# Town of East Montpelier

# **ZONING PERMIT** NOTICE

[To Be Displayed on the Property in Full View of the Public Right-of-Way]

Date Issued:

September 24, 2019

Effective Date: October 9, 2019

Location: Ous Rte 2 Lot 34-2 of 2017 Subdivision 17-042

Owner: East Montpelier Acres LLC

FOT: 32'x42' 2-story House w/ 10'x42' Front Porch & 8'x12' Back Deck; 28'x 24' Corace connected to house by a 12'x 13' Mudroom w/ 5'x12' Porch

Application # 19-050

Approved by: C. Bruce Johnson, ZA

Do not start project or commence use prior to the Effective Date. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any state or local appeal process. This application is available for inspection at the Town Office. This poster must be displayed on the property in full public view for 15 days. APPEALS TO DRB: A notice of appeal, including the \$150 fee, must be filed with the East Montpelier Town Clerk or Zoning Administrator at the Town Office by the listed Effective Date. WARNING: State permits may be required for this project. Contact the state Permit Specialist, at (802) 505-5367, before beginning any construction.

	ZONING PERMIT	T APPLICATION	Date Received: 9/u/19
Zoning District	TOWN OF EAST	MONTPELIER	Parcel # 10-074.550
Overlays	PO Box 157, East Mo	ontpelier, VT 05651	Tax Map # 09-00-90.121
*************	***********	**************************************	*************
A. 1. Name of Landowner		3) Acces LLC	- Phone No 802-219-775
<ol><li>Address of Landowne</li></ol>	er 3998 U.S. Rt.	2) EGST MONTY	selv-c
<ol><li>Applicant (other than</li></ol>	owner)	<i>L</i>	Phone No
<ol><li>Location of Property.</li></ol>	0 05 12	re 2 lest	64-2 FIDS SA-E
B: Application is made (chec	ck appropriate boxes):		
To: Fqr;	, , , , , , , , , , , , , , , , , , ,	For:	
Construct 💆 One	☐ Two-family dwelling	Subdivision	
	i-family dwelling essory Structure	☐ Boundary ad	ljustment earth resources
	mercial / Business	Ground water	
	t Industrial	Landfilling	
_	strial  Construct a	☐ Other スクォザフ 『	swelling we attacked
Describe work to be performed 12x13 www.		36 00000	
Z stories ul	pasevent	ou gainge	
		5X17 00	rch on Mudroom
10x42 porch		1 3x12 po	TON BUC WILDOUGH
8x12 deck	on the back		***************************************
C. Lot description:			
C. Lot description: 2.18	r acres	4. depth side yards	00 <sup>†</sup> Ft. 100 <sup>†</sup> Ft.
1. acreage 2.16	Table 1	depth side yards     (building to lot lines)	
acreage	Sacrent Ft.	(building to lot lines	(3)
acreage	50Ft.		s) 100† Ft.
acreage	50Ft. uilding)	<ul><li>(building to lot lines</li><li>5. depth rear yard (building to lot line)</li></ul>	(100) Ft.
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Make checks payable to the "Town of East Montpelier"

**D. Warning:** State permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for, and obtain relevant state permits for this project. Call (802) 505-5367 to speak to Peter Kopsco, our region's state permit specialist, before beginning any construction.

**Notice:** Your project may be subject to the state's residential or commercial energy code. For more information contact the Energy Code Assistance Center at 855-887-0673 or see the following web pages: Residential Building Energy Standards: <a href="http://publicservice.vermont.gov/energy\_efficiency/rbes">http://publicservice.vermont.gov/energy\_efficiency/rbes</a> Commercial Building Energy Standards: <a href="http://publicservice.vermont.gov/energy\_efficiency/cbes">http://publicservice.vermont.gov/energy\_efficiency/cbes</a>

