

Permit # 18-042
Zoning District E
Overlays WR/RC

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

Date Received: 9/12/18
Parcel # 06-056.000
Tax Map # 08-03-01.000

- *****
- A. 1. Name of Landowner Michael & Jamie O'Hare Phone No. 802-229-9217
 2. Address of Landowner 835 Dodge Road, East Montpelier, VT 05641
 3. Applicant (other than owner)..... Phone No.....
 4. Address of Applicant.....
 5. Location of Property 835 Dodge Road, East Montpelier, VT 05641

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 subdivide PID 06-056 into 4 lots. Lots 1, 2, & 4 have 10.0 acres each with proposed on-site sewer and water. Lot 3 has 10.0 acres with existing on-site sewer and water, and a designated replacement area to serve the existing single family residence. Lot 4 is served by an existing 60' ROW and Lot 2 is served by a proposed 60' ROW across Lot 1 per the included plan. Lots 3 & 4 have frontage on Dodge Road.

- C. Lot description:
- | | |
|---|--|
| 1. acreage <u>40.0 +/-</u> | 4. depth side yards <u>50' (min)</u> Ft. Ft.
(building to lot lines) |
| 2. road frontage <u>350' (min)</u> Ft. | |
| 3. depth front yard <u>75' (min)</u> Ft.
(Road centerline to building) | 5. depth rear yard <u>50' (min)</u> 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 Jamie O'Hare / Michael Date 9/11/18
Applicant Date

Zoning Permit Fee: \$ 550.00 Cash _____ Check \$4787 Date 9/12/18 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

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

September 12, 2018

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

RE: Proposed 4-Lot Subdivision, Michael & Jamie O'Hare, 835 Dodge Road, Parcel ID #08-03-01.000

Dear Bruce,

Please find attached what we hope to be a complete application for preliminary review of the subdivision of the lands of Michael & Jamie O'Hare. As presented at conceptual review on September 4, the proposal is to subdivide the existing 40 acre parcel as developed with the existing residence into four lots: Lots 1, 2 and 4 of 10.0 acres each for the construction of single-family residences, and Lot 3 of 10.0 acres including the existing single-family residence. As a four lot subdivision, this project was deemed a major subdivision by the DRB at the conceptual meeting.

The "back lot" configuration, with slight refinements to the plan presented at conceptual, has been decided upon by the O'Hare's, eliminating road frontage for Lot 2 and serving it with a 60' wide right-of-way through Lot 1. Lot 1 has benefit of over 1000' of frontage along Dodge Road. Lot 3 with the existing house has adequate frontage along Dodge Road and will be accessed via the existing driveway. Lot 4 does not have frontage along Dodge Road, but will be accessed along an existing right-of-way over lands of Rufenacht. Upon preliminary approval of this subdivision, the access points for Lots 1, 2 and 4 will be reviewed by Road Foreman Guthrie Perry and access permit applications will be submitted to the Selectboard for review and approval...all prior to the hearing for final approval by the DRB.

Lots 1, 2 & 4 are to be served by on-site water supply and sewage disposal systems. Adequate soils for mound-type disposal systems have been identified on each lot, as well as for a replacement area designation for the existing residence on Lot 3. It is the owners wish to market these lots with only the assurance that a viable sewage disposal is available...without pursuing the State Wastewater and Water Supply Permits that will be necessary prior to construction. This final step is to be left to the buyers based on their specific development plans.

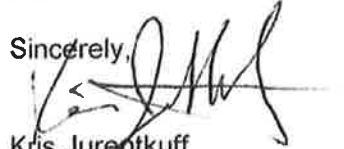
A review of the State ANR Natural Resources Atlas reveals no identified protected or endangered natural features. A printout of that review is included here. As part of our normal on-the-ground due diligence, we did identify two areas of potential wetlands. These areas were delineated by Gilman & Briggs Environmental and a mapping of that delineation is shown on the project plan. These wetlands appear to meet the presumptive Class II standard and therefore are subject to an additional 50' no-disturb buffer. This buffer has also been shown on the plan, along with 5-foot interval contours extracted from the VCGI lidar database.

