

Town of East Montpelier

ZONING PERMIT

NOTICE

[To Be Displayed on the Property in Full View of the Public Right-of-Way]

Date Issued: June 16, 2016

Effective Date: July 1, 2016

Location: 745 Sanders Circle

Owner: Francis, Richard, & Ruth Holmes

For: 0.142-acre boundary adjustment; land to be merged w/ Sikora parcel 02-061-100

Application # 16-029

Approved by: **C. Bruce Johnson, ZA**

Do not start project or commence use prior to the Effective Date. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any state or local appeal process. This application is available for inspection at the Town Office. This poster must be displayed on the property in full public view for 15 days.
APPEALS TO DRB: A notice of appeal, including the \$150 fee, must be filed with the East Montpelier Town Clerk or Zoning Administrator at the Town Office by the listed Effective Date.
WARNING: State permits may be required for this project. Contact the state Permit Specialist, at (802) 505-5367, before beginning any construction.

TOWN of EAST MONTPELIER

P.O. Box 157
East Montpelier, VT
05651-0157

C. Bruce Johnson, ZA
eastmontadmin@comcast.net
(802) 223-3313 ext. 204

June 16, 2016

Francis Holmes
745 Sanders Circle
Montpelier, VT 05602

Re: East Montpelier Zoning Application #16-029

Dear Mr. Holmes:

Please find enclosed the permit and supporting documents for the requested 0.142-acre boundary adjustment and boundary line agreement contained in East Montpelier Zoning Application #16-029.

Boundary adjustments are treated like subdivisions for the purposes of plat recording. A mylar copy of the approved plat must be filed with the East Montpelier Town Clerk within 180 days as required by the East Montpelier Land Use & Development Regulations (LUDR) Section 6.6 coupled with 24 V.S.A. §4463(b). The necessary mylar copy has already been submitted to the town clerk and certified by me, the zoning administrator, as a true copy of the approved plat prior to recording.

Please understand that this permit is solely for a boundary adjustment with abutting landowner Patrick Sikora (975 Sanders Circle). No new lot has been created by this action. I understand that the necessary deed work to complete the boundary adjustment has been completed and will be filed with the town clerk in the near future.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson
East Montpelier Zoning Administrator

TOWN of EAST MONTPELIER

P.O. Box 157
East Montpelier, VT
05651-0157

C. Bruce Johnson, ZA
eastmontadmin@comcast.net
(802) 223-3313 ext. 204

June 16, 2016

Patrick Sikora
975 Sanders Circle
Montpelier, VT 05602

Re: East Montpelier Zoning Application #16-029

Dear Mr. Sikora:

Please find enclosed a copy of the permit and supporting documents for the requested 0.142-acre boundary adjustment and boundary line agreement contained in East Montpelier Zoning Application #16-029, submitted by you on behalf of your neighbor Francis Holmes.

Boundary adjustments are treated like subdivisions for the purposes of plat recording. A mylar copy of the approved plat must be filed with the East Montpelier Town Clerk within 180 days as required by the East Montpelier Land Use & Development Regulations (LUDR) Section 6.6 coupled with 24 V.S.A. §4463(b). The necessary mylar copy has already been submitted to the town clerk and certified by me, the zoning administrator, as a true copy of the approved plat prior to recording.

Please understand that this permit is solely for a boundary adjustment with abutting landowner Mr. Holmes (745 Sanders Circle). No new lot has been created by this action. I understand that the necessary deed work to complete the boundary adjustment has been completed and will be filed with the town clerk in the near future.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson
East Montpelier Zoning Administrator

Permit # 16-029
Zoning District E
Overlays WR

ZONING PERMIT APPLICATION
TOWN OF EAST MONTPELIER
PO Box 157, East Montpelier, VT 05651

Date Received: 6/15/16
Parcel # 02-067.000 Holmes
02-061.100 Sikora
Tax Map # 04-01-17.000 Holmes
04-01-18.000 Sikora

A. 1. Name of Landowner Francis, Richard & Ruth Holmes Phone No. 229-0425
2. Address of Landowner 745 Sanders Circle, Montpelier VT 05602
3. Applicant (other than owner) Patrick Sikora Phone No. 229-1009
4. Address of Applicant 975 Sanders Circle Montpelier VT 05602
5. Location of Property 745 Sanders Circle

B: Application is made (check appropriate boxes):

