

Permit # 18-007
Zoning District E
Overlays WR

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

Date Received: 4/4/18
Parcel # 02-080.000
Tax Map # 04-01-50.100

- *****
- A. 1. Name of Landowner Robert & Lorie Rice Phone No. 802-223-0207
2. Address of Landowner 855 Jacobs Rd, Montpelier, VT 05602
3. Applicant (other than owner)..... Phone No.....
4. Address of Applicant.....
5. Location of Property 855 Jacobs Road

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 checked="" 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 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. To further subdivide Lot 1 with 16.28 acres into 2 lots: Lot 1 with 9.15 acres and Lot 4 with 7.13 acres. Lot 3 remains unchanged. The single-family residence on Lot 1 continues to be served by existing on-site water and sewer. Development on Lot 4 is deferred. There is a 60' easement in favor of Lots 3&4 across Lot 1, and a 30' easement across Lot 3 in favor of Lot 4 per included plan. The right of way across Lot 2 is relinquished.

- C. Lot description:
- | | |
|--|--|
| 1. acreage <u>16.28 +/-</u> | 4. depth side yards <u>166'</u> (min) Ft. Ft. (building to lot lines) |
| 2. road frontage <u>705'</u> Ft. | |
| 3. depth front yard <u>42'</u> (min) Ft. (Road centerline to building) | 5. depth rear yard <u>400'</u> (min) Ft. (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 Lorie G. Rice Date 4-12-18
Applicant Date

Zoning Permit Fee: \$ 250 Cash _____ Check 510 Date 4/12/18 Rec'd by [Signature]
DRB Hearing Fee: \$ _____ Cash _____ Check _____ Date _____ Rec'd by _____

Make checks payable to the "Town of East Montpelier"

