

Permit # 18-024  
Zoning District D  
Overlays -

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

Date Received: 4/14/18  
Parcel # 01-018.000  
Tax Map # 07-00-24.000

\*\*\*\*\*  
A. 1. Name of Landowner MICHAEL BENDER Phone No. 802 978 222  
2. Address of Landowner 1420 NORTH ST., MONTPELIER, VT 05602  
3. Applicant (other than owner) Phone No. 802 223 9000  
4. Address of Applicant  
5. Location of Property

**B: Application is made (check appropriate boxes):**

- |   |  |  |
|---|--|--|
| To:   | For:   | For:   |
| <input checked="" type="checkbox"/> Construct | <input checked="" 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 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. Construct 20' x 12' carport on east side of dwelling  
Request for setback variance

C. Lot description:  
1. acreage 5.25  
2. road frontage 1,200'+ Ft.  
3. depth front yard ~80' Ft. (Road centerline to building)  
4. depth side yards 5 100'+ Ft. No N Side (building to lot lines) (triangular lot)  
5. depth rear yard 12' 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 Michael Bender Date June 14, 2018  
Applicant \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*  
Zoning Permit Fee: \$ 185.00 Cash \_\_\_\_\_ Check #1788 Date 6/14/18 Rec'd by D.S.  
DRB Hearing Fee: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

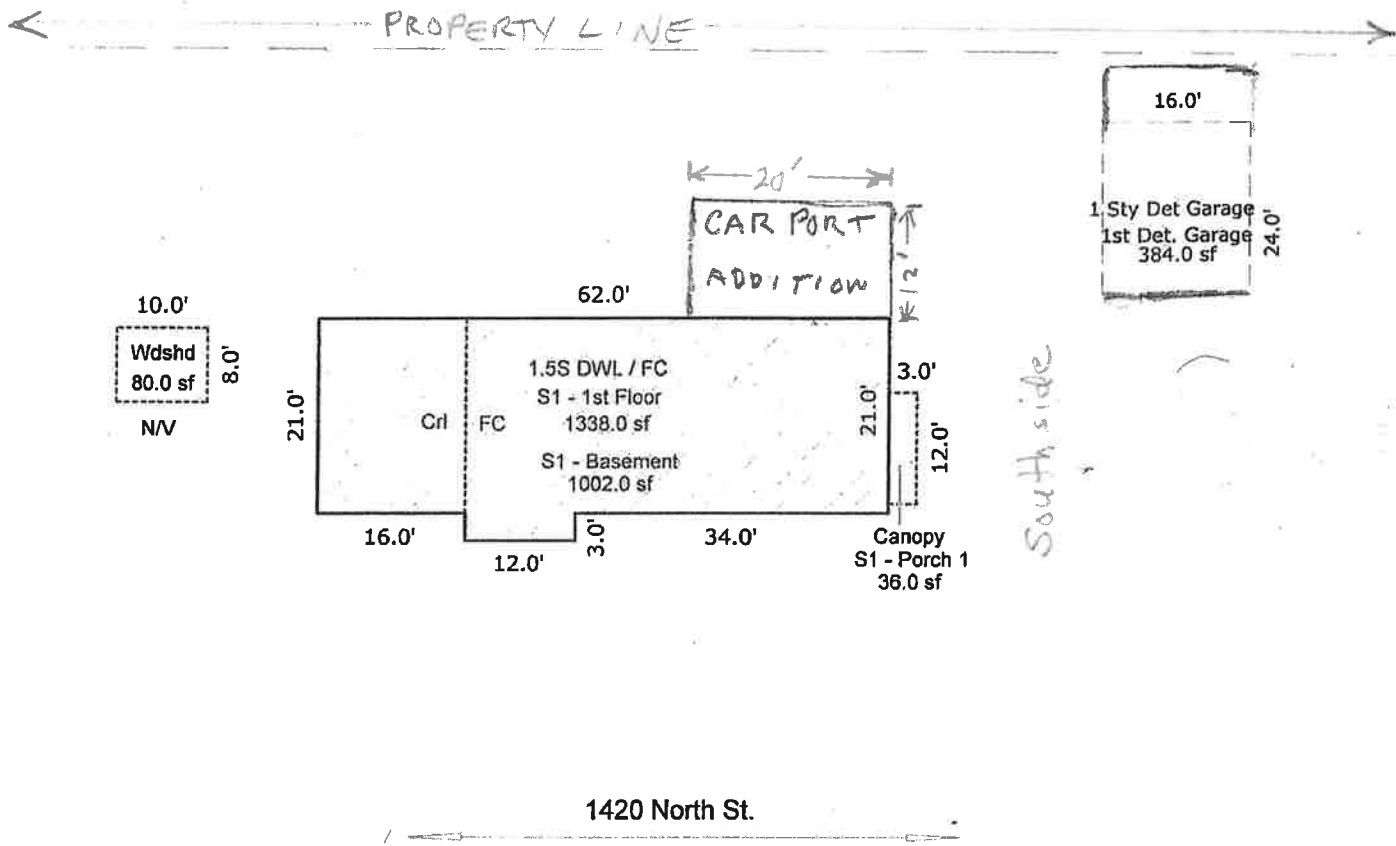
Make checks payable to the "Town of East Montpelier"