- | | | |
|-------------------------------------|---|---|
| To: | For: | For: |
| <input type="checkbox"/> Construct | <input type="checkbox"/> One <input type="checkbox"/> Two-family dwelling | <input type="checkbox"/> Subdivision of land |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Multi-family dwelling | <input checked="" type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Alter | <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Extraction of earth resources |
| <input type="checkbox"/> Extend | <input type="checkbox"/> Commercial / Business | <input type="checkbox"/> Ground water withdrawal |
| <input type="checkbox"/> Remove | <input type="checkbox"/> Light Industrial | <input type="checkbox"/> Landfilling |
| <input type="checkbox"/> Change use | <input type="checkbox"/> Industrial | <input type="checkbox"/> Other |

Describe work to be performed.....
Boundary adjustment to settle property line
between Holmes (parcel # 02-067.000) and Sikora
(parcel # 02-061.100). No net change in acreage
(Holmes = 1.87 acres outside of town road right-of-way)

C. Lot description:
1. acreage 2.2 1/2 - (Tax map) 4. depth side yards Ft. Ft.
(building to lot lines)
2. road frontage 254 Ft.
3. depth front yard Ft. 5. depth rear yard Ft.
(Road centerline to building) (building to lot line)

Important - Submit site location map which describes the property on which the proposed land development is to occur. The map should indicate the length in feet of each boundary, the location and dimensions in feet of the development within the property, the distance from that development to all adjacent property lines and the distance to the public road centerline. Each parcel created by land development should be clearly described.

READ BELOW CAREFULLY AND SEE SECTION D ON PAGE 2 OF APPLICATION:

In accordance with 24 V.S.A. §4446, no development or subdivision of land may begin in the Town of East Montpelier until all applicable municipal land use permits and approvals have been issued. The undersigned requests a zoning permit as described above, understanding that the permit will be voided and penalties imposed, if the land development is not completed as described. The permit will be voided if development is not substantially commenced within one year from date of issue. The undersigned hereby applies on the basis of the representations contained herein, and to the best of his/her knowledge believes them to be true. The undersigned acknowledges the Section D notices on page 2 of this application.

Landowner Francis Holmes Date 6/15/16
Applicant Patrick Sikora Date 6/15/16

Zoning Permit Fee: \$ Cash 75.00 Check _____ Date 6/15/16 Rec'd by J13
DRB Hearing Fee: \$ _____ Cash _____ Check _____ Date _____ Rec'd by _____

Make checks payable to the "Town of East Montpelier"

D. Warning: State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Call (802) 505-5367 to speak to Peter Kopsco, our region's state permit specialist, before beginning any construction.

Notice: Your project may be subject to the state's residential or commercial energy code. For more information contact the Energy Code Assistance Center at 855-887-0673 or see the following web pages:
Residential Building Energy Standards: http://publicservice.vermont.gov/energy_efficiency/rbes
Commercial Building Energy Standards: http://publicservice.vermont.gov/energy_efficiency/cbes

E. Action by Zoning Administrator:

1. Granted Denied Date Reason.....

2. Appealed to Development Review Board By
Date

Notice: Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.

3. Final Action: Permit # 16-029 Date Issued 06/16/16 Effective Date 07/01/16

DO NOT start this project prior to the effective date, as the statutes require a 15-day appeal period. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any appeal process.

4. **Permittee is required to submit a Certificate of Compliance form to the Zoning Administrator in accordance with East Montpelier Land Use & Development Regulations Section 7.4:**

Yes (form included with permit) No


.....
Zoning Administrator

F. Action by Development Review Board:

1. Public Notice Date

2. Date(s) of Hearing

3. Granted Without conditions With conditions (See written decision for conditions)

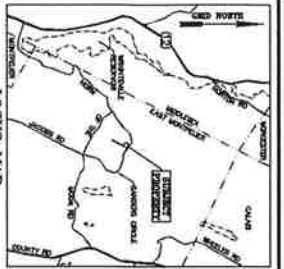
4. Denied (See written decision for reasoning)

.....
Chairman, Development Review Board

The DRB's written decision was issued on:

The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

1. "Participation" in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.
2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.