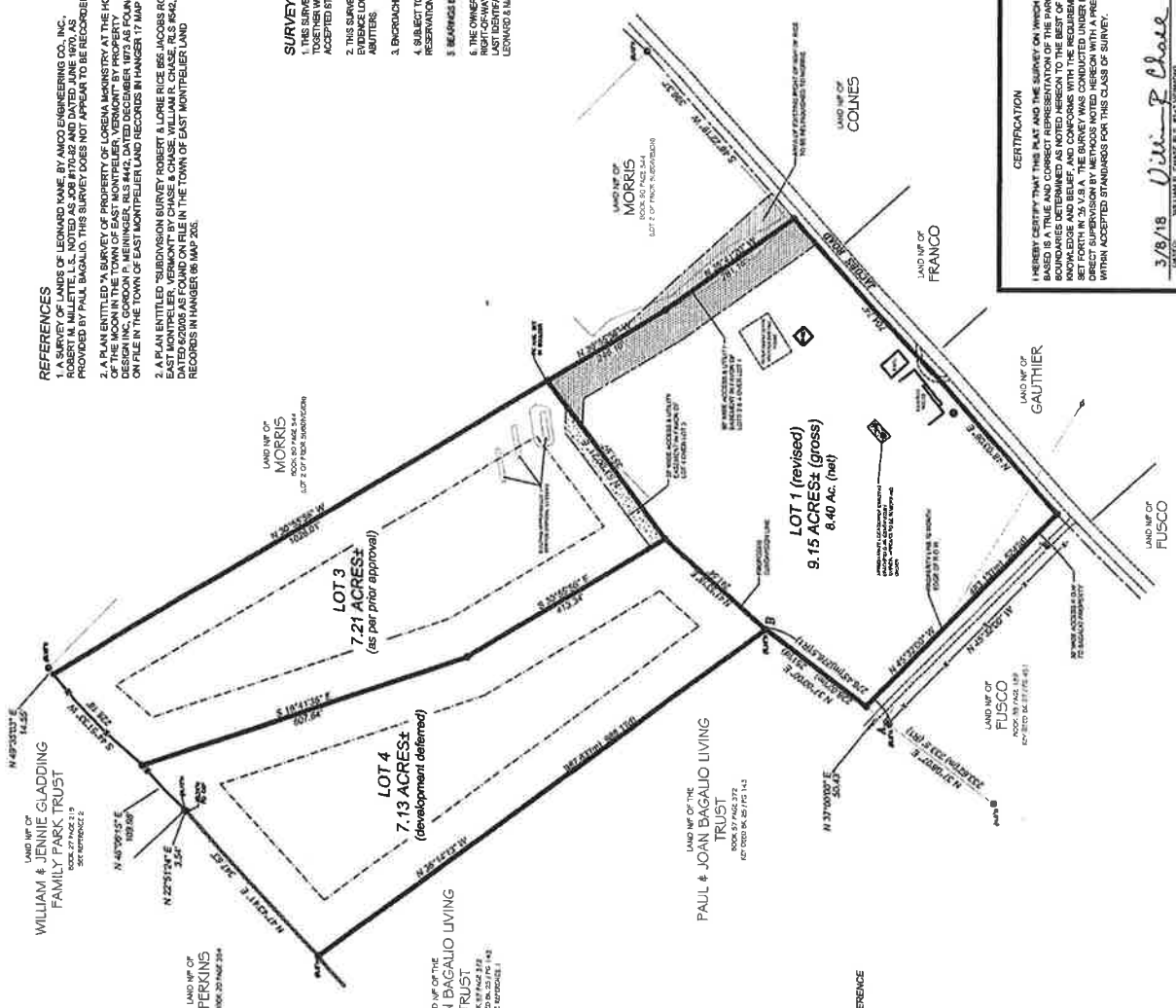


REFERENCES

1. A SURVEY OF LANDS OF LEONARD KANE, BY AMCO ENGINEERING CO., INC., ROBERT M. MILLETTE, L.L.C., NOTED AS JOB #174-82 AND DATED JUNE 1979, AS PROVIDED BY PAUL BAGALIO. THIS SURVEY DOES NOT APPEAR TO BE RECORDED.
2. A PLAN ENTITLED "A SURVEY OF PROPERTY OF LORENA MONASTRY AT THE HORN POINT OF EAST MONTPELIER, VERMONT, WITH A 10' WIDE DRIVEWAY TO THE HORN POINT DESIGN INC., GORDON D. MEININGER, RLS HAS DATED DECEMBER 1995 AND IS ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 17 MAP 29.
3. A PLAN ENTITLED "SUBDIVISION SURVEY ROBERT & LORIE RICE, 895 JACOBS ROAD EAST MONTPELIER, VERMONT" BY CHASE & CHASE, WILLIAM R. CHASE, RLS HAS, DATED 6/20/04 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 06 MAP 203.

SURVEYORS NOTES:

1. THIS SURVEY WAS CONDUCTED BY USE OF A LEITZ SET 4 TOTAL STATION WITH AN UNCORRECTED INSTRUMENT. THE LINE, WITH AN ERROR OF CLOSURE WITHIN ACCEPTED STANDARDS.
2. THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, PHYSICAL LOCATIONS, AND INFORMATION SUPPLIED BY OWNERS AND ADJUTERS.
3. ENCROACHMENTS, IF ANY, ARE AS SHOWN HEREIN.
4. SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, AND RESERVATIONS OF RECORD.
5. BEARINGS BASED ON REFERENCE 1 ABOUT LINE ARE NOTED HEREIN.
6. THE SURVEYOR HAS THE BEST KNOWLEDGE AS TO THE RANGE OF THE INSTRUMENT AND THE ACCURACY OF THE DATA. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY LAST IDENTIFIABLE OWNERSHIP WAS BY THE ORIGINAL SURVEYOR LEONARD & MABLE KANE CIRCA 1975.



