

Permit # 19-030
Zoning District D/C
Overlays —

ZONING PERMIT APPLICATION

TOWN OF EAST MONTPELIER

PO Box 157, East Montpelier, VT 05651

Date Received: 6/13/19
Parcel # 05-017.000
Tax Map # 21-51-45.000

- A. 1. Name of Landowner Jacques Gourlet Phone No. _____
2. Address of Landowner 670 Cherry Tree Hill Road.
3. Applicant (other than owner) Kurt Bergstrom Phone No. 802-793-9852
4. Address of Applicant 140 Sugar House Way, Moretown, VT 05660
5. Location of Property 670 Cherry Tree Hill Road.

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 checked="" type="checkbox"/> Other |

Describe work to be performed We are looking to build a second dwelling of approximately 2500 SF on the Goulet lands of 17.12 Acres. We are not planning to sub-divide at this time, and request Review Board Approval based on the lot being sub-dividable.

- C. Lot description: 17.12
- | | |
|---|--|
| 1. acreage <u>17.12</u> | 4. depth side yards <u>200</u> Ft. <u>100</u> Ft.
(building to lot lines) |
| 2. road frontage <u>0</u> Ft. | |
| 3. depth front yard <u>200 +</u> Ft.
(Road centerline to building) | 5. depth rear yard <u>150</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 J. GOURLET Date 5/1/19
Applicant Kurt Bergstrom Date 6/12/19

Zoning Permit Fee: \$ 295.00 Cash Check # 2515 Date 6/13/19 Rec'd by DS.

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

Make checks payable to the "Town of East Montpelier"

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, That we,

ERIC R. LADD and LYNN M. CHOQUETTE

of East Montpelier, Vermont, Grantors, in consideration of TEN AND MORE Dollars paid to our full satisfaction by

JACQUES GOURLET

of Paris, France, Grantee, by these presents do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee,

JACQUES GOURLET

and his heirs and assigns forever, certain lands and premises located in East Montpelier, in the County of Washington and State of Vermont, described as follows, viz:

Being the right to use the existing right-of-way which runs from Cherry Tree Hill Road along the southerly edge of my property to property owned by the Grantee herein and conveyed to him by Warranty Deed of Allen L. Goodine and Nancy P. McHugo dated October 25, 2011 and recorded October 25, 2011 in Book 116, pages 526-527 of the land records of the Town of East Montpelier, Vermont, for purposes of accessing additional lands and premises conveyed to Jacques Gourlet by Warranty Deed of Milton F. Persin and Justin T. Persin of approximate date herewith and to be recorded in the East Montpelier Land Records.

Said right-of-way shall be used for the purpose of providing access and utilities to the above described lands and premises conveyed to Gourlet by Persin and is located over lands and premises owned by Eric R. Ladd and Lynn M. Choquette which was conveyed to them by Warranty Deed of Robert E. Ladd dated December 18, 2003 and recorded in Book 83, pages 193-194 of the land records of the Town of East Montpelier, Vermont.

On commencement of construction of an additional residence on any of the Gourlet lands, Gourlet, for himself and his heirs and assigns, agrees by acceptance and recording of this deed that he shall pay two-thirds (2/3rds) of the cost of maintenance of the road and the Grantors herein shall pay one-third (1/3rd) of all such costs.

Reference may be had to the above mentioned deed and instruments and their records, and to all prior deeds and instruments and their records, for a more particular description of the herein conveyed land and premises.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee,

JACQUES GOURLET

and his heirs and assigns, to their own use and behoof forever; And we, the said Grantors

ERIC R. LADD and LYNN M. CHOQUETTE

for ourselves and our heirs, executors and administrators, do covenant with the said Grantee,

JACQUES GOURLET

and his heirs and assigns, that until the ens sealing of these presents, we are the sole owners of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid;

And we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand on this 24 day of Feb, 2015.


Eric R. Ladd

STATE OF VERMONT
WASHINGTON COUNTY, ss.

In said County on this 24 day of Feb., 2015, Eric R. Ladd personally appeared and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed. Before me,

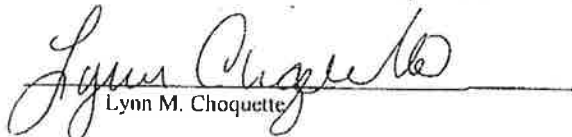
VERMONT PROPERTY TRANSFER TAX
TOWN CLERK'S OFFICE
Received Mar 09, 2015 09:00A
Return No. 22014085
Recorded in VOL: 130 PG: 220- 221
Of East Montpelier Land Records


Notary Public

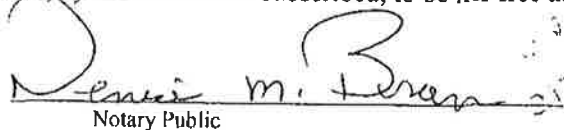
ATTEST: 

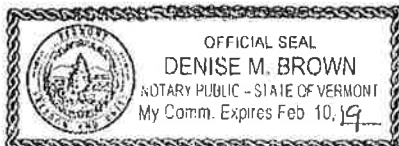
IN WITNESS WHEREOF, I have hereunto set my hand on this 24 day of Feb, 2015.

