

**TOWN OF SOUTH HERO, VERMONT  
DEVELOPMENT REVIEW BOARD  
DECISION DATED March 25, 2026**

**APPLICANT**

**Name: Sunset Lake Enterprises, LLC  
Address: 25 Brewer Parkway, South Burlington, VT 05403**

**LANDOWNER**

**Name: St. Croix Properties, LLC**

**APPLICATION**

**Type: Site Plan Review for Retail Space in a Building with Professional Services**

**Number: 26-47-RT334**

**PROPERTY**

**Location: 334 US RT 2**

**Hearing Date: March 11, 2026**

Sunset Lake Enterprises, LLC submitted an application on February 9, 2026 requesting a change of use for 1500sf of a 5,688sf building that is currently approved for professional services, to be used for retail space. The location is the McGregor Building at 334 US RT 2. Per Section 805 of the South Hero Development Regulations, a warning for the public hearing appeared in the February 19, 2026 issue of The Islander and was posted in the Town Office, the Post Office, and the Town Library, and abutters to the property were notified. The hearing was held on March 11, 2026. The Applicant was represented by Sam Bellavance at the hearing. A list of those attending and participating in the hearings is included in the minutes.

**During the course of the hearing, the following exhibits were submitted:**

1. Town of South Hero Development Regulations, effective January 1, 2024.
2. South Hero Final Site Plan Review application dated February 5, 2026; rec'd February 9, 2026.
3. Project Narrative (no date); rec'd February 9, 2026.

4. Portion of site plan showing extent of proposed retail space; rec'd February 9, 2026.
5. Site Plan "St. Croix Properties" by Buermann Engineering, dated October 6, 2022; rec'd February 9, 2026.
6. Warning Ad, Abutters' Notice, and Hearing Letter for February 11, 2026 DRB hearing.
7. Staff report by Zoning Administrator for March 11, 2026 hearing.
8. Draft Minutes from the March 11, 2026 hearing.

Based on the application, supporting documents, and testimony of Sam Bellavance, the Development Review Board makes the following Findings and enters the following decision:

**Findings:**

1. 334 US RT 2 is a 0.72-acre lot with a commercial building, referred to as the McGregor Building. The structure is conforming. The property is in the South Hero Village zoning district.
2. The structure was built prior to 2020, when Village District Commercial Form and Design Standards became effective in South Hero Village.
3. The 5,688sf building was originally a pharmacy but was changed to professional services in November 2022 and used for media production.
4. Sunset Lake Enterprises seeks to change the use of 1500sf of space back to retail so they can move their existing "Lake Effect Vermont" dispensary at 6 South St. to the larger space. The remaining 4,188sf will remain storage or office space for use by company employees who are currently working out of Essex Junction.
5. There will be no product manufacturing or cultivation in this space. Production will remain at the 6 South St. location.
6. The company will have 20 employees in South Hero, spread out between the McGregor Building, 6 South St., and cultivation facilities at 169 South St.
7. There will be a total of 11 employees at 334 US RT 2 in 2026, but only six will be working at any given time.
8. The Applicant requested operating hours of 9am to 7pm, 7 days/week. There is a seasonal swing, and hours may vary depending on the amount of traffic.
9. The current wastewater permit allows for 18 employees. There will be no public restrooms.
10. There are 23 parking spaces on the west side of the building. Two of the spaces are designated handicap spaces. A driveway along the south face of the building leads to two more parallel parking spaces along the east side. The site plan notes this area is also for deliveries.

11. The Applicant stated that he intends to improve the landscaping, using plantings to break up visual space of the brick wall and to add color, in addition to more plantings along the grass median between the building and the road.

**Conclusions of Law:**

- A. Per Table 2.1 (Allowed Uses), retail uses are permitted in the South Hero Village zoning district with site plan review only.
- B. There is no minimum lot size in South Hero Village zoning district. The structure conforms to the dimensional standards of Table 2.3.
- C. Although Village Commercial Form and Design Standards were not in effect when this structure was built (2005), the Applicant testified that he plans to add plantings along the brick wall between the windows to break up the façade. All other aspects of the building scale, arrangement of windows, their size, and architectural details that do not conform to Sec. 608 are to be considered pre-existing, non-conforming.
- D. Parking space dimensions meet the requirements of Table 6.1 (Parking Area Design Standards).
- E. Per Table 5.1 (Minimum Parking Ratios), as a high customer turnover retail space, 5 parking spaces are needed for the 1500sf retail space. Six spaces will be needed for employees. The current total of 23 spaces on the west side of the building exceeds the minimum number needed for this application.

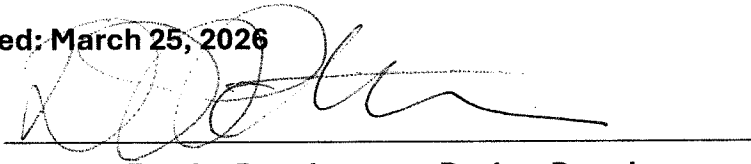
**On March 25, 2026, J. Brightwell moved to approve the application, with the findings of fact listed and with the following Conditions: J. Myers second. Whereas Final Approval was granted to the application with Conditions, with the following people voting in the affirmative: G. Hunt; J. Brightwell; S. Dupont; L. Kilcoyne; J. Myers; and D. Patterson.**

**Conditions:**

1. Applicants shall comply with all evidence as presented at the hearing or as amended by this decision.
2. Handicap spaces shall be designated per ADA compliance.
3. Any proposed business signs will meet the requirement of the South Hero Sign Ordinance and will require a separate permit.

4. It will be the Applicants' responsibility to obtain all required State permits and submit copies to the Zoning Administrator.
5. The Town of South Hero's responsibilities are limited to ensuring compliance with the approvals and permits issued by the Town of South Hero. The Town accepts no responsibility for compliance with the conditions of any permits or approvals issued by any other entity. The Town of South Hero will not be liable for the failure of the applicants to carry out their duties and responsibilities.

Dated: March 25, 2026

A handwritten signature in black ink, appearing to be "D. J. [unclear]", written over a horizontal line.

For the Development Review Board

**APPEAL RIGHTS**

*Any appeal of this decision must be filed with the Superior Court, Environmental Division) within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings (VRECP). The appellant must file with the Notice of Appeal the entry fee required by 32 V.S.A. §1431 and the 5% surcharge required by 32 V.S.A. §1434a(a). A copy of this appeal must be filed with the Zoning Administrator or the Town Clerk within thirty (30) days of the date of issuance.*