- LEGEND:**
- PROPERTY LINE
 - PROPOSED PROPERTY LINE
 - ROAD RIGHT-OF-WAY LINE
 - EDGE OF DRIVEWAY
 - BARBED WIRE FENCE
 - STONE WALL
 - CEMENT EDGE
 - SETBACK LINE
 - IRON ROD FOUND (DIA. 1/2")
 - IRON REBAR SET W/ILD CAP
 - IRON PIPE FOUND (DIA. 1/2")
 - ▲ UNCALIBRATED POINT
 - UTILITY POLE
 - DRILLED WELL
 - DISTANCE AS MEASURED
 - DISTANCE PER DEED OR REFERENCE

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED, AS NOTED HEREON, WAS CONDUCTED IN ACCORDANCE WITH THE KNOWLEDGE AND BELIEF, AND CONFORMS WITH THE REQUIREMENTS SET FORTH IN 35 V.S.A. THE SURVEY WAS CONDUCTED UNDER MY PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE REQUIREMENTS WITHIN ACCEPTED STANDARDS FOR THIS CLASS OF SURVEY.

3/8/18 *William R. Chase*
 WILLIAM R. CHASE, RLS, VERMONT
 NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

SUBDIVISION SURVEY
ROBERT & LORIE RICE
 895 JACOBS ROAD
 EAST MONTPELIER, VERMONT

Chase & Chase
 301 North Main Street
 Montpelier, VT, 05602
 802-279-9226
 Surveyors & Septic Designers, Inc.

SCALE: 1" = 100' DATE: 3/8/18 PROJECT: 2018-03-01
 SHEET NO. 001 OF 001 SHEET PAID





Surveyors & Septic Designers, Inc

301 North Main Street, Suite 1
Barre, Vt. 05641

Phone 802-479-9636

Fax 802-479-4017

email: cdchase@chasesurveyors.com

billchase@chasesurveyors.com

kjurentkuff@chasesurveyors.com

April 9, 2018

Bruce Johnson, Zoning Administrator
Town of East Montpelier
40 Kelton Road
PO Box 157
East Montpelier, VT 05651

Hand Delivered

Re: Subdivision Application – Bob and Lorie Rice, Jacobs Road

Dear Bruce,

Please find attached a formal application for the re-configuration of the 2005 subdivision of Bob and Lorie Rice as was presented to the Development Review Board for conceptual review at the hearing on April 3.

The changes to the previously approved subdivision proposed are as follows:

- 1) Further subdivision of Lot 1 with the existing residence into two lots: Revised Lot 1 of 9.15 acres with the existing residence and new Lot 4 of 7.13 acres. No development is proposed on Lot 4;
- 2) Creation of a relocated 60' wide access and utilities easement to serve previously approved Lot 3 and new Lot 4;
- 3) Creation of a new 30' wide access and utility easement over the south end of Lot 3 to serve new Lot 4;
- 4) Relinquishment of the portion of the previously approved 60' wide right-of-way serving Lots 2 (now land of Morse) and Lot 3 lying on the land of Morse.

As noted, no development is proposed on Lot 4 at this time. It is understood by the owners that any future proposal for the development of Lot 4 will required review and approval by the Board. A condition to that effect is anticipated.

It is my understanding that the right-of-way relocation and relinquishment noted in 2) and 3) above were approved by the Board in 2015, but no mylar to support that approval was ever filed. The followup to this application will correct that oversight. It is also my understanding that in 2015 the Selectboard approved a new curb-cut within the relocated 60' right-of-way, but that that curb-cut was approved to serve only Lot 3. In order to serve Lot 4 as well, an amendment to the 2015 curb-cut will be required. That approval will be sought prior to the May 1 hearing date for this application.

If there are any additional questions or concerns regarding this application, please don't hesitate to call.

