

**WILLIAM R. (BILL) CHASE, PLS** 

**CRAIG D. CHASE (SEPTIC DESIGNER)** 

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August 12, 2014

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

RE: Three proposed subdivisions of lands of Jerome L. Rappaport

Dear Bruce,

Please find attached what we believe to be complete applications for the subdivisions of three parcels owned by Jerome Rappaport. As you know, each proposed subdivision was deemed "minor" under the East Montpelier Land Use & Development Regulations by the Development Review Board (DRB) during Sketch Plan review on August 5.

The subdivisions as presented here are in full conformance with those reviewed at Sketch Plan, with additional information requested by the DRB either added to the subdivision plan itself or included on a separate plan per our discussions subsequent to the Sketch review.

In keeping with the information previously presented, the descriptions of the proposed subdivisions are as follows:

Proposed Subdivision #1 "Steve's Carveout" 860 Drake Road; Tax Map Parcel: p/o 12-02-33 Parcel Deed: Book 29/Page 59 (3/23/1970)

- The existing 357 acre property, developed with an existing residence and agricultural outbuildings will be subdivided into two parcels: Lot 1 of 28.2 acres with the existing house and buildings for resale, and Lot 2 of 329 acres of undeveloped land intended to be conveyed to Fairmont Farms, Inc.
- Lot 2 includes lands lying south of Drake Road.
- The adjacent 25.1 acre parcel of Mr. Rappaport acquired in 2003 (Book 79/Page 19) 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 12-02-33 for tax assessment purposes.

- No new development is proposed as part of this two-lot subdivision.
- Waivers listed below are requested for this subdivision.

### Proposed Subdivision # 2 "Wooded Carveout"

Off Route 14 South; Tax Map Parcel: p/o 12-02-54

Parcel Deed: Book 29/Page 291 (12/22/1979)

- The existing 73 acre undeveloped property is to be subdivided into two parcels: Lot 1 of 42.5 acres of wooded lands for resale, and Lot 2 of 30.5 acres intended to be conveyed to Fairmont Farms, Inc.
- The adjacent parcel of Mr. Rappaport acquired in 1985 (Book 35/Page 229 see subdivision #3), 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.

## Proposed Subdivision #3 "Route 14 Carveout"

355 Route 14 South; Tax Map Parcel: p/o 12-02-54

Parcel Deed: Book 35/Page 229 (2/12/1985)

- The existing 188 acre property, developed with an existing residence and farm buildings west of VT Route 14, includes undeveloped lands between Route 14 and Clark Road, as well as undeveloped land between Clark Road and the Plainfield town line.
- The property will be subdivided into three lots: Lot 1 of 41.5 acres with the existing house and buildings on the west side of Route 14 for resale; Lot 2 of 13.8 acres of remaining undeveloped land west of Route 14 intended to be conveyed to Fairmont Farms, Inc.; and Lot 3 of 133 acres comprising the balance of the undeveloped property lying between Route 14 and the Plainfield line. Lot 3 is intended to be conveyed to Fairmont Farms, Inc as well.
- This subdivision is believed to comprise three lots as the location of the proposed subdivision line between Lots 1 and 2 makes Lots 2 and 3 non-contiguous across the Route 14 highway easement.
- The adjacent parcel of Mr. Rappaport acquired in 1979 (Book 29/Page 291 see subdivision #2), 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

#### Major/Minor Designation

Because each of the proposed subdivisions are of parent parcels held under separate title - two of which are non-contiguous – and each being of three or fewer lots with no development proposed, each are 'minor' subdivisions under the Land Use &

Development Regulations of the Town of East Montpelier, Section 6.1(C)(1)(a). This designation was confirmed by the DRB during the August 5<sup>th</sup> review.

#### Waivers

As these subdivisions are minor in nature, propose no new development, and have 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. In keeping with the discussions with the Board on August 5<sup>th</sup>, the requested waivers are as follows:

- Boundary survey Only those portions of the subdivided parcels not to be conveyed to Fairmont Farms, Inc. (Lot 1 of each respective subdivision) have been surveyed, with the exception of Subdivision #3, wherein Lots 1 and 2 lying west of Route 14 have been surveyed. Please note that the parent tracts of both Subdivisions #2 and #3 have prior surveys on record in the Town Clerk's office.
- Natural and physical features As directed by the Board, those 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 these subdivisions 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, with the parcels with the existing residence's and buildings large enough to support other independent agricultural opportunities. And when contrasted against the development activities on the properties surrounding these parcels — Phillips Road, Captain Kidd, Country Club Road in Plainfield—these subdivision represent what is probably the best-case that could be anticipated. We hope that you and the Board agree. Thank you.