STATE OF Vermont
Washington COUNTY, ss.


Lynn M. Choquette

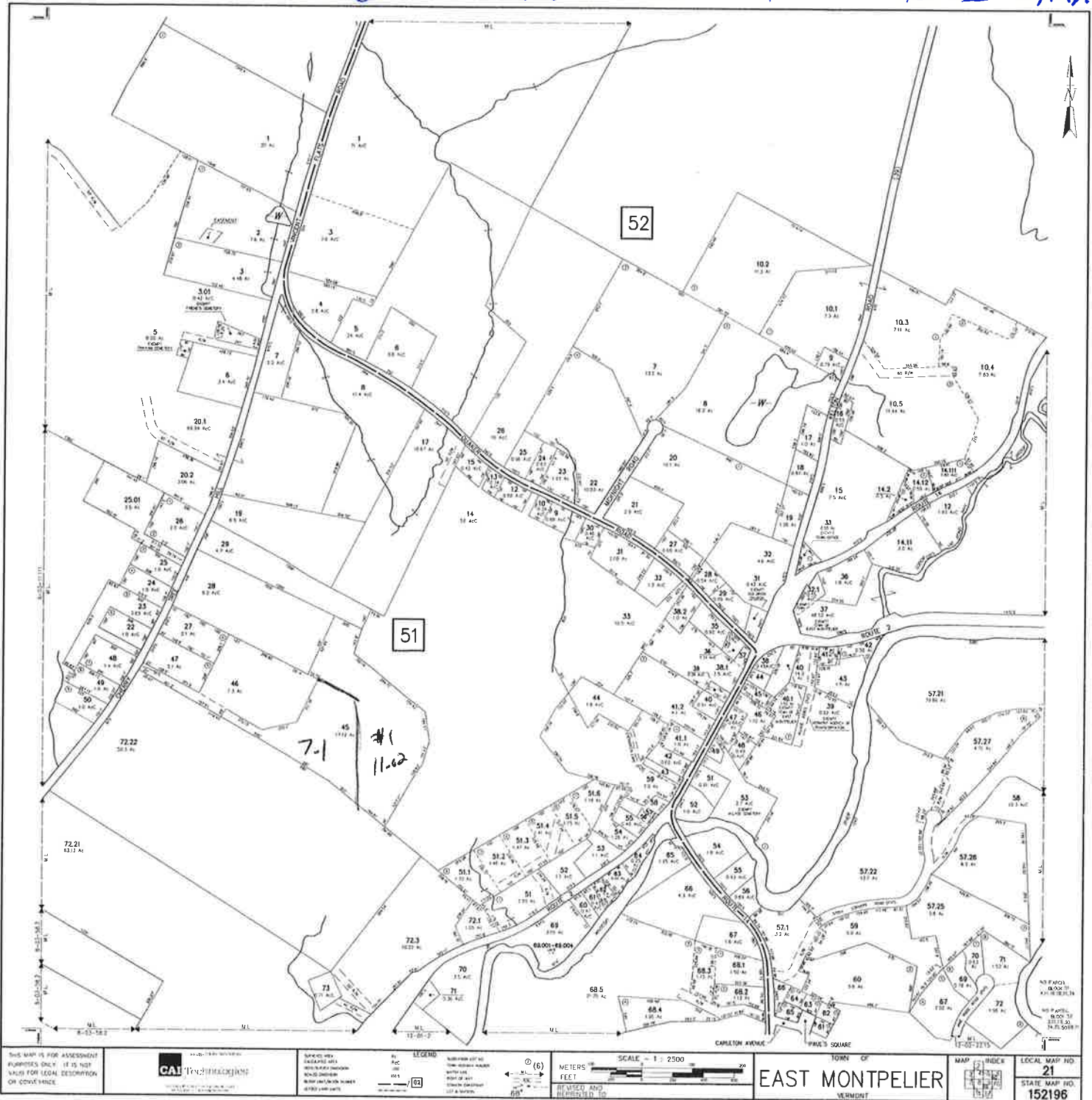
In said County on this 24 day of Feb., 2015, Lynn M. Choquette personally appeared and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed. Before me,


Notary Public



Proposed Sub-Divided Parcel.

