

Deborah Glottmann  
Mailing address:  
210 Center Road  
Montpelier, VT 05602

Physical Address:  
210 Center Road  
East Montpelier, VT

Town of East Montpelier  
40 Kelton Rd  
PO Box 157  
East Montpelier, VT 05651

Appeal by Deborah Glottmann on Permit#: 15-024 Issued 9/15/2015  
For Accessory dwelling at:  
~~30 Cutler Heights Road~~  
East Montpelier, VT

Dear Development Review Board,

In advance, I thank you for the job that you do for our community and apologize in advance for bringing this issue back in front of the DRB for the third time since 2009.

My grievances with this "by right" permit regarding this accessory dwelling remain the same. I am very worried about the water shed issues on my property. The eye sore of this building in the direct line of my sunset and mountains is of course of concern but is secondary.

The environmental court has deemed this accessory dwelling yours to decide. The water of most of Center road runs through my, Lauren Oates & Matt Digiovanni's, Darcy and Chuck Cacicio's, and then onto the Rebmann's properties. Now there will be another means of runoff onto those properties as well as mine. I would like the DRB to please review the assessments that we are having done by Weston & Sampson Engineering of Waterbury, VT before granting this permit. We hope that they will be able to reveal the true environmental impacts of this build to our neighborhood and if a septic system could safely be instilled on this part of this property.

I would also ask that there would be an additional condition on this permit. All of the neighbors involved in this issue are up to date on their property taxes. It only makes sense that before Mr. Wells is allowed to build but yet another expensive building on this property he settles his back tax bill with the town. He currently owes according to the town clerk Grand List record as of 9/15/15 \$13,491.12 and that does not include the upcoming November taxes of \$11,000 (between his two properties). Since 2009 the town of East Montpelier has spent a lot of money defending their zoning administrator's decisions in environmental court on this issue and paying their employees to manage all of Mr. Wells's municipality issues. I only ask that he be held to the same standards that the rest of us have upheld as members of this community.

I again, thank you for your attention to this matter.

In appreciation,



Deborah Glottmann

# Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, October 6, 2015 at 7:00 p.m. in the library of the East Montpelier Elementary School to conduct a hearing on the appeal, filed by Deb Glottmann, of East Montpelier Zoning Permit #15-024 issued to Duane Wells for the construction of a 570 square foot accessory dwelling (essentially a small cottage) with a two car garage on the eastern portion (across the road from his house) of his Cutler Heights property. This follows a series of Environmental Court actions: the 2011/12 failed effort by Mr. Wells to have the eastern portion of his property deemed a separate building lot and his successful 2014/15 effort to have that same eastern portion deemed viable for an accessory dwelling application. After the latest Environmental Court ruling, Mr. Wells filed an application for an accessory dwelling that was approved by the zoning administrator. The following notice will appear in the Times Argus Monday, September 21, 2015:

**The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, October 6, 2015 at 7:00 p.m. in the library of the East Montpelier Elementary School, located at 665 Vincent Flats Road, to consider the following:**

**Appeal by abutting landowner Deborah Glottmann of the Zoning Administrator's decision to issue Zoning Permit #15-024, a request by Duane Wells to construct a detached accessory dwelling at 30 Cutler Heights. The lot is located in Zone D -- Rural Residential/Agricultural, where accessory dwellings are a permitted use.**

The applicant must hand deliver or send by certified mail a copy of this notice to all abutting landowners at least 15 days before the Development Review Board's hearing date. Neighbors do not need to attend the hearing unless they would like to make comments to the Development Review Board. **However, participation (in person or in writing) in the local proceeding is a prerequisite to the right to appeal any resulting decision or action of the Development Review Board, pursuant to 24 VSA §4464(a)(1)(c).**

Questions may be directed to the zoning administrator at the East Montpelier Municipal Office Building (802-223-3313x204) or by e-mail at [eastmontadmin@comcast.net](mailto:eastmontadmin@comcast.net).