# SKETCH/AREA TABLE ADDENDUM

SUBJECT

Property Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Owner \_\_\_\_\_  
 Client \_\_\_\_\_  
 Appraiser Name \_\_\_\_\_

IMPROVEMENTS SKETCH



Scale: 1 = 20

AREA CALCULATIONS

### AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
1FL1	S1 - 1st Floor	1.00	1338.0	172.0	1338.0
1FL2	S1 - 2nd Floor	1.00	672.0	104.0	672.0
1BS	S1 - Basement	1.00	1002.0	140.0	1002.0
P/P11	S1 - Porch 1	1.00	36.0	30.0	36.0
1DG	1st Det. Garage	1.00	384.0	80.0	384.0

Comment Table 1

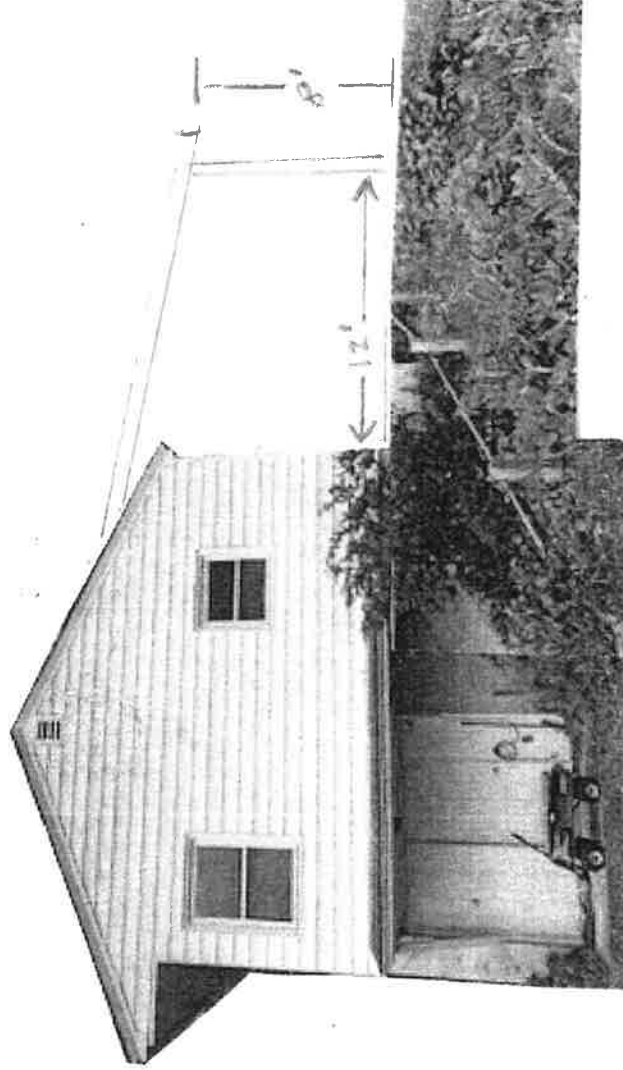
Comment Table 2      Comment Table 3

Net BUILDING Area (rounded w/ factors) 2010

MICHAEL BENDER

PROPOSED CARTOP ADDITION

JUNE 2018

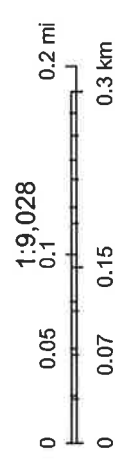


South side

# Bender -- 1420 North Street



June 21, 2018



- Contours 50 Foot
- Contours 20 Foot
- Map\_Annotation
- Annotation\_Line
- East Montpelier Parcels 2017
- E911\_Data
- Other
- Unknown; UNKNOWN
- Accessory Bldg - Bams, Garages, etc.

VCGI, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METINASA, EPA, USDA

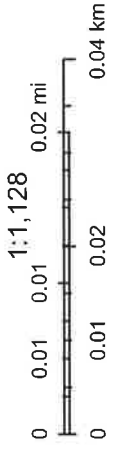


# Bender -- 1420 North Street



June 21, 2018

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VCCGI, DigitalGlobe

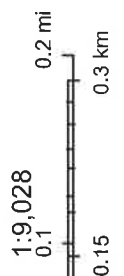


# Bender -- 1420 North Street



June 21, 2018

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- East Montpelier Parcels 2017
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- Other
- Unknown; UNKNOWN
- Accessory Bldg - Barns, Garages, etc.



USDA FSA, DigitalGlobe, GeoEye, CNES/Airbus DS

# Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, July 10, 2018 at 7:00 p.m. at the Municipal Office Building to conduct setback variance review of zoning application 18-024 submitted by Michael Bender. The application is to allow the addition of a carport to the southerly end of the east side of house. The carport is designed to allow safe, direct access to the main floor of the house in all weather conditions for a resident with a locomotor disability. The house is located a barely conforming distance from the centerline of North Street, but is essentially fully within the 50-foot rear setback (to the east). There is no conforming, due to setback restrictions, option to add a carport to the structure, necessitating the variance request. The following notice will appear in the Times Argus Saturday, June 23, 2018:

**The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, July 10, 2018 at 7:00 p.m. at the Municipal Office Building to consider the following:**

**Setback variance review of Application #18-024, submitted by Michael Bender, to construct a 20' x 12' carport addition to the house on his property located at 1420 North Street. The house is a §3.10 pre-existing, non-conforming structure in Zone D – Rural Residential & Agricultural District, where the rear setback is 50 feet. The house is located almost fully within the rear setback, with the leading edge approximately 24 feet from the nearest property line. The applicant requests §7.6 variance relief from the rear setback to allow carport siting no closer than 12 feet from the property line.**

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](mailto:eastmontadmin@comcast.net).

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

TOWN OF  
EAST MONTPELIER, VERMONT  
SELECTBOARD

Casey Northrup (2014 – 2017)  
Steve Sparrow (2014 – 2016)

Kim Swasey (2015 – 2017)  
Carl Etnier (2013 – 2016)

Chair, Seth Gardner (2015 – 2018)

August 19, 2015

Michael Bender  
1420 North Street  
Montpelier, VT 05602

Re: East Montpelier Access Permit #15-020

Dear Mr. Bender:

The Selectboard met on Monday, August 17, 2015 and approved your requested second curb cut to access your property located at 1420 North Street. The Selectboard allowed this second curb cut based on your disability claim – this allowance may be reconsidered if circumstances are altered, such as a change in ownership. I will not issue a new E-911 address for this curb cut unless, for some reason, you intend to shift your main access point to the new curb cut and close off the original curb cut. If you have questions on the construction conditions contained in the approval or other issues regarding the existing and new curb cuts, please contact Road Foreman Mike Garand at (802) 223-5870.

