

Town of East Montpelier

ZONING PERMIT

NOTICE

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

Date Issued: February 19, 2020

Effective Date: March 5, 2020

Location: 3035 US Rte. 2

Owner: Town of East Montpelier

For: Boundary Adjustment
3.04 acres taken from town-owned LaPerle
parcel and added to town-owned Hodgeman
parcel

Application # 20-001

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.

Permit # 20-001
Zoning District C
Overlays N/A

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

Date Received: 02/18/2020
Parcel # 10-067.000
Tax Map # 21-52-37.000

- A. 1. Name of Landowner Town of East Montpelier Phone No 223-3313
2. Address of Landowner PO Box 157, East Montpelier, VT 05651
3. Applicant (other than owner)..... Phone No.....
4. Address of Applicant.....
5. Location of Property 3035 US Rte. 2

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 type="checkbox"/> Subdivision of land |
| <input type="checkbox"/> Repair | <input type="checkbox"/> Multi-family dwelling | <input checked="" 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 The town would like to split off the 3.04-acre farmhouse section of the Old LaPerle Farm Property from the 45.48-acre undeveloped portion of the property (mostly to the east of Sodom Pond Brook) and add the 3.04 acres to the adjacent 3.0 acre town-owned Hodgeman parcel along VT Rte. 14 N.

C. Lot description:

- | | |
|--|---|
| 1. acreage <u>48.52 acres</u> | 4. depth side yards Ft. Ft.
(building to lot lines) |
| 2. road frontage <u>3,001 feet</u> Ft. | |
| 3. depth front yard Ft.
(Road centerline to building) | 5. depth rear yard 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 Seth B. Gardner Date 02/17/2020
Applicant SB Chair Seth Gardner for Town of EM Date

Zoning Permit Fee: \$ 0 (waived) Cash _____ Check _____ Date 2/18/20 Rec'd by DS
DRB Hearing Fee: \$ _____ Cash _____ Check _____ Date _____ Rec'd by _____

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: http://publicservice.vermont.gov/energy_efficiency/rbes
Commercial Building Energy Standards: http://publicservice.vermont.gov/energy_efficiency/cbes

E. Action by Zoning Administrator:

1. ☒ Granted ☐ Denied Date Reason

2. Appealed to Development Review Board By
Date

Notice: 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 # 20-001 Date Issued 02/19/20 Effective Date 03/05/20

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) ☒ No


Zoning Administrator

F. Action 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

The DRB's written decision was issued on:

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.

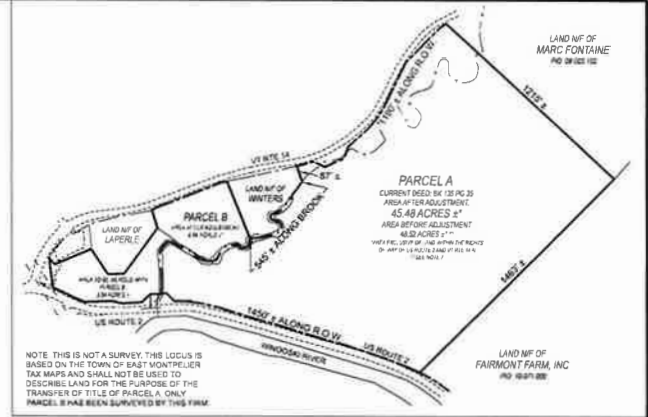


REFERENCES:

1. A PLAN ENTITLED "BOUNDARY LINE ADJUSTMENT, NORMAN & CLAIRE LAPERLE & TOWN OF E. MONTPELIER, 18.0 V. RTE 14 N. 30.0 V. RTE 2, EAST MONTPELIER, VERMONT" BY T. CHASE, WILLIAM R. CHASE, RLS #542, DATED DECEMBER 27, 2017 AND REVISED JUNE 1, 2019 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS, HANGER 88, MAP 378.
2. A PLAN ENTITLED "ARSENIE LAPERLE TO NORMAN LAPERLE EAST MONTPELIER, VT" BY DAVID HUDSON, DATED MAY 10, 1974 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS.
3. A PLAN ENTITLED "ARSENIE LAPERLE TO MARSHALL HODGEMAN EAST MONTPELIER, VERMONT" BY DAVID H. HUDSON, DATED JANUARY 1974 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 17.
4. A PLAN ENTITLED "TOTAL STATION SURVEY OF THE HODGEMAN TO GUYETTE LOT, VT. ROUTE 14, E. MONTPELIER, VT" BY JOHN H. THETFORD, RLS #688, DATED APRIL 2002, REVISED AUGUST 1, 2002 AS FOUND IN THE LAND RECORDS OF THE TOWN OF EAST MONTPELIER IN HANGER 61, MAP 157.
5. A PLAN ENTITLED "STATE OF VERMONT, DEPT. OF HIGHWAYS, TOWN OF EAST MONTPELIER, US RTE 2, BRIDGE 73" DATED 9-3-75, REVISED 10-30-75 AS FOUND IN THE LAND RECORDS OF THE TOWN OF EAST MONTPELIER IN HANGER 19, MAP 47.
6. A PLAN ENTITLED "PROPOSED IMPROVEMENT TOWN OF EAST MONTPELIER, COUNTY OF WASHINGTON, U.S. ROUTE 2 & VT 14, PROJECT, EAST MONTPELIER, PROJECT NO. STPG 028-33059", SURVEYED AUGUST 1998 AND A PLAN PLOT DATE OF SEPTEMBER 15, 2009. SEE ROADWAY PLAN LAYOUT 2 & 4. SHEETS 25 - 37 AS PROVIDED BY THE STATE OF VERMONT, AGENCY OF TRANSPORTATION.
7. A PLAN FOR THE STATE OF VERMONT, PROJECT N.R.S. NO. 144, DATED 1933, SHEET 4 OF 28, AS PROVIDED BY THE STATE OF VERMONT, AGENCY OF TRANSPORTATION.
8. A PLAN ENTITLED "E. MONTPELIER PARK AND RIDE, CMO PARK (177) BY STANTEC, DATED 7/25/2014 CONSTRUCTION LAYOUT SHEET 1 AS FOUND ON FILE IN THE TOWN OF EAST MONTPELIER LAND RECORDS.

LEGEND:

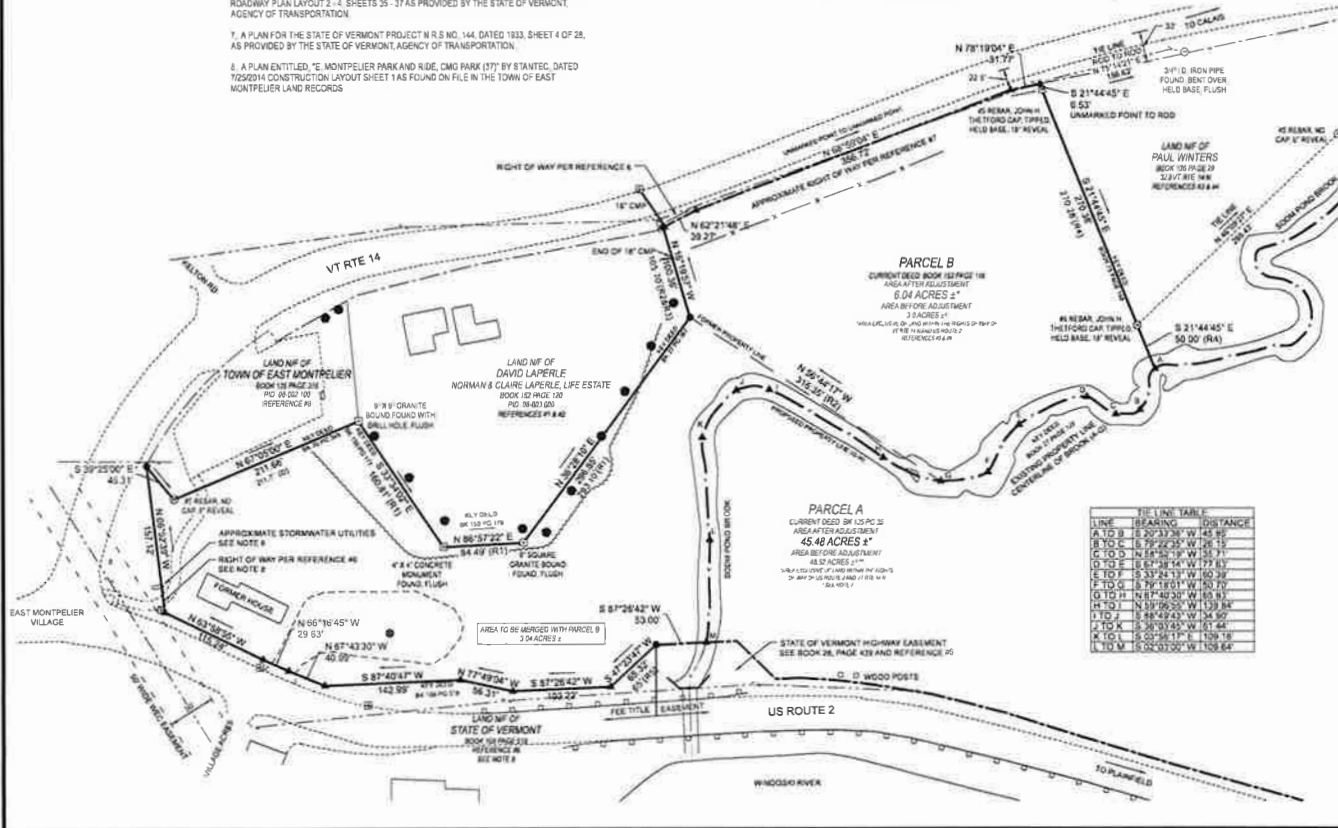
- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- FORMER PROPERTY LINE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- WIRE FENCE
- GUARD RAIL
- THREAD OF BROOK
- OVERHEAD UTILITY LINE
- LIMIT OF EXISTING EASEMENT
- EDGE OF MOWING
- TIE LINE
- IRON ROD FOUND (DIA. - HT.)
- IRON PIPE FOUND (DIA. - HT.)
- GRANITE BOUND FOUND
- CONCRETE MONUMENT FOUND
- 45 REBAR SET W/ 1-3 CAP
- UNMONUMENTED POINT
- UTILITY POLE
- PER DEED
- (R1) PER REFERENCE #
- N/F NOW OR FORMERLY
- DRILLED WELL
- CATCH BASIN
- EVERGREEN TREE



INTERMEDIATE LOCUS
1" = 300'

SURVEYORS NOTES:

1. THIS SURVEY WAS CONDUCTED BY USE OF A TRIMBLE S8 ROBOTIC TOTAL STATION, TOGETHER WITH A STEEL TAPE, WITH A PRECISION WITH ACCEPTED STANDARDS.
2. THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, PHYSICAL EVIDENCE LOCATED AND INFORMATION PROVIDED BY OWNERS AND ADJUTERS.
3. ENCRUMPTIONS, IF ANY, ARE AS SHOWN HEREIN.
4. ONLY EASEMENTS AND/OR RIGHTS OF WAY ENCOUNTERED DURING RECORD RESEARCH NECESSARY TO DETERMINE PARCEL BOUNDARIES HAVE BEEN DEPICTED HEREON. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS.
5. BEARINGS SHOWN HEREON ARE BASED ON THE BEARINGS AS SHOWN ON REFERENCE #1. BEARINGS ARE INCLUDED ONLY TO DEPICT THE ANGULAR RELATIONSHIP BETWEEN LINES. VARIATIONS WITH PRIOR SURVEYS WILL BE NOTED DUE TO DIFFERING MERIDIANS OR METHODOLOGIES, BUT ARE NOT INDICATIVE OF A CHANGE IN BOUNDARY LOCATION.
6. THE RIGHTS-OF-WAY OF US ROUTE 2 & VT ROUTE 14N ARE BASED ON REFERENCES #5, #6, & #7 AND CONTROL DATA PROVIDED BY THE STATE OF VERMONT. THE EASTERLY PORTION OF VT ROUTE 14N WAS BASED ON REFERENCE #7 AND ROTATED AROUND A BEST FIT OF THE EXISTING CENTERLINE AND OTHER PHYSICAL FEATURES SHOWN ON SAID PLAN.
7. ONLY PARCEL B AND PART OF PARCEL A HAS BEEN SURVEYED BY THIS FIRM FOR THIS PROJECT. THE AREA AND DIMENSIONS OF THE REMAINDER OF PARCEL A SHOWN HEREON ARE BASED ON THE TOWN OF EAST MONTPELIER TAX MAPS AND GRANT LIST DATA.
8. MOST OF THE LAND BEYOND THE R.O.W. LINE OF US ROUTE 2 IS OWNED IN FEE BY THE STATE OF VERMONT. SEE BOOK 128, PAGE 518 OF THE LAND RECORDS OF THE TOWN OF EAST MONTPELIER AND REFERENCE #6. THE STATE OF VERMONT ALSO HAS FURTHER RIGHTS TO WATER LINES, SEPTIC SYSTEMS, STORM WATER UTILITIES, ETC. AS DETAILED IN SAID DEED AND SHOWN ON ABOVE REFERENCED PLAN.



LINE	BEARING	DISTANCE
A TO B	S 29° 33' 00" E	40.31
B TO C	S 29° 33' 00" E	40.31
C TO D	N 67° 50' 00" E	211.50
D TO E	S 33° 24' 13" W	60.39
E TO F	S 33° 24' 13" W	60.39
F TO G	S 76° 10' 01" W	130.70
G TO H	N 39° 56' 30" W	130.84
H TO I	N 39° 56' 30" W	130.84
I TO J	S 88° 49' 43" W	34.90
J TO K	S 88° 49' 43" W	34.90
K TO L	S 88° 49' 43" W	34.90
L TO M	S 88° 49' 43" W	34.90

ZONING INFORMATION

ZONE C - RESIDENTIAL - COMMERCIAL DISTRICT
MIN. LOT SIZE: 1 ACRE
MIN. LOT FRONTAGE: 150'
SETBACKS:
FRONT: 25'
SIDE: 25'
REAR: 25'
MAX. BUILDING HEIGHT: 10'



SUBJECT PROPERTY:
VALUING ADDRESS
TOWN OF EAST MONTPELIER
P.O. BOX 157
EAST MONTPELIER, VT 05601

PARCEL A
PLOT 18-387 000
TAX MAP 07-33 37 000
SPAN: 195 062-10975
DEED: BK 138 PG 25
3035 US ROUTE 2
PARCEL B
PLOT 18-387 150
TAX MAP 07-33 37 000
SPAN: 195 062-10975
DEED: BK 138 PG 25
3035 US ROUTE 2
VT RTE 14 N

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED IS A TRUE AND CORRECT REPRESENTATION OF THE PARCEL BOUNDARIES DETERMINED AS NOTED HEREON TO THE BEST OF MY KNOWLEDGE AND BELIEF AND CONFORMS WITH THE REQUIREMENTS SET FORTH IN 26 V.S.A. § 2586. THE SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY METHODS NOTED HEREON WITH A PRECISION WITHIN ACCEPTED STANDARDS FOR THIS CLASS OF SURVEY.

1/15/2020 *William Z. Chase*
STATE OF VERMONT
NOT VALID UNLESS BEARED WITH AN APPROVED SURVEYORS SEAL

BOUNDARY LINE ADJUSTMENT TOWN OF EAST MONTPELIER 3035 US ROUTE 2 EAST MONTPELIER, VERMONT

Chase & Chase
Surveyors & Septic Designers, Inc.
3035 US ROUTE 2
EAST MONTPELIER, VT 05601
507-479-9634