REFERENCES:
 81 - A plat entitled "SURVEY OF LAND FOR FRANCIS HOLMES EAST MONTPELIER, VERMONT", dated 8/19/80, prepared by Dwight M. Baker, Montpelier, VT and recorded in Plat Book 2, Page 119 of the Town of East Montpelier, Vermont Land Records.
 82 - A plat entitled "PLAN OF LAND OF STEPHEN C. TERRY HOHN OF THE MOON, EAST MONTPELIER, VERMONT", dated 7/19/84, prepared by Paul C. Harrington, Montpelier, VT and recorded in Plat Book 2, Page 128 of the Town of East Montpelier, Vermont Land Records.
 83 - A plat entitled "SURVEY OF LAND FOR FRANCIS HOLMES EAST MONTPELIER, VERMONT", dated 10/8/2003, prepared by Dwight M. Baker, Montpelier, VT; copy provided by Francis Holmes, East Montpelier, Vermont.
 84 - A plat entitled "A PORTION OF BAKER'S PROPERTY EAST MONTPELIER, VT", dated 8/19/72, prepared by Dwight M. Baker, Montpelier, VT and recorded in Plat Book 1, Page 98 of the Town of East Montpelier, Vermont Land Records.
 85 - A plat entitled "SURVEY OF LAND FOR FRANCIS HOLMES EAST MONTPELIER, VERMONT", last revised 8/20/1984, prepared by Dwight M. Baker, Montpelier, VT; copy provided by Francis Holmes, East Montpelier, Vermont.

AREA TABLE - BETWEEN BOUNDARY PARCELS:
 AREA USING BOUNDARY 1-2-3-4-5-6-7-1 = 1.87 ACRES

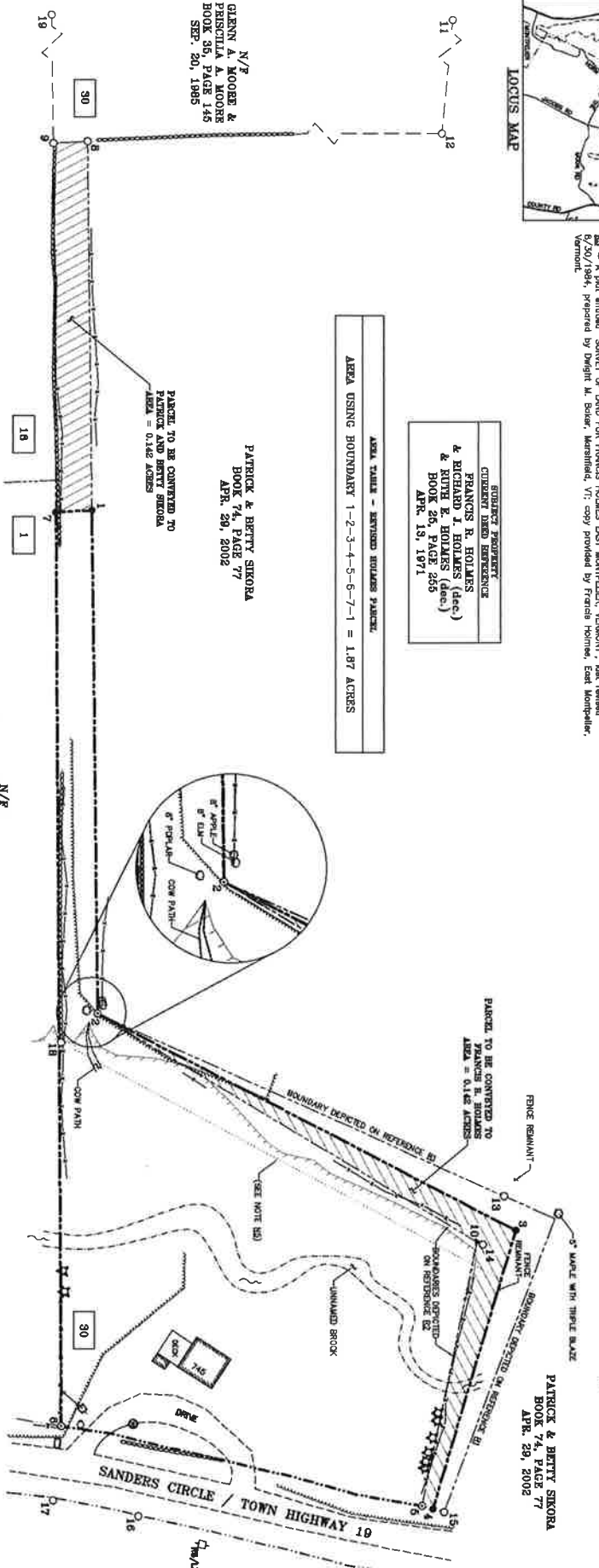
SUBJECT PROPERTY
CURRENT DEED REFERENCE
FRANCIS R. HOLMES
& RUTH E. HOLMES (dec.)
BOOK 26, PAGE 265
APR. 19, 1971