Lot 45 17.12 Acres becomes 7.1 Acres
 Lot #1 Becomes 11.02 Acres

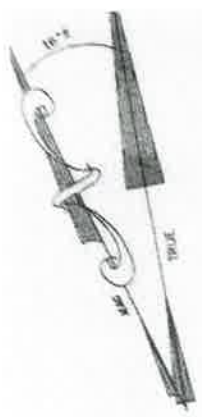


~~17.12~~ 05-017.000
 17.12 Acres

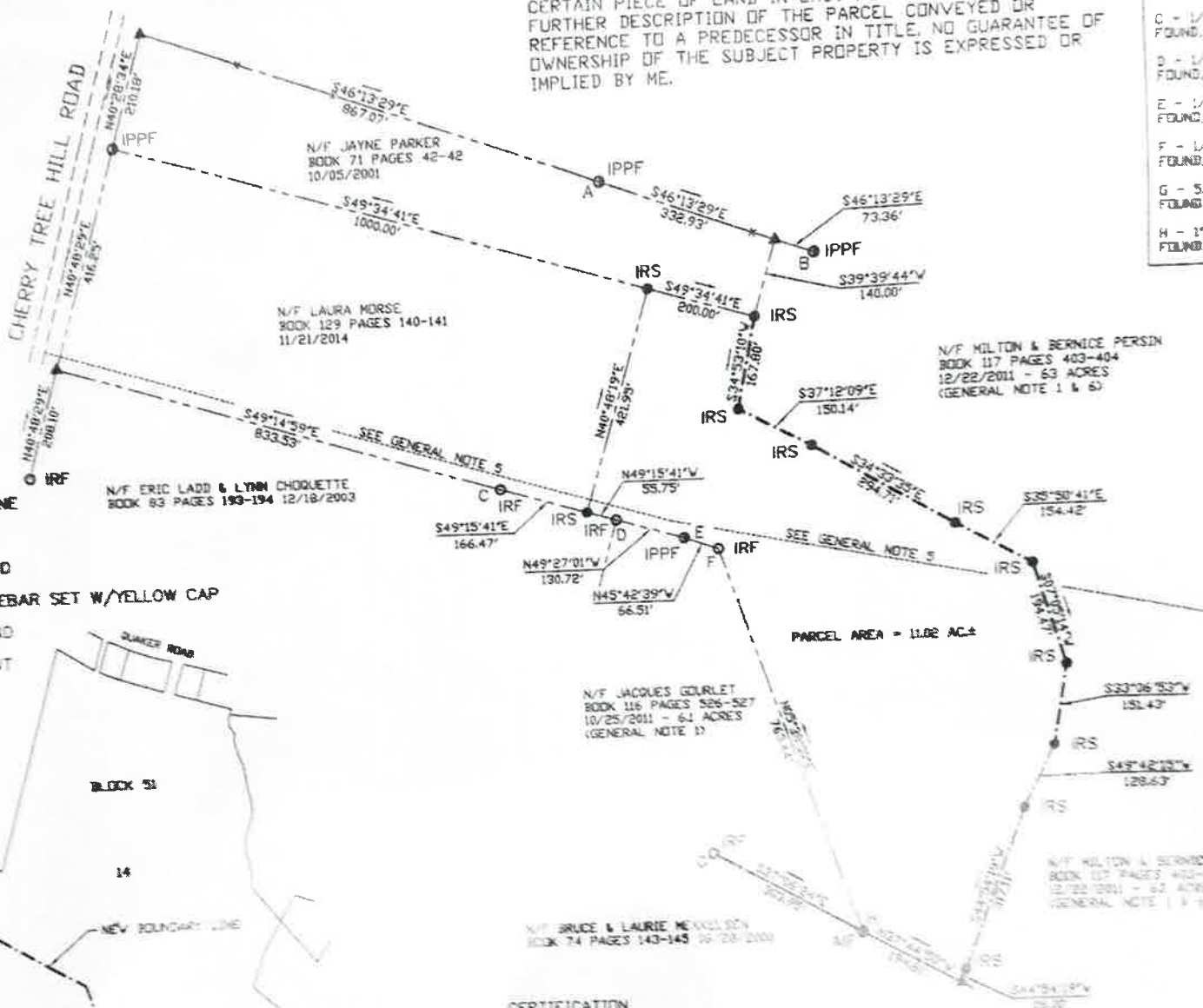
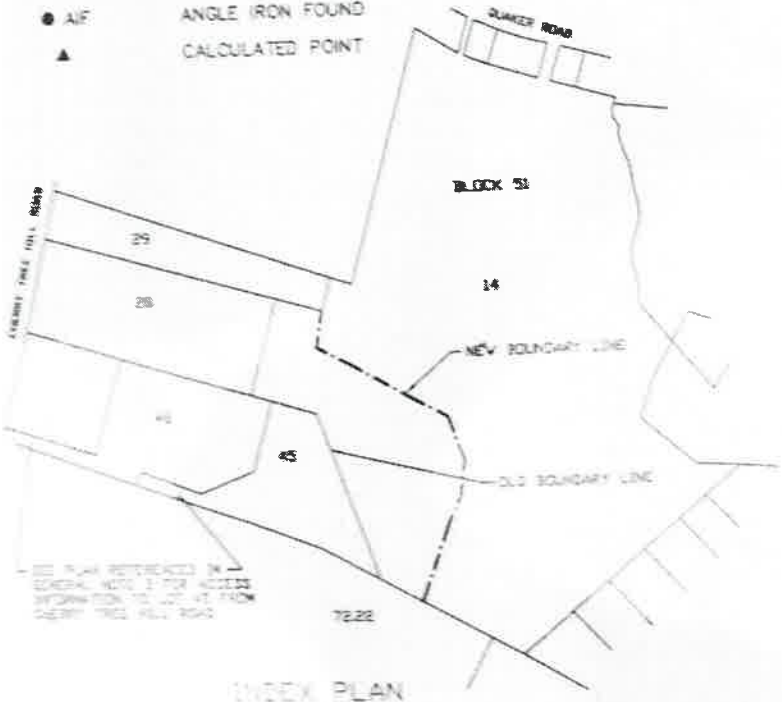
③ Site Plan
 No Scale.

