketplace site. It is our opinion that review and approval by the Planning Commission of this change in occupancy is not warranted, but we are awaiting Sharon's decision. We wanted to have this application submitted to your office to begin the allocation process. We understand that if approved, a check to the Town for \$1,191.05 to cover the allocation fee bases on \$9.00/gpd x 83 gpd for sewer and \$5.35/gpd x 83 gpd for water will be required.

In accordance with your recent letter regarding one of the other units, the applicant for this application is the Essex Towne Marketplace Unit Owners Association, and the application has been signed by Association President Richard Wheatley. Also, we have attached the updated Towne Marketplace

spreadsheet of sewer flows/allocations which has been updated to include this new requested allocation. It also reflects the recent allocations (2) for unit #25.

Please feel free to contact our office if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Goulette". The signature is stylized with a large initial "D" and a cursive "Goulette".

Doug Goulette, P.E.

Encl.

c: Leah Chiofaro -*MARTIN*

P:\2014\14036\Town WW\Wastewater.alloc.applic.cover.docx



April 15, 2014

Sharon Kelley, Zoning Administrator  
Town of Essex Offices  
81 Main Street  
Essex Junction, VT 05452



RE: Towne Marketplace Unit#16 (tax map #47, unit #818)  
Proposed Yoga Studio

Dear Sharon:

We understand you have spoken with Leah Chiofaro, who is proposing to lease Unit #16 at the Towne Marketplace and operate a yoga studio. This unit is currently occupied by Life Safety Systems. We understand the yoga studio is anticipated to have 4-5 classes per day Monday through Saturday, with only 2 classes on Sunday. Class size will be 2-12 students with 1 instructor. A tentative schedule includes classes in the morning from 7-8:15, 9-10:15, and 11-12:15, and then in the evening from 5:45-6:30, and 7-8:15 pm.

In accordance with your April 2, 2014 email to Leah, we have provided the following parking analysis:

*Parking Analysis:* Our office has performed a shared parking analysis of the entire Towne Marketplace complex including the proposed yoga studio. The analysis considered the uses of all of the units and their current or previously approved uses (for the units which are currently vacant). For the purpose of this analysis, we have added a new category- Health Club. The previous evaluations did not include a category that would be appropriate to this use. With the inclusion of the Health Club category, we have also considered the Infinity Dance Studio under this category.

The results of the analysis indicate that the peak parking space need is 193 spaces with the new yoga studio use. This is consistent with other recent analyses we've performed for this site. As there are 199 existing parking spaces on-site, it is our opinion the existing parking lot has the capacity to accommodate this proposed use. As we've previously presented, this analysis is likely conservative as it includes the Noonies Deli use, which has closed. Even with Noonies, there would still be extra parking spaces available on this site. This analysis also includes the recently approved restaurant in unit #25.

Another reason we feel this evaluation is likely conservative is that the peak period that the 193 spaces are needed for the site is at 2:00 pm in the afternoon. During this period, the yoga studio isn't planning to be open, and the Infinity Dance studio similarly has no classes scheduled for this time of day (based on their 2013 on-line calendar). The shared parking

calculations are based on the time of day factors found in the "Shared Parking" manual published by the Urban Land Institute, for the use categories found at the Marketplace. The time factors were not adjusted by our office, but were taken directly from this source.

2) Sewer and Water Flows- We have presented the proposed use and occupancy information to Aaron Martin, and he has determined that additional sewer allocation will be required as a result of the change of use of this unit. We will be submitting a wastewater allocation application directly to Aaron, on behalf of the applicant.

*Summary -*

There are no exterior sitework improvements proposed with this change of occupancy. As outlined above, this change of use does not result in any additional parking spaces being needed. The need for some modest increase in sewer and water allocation can be dealt with through Public Works. In our opinion, this change of use results in negligible changes to the overall site operation, and should not be required to go before the Essex Planning Commission for review and approval.

We have attached the shared use parking calculations. We ask that you concur with our opinion that this proposed change in occupancy does not require Planning Commission review and approval. Please feel free to call if you have any questions. Thank you.