€.	E. Action by Zoning Administrator:				
	1.	☑ Granted ☐ Denied Date			
	(4.9(4))				
	2.	Appealed to Development Review Board			
		<b>Notice:</b> Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.			
	3.	Final Action: Permit # 19-050. Date Issued 09/24/19. Effective Date 10/09/19			
		DO NOT start this project prior to the effective date, as the statutes require a 15-day appeal period. If this permit is based upon a Development Review Board approval, be advised that any appeal of that approval could affect the validity of this permit – do not start project or commence use until that DRB approval is final and clear of any appeal process.			
	4.	Permittee is required to submit a Certificate of Compliance form to the Zoning Administrator in accordance with East Montpelier Land Use & Development Regulations Section 7.4:  Yes (form included with permit)			
		Zoning Administrator			
F.	Ac	tion by Development Review Board:			
	1.	Public Notice Date			
	2.	Date(s) of Hearing			
	3.	☐ Granted ☐ Without conditions ☐ With conditions (See written decision for conditions)			
	4.	☐ Denied (See written decision for reasoning)			
		Chairman, Development Review Board			
Th	e Di	RB's written decision was issued on:			
Th	e ar	oplicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may			

The applicant, appellant or other interested person who has participated in a regulatory proceeding of the DRB may appeal the decision rendered by the DRB within 30 days of the issuance of such decision, to the Environmental Division of the Vermont Superior Court, in accordance with 24 V.S.A. §4471.

- 1. "Participation" in a DRB proceeding shall consist of offering, through oral or written testimony, evidence of a statement of concern related to the subject of the proceeding.
- 2. The notice of appeal shall be filed by certified mailing, with fees, to the Environmental Division of the Vermont Superior Court and by mailing a copy to the East Montpelier Zoning Administrator, who shall supply a list of interested persons (including the applicant if not the appellant), to the appellant within five (5) working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person. If any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the court to intervene.

#### LEGEND:

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#### PROPOSED IMPROVEMENTS

— PROPOSED PROVINCES

- PROPOSED ESC OF STANCES

#### REFERENCES

1, A PLAN ENTITLED TOONALD COTE PROPERTY, LOTS 1A, 2A 8 3A\*, DATED 4/14/2003 BY JOHN THETFORD AS RECORDED IN MAP SLIDE 62 OF THE EAST MONTPELIER LAND RECORDS

2. A PLAN ENTITLED TOTAL STATION SURVEY OF DONALD COTE PROPERTY, U.S. ROUTE 2, EAST MONTPELIER, VT DATED MAY 1999 BY JOHN THETFORD, AS RECORDED IN MAP SLIDE 57 OF THE EAST MONTPELIER LAND RECORDS.

3. A PLAN ENTITLED "FRANCIS L. DELAIR, PLAINFIELD ROAD, EAST MONTPELIER VERMONT" DATED OCTOBER 1977 8 WAYNE D, LAWRENCE, A RECORDED IN MAP SLIDE 54 OF THE EAST MONTPELIER LAND RECORDS.

4. PLANS OF VTRANS PROJECT BFR 028-3(36)SC, AS ARCHIVED ON THE VTRANS PROJECTWISE INTERPLOT SERVER

5. VARIOUS PLANS INCLUDED AS PART OF VERMONT LAND USE PERMIT SERIES SW0783, AS FILED IN THE ACT 250 DISTRICT 5 OFFICE, BARRE, VERMONT,

#### SURVEYORS NOTES:

SURVEY WAS CONDUCTED BY USE OF A TRIMBLE SG ROBOTIC TOTAL STATION TOGETHER WITH A STEEL TAPE WITH AN ACCURACY WITHIN ACCEPTED STANDARDS FOR THIS CLASS OF SURVEY.

2. THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, PHYSICAL EVIDENCE LOCATED, AND INFORMATION PROVIDED BY OWNERS AND ABUTTERS.

3, ENCROACHMENTS, IF ANY, ARE AS SHOWN HEREON.