C. Bruce Johnson  
East Montpelier Town & Zoning Administrator  
P.O. Box 157  
East Montpelier, VT 05651

Permit # 15-024  
Zoning District D  
Overlays WR

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

Date Received: 9/2/15  
Parcel # 04-003.000  
Tax Map # 08-03-40.000

\*\*\*\*\*

- A. 1. Name of Landowner Duane Wells Phone No. \_\_\_\_\_  
2. Address of Landowner 3 Pitkin Court, Montpelier  
3. Applicant (other than owner) \_\_\_\_\_ Phone No. \_\_\_\_\_  
4. Address of Applicant \_\_\_\_\_  
5. Location of Property 30 Cutler Hts Rd, E. Montpelier

**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 type="checkbox"/> Boundary adjustment           |
| <input type="checkbox"/> Alter      | <input checked="" 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 Build an accessory dwelling with 570 SF of liveable floor area and a 2 car garage

- C. Lot description:
- |   |   |
|---|---|
| 1. acreage <u>2.7 A ±</u>   | 4. depth side yards <u>150</u> Ft. <u>84</u> Ft.<br>(building to lot lines) |
| 2. road frontage <u>600 ±</u> Ft.                                     |   |
| 3. depth front yard <u>170 ±</u> Ft.<br>(Road centerline to building) | 5. depth rear yard <u>54</u> Ft.<br>(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 Duane Wells Date 9/1/15  
Applicant Duane Wells Date \_\_\_\_\_

\*\*\*\*\*

Zoning Permit Fee: \$ 0 Cash \_\_\_\_\_ Check \_\_\_\_\_ Date 9/2/15 Rec'd by DB.  
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) 476-0195 to speak to the 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/topics/energy\\_efficiency/rbes](http://publicservice.vermont.gov/topics/energy_efficiency/rbes)  
Commercial Building Energy Standards: [http://publicservice.vermont.gov/topics/energy\\_efficiency/cbes](http://publicservice.vermont.gov/topics/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 # 15-024 Date Issued 09/15/15 Effective Date 09/30/15

**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.**

  
.....  
Zoning Administrator

**F. Action by Development Review Board:**

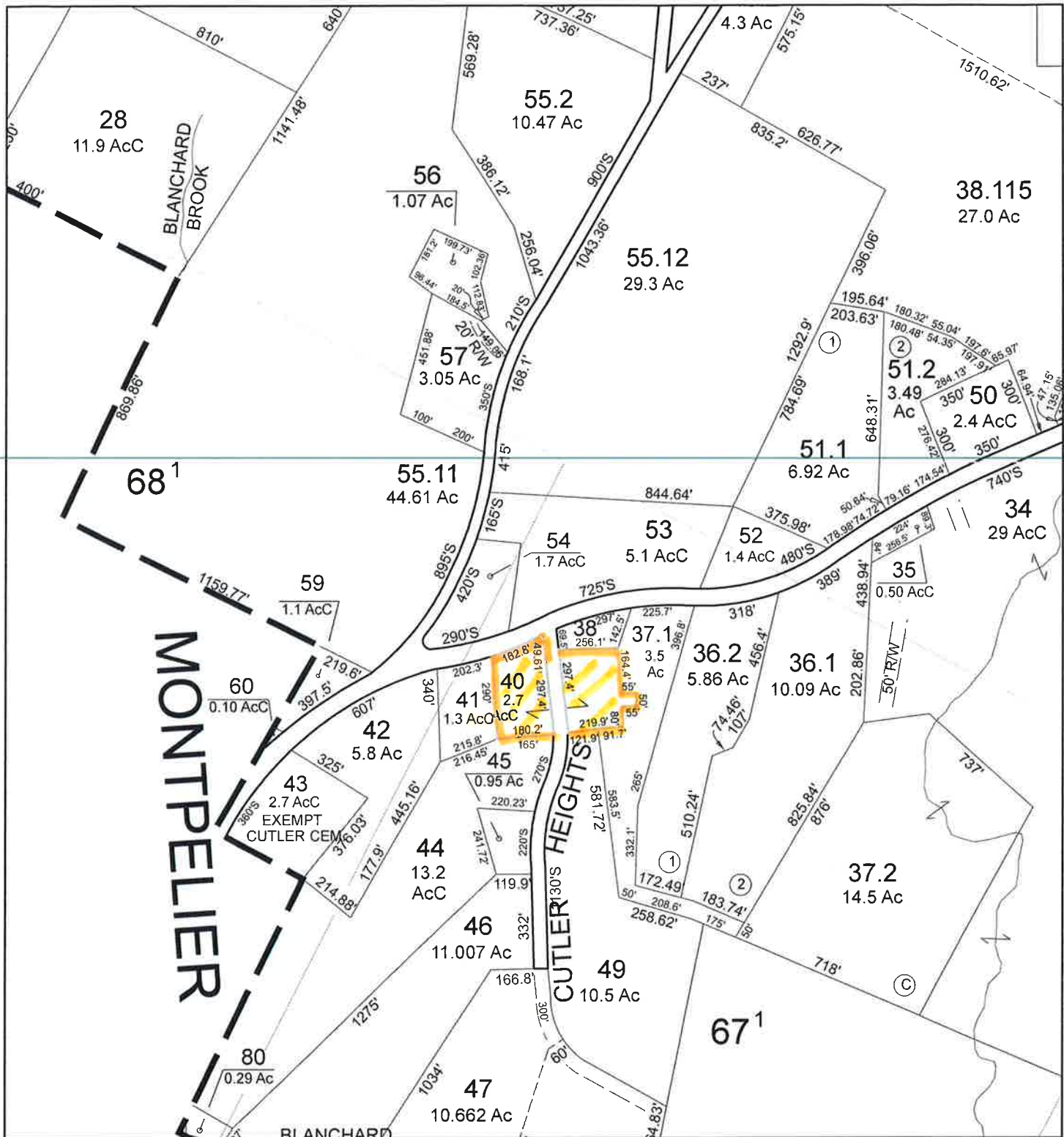
1. Public Notice Date .....
2. Date(s) of Hearing .....
3.  Granted     Without conditions     With conditions (See written decision for conditions)
4.  Denied (See written decision for reasoning)