Sincerely

Kris Jurentkuff

Senior Technician

# **Town of East Montpelier**

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, September 2, 2014 at 7:00 p.m. at the East Montpelier Emergency Services Facility to conduct a series of three final plan reviews for subdivisions of property owned by Jerry Rappaport, owner of Lylehaven Farm. The intent of these applications is to divide off the majority of the undeveloped land from the three parcels for transfer to Fairmont Farm, Inc. (the Lot 2 of each subdivision along with Lot 3 of 14-050). Each of the three subdivisions will create one lot for separate sale. The following notice will appear in the Times Argus Monday, August 18, 2014:

The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, September 2, 2014 at 7:00 p.m. at the East Montpelier Emergency Services Facility (the new fire station; 54 Village Acres) to consider the following:

Final plan review of Application 14-048, submitted by Jerome L. Rappaport, to subdivide his property located at 860 Drake Road. This proposal will divide the 357-acre parcel into 2 lots: Lot 1 of 28.2 acres with existing structures; and, Lot 2 of 329 acres. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres.

Final plan review of Application 14-049, submitted by Jerome L. Rappaport, to subdivide his property bordered by East Hill Road, Clark Road, and VT Rte. 14 S. This proposal will divide the 73-acre parcel into 2 lots: Lot 1 of 42.5 acres and Lot 2 of 30.5 acres. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres.

Final plan review of Application 14-050, submitted by Jerome L. Rappaport, to subdivide his property located at 355 VT Rte. 14 S. This proposal will divide the 188-acre parcel into 3 lots: Lot 1 of 41.5 acres with existing structures; Lot 2 of 13.8 acres; and, Lot 3 of 133 acres. The property is located in Zone D – Rural Residential/Agricultural, where the minimum lot size is 3 acres.

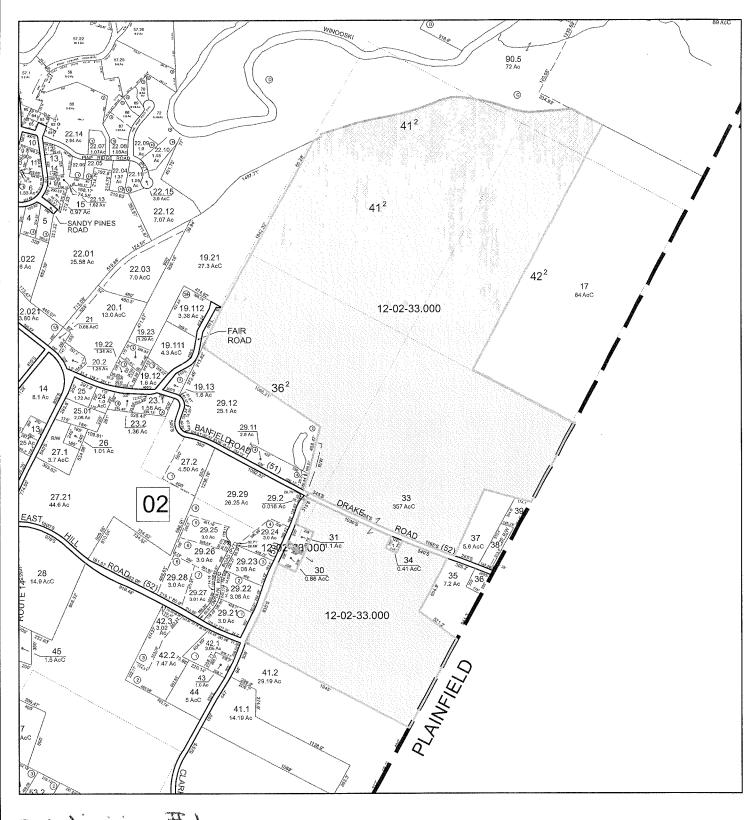
The applicant must hand deliver or send by certified mail a copy of this notice to all abutting landowners at least 15 days before the Development Review Board's hearing date. Neighbors do not need to attend the hearing unless they would like to make comments to the Development Review Board. However, 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 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.

