

STATE OF VERMONT

DECLARATORY RULING

Re: Ned H. Pettengill  
South Royalton, Vermont

W  
Environmental Board  
Montpelier, Vermont  
May 11, 1972

WHEREAS, Ned H. Pettengill, South Royalton, Vermont, filed a request with the Environmental Board on May 5, 1972, for a ruling on whether a permit is required under 10 VSA, Chapter 151, for the construction of a Petco Mini-Mart on property owned by Mr. Pettengill in the Town of Woodstock; and,

WHEREAS, the property involved comprises 39,600 square feet in area, and,

WHEREAS, Mr. Pettengill has a controlling interest in a corporation which owns property abutting the 39,600 square feet; and,

WHEREAS, the area of both properties is in excess of one acre of land in a town without both permanent zoning and subdivision regulations; and,

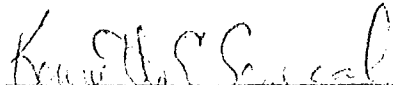
WHEREAS, 10 VSA, § 6001 (3) states that:

"'Development' shall also mean the construction of improvements for commercial or industrial purposes on more than one acre of land within a municipality which has not adopted permanent zoning and subdivision bylaws."

NOW, THEREFORE, the Environmental Board rules that Ned H. Pettengill owns or controls a tract of land more than one acre in size, and the proposed construction constitutes a development within the meaning of 10 VSA, Chapter 151, and is subject to its permit requirements.

Dated at Montpelier, Vermont this 18th day of May, 1972.

FOR THE ENVIRONMENTAL BOARD

  
KENNETH E. SENECA  
Executive Officer