PATRICK & BETTY SIROGA
BOOK 74, PAGE 77
APR. 29, 2002

PARCEL TO BE CONVERTED TO PATRICK AND BETTY SIROGA AREA = 0.142 ACRES

N/2
THE ELLISTON-DICK LIVING TRUST
BOOK 194, PAGE 41
SEP. 09, 2016

NOTES:
 N1 - The purpose of this plat is to create new boundaries between Holmes & Siroga and complete the Holmes property enclosure and an electric utility addition to traverse between control points established using dual frequency GPS receivers, resulting in a closure with a relative precision that exceeds 1 in 100,000.
 N2 - A computed factor of 0.99992174 was used for grid distance computations. All bearings, distances and coordinates are shown as Vermont Grid, NAD83 in U.S. Survey Feet.
 N3 - The roadway right-of-way line was established one and one half rods from the center of the existing roadway, using the 50' F&M 552 overhead utility easement described in Book 24, Page 270 of the Town of East Montpelier, Vermont Land Records.



MONUMENT DESCRIPTION TABLE	MONUMENT DESCRIPTION TABLE				
MON. NO.	DESCRIPTION	COORDINATE	MON. NO.	DESCRIPTION	COORDINATE
1	1/2" DIA. IRON ROD SET	N 89°07'33.8	10	1/2" DIA. IRON ROD SET	N 89°07'33.8
2	1/2" DIA. IRON ROD SET	N 89°07'33.8	11	1/2" DIA. IRON ROD SET	N 89°07'33.8
3	5/8" DIA. IRON ROD SET	N 89°07'33.8	12	5/8" DIA. IRON ROD SET	N 89°07'33.8
4	5/8" DIA. IRON ROD SET	N 89°07'33.8	13	5/8" DIA. IRON ROD SET	N 89°07'33.8
5	5/8" DIA. IRON ROD SET	N 89°07'33.8	14	5/8" DIA. IRON ROD SET	N 89°07'33.8
6	5/8" DIA. IRON ROD SET	N 89°07'33.8	15	5/8" DIA. IRON ROD SET	N 89°07'33.8
7	5/8" DIA. IRON ROD SET	N 89°07'33.8	16	5/8" DIA. IRON ROD SET	N 89°07'33.8
8	5/8" DIA. IRON ROD SET	N 89°07'33.8	17	5/8" DIA. IRON ROD SET	N 89°07'33.8
9	5/8" DIA. IRON ROD SET	N 89°07'33.8	18	5/8" DIA. IRON ROD SET	N 89°07'33.8
19	5/8" DIA. IRON ROD SET	N 89°07'33.8			