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

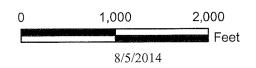
Permit # 14-048	ZONING PERMIT APPLICATION		Date Received: 8 13)14		
Zoning District	TOWN OF EAST MONTPELIER		Parcel # 09-106.000		
Overlays Wie	PO Box 157, East Montpelie	er, VT 05651	Tax Map #12-02-33.000		
*********	*************				
A. 1. Name of Landowner	. Jerome L. Rappaport		Phone No		
	ner. c/o Janet Aserkoff, Esq, 75 Sta				
			Phone No		
, , , , ,					
5. Location of Property	, 860 Drake Road	,			
B: Application is made (che		l l	Steve's Carveout"		
To: For: For: □ On	e   Two-family dwelling	For: Subdivision	of land		
	Iti-family dwelling	Boundary a	djustment		
	cessory Structure		of earth resources		
	mmercial / Business ht Industrial	Landfilling	er withdrawal		
	lustrial	Other			
Describe work to be perform	<sub>ned</sub> To subdivide the existing	357 acre prop	erty developed with a		
	ıral outbuildings into two lots				
			oment is proposed as part of		
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C. Lot description:					
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DRB Hearing Fee: \$\_\_\_\_\_ Cash \_\_\_\_ Date \_\_\_\_ Rec'd by \_\_\_\_\_



# Subdivision Town

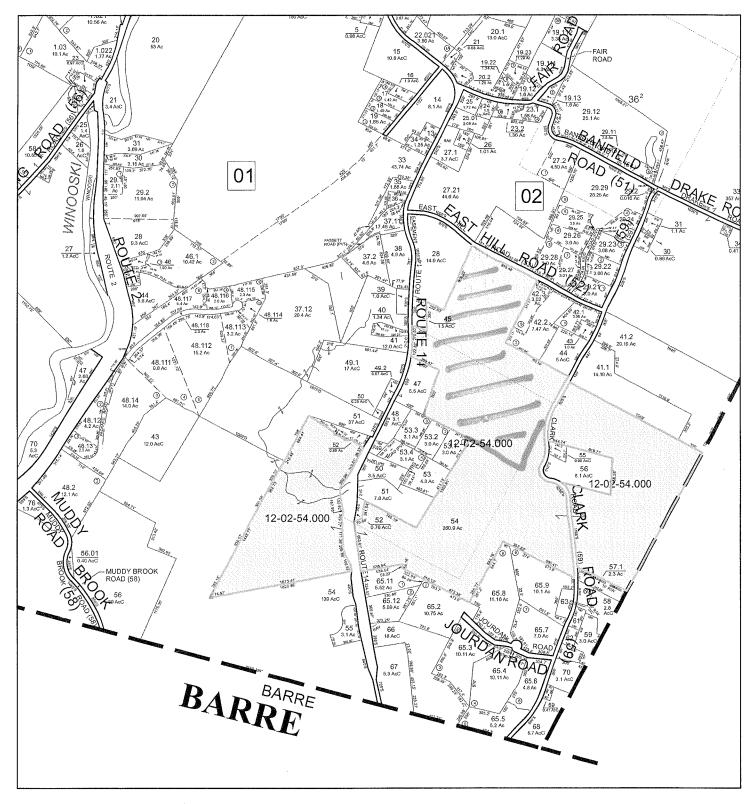
# Rappaport -- 860 Drake Road Town of East Montpelier