Sincerely,

Kris Jurentkuff
Project Manager

TOWN OF
EAST MONTPELIER, VERMONT
SELECTBOARD

Amy Willis (2017 – 2020)
Gene Troia (2018 – 2020)

Kim Swasey (2017 – 2019)
Carl Etnier (2016 – 2019)

Chair, Seth Gardner (2018 – 2021)

April 25, 2018

Robert & Lorie Rice
855 Jacobs Road
Montpelier, VT 05602

Re: East Montpelier Access Permit #18-008

Dear Mr. & Ms. Rice:

The East Montpelier Selectboard met on Monday, April 23, 2018, and approved the requested upgrade to multi-residential for the curb cut previously authorized (by Access Permit #15-035) for Lot 3 of your 2005 subdivision. If you have questions on the construction conditions contained in the approval, please contact Road Foreman Guthrie Perry at (802) 223-5870.

Please understand that this permit only gives town permission for the multi-residential aspect of this access once the 2018 subdivision of your property (pending East Montpelier zoning application 18-007) is approved. Additional town permits will be necessary for any development of your lots. I'll also need to issue E-911 numbers (street addresses) for the lots when you move forward with development. Please contact me at (802) 223-3313 x 204 when you're ready for the next steps.

Sincerely,



C. Bruce Johnson
East Montpelier Town & Zoning Administrator

TOWN OF
EAST MONTPELIER, VERMONT
SELECTBOARD

Casey Northrup (2014 – 2017)
Gene Troia (2015 – 2016)

Kim Swasey (2015 – 2017)
Carl Etnier (2013 – 2016)
Chair, Seth Gardner (2015 – 2018)

November 3, 2015

Robert & Lorie Rice
855 Jacobs Road
Montpelier, VT 05602

Re: East Montpelier Access Permit #15-035

Dear Mr. & Ms. Rice:

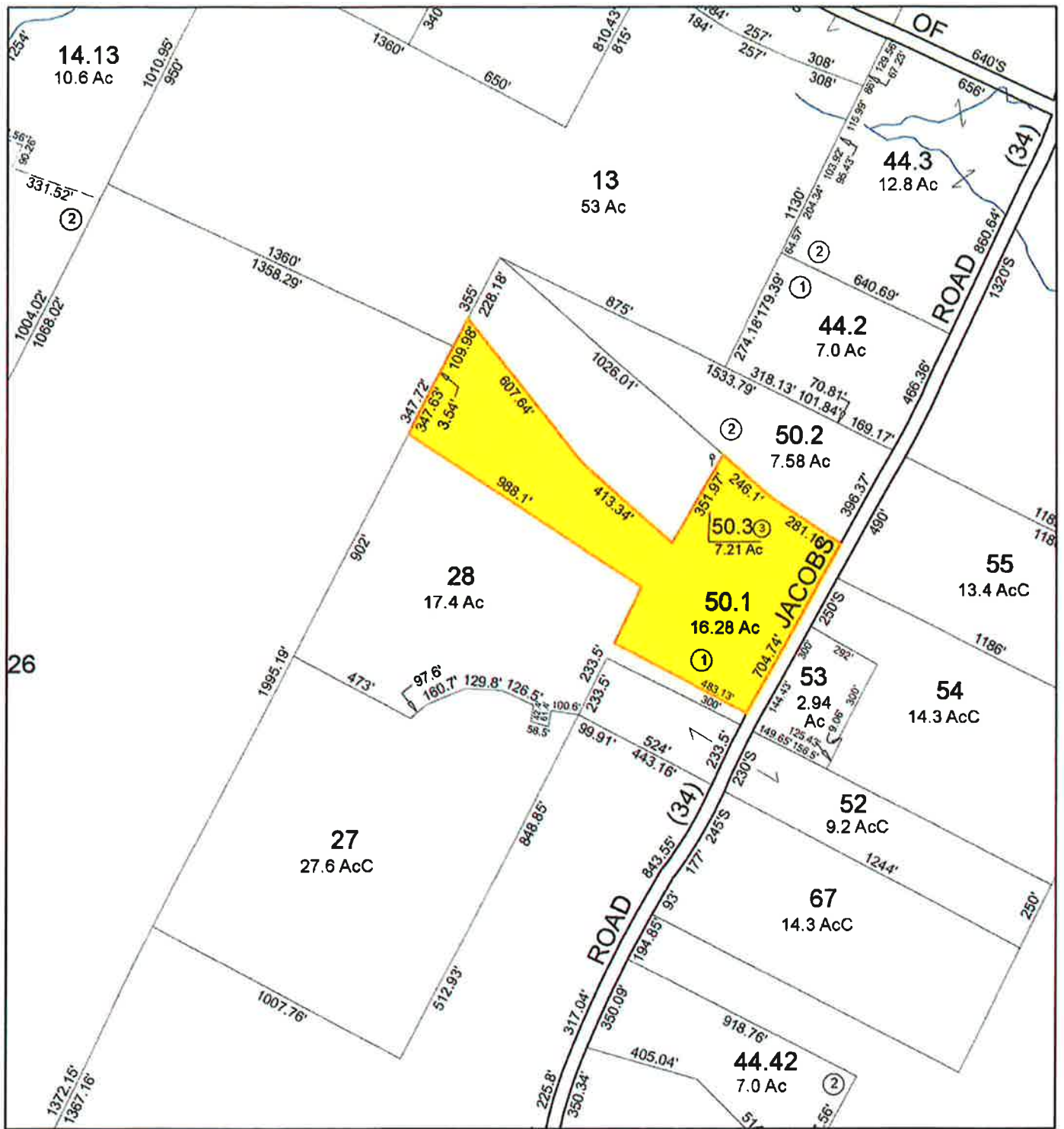
The East Montpelier Selectboard met on Monday, November 2, 2015, and approved the requested shift in residential access/curb cut for Lot 3 of your 2005 subdivision. If you have questions on the construction conditions contained in the approval, please contact Road Foreman Mike Garand at (802) 223-5870.