4. ONLY EASEMENTS ANDIOR RIGHTS-OF-WAY ENCOUNTERED DURING RECORD RESEARCH NECESSARY TO DETERMINE PARCEL BOUNDARIES HAVE SEEN DEFICTED HEREON. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY. RESTRICTIONS AN

5. BEARINGS SHOWN HEREON ARE BASED ON REFERENCE #1 MAGNETIC, 2003).

B. THE PROPOSED 50' WIDE RIGHT-OF-WAY TO LOT 3-A2 IS TO BE CENTERED ON THE GRAVEL DRIVE AS CONSTRUCTED, EXCEPT AS IT FRONTS DIRECTLY UPON SAID LOT WHERE THE LOCATION OF THE RIGHT-OF-WAY SHALL BE CONTROLLED BY THE METES AND BOUNDS SHOWN HEREON,

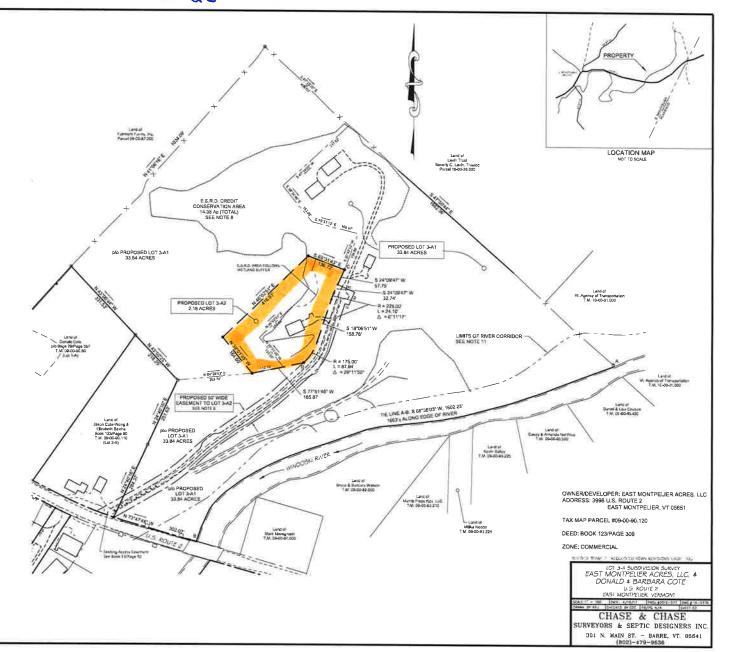
7. THE SHADED AREA IS THAT AREA TO BE CONSERVED TO SATISFY THE REQUIREMENTS OF THE STATE OF VERMONT OPERATIONAL STORMWATER DISCHARGE PERMIT (CP 3-9015). EVENDROMENTAL SENSATIVE BURDAL DEVELOPMENT CREDIT (E S.R.D.). NO DEVELOPMENT OR EARTH DISTURBANCE WITHIN THIS AREA IS ALLOWED.

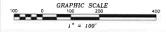
8. WHOLLY WITHIN THE E.S.R.D. CONSERVATION AREA EXIST 5.12 ACRES OF PRIMARY AGRICULTURAL SOILS THAT HAVE SEED DESIGNATED AS ON-SITE MITIGATION FOR IMPACTS SOTH ON-SITE AS WELL AS ON OTHER LAXOS OF THE DEVELOPER, NO DEVELOPMENT WITHIN THESE SOILS IS PERMITTED.

9. ALL WOODED AREAS WITHIN THE PARENT LOT 3-A HAVE BEEN DESIGNATED AS DEER WINTERING AREAS BY THE VERMONT AGENCY OF NATURAL RESOURCES. NO CUTTING WITHIN THOSE AREAS IS PERMITTED WITHOUT APPROVAL OF THE AGENCY.