.....  
Chairman, Development Review Board

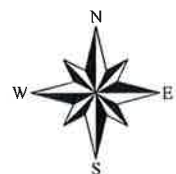
The DRB's written decision was issued on: .....

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.

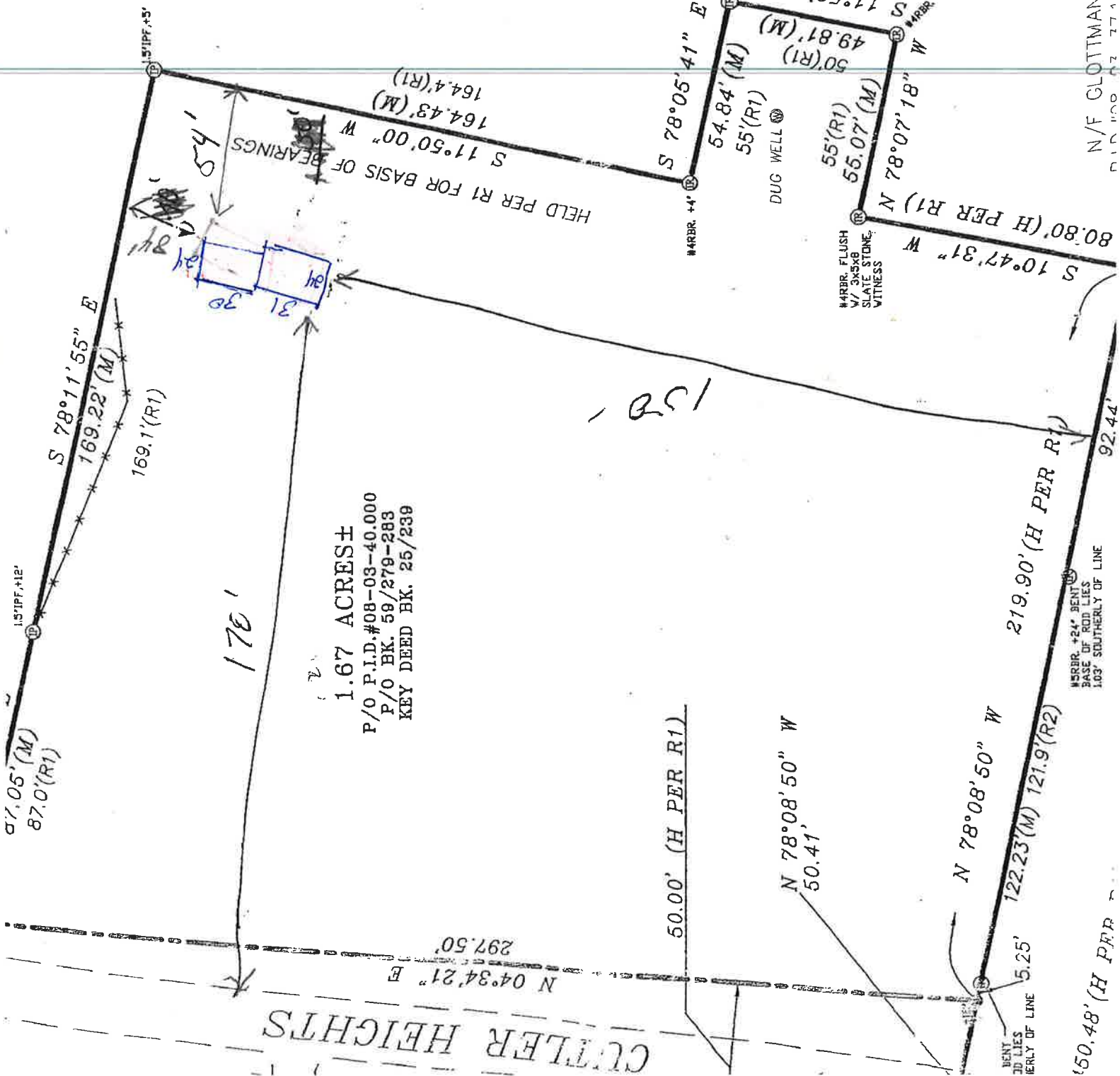
1. "Participation" in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.
2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior 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.