Waste
 Water
 Permit - WW-5-7368

Property Line Adjustment done in 2017.



- INDEX**
- PROPERTY LINE
 - x-x- WIRE FENCE
 - - - EDGE OF ROAD
 - - - NEW BOUNDARY LINE
 - IPPF IRON PIPE FOUND
 - IRF IRON REBAR FOUND
 - IRS 5/8" DIA. IRON REBAR SET W/YELLOW CAP
 - AIF ANGLE IRON FOUND
 - ▲ CALCULATED POINT



- I - 1" DIA. IRON PIPE FOUND, UP 8"
- C - 1/2" DIA. IRON REBAR FOUND, UP 8"
- D - 1/2" DIA. IRON REBAR FOUND, UP 30"
- E - 1/2" DIA. IRON REBAR FOUND, UP 18"
- F - 1/2" DIA. IRON REBAR FOUND, UP 24"
- G - 5/8" DIA. IRON REBAR FOUND, UP 18"
- H - 1" IRON ANGLE IRON FOUND, UP 18"

Addendum #1 to Site Plan

CERTIFICATION

TO CONNECTICUT ATTORNEY'S TITLE INSURANCE CORPORATION (CATIC), GORLET AND PERSIN

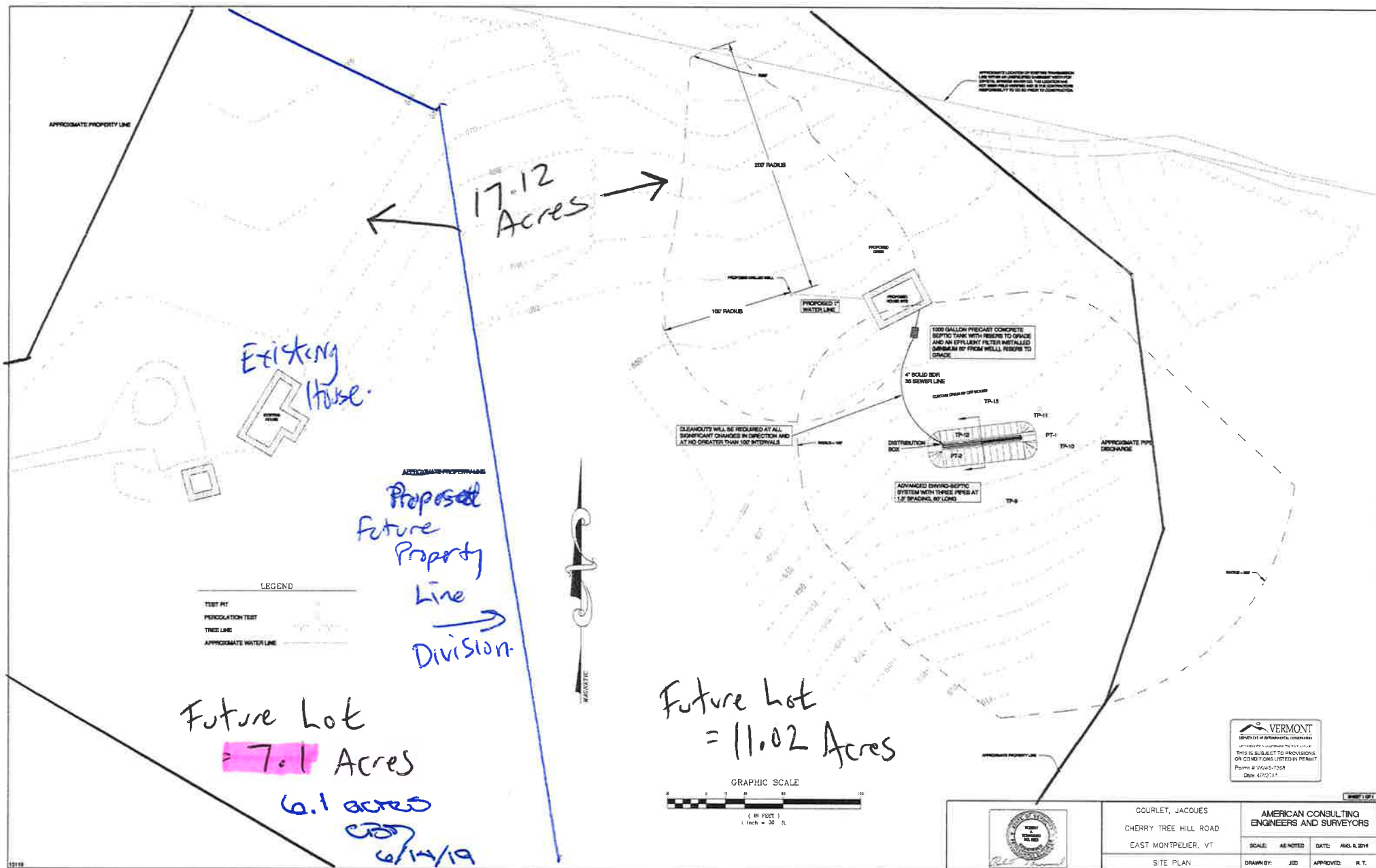
THE UNDERSIGNED HEREBY CERTIFIES THAT THIS PLAT MEETS THE REQUIREMENTS OF 27 VSA SECTION 1403, CONSISTENT WITH 26 VSA SECTION 2086. THE SURVEY IS BASED ON INFORMATION FOUND IN THE FIELD AND ON INFORMATION ABSTRACTED FROM PERTINENT DEEDS, RECORDS AND THE REFERENCES ALL OF WHICH ARE CITED THEREON. THE SURVEY WORK IDENTIFIED ON THE PLAT IS CONSISTENT WITH THAT INFORMATION. THE UNDERSIGNED UNDERSTANDS THAT CATIC IS RELYING ON THE ACCURACY OF THE SURVEY AND THIS CERTIFICATION TO ISSUE TITLE INSURANCE ON THE SURVEYED PARCEL.

