

Conditional Use
Operation of Retail Sales of Manufactured Sheds and Out-Buildings
CU-003-23

Owner: BTMC, LLC 1710 Bovat Road Fairfax, VT 05454 PH: 802-782-0151 Tonymccracken75@gmail.com	Applicant: Moose Mountain Creations, LLC 1710 Bovat Road Fairfax, VT 05454 PH: 802-782-0151 Tonymccracken75@gmail.com
Surveyor/Engineer:	Property Tax Parcel & Location: 1149 Ethan Allen Highway Georgia, Vermont Parcel#117470000,b Zoning District: South Village (SV)

BACKGROUND

Moose Mountain Creations, LLC c/o Anthony McCracken, hereafter referred to as Applicant, is requesting Conditional Use for the operation of retail sales of manufactured sheds and out-buildings. The parcel is located at 1149 Ethan Allen Highway, within the South Village (SV) zoning district. The original parcel is ±9.57 acres in size, with Parcel b ±8.41128 acres and benefitted by ±85 ft of frontage along Ethan Allen Highway.

Applicant proposes the use of a manicured and well-maintained vacant property that fits the description for the extended use of a display area for the current Moose Mountain Creations storage shed sales location. The space to be utilized on the property for shed sales is ±3,000 ft (12 ft by 250 ft) and will be 100% dedicated toward the business. This will account for less than five percent of the parcel acreage.

For two (2) years the Applicant has held approval to sell sheds on the North end of Route 7 (7311 Ethan Allen Highway) and has experience with sales and consumer demands. Applicant now wishes to expand the display area to the south side of town. The display area will utilize the front portion of the parcel listed. No office space is required on the site as Applicant has a transaction center located at 172 South Main Street, St. Albans, Vermont.

Customers will be able to view sheds on the site in person. All sheds remain unlocked with signage and product information on the inside walls. The sales will continue through conversations and sometimes subsequent visits to the display sheds. The traffic is minimal and at best could be six cars per day on any Saturday or Sunday with weekdays with as little as two to four cars per day.

There is no request for utility, wastewater disposal or lighting to complete the display area. Landscaping is primarily done at this location, none of which will inhibit surrounding businesses and neighbors or create any impact of increased traffic. It is Applicant's objective to improve the appearance of this land parcel and complement the area. If Applicant is in need of signage at this location, the Town of Georgia requires a Sign Permit Application to be submitted.

COMMENTS

Conditional Use Guidelines

Per Town of Georgia Development Regulations dated February 27, 2023 Section 3.2

1. **Public facilities and services** *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:* Fire protection, schools, roads and municipal infrastructure.
2. **The character of the neighborhood, area, or district affected will not be adversely impacted and that:** *A nuisance or hazard will not be created to the detriment of the health, safety, or welfare of the intended users, neighbors, or citizens of the town.* The request will fit the character of the property and surrounding properties in size and per portion as well as offer a minimum activity than that of surrounding businesses.
3. **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 properties:** The requested use will occupy an area beyond the set back requirements and use of the area is less than 5 percent of the parcel.
4. **Appropriate use or development of adjacent property will not be impeded, i.e., the scale of the proposed development in relation to the existing and proposed use s 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.** The proposed will not impact or make changes to any current structures.
5. **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.)** The proposed will lessen the traffic in the areas to the past service business and generate no expansion. VTrans State Highway Access and Work Permit application has been submitted.
6. **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.** The Conditional Use application as proposed does not conform consistent with the retail requirements of the town plan.
7. **Town of Georgia Development Regulations (2/27/2023) Article 2.2 Allowed, Prohibited Exempted, and Not Listed Uses, Other Exemptions:** Retail sales is a Permitted Use or Conditional Use in the South Village Zoning District. Conditional uses require approval by the DRB according to the conditional use provisions in Section 3.2 as a prerequisite to the Zoning Administrator issuing a zoning permit. Conditional uses may also require site plan approval from the DRB.

8. Town of Georgia Development Regulations (2/27/2023) Definitions:

Retail Store. *Establishment appropriately open to adults and minors selling products such as, but not limited to, food, dry goods, novelties, flowers, gifts, books, music, stationery, hardware, household furnishings or appliances, jewelry, sporting goods, luggage, wearing apparel, photographic supplies, hobby, toy and game shops, art supplies, newspapers and magazines, tobacco products, and drug stores, and excluding motor vehicle sales, recreational vehicle sales, and mobile home sales and service.*

Rural Retail. *Establishment selling goods made from products raised or made on the premises, galleries, and shops associated with outdoor recreation facilities on the premises.*

Respectfully submitted,

Douglas Bergstrom
Zoning Administrator
Planning, DRB & 911 Coordinator