Permit # 14-049	200 ZONING PERMIT APPLICATION		N Date Received: 8 13 14				
Zoning District	Constitution of the Consti		Parcel # <u>09-080.600</u>				
Overlays Wie	PO Box 157, East Montpelier, VT 05651		51 Tax Map # 12-02-54.000				
********	*************	******	*************				
A. 1. Name of Landowner	. Jerome L. Rappaport		Phone No				
	ner. c/o Janet Aserkoff, Esq, 75 S						
			Phone No				
, , , , ,	•						
J. Location of Fraperty							
B: Application is made (che	eck appropriate boxes):		"Wooded Carveout"				
To: For: For: □ On	e   Two-family dwelling	For: L—	livision of land				
☐ Repair ☐ Mu	Iti-family dwelling	☐ Bour	ndary adjustment				
	cessory Structure mmercial / Business		action of earth resources and water withdrawal				
	ht Industrial		Ifilling				
	ustrial	Othe					
			undeveloped property developed				
into two lots: Lot 1 of 42	2.5 acres , and Lot 2 of 30.	5 acres. N	o development is proposed				
as part of of this subdiv	rision. See attached plans	for all dime	ensional information.				
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<ul><li>C. Lot description:</li><li>1. acreage .73 acres</li></ul>	4.	denth side	yards Ft Ft.				
i. acreage		(building to					
2. road frontage	Ft.						
<ol><li>depth front yard (Road centerline to</li></ol>		depth rear (building to	yard Ft.				
•			·				
			ich the proposed land development is to occur. on and dimensions in feet of the development				
within the property, the di	stance from that development to a	all adjacent pro	operty lines and the distance to the public road				
centerline. Each parcel cr	eated by land development should	be clearly des	scribed.				
READ BELOW CAREFULLY	AND SEE SECTION D ON PAGE	2 OF APPLIC	ATION:				
In accordance with 24 V.S.A.	§4446, no development or subdivis	sion of land ma	ay begin in the Town of East Montpelier until all				
applicable municipal land used	e permits and approvals have be	een issued. T	he 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 he	reby applies on the basis of the	representation	ns contained herein, and to the best of his/her on D notices on page 2 of this application.				
Landowner	f.,		Date 5.11.14				
Applicant			Date				
•			***********				
Zoning Permit Fee: \$ 25	Cash Che	\$2387 D	Pate 8 / 13 / 14 Rec'd by DB				

DRB Hearing Fee: \$\_\_\_\_\_ Cash \_\_\_\_ Date \_\_\_\_ Rec'd by \_\_\_\_\_



8/5/2014

# Rappaport -- 355 VT Rte 14 S Town of East Montpelier 0 1,250 2,500 Feet



Permit # 14-050	ZONING PERMIT APPLICATION		ON Dat	Date Received: 8 13 14	
Zoning District	TOWN OF EAST MONTPELIER			cel # <u>09 -080.000</u>	
Overlays USIC	PO Box 157, East Montpelier, VT 05651		5651 Tax	Map # 12 -02-54.00	
<ol> <li>Address of Landowr</li> <li>Applicant (other than</li> <li>Address of Applican</li> </ol>	. Jerome L. Rappaport ner c/o Janet Aserkoff, Esc n owner) t.	1, 75 State St., 12	Ph	**************************************	
B: Application is made (che	eck appropriate boxes):		"Rout	e 14 Carveout"	
Repair Mu Alter Acc Extend Con Remove Lig Change use Ind Describe work to be perform residence and outbuildid buildings; Lot 2 of 13.8 acres comprising the bar	ngs into three lots: Lo acres of undeveloped alance of the property	Book Book Book Book Book Book Book Book	res west of Fest of Route Route 14 an	ment th resources hdrawal with an existing Route 14 with the existing 14; and Lot 3 of 133	
C. Lot description: 1. acreage 188			de yards to lot lines)	Ft Ft.	
2. road frontage		, ,			
<ol><li>depth front yard (Road centerline to</li></ol>			ar yard to lot line)	Ft.	
The map should indicate within the property, the di	the length in feet of each	boundary, the locent to all adjacent	ation and dimer property lines a	sed land development is to occur. Is ions in feet of the development and the distance to the public road	
READ BELOW CAREFULLY	AND SEE SECTION D ON	PAGE 2 OF APPL	ICATION:		
In accordance with 24 V.S.A. § applicable municipal land use described above, understand completed as described. The of issue. The undersigned he knowledge believes them to be Landowner	\$4446, no development or see permits and approvals hing that the permit will be permit will be permit will be permit will be reby applies on the basis of true. The undersigned ack	ubdivision of land ave been issued e voided and per elopment is not su of the representation in the second	may begin in the The undersign nalties imposed, bstantially comming contained bection D notices of Date	**********	
Zoning Permit Fee: \$ 3	<b>ტ.</b> <i>ს</i> ტ Cash	Check 2387	Date <u>8/13</u>	1/19 Rec'd by <b>D.B.</b>	
DRB Hearing Fee: \$				Rec'd by	