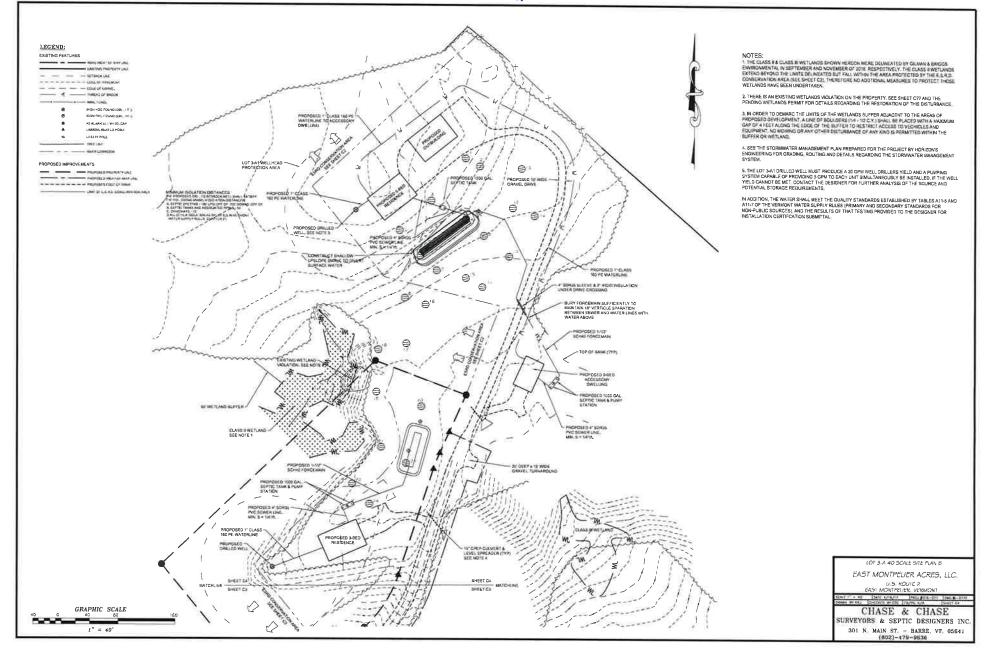
10. CLASS II AND CLASS III WETLANDS EXIST ON THE PROPERTY. CINLY THOSE WETLANDS PROXIMATE TO THE AREAS OF PROPOSED DEVELOPMENT HAVE BEEN DEFINED ON THE PROJECT PLANS, COWNERS ARE ADMISED TO CONSULT WITH THE STATE OF VERMINIT WETLAND SECTION PRIOR TO DISTURBING ANY AREA SERVING THOSE SHOWN ON SAID PLANS.

