

Permit # 18-012  
Zoning District D  
Overlays WR

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

Date Received: 5/9/18  
Parcel # 09-080.300  
Tax Map # 12-02-54.000

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- A. 1. Name of Landowner Fairmont Dairy, LLC Phone No. 802-272-8553  
2. Address of Landowner 95 Lyle Young Road, East Montpelier, VT 05651  
3. Applicant (other than owner)..... Phone No.....  
4. Address of Applicant.....  
5. Location of Property Clark Road & VT RTE 14S

**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 3 of the previous Rappaport Subdivision with 132.6 acres on both sides of Clark road into 2 lots: Lot 3A with 35.0 Acres and Lot 3B with 97.6 acres. Currently, there are no buildings on the lot.

**C. Lot description:**

- |  |   |
|--|---|
| 1. acreage <u>132.6 Acres +/-</u>                              | 4. depth side yards ..... Ft. .... Ft.<br>(building to lot lines) |
| 2. road frontage <u>664' (RTE14S)</u> Ft.                      |   |
| 3. depth front yard ..... Ft.<br>(Road centerline to building) | 5. depth rear yard ..... 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 Diane Hill Date 5/9/18  
Applicant ..... Date .....

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Zoning Permit Fee: \$ 250.00 Cash \_\_\_\_\_ Check #1077 Date 5/9/18 Rec'd by D.S.  
DRB Hearing Fee: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

Make checks payable to the "Town of East Montpelier"



Surveyors & Septic Designers, Inc

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Barre, Vt. 05641  
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Fax 802-479-4017

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May 9, 2018

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

RE: Proposed subdivision of lands of Fairmont Dairy, LLC

Dear Bruce,

Please find attached what we believe to be a complete application for the subdivision of a parcel owned by Fairmont Dairy, LLC. The description of the proposed subdivision is as follows:

Proposed Subdivision

VT RTE 14S & CLARK ROAD; Tax Map Number: p/o 12-02-54.000; Parcel I.D.: p/o 09-080.300  
Current Deed: Book 129/Page 192 (11/20/2014)  
Parcel Deed: Book 29/Page 59 (3/23/1970)

- The existing Lot 3 (shown on Reference #5 entitled, "Subdivision Survey 'Route 14 Carveout' Jerome L. Rappaport"), an undeveloped lot of 132.6 acres will be subdivided further into Lot 3A with 35.0 acres and Lot 3B with 97.6 acres on both sides of Clark Road.
- Lot 3A has 664' ± of road frontage on VT RTE 14S
- The adjacent parcel of Mr. Rappaport acquired in 1979 (Book 29/Page 291 – see reference #4 entitled, "Subdivision Survey 'Wooded Carveout' Jerome L. Rappaport") and held under separate title as of the date of this application, is not included in this subdivision. This property is included in Tax Map Parcel 12-02-54 for tax assessment purposes.
- No new development is proposed as part of this subdivision.
- Waivers listed below are requested for this subdivision

Waivers

As this subdivision is minor in nature, proposes no new development, and has very little, if any, impact upon the goals and objectives laid out in the ordinance and Town plan, waivers as provided for under Section 6.2 are sought for certain plan and material requirements. The requested waivers are as follows:

- Boundary survey - Only those portions of Lot 3 deemed necessary for the definition of the subdivision line between Lots 3A & 3B have been re-surveyed for this subdivision plan. Metes and bounds and acreages of the balance of the property have been provided per Reference #1 entitled, "LYLEHAVEN FARMS Jerome L. Rappaport, Lawrence & Barbara LaPerle Purchase, East Montpelier, Vermont" dated Sept. 1985 by Dwight Baker and recorded in the town of East Montpelier land records in hanger 30, map 134.
- Natural and physical features – Physical features as they appear on the VT Agency of Natural Resources Natural Resources Atlas have been included on separate plans extracted directly from the Atlas. We ask that the Board waive any additional mapping requirements for these features.

- 10' interval contours – 20' interval contours and a slope zone analysis have been included on the plans extracted from the ANR Atlas. As no development is proposed, we ask that the Board waive the 10' interval requirement.
- Proposed features – No development is proposed.

In closing, I'd like to stress the minimal impact of this subdivision on the landscape of the Town. No development is proposed, and should any be proposed in the future, that work will be reviewed by the Board in accordance with the applicable regulations. The agricultural lands will continue substantially intact. When contrasted against the development activities on the properties surrounding these parcels – Phillips Road, Captain Kidd, and Country Club Road in Plainfield – this subdivision represents what is probably the best-case that could be anticipated. We hope that you and the Board agree. Thank you.

Sincerely,



Timothy Morris  
Crew Chief

# Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, June 5, 2018 at 7:00 p.m. at the Municipal Office Building to conduct final plan review of zoning application 18-012 submitted by Fairmont Dairy LLC. The application is for a 2-lot subdivision of its property located between VT Rte. 14 S and the Plainfield town line. The parcel was formerly part of the 355 VT Rte. 14 S farm and came to Fairmont as part of the Lylehaven Farm breakup in 2014. The intent is to separate off a 35-acre woods lot located along and to the east of VT Rte. 14 S from the remainder of the agricultural property that straddles Clark Road. No development of either parcel is currently anticipated. The following notice will appear in the Times Argus Saturday, May 19, 2018:

**The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, June 5, 2018 at 7:00 p.m. at the Municipal Office Building to consider the following:**

**Final plan review of Application #18-012, submitted by Fairmont Dairy LLC, to subdivide its property located between VT Rte. 14 S and the Plainfield town line. This proposal will divide the original 133-acre Lot 3 from the Rappaport 2014 subdivision (Permit 14-050) into two lots: Lot 3A of 35.0+/- acres with 664 feet of frontage on VT Rte. 14 S; and, Lot 3B of 97.6+/- acres with 4,212 feet of frontage on Clark Road. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres.**

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 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](mailto:eastmontadmin@comcast.net).

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