

Busby

TOWN OF ESSEX

APPLICATION FOR CERTIFICATE OF OCCUPANCY

No. 275-86 12/29/86

The undersigned herewith requests an inspection of the premises and the issuance of "Certificate of Occupancy" of premises, or portion thereof, for use or habitation.

This request is for use only of existing land or buildings.

This request is for new construction or rehabilitated or altered structure which was done under authority of building/zoning permit # 275-86 issued 10-28 1986 to Thomas Busby (NAME)

premises are at 159 River Rd Essex Junction VT 05452 (STREET ADDRESS)

Applicants Mailing Address (If different) (same)

Driveway location inspected and approved by _____

Water service installation inspected and approved by

Existing well (NAME)

Sanitary sewer connection or septic system inspected and approved by: Existing Municipal (NAME) 19 (DATE)

Construction was begun 19 and completed 19

Actual cost of construction \$ _____

Approval granted by Planning Commission Zoning Board of Adjustment 8-2-86 1986 9-8-86

Use of premises intended _____

(What will you use the new bldg, addition or alt. for) (159 River Rd.) (home)

Daytime phone # ~~862-8887~~ (B) 862-8887-879-1144 - 899-4325

Thomas Busby (APPLICANT'S SIGNATURE) 12/29/86 1986 (DATE)

Certificate of Occupancy approved with _____ without conditions.

Certificate of Occupancy denied _____). Please see attachment with reasons for denial.



TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452 • 802/879-0413

September 22, 1986

Dr. Thomas Busby
RD2, Box 2
Jericho, VT 05465

Dear Dr. Busby:

At a public hearing held by the Town of Essex Planning Commission on August 28, 1986 and reopened by the Board of Selectmen on September 8, 1986, the Town of Essex Board of Selectmen voted to approve your application as warned and presented for site plan review involving the establishment of a medical clinic and a one-unit apartment at 159 River Road, subject to the following stipulations:

STIPULATIONS

1. Should this clinic ever be expanded beyond four employees, the applicant shall inform the Town Administration of the type of expansion that is proposed, projected number of employees, traffic generation, and parking requirements. If the Administration determines that more parking spaces will be required as a result of the expansion, revised site plan approval must be obtained from the Planning Commission.
2. As-builts shall be provided.
3. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector surfaces from view substantially beyond the perimeter of the area to be illuminated.
4. Site plan approval shall expire one (1) year from date of approval by the Board of Selectmen if all site improvements and landscaping have not been completed.
5. All landscaping shall be completed and maintained in accordance with the site plan as approved by the Planning Commission. Any dead or diseased plantings shall be replaced as soon as seasonally possible.
6. That the turnaround on the left side of the entrance drive shall be eliminated.
7. That a 10 foot easement across the front of the property shall be deeded to the Town of Essex for the purposes of a possible future non-motorized bike path. This 10 foot easement shall be within the existing sewer easement.

STAFF INPUT

1. This application received conditional use approval from the Zoning Board of Adjustment on August 7, 1986 (minutes attached).
2. The site plan proposes 13 total parking spaces. The Town of Essex Zoning Regulations require 1 parking space for every 250 square feet of office space and 2 parking spaces per dwelling unit. Using this formula, ten parking spaces would be required. In researching parking requirements for other communities, 1 per 250 square feet is the most common requirement, however, South Burlington requires 1 for every 200 square feet for medical clinics. This would mean a total of 11 parking spaces would be needed for this application. The staff notes that two of the parking spaces are provided within an existing barn.
3. This application must be adjourned to the Board of Selectmen's September 8, 1986 meeting.

PUBLIC INPUT

No one from the public spoke relative to this application.

During their deliberations, the Planning Commission and Board of Selectmen determined the following findings of fact:

FINDINGS

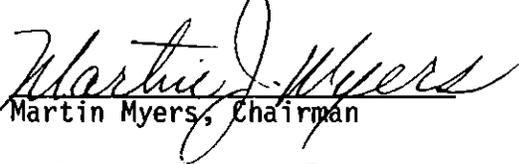
1. This is the application of Dr. Thomas F. Busby, for site plan approval of 159 River Road, tax map 62, parcel 5, pursuant to Section 4443(c) of Title 24, VSA, Chapter 117 and Section 805.1 of the Proposed Zoning Regulations. Applicant proposes to establish a medical clinic in an existing single family residence with associated access drive and parking area. Said property is located in the R2 and C2 zoning districts.
2. The Town of Essex Administration, Planning Commission and Board of Selectmen have considered this project under Section 805.1 of the proposed Zoning Regulations in accordance with the following standards:
 1. adequacy of traffic ingress and egress to the site from Route 117;
 2. maximum safety of vehicular and pedestrian circulation;
 3. adequacy and safety of on-site circulation, parking and loading facilities;

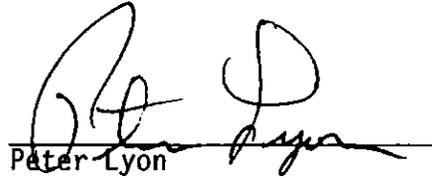
4. adequacy of landscaping and screening and setbacks for maximum compatibility and protection of adjacent property.
3. The Administration, Planning Commission and Board of Selectmen find that the site plan as proposed with the stipulations as noted above meets the requirements of Section 805.1 of the proposed Town of Essex Zoning Regulations.