Sincerely,



Doug Goulette, P.E.

Encl.

c: Leah Chiofaro

Project: Towne Marketplace- updated for proposed yoga studio in unit #16  
Essex, VT

Date: April 14, 2014  
By: D. Goulette

Sources: Shared Parking, 2nd Ed., ULI  
Essex Town Zoning Regulations

Existing & Proposed Land-Uses	Floor Area	Parking Ratio	# Req'd Spaces
General Retail	1,880	250	8
Professional Offices	24,187	250	97
Personal Service	6,691	200	34
Restaurant - Sit Down	2,980	100	30
Restaurant - High Turnover	3,290	100	33
Health Club	3,078		24
<b>Total</b>	<b>42,106</b>		<b>226</b>

\* based on 12 students at each location (new yoga studio and Infinity Dance)

	Weekday Shared Use Parking Hourly Ratios														
	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Retail	1%	5%	15%	30%	55%	75%	90%	100%	100%	100%	95%	85%	80%	75%	65%
Office	0%	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	2%	1%
Medical/Dental Office	0%	0%	90%	90%	100%	100%	30%	90%	100%	100%	90%	80%	67%	30%	15%
Restaurant - Fine/Casual	0%	0%	0%	0%	0%	15%	40%	75%	65%	40%	50%	75%	95%	100%	100%
Restaurant - Family	25%	50%	60%	75%	85%	90%	100%	90%	50%	45%	45%	75%	80%	80%	80%
Health Club	70%	40%	40%	70%	70%	80%	60%	70%	70%	70%	80%	90%	100%	90%	80%

	Weekday Required Parking Spaces by Hour														
	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
General Retail	1	1	2	3	5	6	8	8	8	8	8	7	7	6	6
Professional Offices	0	1	20	59	97	44	15	44	97	44	15	10	5	2	1
Personal Service	0	0	31	31	34	34	11	31	34	34	31	28	23	11	6
Restaurant - Sit Down	0	0	0	0	5	12	23	20	23	20	12	23	29	30	30
Restaurant - High Turnover	9	17	20	25	29	30	33	30	30	17	15	25	27	27	27
Health Club	17	10	10	17	17	20	15	17	17	17	20	22	24	22	20
<b>Total</b>	<b>27</b>	<b>29</b>	<b>83</b>	<b>135</b>	<b>187</b>	<b>146</b>	<b>105</b>	<b>153</b>	<b>193</b>	<b>130</b>	<b>104</b>	<b>115</b>	<b>115</b>	<b>98</b>	<b>90</b>
<b>Maximum</b>	<b>193 spaces</b>														

	Weekend Shared Use Parking Hourly Ratios														
	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
Retail	1%	5%	10%	35%	60%	70%	85%	95%	100%	100%	95%	90%	80%	75%	65%
Office	0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%
Medical/Dental Office	0%	0%	90%	90%	100%	100%	30%	0%	0%	0%	0%	0%	0%	0%	0%
Restaurant - Fine/Casual	0%	0%	0%	0%	0%	15%	50%	55%	45%	45%	45%	60%	90%	95%	100%
Restaurant - Family	10%	25%	45%	70%	90%	90%	100%	85%	65%	40%	45%	60%	70%	70%	65%
Health Club	80%	45%	35%	50%	35%	50%	50%	30%	25%	30%	55%	100%	95%	60%	30%

	Weekend Required Parking Spaces by Hour														
	0600	0700	0800	0900	1000	1100	1200	1300	1400	1500	1600	1700	1800	1900	2000
General Retail	1	1	1	3	5	6	7	8	8	8	8	8	7	6	6
Professional Offices	0	20	59	78	88	97	88	78	59	39	20	10	5	0	0
Personal Service	0	0	31	31	34	34	11	0	0	0	0	0	0	0	0
Restaurant - Sit Down	0	0	0	0	0	5	15	17	14	14	14	18	27	29	30
Restaurant - High Turnover	0	0	0	0	0	5	17	19	15	15	15	20	30	32	33
Health Club	20	11	9	12	12	12	12	8	6	8	14	24	23	15	8
<b>Total</b>	<b>21</b>	<b>32</b>	<b>100</b>	<b>124</b>	<b>136</b>	<b>159</b>	<b>150</b>	<b>130</b>	<b>102</b>	<b>84</b>	<b>71</b>	<b>80</b>	<b>92</b>	<b>82</b>	<b>77</b>
<b>Maximum</b>	<b>159 spaces</b>														