DATED THIS 21ST DAY OF JULY 2017

MICHAEL J. PATTERSON L.S.

Michael J. Patterson





② Site Plan
NO scale

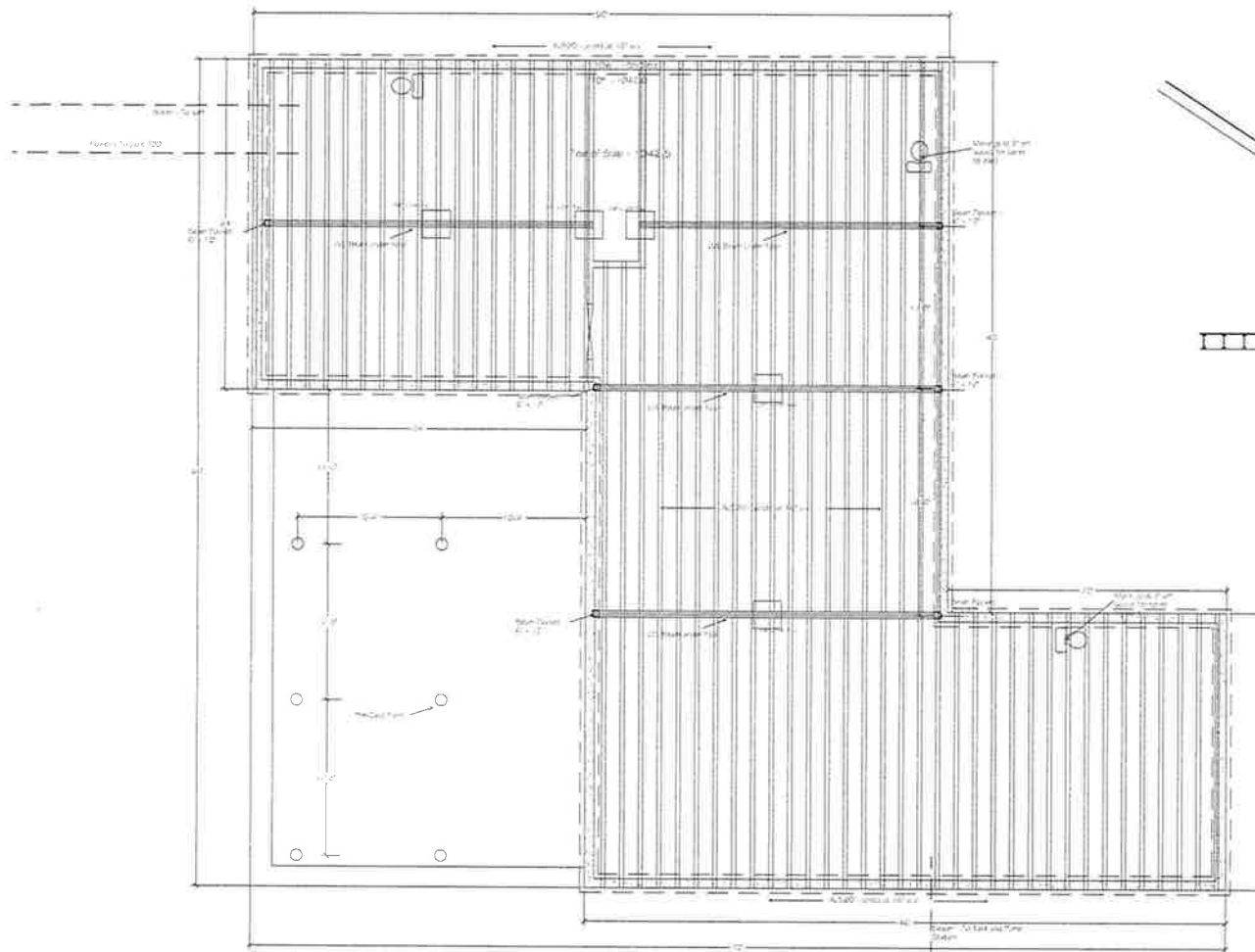
Proposed Sub-Divided Parcels in future.