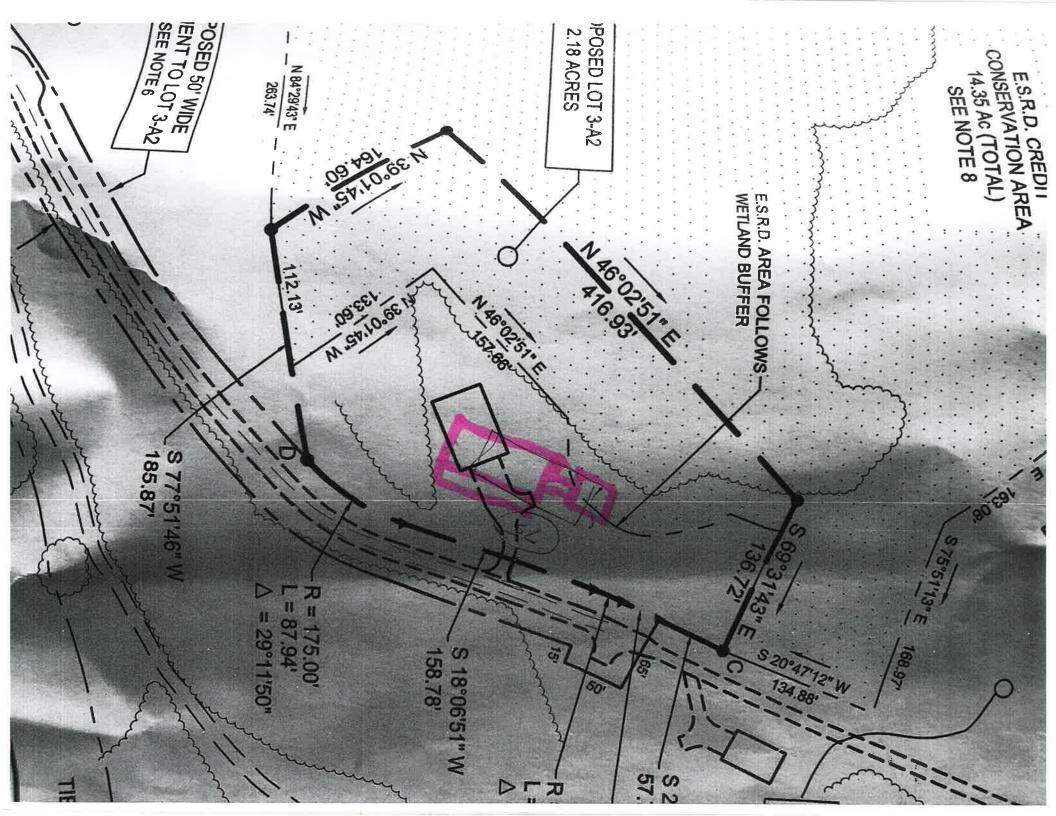
11. THE LIMITS OF THE MAPPED RIVER CORRIDOR, FLLWAL EROSSON AREA) SHOWN HEREON ARE BASED ON THE DATA LAYER AWALABLE ON THE VERMONT ACENCY OF NATURAL RESOURCES DHAINE ATLAS AS MODIFIED BY THE A LETTER OF DETERMINATION DATED FREMANY 16, 2017 BY GRETCHEN ALEXANDER, ANR RIVER SCENTIST, AND THE ATTACHED MAP, NO DISTURBANCE OF ANY TYPE IS PERMITTED WITHIN THIS CORRIDOR.