**Wells -- 30 Cutler Heights  
Town of East Montpelier**



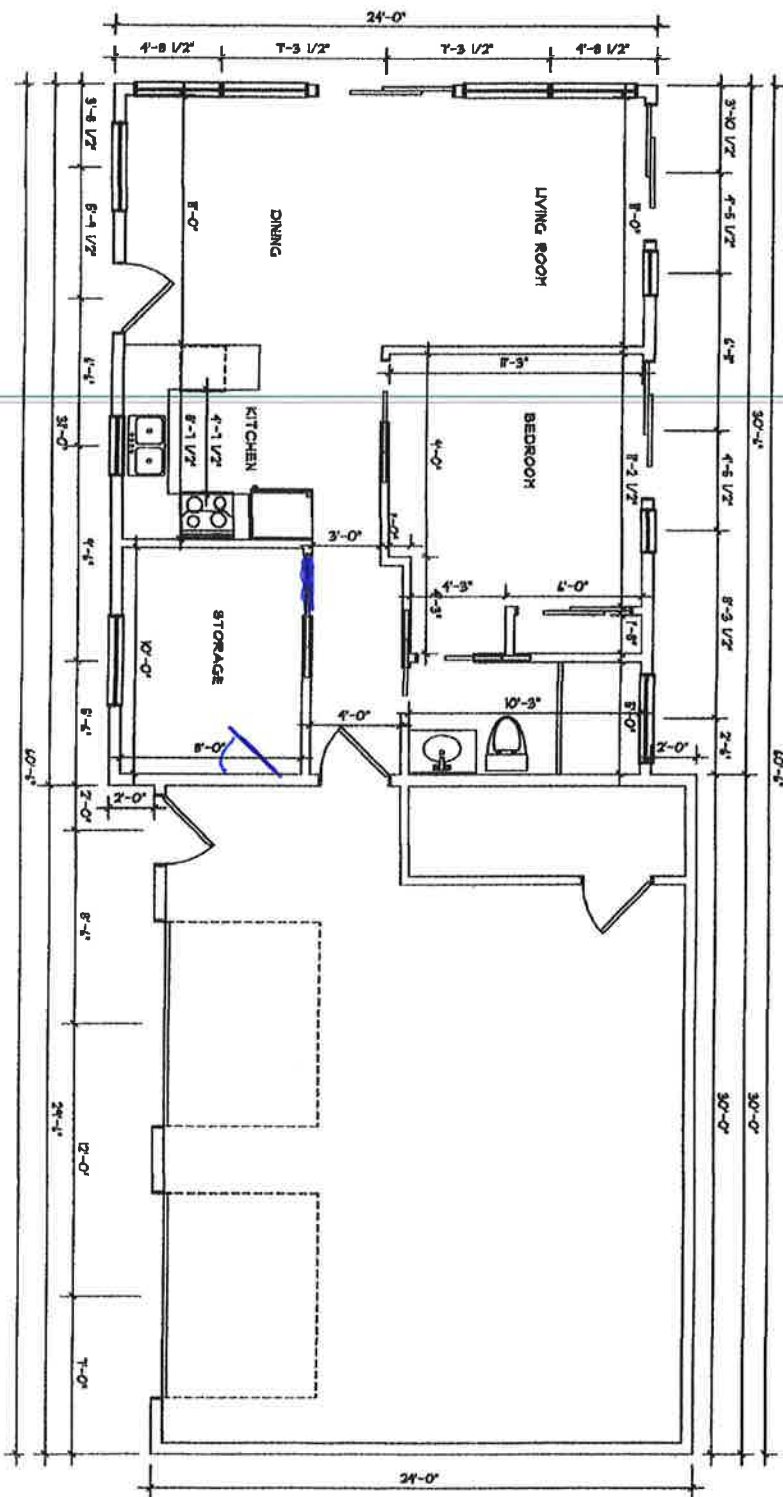
10/14/2014



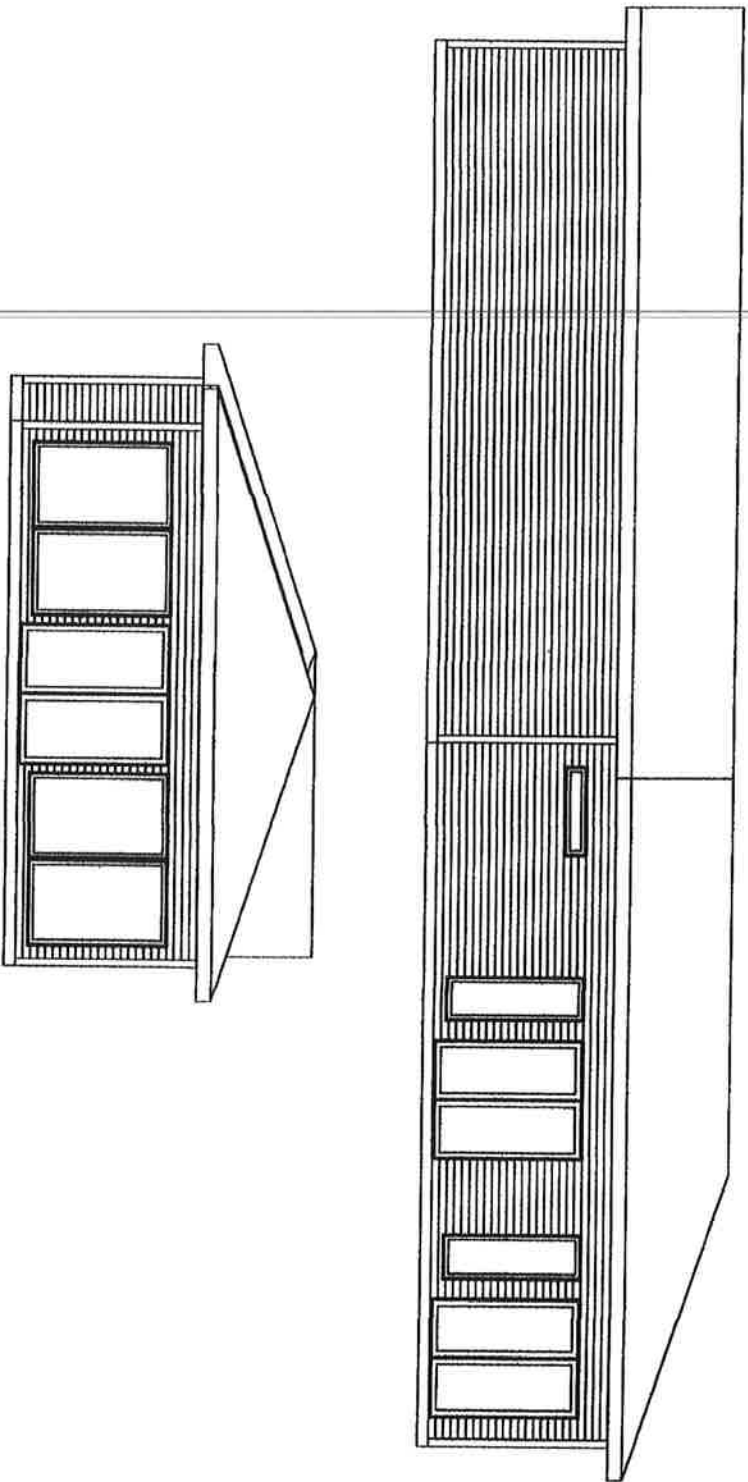
N/E GLOTTMAN  
 P.I.D.#08-03-37,100  
 BK. 69/26

N/F GLOTTMAN  
 P.I.D.#08-03-37,100





DUANE WELLS PROJECT  
 1/8" = 1'  
 ALLEN LUMBER CO.