Sincerely,



C. Bruce Johnson  
East Montpelier Town & Zoning Administrator



Permit # 15-020

ACCESS (CURB CUT) APPLICATION

Date Received: 8/10/15

Fee \$ 35.00 <sup>ck # 1494</sup>

TOWN OF EAST MONTPELIER

Parcel # 01-018,000

PO Box 157, East Montpelier, VT 05651

Tax Map # 07-00-24.000

Applicant: MICHAEL BENDER Phone: 802 223 9000

Mailing Address: 1420 NORTH ST., MONTPELIER, VT 05602

Property Owner: MICHAEL BENDER Phone: 802 917 4579

Mailing Address: 1420 NORTH ST., MONTPELIER, VT 05602

Property Location: BORDERS MONTPELIER LINE, EAST SIDE OF NORTH ST., RIGHT PAST GIDNEY RD

PROJECT DESCRIPTION: **sketch drawing and location map must be attached.**

- CONSTRUCT A NEW ACCESS
- agricultural *2nd access point to 1 property*
- commercial
- industrial
- residential
- development
- other

- CHANGE AN EXISTING ACCESS
- Current Access:
- agricultural
- commercial
- industrial
- residential
- development
- other
- Proposed Access:
- agricultural
- commercial
- industrial
- residential
- development
- other

Distance, in feet, of the proposed access to the nearest intersection (specify the intersection): ABOUT ONE MILE SOUTH OF INTERSECTION OF NORTH ST. + CUMMINGS ROAD

Has the proposed access been flagged (i.e., marked) at the site?  YES  NO

**Site must be flagged before the application will be considered.**

The undersigned agree(s) to construct and maintain this access in accordance with applicable regulations and adhere to the specifications, restrictions, and conditions contained in this permit, if issued.

MICHAEL BENDER  
Applicant

August 4, 2015  
Date

MICHAEL BENDER  
Property Owner

AUGUST 4, 2015  
Date

\*\*\*\*\*  
Denied: \_\_\_\_\_

**Approval to Proceed:** Upon receipt of this permit you are authorized to proceed with the project in accordance with the conditions, specifications and restrictions, including Road Foreman recommendations, contained in this document and any attachments to this document. Approval is granted only for the work described in this application and must be performed as directed. The Permit Holder shall be responsible for all damages to persons and/or property due to or resulting from any work allowed under this permit. The Permit Holder shall defend, indemnify and hold harmless the Town of East Montpelier and its officers, agents and employees from all suits, actions or claims of any character, name and description brought on account of any injuries or damages sustained by any person or property, including all costs or expenses to defend against such suits, actions or claims.

8/17/15  
Date

[Signature]  
SELECTBOARD

[Signature]  
SELECTBOARD

[Signature]  
SELECTBOARD

[Signature]  
SELECTBOARD

[Signature]  
SELECTBOARD

Road Foreman Determination:

Proposed access meets applicable sight distance standards. Comments: The town should charge for the culvert (M) MJ

Road Foreman Recommendations:

This is the second access to this property. Mr. Bender has requested the second access due to his disability that he has. He needs to be closer to the ground floor level of his home.

The proposed access need a 15" culvert installed.

Culvert/Drainage Requirements:

Roadway Culverts – 18" minimum diameter of metal, reinforced concrete, or polyethylene pipe with drop inlets or catch basins as required. Hydraulic Analysis to determine appropriate pipe diameter is recommended for all live stream crossings and elsewhere where large storm flows may be expected. See VTrans Standard A-76.