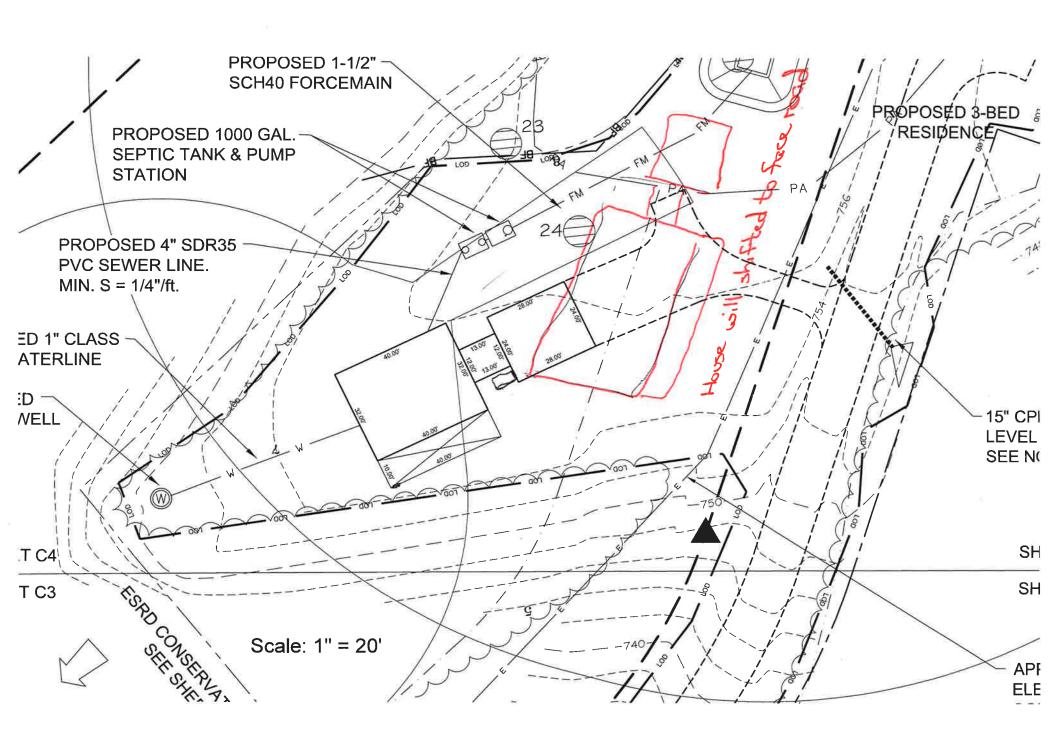




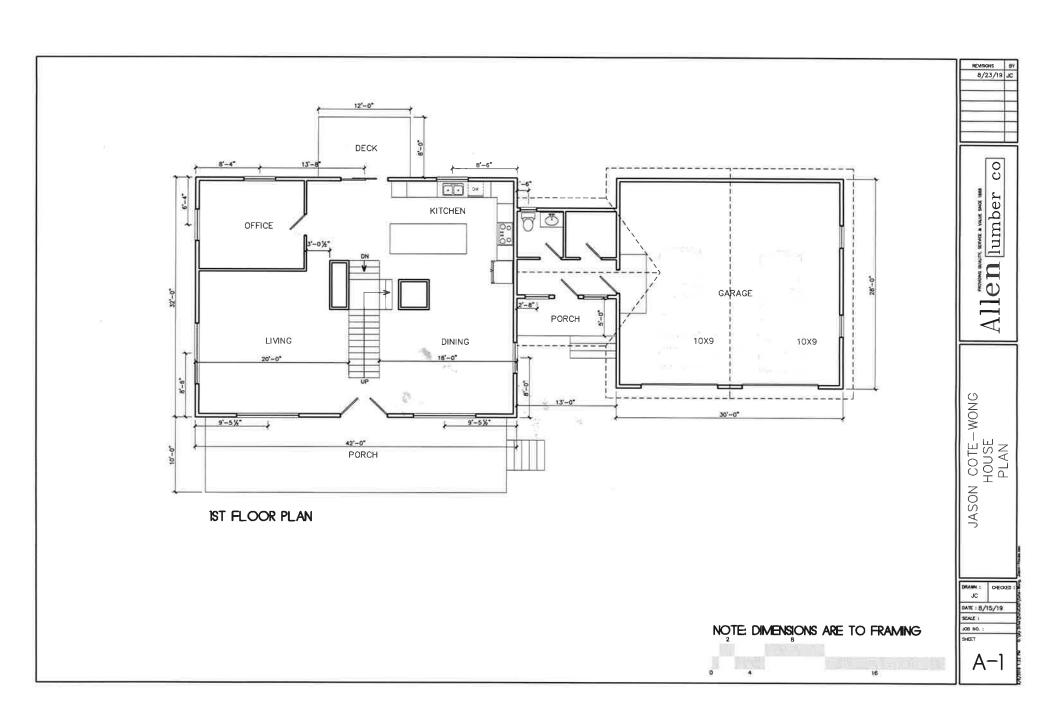
# 17-042 Subdivision Site Plan

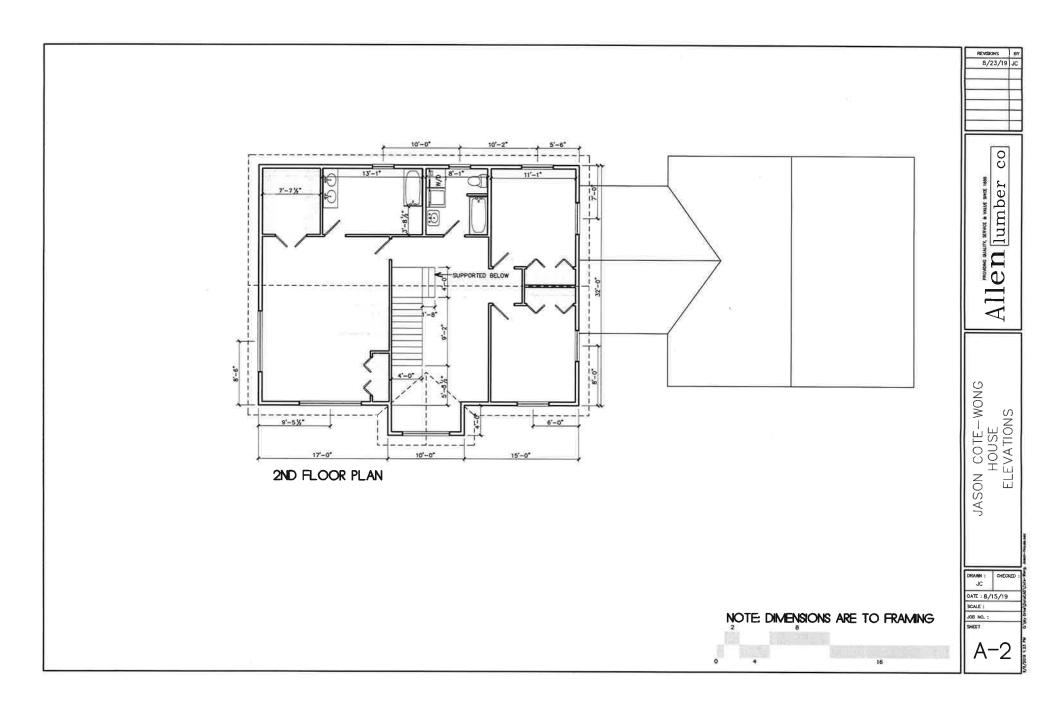


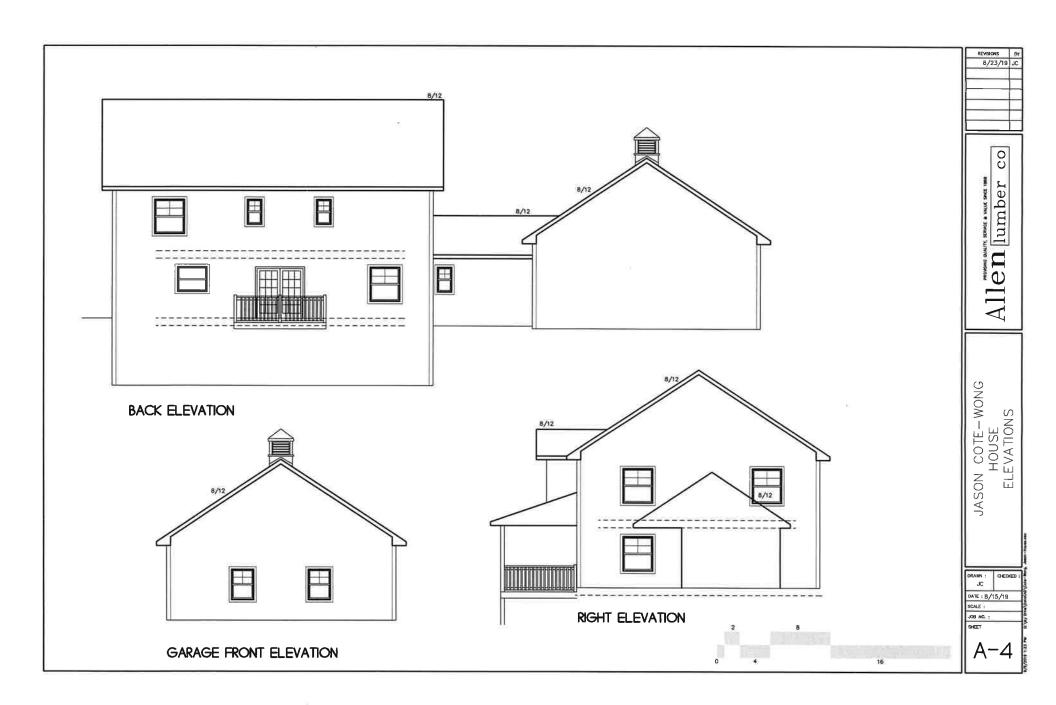














State of Vermont Department of Environmental Conservation

Agency of Natural Resources Drinking Water and Groundwater Protection Division

## 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 April 12, 2019

Landowner(s):