Prior to use or occupancy of the premises for which the approval is granted, a Certificate of Occupancy must be issued by the Zoning Administrator.

If you have any questions, please do not hesitate to call the Planning Office.

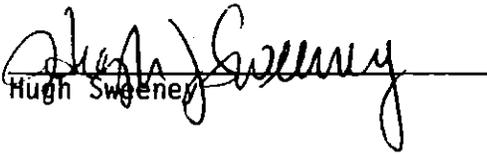
Board of Selectmen


Martin Myers, Chairman


Peter Lyon


Edward Baker


Bernard Parizo


Hugh Sweeney

DHF/lm

cc: Essex Green Park Assoc., M. & D. Wisehart

CERTIFIED MAIL

TOWN OF ESSEX VERMONT

81 MAIN STREET. ESSEX JUNCTION, VERMONT 05452 • 802/879-0413

August 25, 1986

Dr. Thomas F. Busby
RD 2, Box 2
Jericho, VT 05465

RE: Town of Essex Zoning Board of Adjustment Hearing of
August 7, 1986.

Dear Dr. Busby:

At its meeting of August 7, 1986, the Town of Essex Zoning Board of Adjustment unanimously voted to approve your application as warned and presented with the following stipulations:

STIPULATIONS OF APPROVAL

1. Except for handicapped parking, all parking shall be limited to the rear of the existing buildings (at rear of property).
2. Total parking spaces shall be determined by the Planning Commission during site plan review.
3. Lighting shall also be determined by the Planning Commission and shall not cause undue distraction, confusion, glare or hazard to vehicular traffic or adjacent property owner.
4. Change in ownership of the property shall void this approval.
5. All chemicals to be disposed of in the Town Sewer System shall be approved by the Town Engineer.
6. Any expansion beyond two doctors shall require Zoning Board of Adjustment review.

During its deliberations, the board determined the following Findings of Fact:

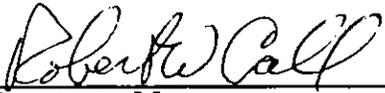
THE BOARD FINDS THAT:

1. Applicant's property is located in an R-2/C-2 zone.
2. One person from the public spoke relative to this application.
3. Application is for a medical clinic at 159 River Road.
4. Staff In-put
 - a. This application will be reviewed by the Planning Commission with findings submitted at the hearing.
 - b. The definition of a clinic includes doctors in the plurality.
 - c. This application is for one doctor.
 - d. Only one point of ingress/egress be allowed and that be a 35-foot wide commercial drive.

- e. The parking lot be located to the rear of the structures.
 - f. Any expansion beyond two doctors would require an additional ZBA review.
 - g. This property lies within the 100 year flood zone, however, the staff finds no problems would be created by a simple parking lot construction. This we understand is the only change to the exterior.
 - h. Applicant is also seeking to maintain part of the building as a residence.
5. The equipment used for the clinic will consist of x-ray machines, diagnostic/therapeutic equipment.
 6. The x-ray machines will have to meet State and Federal requirements.
 7. There will be no medications/drugs on the premises.
 8. There is adequate sight distance from the proposed driveway in both directions.
 9. Parking will be as required by the Planning Commission.
 10. There is room for adequate parking on the premises.
 11. A traffic study was not deemed necessary by the Town staff based upon trips generated and turning movements.
 12. Property lies entirely within a C-2 zone and must meet requirements of R-2 zoning district per Section 1210.
 13. Any expansion beyond two doctors may require an additional ZBA review.
 14. The applicant is requesting to convert part of the existing dwelling into a clinic (entire first floor). Second floor will remain as living quarters.
 15. Owner will not reside on the premises.
 16. No sign is included in this application.
 17. This application meets the requirements of Section 1115 of the Town of Essex Official Zoning Regulations.

Prior to use or occupancy of the premises for which the approval is granted, a Certificate of Occupancy must be issued by the Zoning Administrator.

Zoning Board of Adjustment



 Robert Call



 Hubert Norton

 Paul Bruso

 James Provost



 Dick Gilmond

JLF/ss
 cc: Gerry Desantel, Attorney

CERTIFIED MAIL