Driveway Culverts – Circular drainage culverts shall have a minimum inside cross-sectional area equivalent to that provided by a 15" circular pipe. See VTrans Standard B-71.

Underdrains – 6" minimum diameter of metal, PVC plastic or polyethylene pipe.

Mike Garand  
Road Foreman

8/14/15  
Date

Additional Selectboard Conditions &/or Restrictions:

Any charge for the culvert & installation is at the discretion of Road Foreman Garand

GIDNEY RD

5.75 acres  
Owned by Michael Bender

DEAR SELECT BOARD:

RATIONALE/EXPLANATION FOR  
PROPOSED CURB CUT:

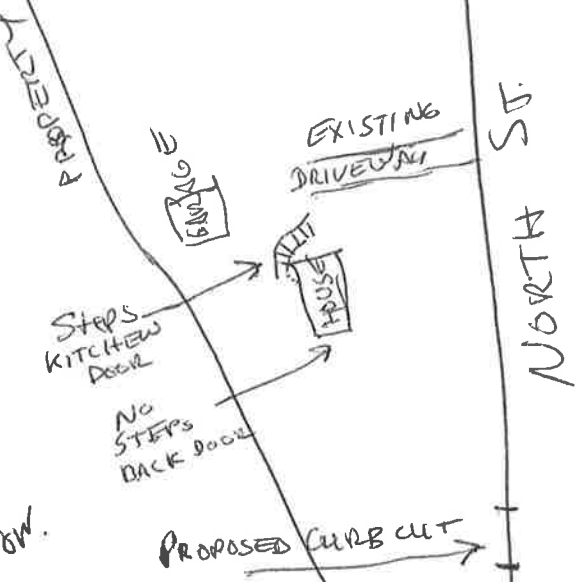
I HAVE <sup>STATE OF VT</sup> HANDICAPPED STICKER DUE  
TO INJURY TO LEFT FOOT WHICH  
PREVENTS ME FROM WALKING FAR  
OR CARRYING HEAVY LOADS, PARTICULARLY  
UP STAIRS.

BEING ABLE TO DRIVE UP TO THE  
BACK DOOR RESULTS IN BEING ABLE  
TO LOAD AND UNLOAD EASILY  
WITHOUT HAVING TO WALK UP STAIRS,  
OR AGGRAVATE MY FOOT.  
THERE IS AN EXISTING ACCESS OUTBACK  
(THAT WAS THERE WHEN I PURCHASED  
THE PROPERTY) THAT HAS CONTINUED  
TO BE USED FOR WOOD DELIVERIES  
AND I HAVE ALSO USED IT, BUT  
IT HAS NO CULVERT.

SO THE PROPOSAL IS TO PUT IN A  
CULVERT.

I SPOKE w/ MIKE AND CARL  
TODAY AND THEY ENCOURAGED  
ME TO SUBMIT THIS APPLICATION.