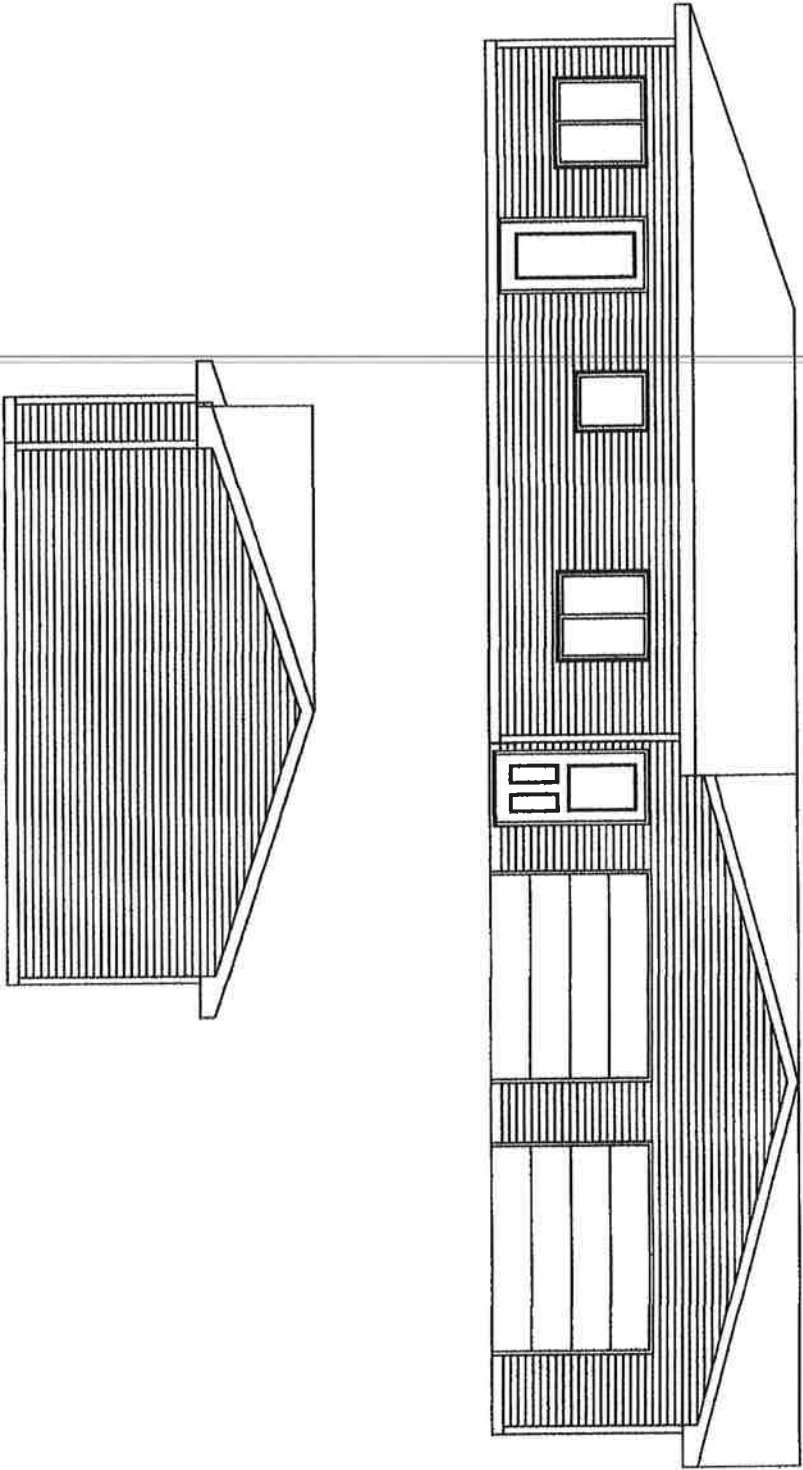


DUANE WELLS PROJECT

1/8" = 1'

ALLEN LUMBER CO.





DUANE WELLS PROJECT

1/8" = 1'

ALLEN LUMBER CO.

# Town of East Montpelier

# ZONING PERMIT

# NOTICE

Date Issued: September 15, 2015

Effective Date: September 30, 2015

Location: 30 Cutler Heights

Owner: Duane Wells

For: 30' x 24' Accessory Dwelling with  
30' x 24' Attached Garage

Application # 15-024 1 condition: No construction until water/wastewater permit issued

Approved by: **C. Bruce Johnson**

East Montpelier Zoning Administrator

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 appeal process. This application is available for inspection at the Town Office. This poster must be displayed on the property, in full view of the public way, for 15 days.

**WARNING:** State permits may be required for this project. Contact the state Permit Specialist, at (802) 476-0195, before beginning any construction.