Labrador Builders

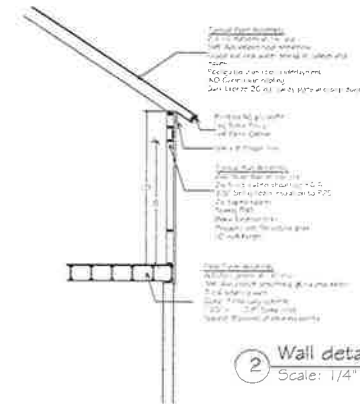
Framing Plans

A	PROJECT NUMBER:	
	ISSUED:	5/10/19
	DRAWN BY:	KRB
	CHECKED BY:	---
	FILENAME:	bill and joes.DWG

S2.1



Framing Plan
Scale: $1/4" = 1'0"$



2 Wall detail
Scale: 1/4" = 1'-0"

autodesk.
Architectural
Desktop

LabradorBuilders

Bill and Jacques
New House
Cherry Tree Hill

Elevations

PROJECT NUMBER:	
ISSUED:	5/10/19
DRAWN BY:	KRB
CHECKED BY:	
FILENAME:	bill and jacques.DWG

A2.1



1 West Elevation
Scale: 1/4" = 1'0"



2 South Elevation
Scale: 1/4" = 1'0"

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective September 29, 2007
Chapter 21, Water Supply Rules, Effective December 1, 2010

Landowner(s): Jacques Gourlet
670 Cherry Tree Hill Road
East Montpelier, VT 05651

Permit Number: WW-5-7368

This permit affects the following properties in East Montpelier, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1	05-017.000	195-062-10402	11.02	Book: 116 Page(s): 526-7

This project, consisting of the construction of a 3-bedroom single family residence on an existing 11.02 acre lot, located at 670 Cherry Tree Hill Road, East Montpelier, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

- 1.1 The project shall be completed as shown on the plans and/or documents prepared by Robert Townsend, with the stamped plans listed as follows:

Title	Sheet Number	Plan Date	Revision Date
site plan	1 of 2	08/09/2016	
site plan	2 of 2	03/01/2017	4/01/2017

- 1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from other State departments; or local officials.
- 1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the East Montpelier Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.4 The landowner shall record and index all required installation certifications and other documents that are required to be filed under these Rules or under a specific permit condition in the East Montpelier Land Records and ensure that copies of all certifications are sent to the Secretary.
- 1.5 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all the permit conditions, were inspected, were properly tested, and have successfully met those performance tests",

or which otherwise satisfies the requirements of §1-308 and §1-911 of the referenced rules.



DOCUMENTS FOR RECORDING

- 1.6 The existing 11.02-acre lot is approved for the construction of a 3-bedroom single family residence. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.
- 1.7 Each purchaser of any portion of the project shall be shown copies of the Wastewater System and Potable Water Supply Permit, the stamped plans, and Innovative/Alternative System Approval letter #2004-02 R4 for Advanced Enviro-Septic (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System prior to conveyance of the lot. The Innovative/Alternative Approval contains special requirements that need to be complied with for the project to remain in compliance with this permit.
- 1.8 Each new owner of the property shall inform the Drinking Water and Groundwater Protection Division and vendor within 30 days of the transfer of the property and include the name and mailing address of the new owner.
- 1.9 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.10 Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

2. WATER SUPPLY

- 2.1 The 3-bedroom single family residence is approved for a potable water supply using a drilled or percussion bedrock well for a maximum of 420 gallons of water per day provided the supply is located as shown on the stamped plan(s) and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule.
- 2.2 The landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 2.3 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.4 The water source location as shown on the stamped plan(s) shall be accurately staked out and flagged prior to any construction on this project with the flagging being maintained until construction is complete.

3. WASTEWATER DISPOSAL

- 3.1 The 3-bedroom single family residence is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of 420 gallons of wastewater per day.
- 3.2 The system(s) shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. The landowner shall immediately notify the Division if the wastewater system fails to function properly and becomes a "failed system". Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.
- 3.3 The 3-bedroom single family residence is approved for wastewater disposal by construction and utilization of the site-specific **Innovative/Alternative System** wastewater disposal system depicted on the stamped plans. The Drinking Water and Groundwater Protection Division shall allow no other method or location of wastewater disposal without prior review and approval.

DOCUMENTS FOR RECORDING

- 3.4 The components of the wastewater system herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or when allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 3.5 The 3-bedroom single family residence is approved for a mound wastewater disposal systems provided the mound is constructed in strict accordance with the following conditions:
- a. The mound system is to be located and constructed as depicted on the plans that have been stamped by the Drinking Water and Groundwater Protection Division.
 - b. A qualified Vermont Licensed Designer shall inspect the mound system during critical stages of construction. This shall include the staking of the location of the mound, ensuring the site has been properly plowed prior to placement of the appropriate sand fill, the installation and testing of the distribution piping, final grading of the mound including side slopes, and pump station installation.
 - c. The construction of the mound shall adhere to the guidelines set forth in Section 1-913(f) of the above referenced rules.
- 3.6 The corners of the proposed primary wastewater area(s) shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.7 The wastewater system for this project is approved for domestic type wastewater only except as allowed for water treatment discharges. No discharge of other type process wastewater is permitted unless prior written approval is obtained from the Drinking Water and Groundwater Protection Division.
- 3.8 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater systems are allowed on or near the site-specific wastewater disposal system area depicted on the stamped plans. All isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules shall be adhered to and will be incorporated into the construction and installation of the wastewater disposal field.