	Professional Offices	Personal Service	Quality Restaurant	High-Turnover Restaurant	General Retail	Health Club	Total
1	Weighless (now vacant)	1,456					
2	Essex Hair & Body	990					
3	Euro Restaurant		1,980				
4	Euro Restaurant						
5	Hair Graphix	990					
6	One Credit Union	4,420					
7	One Credit Union						
8	One Credit Union						
9	One Credit Union						
10	Noonies			2,330			
11	Stonewell Offices	1,300					
12	Village Copy		1,000		1,000		
13	Banana Winds						
14	Masterbuilt/Bottom Line	2,010					
15	Masterbuilt/Bottom Line						
16	Proposed Yoga Studio					1,400	
17	Infinity Dance Studio					1,678	
18	Signature Properties	2,480					
19	Signature Properties						
20	Stamp On It				880		
21	Thu Chau Nail Salon						
22	JKDZ Properties	1,920					
23	Strategic Wealth Coach	1,792					
24	The Napoli Group	1,920					
25	Spanish Tapas Bar (McGuines)			960			
26	Hair Salon						
27	Essex Aquatic & Rehab						
28	Blondin Insurance	960					
29	Sun Ray Assoc.	1,600					
30	Body le Bronze						
31	Richard Wheatley, CPA	1,209					
32	Bessette Insurance	1,209					
33	Essex Physical Therapy	1,911					
	Totals	24,187	2,980	3,290	1,880	3,078	42,106

**Town of Essex**  
**Application for Sewer Service**

Revised May 2013

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

Street Address: Town Market Pl. Unit 16 Development: Essex Town Market place  
 Tax Map # 047 Tax Parcel 012 Tax Lot 817 Unit # 16

Does hereby request a permit to install and connect a building sewer to  
 serve 1 unit(s)  Residential  Commercial  Industrial structure

*Walls + floors  
only  
No changes  
to H2O*

Installer / Contractor: existing Property Owner: (John Kayde)  
 Name: Bryan Bennett Name: Simply Components LLC  
 Address: Potter's Point Rd Address: Essex Towne Ctr Unit 16  
 Phone: Worcester, MA 01610 Phone: 802 879 5355  
 Cell: 802 355 7480 Tenant: Leah C Martin  
 Cell: 802 777 6524

- The owner / agent agrees:
- a) That all work shall be in accordance with the Town Sewer Ordinance, the Town Public Works Specifications, and all other pertinent ordinances or regulations of the Town of Essex.
  - b) To install and maintain the private building sewer at no expense to the Town.
  - c) To notify the Public Works Office twenty four hours prior to the start of construction for inspection purposes. No part of the sewer line may be covered until it has been inspected by the Town Representative.
  - d) To pay the sewer charges (construction and operations) which are billed as set forth in the water/sewer fee schedule.

Signed: [Signature] Date: 5-19-14  
 (Signature of Owner / Agent)

PLEASE MAKE CHECK PAYABLE TO TOWN OF ESSEX WATER AND SEWER DEPARTMENT AND RETURN ALONG WITH APPLICATION TO THE COMMUNITY DEVELOPMENT OFFICE.  
 DO NOT COMBINE WITH ZONING PERMIT FEE.