East Montpelier Acres, LLC

3998 US Route 2

East Montpelier, VT 05651

Permit Number: WW-5-7975

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

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
3A	09-00-90.120	195-062-11161	36.02	Book: 123 Page(s): 309

This project, consisting of subdividing an existing 36.02 -acre lot into lot 3-A1 for construction of a 5-bedroom single-family residence and 2-bedroom accessory dwelling and lot 3-A2 for the construction of a 3-bedroom single-family residence located at 4023 US Route 2, 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 Craig D. Chase, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
Lot 3-A Subdivision Survey	C2	04/18/2017	09/28/2017
Lot 3-A 40 Scale Site Plan B	C4	04/19/2019	
Lot 3-A2 Septic Details	C5	04/19/2019	
Lot 3-A1 Septic Details	C6	04/19/2019	

- This permit does not relieve the landowner from obtaining all other approvals and permits <u>PRIOR</u> to construction including, but not limited to, those that may be required from the Division of Fire Safety; 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.
- 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 §1-311 of the referenced rules.



- Lot 3-A1 of 33.84-acres is approved for the construction of a 5-bedroom single-family residence and 2-bedroom accessory dwelling. 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 Lot 3-A2 of 2.18-acres 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.
- Each purchaser of lot 3-A1 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-R5 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.
- 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.
- 1.10 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.
- Any person aggrieved by this permit may appeal to the Environmental Court within 30 days 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 5-bedroom single-family residence and 2-bedroom accessory dwelling on lot 3-A1 are approved for a shared potable water supply using a drilled or percussion bedrock well for 840 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 Rules.
- 2.2 The 3-bedroom single family residence on lot 3-A2 is approved for a potable water supply using a drilled or percussion bedrock well for 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 Rules.
- 2.3 The landowner shall operate their 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".
- 2.4 The components of each 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.
- 2.5 Each 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.
- Prior to constructing the potable water supply, for lot 3-A1, other than drilling of the well, the landowner shall obtain an amended permit or approval letter from the Drinking Water and Groundwater Protection Division. The landowner shall submit plans prepared by a qualified Vermont Licensed Designer for a water distribution system, including sizing calculations, specifications for pumps, hydropneumatic tanks, and storage facilities, to the Drinking Water and Groundwater Protection Division for approval.

2.7 Prior to the use of the water systems, each landowner shall test their water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH, and the water quality analyses shall be found to comply with the standards in the Rules. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website) to conduct the specific tests.

### **3.WASTEWATER DISPOSAL**

- 3.1 The 5-bedroom single-family residence and 2-bedroom accessory dwelling on lot 3-A1 are approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for 840 gallons of wastewater per day.
- 3.2 The 5-bedroom single-family residence and 2-bedroom accessory dwelling on lot 3-A1 are approved for a shared wastewater disposal system by construction and utilization of the site-specific Innovative/Alternative System wastewater 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.
- 3.3 The 3-bedroom single family residence on lot 3-A2 is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for 420 gallons of wastewater per day.
- Each 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.
- 3.5 The components of each 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.
- 3.6 The corners of the proposed wastewater disposal 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 areas 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 Cal Fulle

Dated June 13, 2019

Carl Fuller, PE, Regional Engineer

Montpelier Regional Office

Drinking Water and Groundwater Protection Division

**Enclosures:** 

Innovative/Alternative System Approval letter #2004-02-R5 f

cc: Craig D. Chase

East Montpelier Planning Commission

Presby Environmental Inc.

Department of Public Safety, Division of Fire Safety





# East Montpelier Acres LLC -- Lot 3A-2

East Montpelier, VT

1 inch = 1192 Feet



www.cai-tech.com