Emily Boedecker, Commissioner
Department of Environmental Conservation

By Carl Fuller Dated April 7, 2017
Carl Fuller, PE
Regional Engineer
Montpelier Regional Office
Drinking Water and Groundwater Protection Division

Enclosures:
Innovative/Alternative System Approval letter #2004-02 R4

cc: Robert Townsend
East Montpelier Planning Commission
Presby Environmental Inc.



Gourlet -- 670 Cherry Tree Hill Road

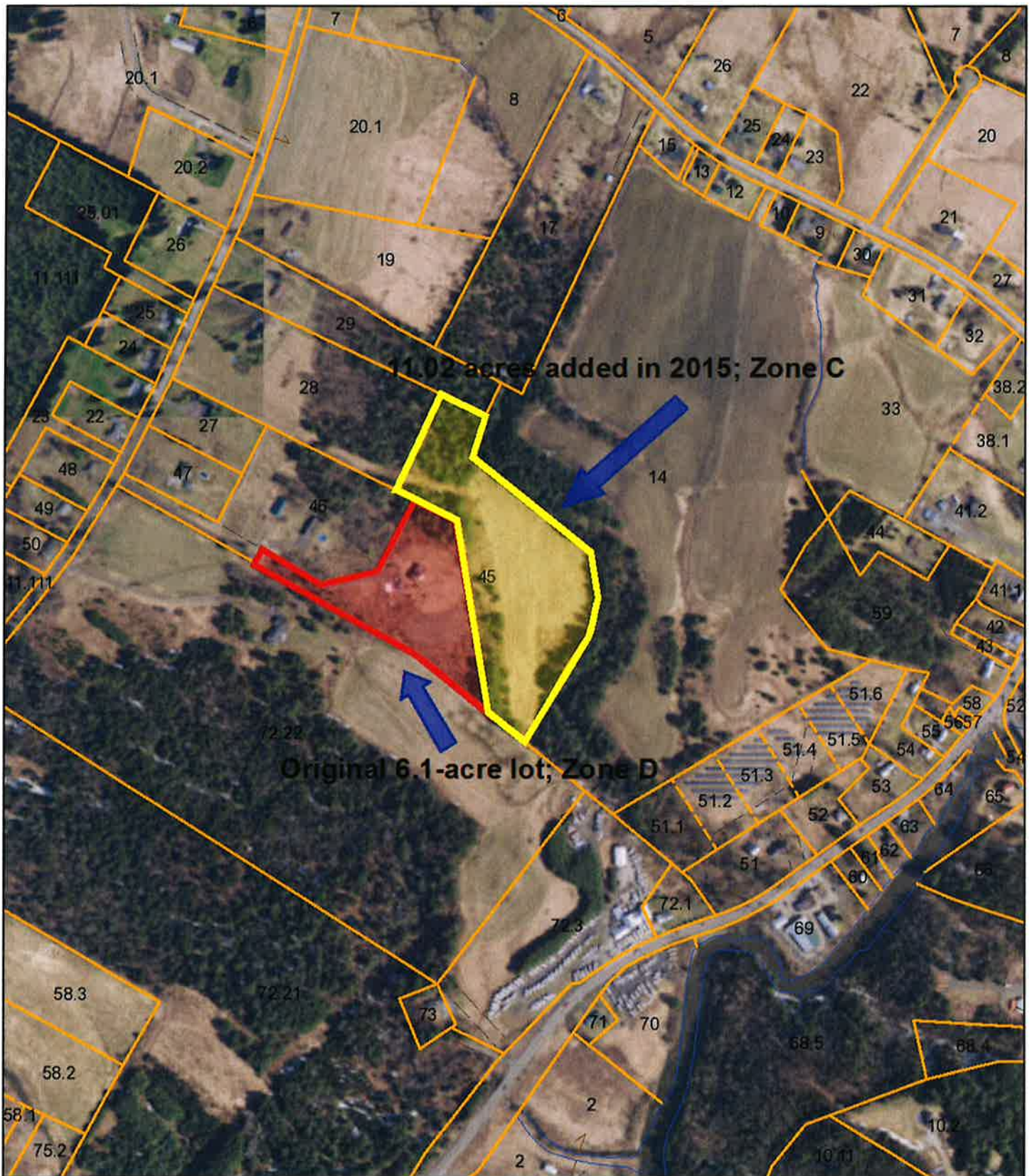
East Montpelier, VT



June 14, 2019

1 inch = 537 Feet

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.