**RECEIVED**  
MAY 28 2014

For Office Use Only  
83 gallons / day x \$9.00 = \$ 747 + \$1,000 = \$ 747

Received by: [Signature] Date: 05-19-14

Approved by: [Signature] Date: 5-29-14  Letter Sent  Finance Notified

Inspected by: [Signature] Date: ---  Tie Drawing  Finance Notified

Master List Updated:  Approved  Inspected

*\* ADDITIONAL CAPACITY ONLY*

**Town of Essex**  
**Application for Water Service**

Revised May 2013

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

Street Address: Town Market Place Unit 16 Development: Essex Towne Marketplace  
Tax Map # 047 Tax Parcel 012 Tax Lot 817

Does hereby request a permit to initiate water service as noted below to serve 1 unit(s)  Residential  Commercial  Industrial structure

Installer / Contractor:

Name: ~~Bryan Benoit~~  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Cell: \_\_\_\_\_

Property Owner:

(John Hoyde)  
Name: Simply Components  
Address: Essex Towne Ct Unit 16  
Phone: 802 879 5355  
Cell: Leah Martin  
802 777 6524

Firm Performing Main Line Tap:

Name: Existing  
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.
- 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.
- 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.

**RECEIVED**  
MAY 28 2014

BY: Rubik



# TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452

Fax: 878-1353 • E-mail: [manager@essex.org](mailto:manager@essex.org) • Website: [www.essex.org](http://www.essex.org)

April 21, 2014

Lamoureux & Dickinson  
Attn: Doug Goulette, P.E.  
14 Morse Drive  
Essex Junction, Vermont 05452



Re: UPP Limited Co. – 1 Marketplace, Unit #16  
Wastewater Allocation for Yoga Studio

Dear Doug,

Please find attached a copy of the approved wastewater allocation application for Unit #16 in the 1 Marketplace complex. Unit #16 now has approved sewer allocation in the amount of 120 GPD.

Please contact the office if you have any questions or comments regarding the content of this letter.

Sincerely;

Aaron K. Martin, P.E.  
Utilities Director / Town Engineer

Attachments

Cc: Dennis Lutz, P.E., Public Works Director  
Sharon Kelley, Zoning Administrator  
File

W:\WPDOCS\WTR&SWR\Allocation\Towne Marketplace\Unit 16 Allocation LTR 042114.doc

TOWN MANAGER	PARKS AND RECREATION	COMMUNITY DEVELOPMENT	PUBLIC WORKS	ASSESSOR	FINANCE	TOWN CLERK	LIBRARY	POLICE
878-1341	878-1342	878-1343	878-1344	878-1345	878-1359	879-0413	879-0313	878-8331



VERMONT DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF FIRE SAFETY

Office of the State Fire Marshal & Fire Academy

**CONSTRUCTION PERMIT**

BUILDING NAME: Essex Town Market Place

PROJECT NAME: New Yoga Studio - Suite 16

ADDRESS: 1 Towne Market Place - Bldg. 1 - Suite 16  
Essex, VT

SITE NUMBER: \_\_\_\_\_

AUTHORIZATION NUMBER: 610140

DATE ISSUED: 1 May 2014

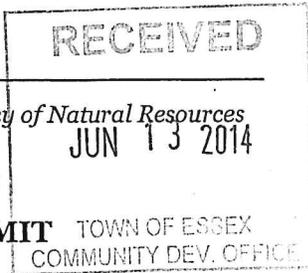
BY: *Chris G. [Signature]*

ASSISTANT STATE FIRE MARSHAL

CONDITIONS: ADA access (5' turning radii + door openings  
as discussed) must be maintained, Fire Alarm Horn/strobe  
coverage adjusted, and an electrical work permit obtained  
as discussed.

**THIS PERMIT MUST BE POSTED AT THE BUILDING SITE  
IN A CONSPICUOUS LOCATION OPEN TO PUBLIC VIEW**

Regional Offices



State of Vermont  
Department of Environmental Conservation

Agency of Natural Resources  
JUN 13 2014

2014-64

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT TOWN OF ESSEX  
COMMUNITY DEV. OFFICE

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit  
Wastewater System and Potable Water Supply Rules, Effective September 29, 2007  
Chapter 21, Water Supply Rules, Effective December 1, 2010

yoga

**Landowner(s):** Market Place Unit Owners Assoc.  
c/o Richard Wheatley  
1 Towne Marketplace -Suite 31  
Essex Junction VT 05452

**Permit Number:** WW-4-3916-3  
**PIN:** EJ97-0158

Simply Components, LLC  
c/o John Lloyd  
69 Venture Drive  
Suite 4  
Dover NH 03820

2014-64

This permit affects property identified as Town Tax Parcel ID # Essex: 2047012818 referenced in a deed recorded in Book 193 Page(s) 10 of the Land Records in Essex, Vermont.