SINCERELY,  
Michael Bender  
Aug. 4, 2015



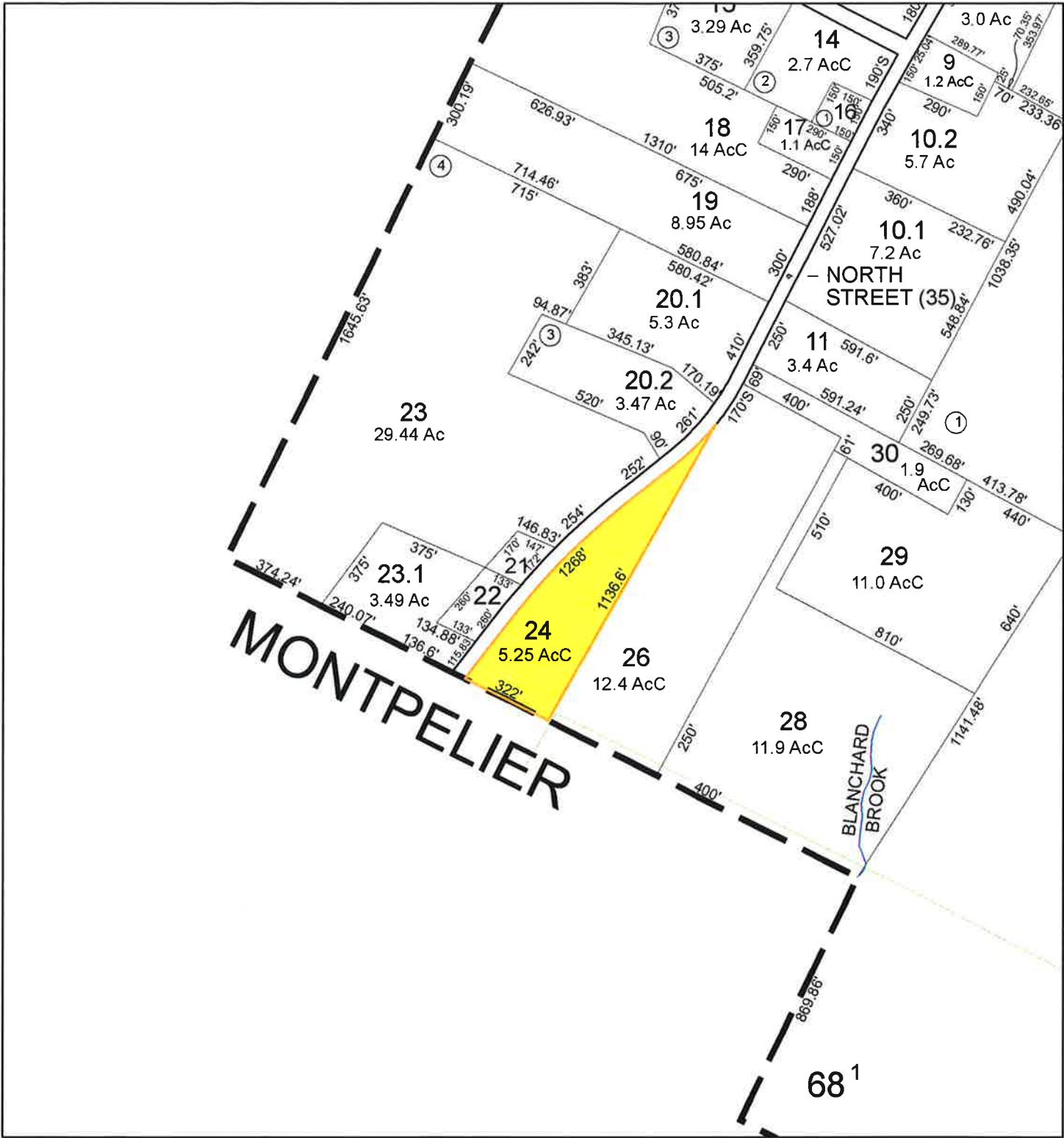


**East Montpelier Selectboard Meeting APPROVED (08/31/15) MINUTES  
August 17, 2015 at the Town Office**

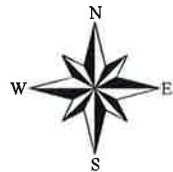
**O. ACCESS PERMITS**

15-020 Bender, 1420 North St. Michael Bender applied for a second curb cut to his property, referencing a state-issued handicapped sticker he has received because of a foot injury that prevents him from walking far or carrying heavy loads. The second curb cut would reduce the amount of walking and stair climbing he has to do when entering his house.

**Motion: I move to approve the Access (Curb Cut) Permit 15-020. Made: Mr. Sparrow.  
Second: Ms. Swasey. 4-0.**



**Bender -- 1420 North Street  
East Montpelier**



8/17/2015