Gourlet -- 670 Cherry Tree Hill Road

East Montpelier, VT

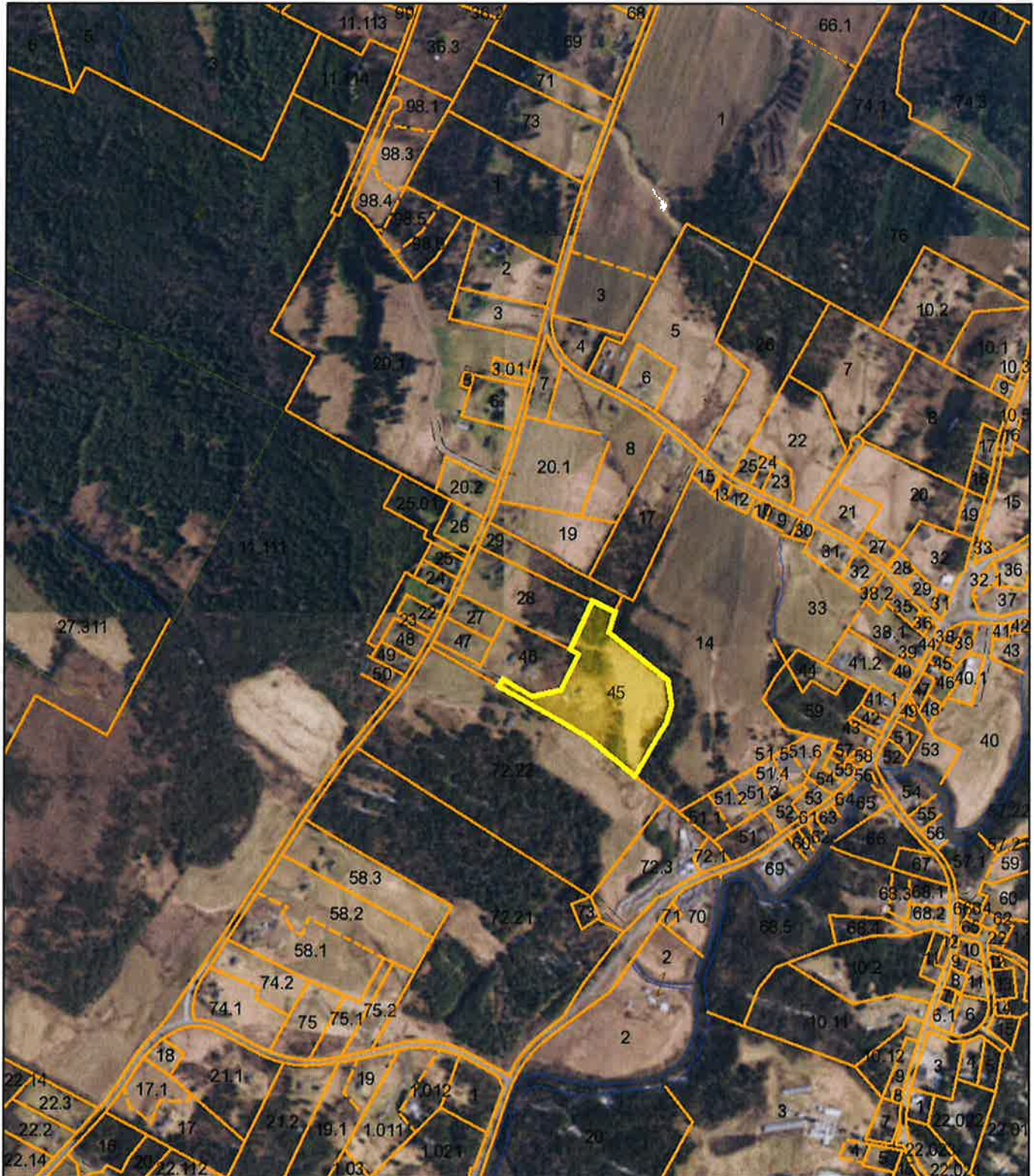
1 inch = 1075 Feet



June 14, 2019



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, July 2, 2019 at 7:00 p.m. at the Municipal Office Building to conduct final plan review of zoning application 19-030 submitted by Jacques Gourlet to construct a second house on his 17.1-acre property located at 670 Cherry Tree Hill Road. The new residence will be approximately 2,500 square feet in size. The site of the new residence is about 350 feet to the east of the existing house on the land Mr. Gourlet purchased from the Persin family in 2015. Access to the new residence from Cherry Tree Hill Road will be over the existing easement and driveway serving the existing house, with the driveway extended to the new location. The DRB can allow two single family residences on one lot so long as it is possible to subdivide the property to create two conforming lots, each with all structures meeting setback and other requirements. The following notice will appear in the Times Argus Saturday, June 15, 2019:

The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, July 2, 2019 at 7:00 p.m. at the Municipal Office Building to consider the following:

Final plan review of Application #19-030, submitted by Jacques Gourlet, to permit two single-family residences on his property located at 670 Cherry Tree Hill Road. The property is in Zone D – Rural Residential/Agricultural District, where two residences are allowed on one lot under Section 3.8(A)(5) of the East Montpelier Land Use & Development Regulations so long as the development is sited in such a way that the residences could be legally separated by subdivision in the future.

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