In keeping with the owner's wishes to allow buyers for the lots to determine how the parcels are to be developed, we have not identified building envelopes. Certainly, areas suitable for development will be

controlled by the required setbacks applicable to the zone, as well by other features, such as the wetlands and buffers. But the owner does not believe that further restricting the location of development by simply saying "you must build here", without benefit of knowing the wishes of a given buyer, is not the best way to approach the development of these large parcels.

This proposal reflects the owner's wishes as to how to approach the subdivision of their land. We believe that the subdivision as presented is in full conformance with the Development Regulations and hope that you and the Board agree. As always, if you have any questions or comments about this application, please don't hesitate to call. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kris Jurentkuff', written over a horizontal line.

Kris Jurentkuff
Senior Technician

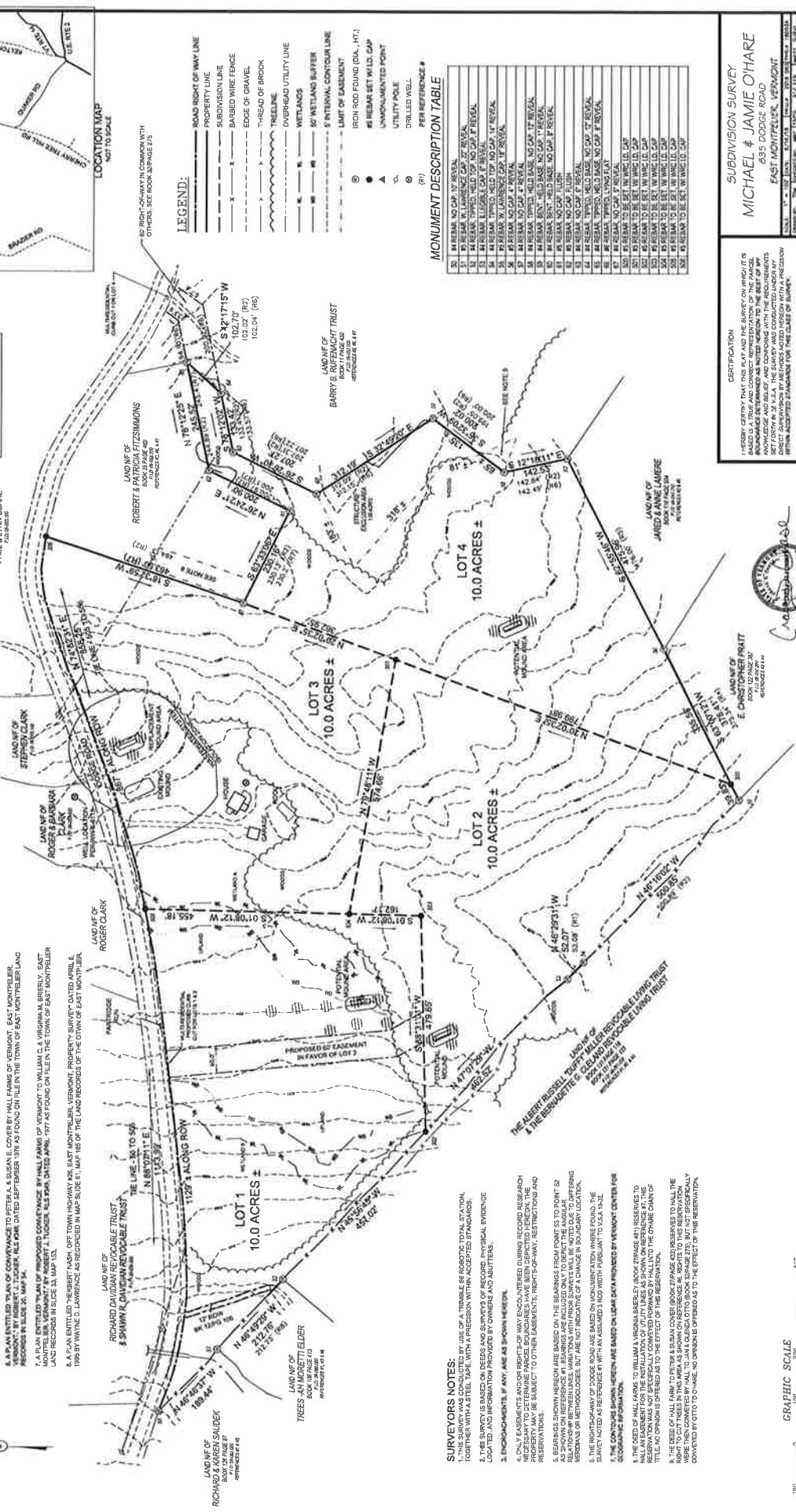


ZONING INFORMATION
 ZONE: E - AGRICULTURAL
 DISTRICT: CONSERVATION DISTRICT
 FRONT YD: 30 FT
 SIDE YD: 30 FT
 REAR YD: 30 FT
 MAX BUILDING HEIGHT: 20 FT

SUBJECT PROPERTY:
 MONICA A. JAMIE O'HARE
 835 DODGE ROAD
 EAST MONTPELIER, VT 05601
 PLAT: 2008-002-000
 TAX MAP: 8-00-01-0-000
 CURRENT DISTRICT: 300
 BOOK: 2 PAGE 200
 BOOK: 2 PAGE 21

LAND OF:
 PAUL & LYNN GUARE
 7-12-8-0-0-10
 100.00 ACRES
 100.00 ACRES

- REFERENCES:**