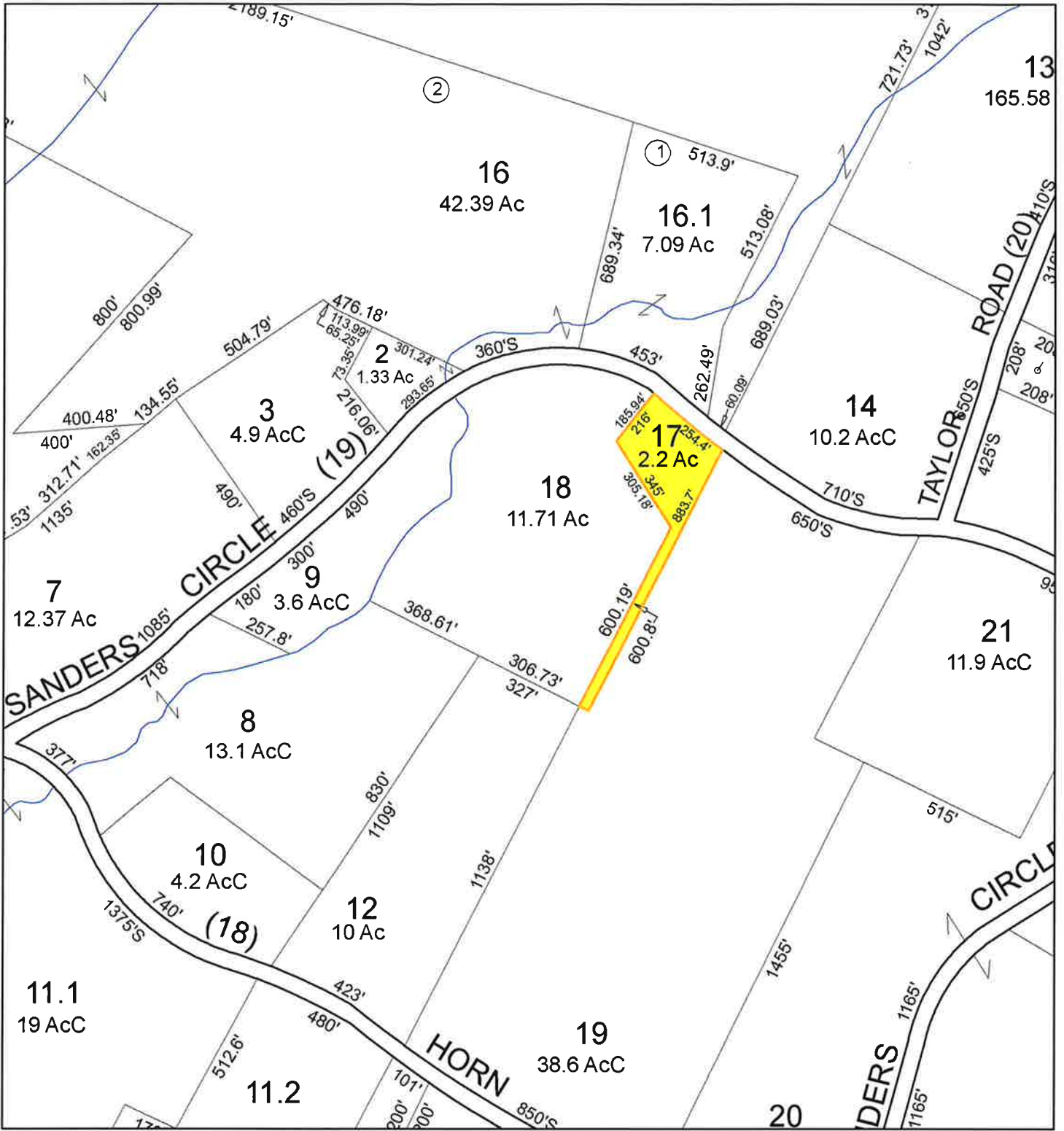
HOLMES EXCHANGE PARCEL			SIROGA EXCHANGE PARCEL		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
1-2	N 87°18'17" E	254.67'	1-2	N 87°18'17" E	254.67'
2-3	N 87°34'41" W	241.87'	2-3	N 87°34'41" W	241.87'
3-4	N 89°07'33" E	200.57'	3-4	N 89°07'33" E	200.57'
4-5	N 87°34'41" W	254.67'	4-5	N 87°34'41" W	254.67'
5-6	N 87°18'17" E	254.67'	5-6	N 87°18'17" E	254.67'

KEY DEED LINE TABLE		
LINE	DEED REFERENCE	DATE
1-2	BOOK 14, PAGE 288	DEC. 9, 1947
3-4	BOOK 14, PAGE 288	DEC. 9, 1947

- ~LEGEND~**
- IRON ROD FOUND
 - IRON PIPE FOUND
 - ▲ UNMONUMENTED POINT
 - ◻ DRILLED WELL
 - ◻ ELECTRIC POLE
 - ◻ COMBINATION POLE & GUY
 - ◻ ELECTRIC METER
 - ◻ CONFERENTIAL TREE
 - ◻ DECIDUOUS TREE
 - ◻ MAULBOX
 - ◻ NOW OR FORMERLY OWNED BY APPROXIMATE PROPERTY LINE
 - ◻ TOWN LOT LINE
 - ◻ CENTER OF OVERHEAD UTILITY EASEMENT
 - ◻ STONE WALL
 - ◻ BARBED WIRE FENCE
 - ◻ ROADWAY RIGHT OF WAY LIMIT (R.O.W.)
 - ◻ EDGE OF WATER
 - ◻ TOP OF BANK
 - ◻ EDGE OF WOODS
 - ◻ BUILDING



PLAT SHOWING PROPOSED SETTLEMENT AGREEMENT LAND EXCHANGE BETWEEN FRANCIS R. HOLMES AND PATRICK & BETTY SIROGA
746 SANDERS CIRCLE
TOWN OF EAST MONTPELIER,
WASHINGTON COUNTY, VERMONT
 STEPHEN C. FRYER, SURVEYOR
 No. 577
 SCALE 1" = 50'
 PLAT COMPUTED DATE 4-23-2016
 VERTMOUNT SURVEY AND ENGINEERING, INC.
 79 Bower Street, Montpelier Vermont
 (802) 229-9136 ~ info@vermontsurvey.com



**Holmes -- 745 Sanders Circle
East Montpelier**



6/15/2016