This project, consisting of the change of use proposed for existing commercial condominium Unit #16, from retail use with 4 employees to a yoga studio (no showers) with 1 instructor and up to 12 participants per class, 5 classes per day, served by municipal water supply services and municipal wastewater disposal services located on Essex Towne Marketplace in Essex, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

**1. GENERAL**

- 1.1 The project shall be completed as described in the application prepared by Douglas Goulette, P.E. of Lamoureux & Dickinson. The project shall not deviate from the approved proposal without prior written approval from the Drinking Water and Groundwater Protection Division. **(No Plans)**
- 1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from the Act 250 District Environmental Commission; the Drinking Water and Groundwater Protection Division; the Watershed Management Division; the Division of Fire Safety; the Vermont Department of Health; the Family Services Division; other State departments; or local officials.
- 1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the Essex Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.4 All conditions set forth in **Permit Number WW-4-3916-2** shall remain in effect except as amended or modified herein. This project is approved for change in use from retail with 4 employees to a yoga studio (no showers) with 1 instructor, up to 12 participants per class, and a maximum of 5 classes per day.
- 1.5 Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.



- 1.6 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s), if applicable, prior to conveyance of any portion of the project to that purchaser.
- 1.7 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property subject to this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental/health statutes, regulations, and permit conditions, including performing an inspection of the wastewater disposal and water supply systems serving the/each structure.
- 1.8 Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

## 2. WATER SUPPLY

- 2.1 This project is approved with the existing connection to the water supply system owned by the Town of Essex (WSID VT0005065) for a maximum of **284** gallons of water per day.
- 2.2 This project is approved with an existing building water line. The Drinking Water and Groundwater Protection Division assumes no liability for the adequacy of this water line. Should the line fail and not qualify for the minor repair or replacement exemption, the landowner shall engage a Licensed Designer to evaluate the cause of the failure and to submit an amendment application to this office prior to correcting the failure.
- 2.3 This permit is based, in part, on a municipal approval for connection to their water distribution system. If the municipal approval expires, this permit shall be invalid unless the municipality renews its approval. If the municipality approval expires, a new permit must be issued for the project. An updated application form and an application fee will be required for the project. A new municipal approval letter shall be required. The rules in effect at the time of the filing of the application for a new permit will be applied to the project.

## 3. WASTEWATER DISPOSAL

- 3.1 This project is approved with the existing connection to the Town of Essex wastewater treatment facility for a maximum of **252** gallons of wastewater per day.
- 3.2 This project is approved with an existing building sewer line. The Drinking Water and Groundwater Protection Division assumes no liability for the adequacy of this sewer line. Should the line fail and not qualify for the minor repair or replacement exemption, the landowner shall engage a Licensed Designer to evaluate the cause of the failure and to submit an amendment application to this office prior to correcting the failure.
- 3.3 This permit is based, in part, on a municipal approval for connection to their wastewater treatment facility. If the municipal approval expires, this permit shall be invalid unless the municipality renews its approval. If the municipality approval expires, a new permit must be issued for the project. An updated application form and an application fee will be required for the project. A new municipal approval letter shall be required if the project is served by the municipal wastewater collection system. The rules in effect at the time of the filing of the application for a new permit will be applied to the project.

David K. Mears, Commissioner  
Department of Environmental Conservation

By Jessanne Wyman  
Jessanne Wyman, Regional Engineer  
Essex Regional Office  
Drinking Water and Groundwater Protection Division

Dated May 26, 2014

cc Essex Planning Commission  
Douglas Goulette  
Act 250 District Environmental Commission-4C0550 & amendments  
Department of Public Safety, Division of Fire Safety