1. A PLAN ENTITLED "SUBDIVISION OF EAST MONTPELIER, VT. BY GLEN TOWNE, R.L.S. 9501, DATED MARCH 1983 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN SLIDE 78, MAP 10A.
 2. A PLAN ENTITLED "PLAN OF LAND OF JAMES O'HARE TO EAST MONTPELIER, VERMONT," BY PAUL C. HARRINGTON, R.L.S. 8607, DATED JANUARY 1984 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN SLIDE 33, MAP 13B.
 3. A PLAN ENTITLED "CONVEYANCE FROM EAST MONTPELIER, VT. BY HAROLD N. MARSH, R.L.S. 8401, DATED MAY 1, 1974 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN SLIDE 19, MAP 32.
 4. A PLAN ENTITLED "EAST MONTPELIER, VERMONT," BY GREGORY F. DUNBAR, R.L.S. 8556, DATED JUNE 2005 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN SLIDE 18, MAP 32.
 5. A PLAN ENTITLED "CONVEYANCE FROM EAST MONTPELIER, VT. BY PAMELA HEFFERNAN EAST MONTPELIER, VERMONT," BY GREGORY F. DUNBAR, R.L.S. 8556, DATED JUNE 2005 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN SLIDE 18, MAP 32.
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MONUMENT DESCRIPTION TABLE

NO.	DESCRIPTION
01	IRON ROD FOUND (O.A., H.T.)
02	REAR-SET WILD-CAP
03	UNDIVIDED POINT
04	UTILITY POLE
05	DRILLED WELL
06	PER REFERENCE #
07	PER REFERENCE #
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SUBDIVISION SURVEY
 MICHAEL & JAMIE O'HARE
 835 DODGE ROAD
 EAST MONTPELIER, VERMONT

Chase
 Surveyors & Septic Designers, Inc.
 27 North Main Street
 Montpelier, VT 05601
 802-249-5551

10/5/18
 Michael & Jamie O'Hare
 835 DODGE ROAD
 EAST MONTPELIER, VERMONT

100' 0"
GRAPHIC SCALE
 1" = 100'

SURVEYOR'S NOTES:

1. THIS SURVEY WAS CONDUCTED BY USE OF A TOTAL STATION, TOGETHER WITH A STEEL TAPE, WITH A PRECISION WITHIN ACCEPTED STANDARDS.
2. ALL DISTANCES WERE MEASURED TO THE CENTER OF THE MONUMENTS, UNLESS OTHERWISE NOTED.
3. MONUMENTS OF ANY KIND ARE SHOWN HEREON.
4. THE SURVEYOR HAS CONDUCTED RESEARCH NECESSARY TO DETERMINE THE LOCATION OF THE MONUMENTS NECESSARY TO DETERMINE THE BOUNDARIES OF THE PROPERTY. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND ENCUMBRANCES. THE SURVEYOR HAS CONDUCTED RESEARCH NECESSARY TO DETERMINE THE LOCATION OF THE MONUMENTS NECESSARY TO DETERMINE THE BOUNDARIES OF THE PROPERTY. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND ENCUMBRANCES.
5. BEARING SHOWN HEREON ARE BASED ON THE 1983 NAD 83 DATUM. POINT IS TO POINT IS SHOWN ON REFERENCE #1 BEARING ARE INCLUDED ONLY TO DEPART THE MONUMENTS FROM THE MONUMENTS. THE BEARING SHOWN HEREON ARE BASED ON THE 1983 NAD 83 DATUM. POINT IS TO POINT IS SHOWN ON REFERENCE #1 BEARING ARE INCLUDED ONLY TO DEPART THE MONUMENTS FROM THE MONUMENTS. THE BEARING SHOWN HEREON ARE BASED ON THE 1983 NAD 83 DATUM. POINT IS TO POINT IS SHOWN ON REFERENCE #1 BEARING ARE INCLUDED ONLY TO DEPART THE MONUMENTS FROM THE MONUMENTS.
6. THE BOUNDARIES OF THE PROPERTY ARE BASED ON THE MONUMENTS SHOWN HEREON. THE SURVEY NOTED AS REFERENCE #1 WITH AN ASSUMED 100' WIDTH PARALLEL TO U.S.A. 1928.
7. THE CONTIGUOUS SHOWN HEREON ARE BASED ON DATA PROVIDED BY VERMONT CENTER FOR GEOSPATIAL INFORMATION.
8. THE NEED OF HALL FARMS TO WILLIAM A. VIRGINIA BRIDLE (BOOK 27 PAGE 48) RESERVES TO HALL THE RIGHT OF WAY TO THE PROPERTY SHOWN HEREON. THE SURVEYOR HAS CONDUCTED RESEARCH NECESSARY TO DETERMINE THE LOCATION OF THE MONUMENTS NECESSARY TO DETERMINE THE BOUNDARIES OF THE PROPERTY. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND ENCUMBRANCES.
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O'Hare -- 835 Dodge Road

East Montpelier, VT

1 inch = 537 Feet



September 4, 2018

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, December 4, 2018 at 7:00 p.m. at the Municipal Office Building to conduct final plan review of zoning application 18-042 submitted by Michael & Jamie O'Hare. A number of abutters attended the October 2, 2018 preliminary plan hearing. The DRB authorized proceeding to the final plan hearing with conditions designed to meet many of the concerns expressed by abutters at that October 2nd hearing. Tweaks have been made to the subdivision plat, which can be seen at: <https://eastmontpeliervt.org/december-4-2018-drb-meeting/> Otherwise the application remains the same: a 4-lot subdivision of the O'Hare property located at 835 Dodge Road. The intent is to separate off three 10-acre building lots from the developed portion of the property. Lot 1 (the field west of the existing homesite) and Lot 3 (the remainder lot with dwelling) will have conforming road frontage and direct access on Dodge Road. Lot 2 (the western back lot) will be served by an access easement over Lot 1. Lot 4 (the eastern back lot) will be served by an existing access easement over the Rufenacht property located at 585 Dodge Road. The following notice will appear in the Times Argus Saturday, November 17, 2018:

The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, December 4, 2018 at 7:00 p.m. at the Municipal Office Building to consider the following:

Final plan review of Application #18-042, submitted by Michael & Jamie O'Hare, to subdivide their property located at 835 Dodge Road. This proposal will divide the 40-acre parcel into four ten-acre lots: Lot 1 with 1,129 feet of road frontage on Dodge Road; Lot 2 served by an access easement over Lot 1; Lot 3 with existing structures and 867 feet of frontage on Dodge Road; and, Lot 4 served by an existing easement over the Rufenacht property. 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