Please understand that this permit only gives town permission to construct a residential access to Lot #3. Additional town permits will be necessary for any development of your lot. I'll also need to issue an E-911 number (a street address) for the property. Please contact me at (802) 223-3313 x 204 when you're ready for the next steps.

Sincerely,



C. Bruce Johnson
East Montpelier Town & Zoning Administrator



**Rice -- 855 Jacobs Road
East Montpelier**



10/27/2015

Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, May 1, 2018 at 7:00 p.m. at the Municipal Office Building to conduct final plan review of zoning application 18-007 submitted by Bob & Lorie Rice. The application is for a 2-lot subdivision of their property located at 855 Jacobs Road. This is the second subdivision of the Rice property. In 2005 two approximately 7-acre lots were separated from the Rice property, one of which (Lot 2) has now been developed and has the address of 915 Jacobs Road. The second lot (Lot 3) is an undeveloped back lot served by an access easement across the Rice home lot, which is referred to as remainder Lot 1. This new subdivision proposes to carve out a second 7-acre back lot (Lot 4) using the same access easement off of Jacobs Road followed by a smaller easement over Lot 3. The following notice will appear in the Times Argus Saturday, April 14, 2018:

The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, May 1, 2018 at 7:00 p.m. at the Municipal Office Building to consider the following:

Final plan review of Application #18-007, submitted by Lorie & Robert Rice, to further subdivide their residential property located at 855 Jacobs Road. This proposal will divide the original 16.28-acre remainder Lot 1 from the Rice 2005 subdivision into two lots: new Lot 4 of 7.13+/- acres with access by easement over Lot 1 and Lot 3; and, remainder Lot 1 of 9.15+/- acres and existing structures with 705 feet of frontage on Jacobs Road. The property is located in Zone E – Agricultural/Forest Conservation District, where the minimum lot size is 7 acres.

The applicants 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 V.S.A. §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.

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