

Permit # 20-052

ZONING PERMIT APPLICATION

Date Received: 12/15/20Zoning District C

TOWN OF EAST MONTPELIER

Parcel # 08-047.000Overlays WR, SFH2

PO Box 157, East Montpelier, VT 05651

Tax Map # 20-00-05.000

- *****
- A. 1. Name of Landowner Laura Brown Phone No. 522-3375
2. Address of Landowner PO Box 70, North Montpelier, VT 05666
3. Applicant (other than owner) Phone No.
4. Address of Applicant
5. Location of Property 3205 VT Route 14N

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. Subdivide the existing 16.15 acre parcel into two Lots: Lot 1 of 11.50 acres with the existing house and Lot 2 of 4.65 acres for the construction of one new home. See attached project description.

C. Lot description:

- | | |
|---|---|
| 1. acreage <u>Lot 1 11.5 acres/Lot 2 4.65 Acres</u> | 4. depth side yards <u>Lot 1 R 819' L 43'</u> Ft. <u>Lot 2 R 283' L 43'</u> Ft. |
| 2. road frontage <u>Lot 1 927'/Lot 2 718'</u> Ft. | (building to lot lines) |
| 3. depth front yard <u>Lot 1 0'/Lot 2 116'</u> Ft. | 5. depth rear yard <u>Lot 1 122'/Lot 2 110'</u> |
| (Road centerline to building) | (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 Laura Brown Date 12/14/20Applicant SAME DateZoning Permit Fee: \$ 250.00 Cash #7690 Date 12/15/20 Rec'd by DS

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

Make checks payable to the "Town of East Montpelier"

Project Description

2-lot Subdivision

Laura Brown

3025 VT Route 14 North

Parcel 08-047000

This project involves the subdivision of the existing 16.15 acre parcel as developed with an existing single-family residence, including frontage on Route 14N, Factory Street and North Montpelier Pond into two parcels: Lot 1 of 11.5 acres with the existing house, and Lot 2 of 4.65 acres for the construction of a new single-family residence. The existing house is located on the west side of Route 14, immediately north of the bridge crossing between the upper and lower pond. The property includes frontage along Factory Street and the pond, as well as along Route 14.

Lot 1 is configured with the full 927' of frontage on Route 14N as well as with all frontage along North Montpelier Pond. The existing residence is served by an on-site septic system and a drilled well. As part of the State Wastewater & Water Supply Permit review process, it is necessary to demonstrate that a proposed subdivision will continue to provide existing development access to a location suitable for a replacement septic system, should that ever be necessary in the future. To satisfy that requirement, we have identified a location on top of the hill above the house suitable for an -type system. This location lies within the wellhead protection area for the existing well, therefore we have also identified a location for a replacement well should that ever become necessary. See the included Site Plan as submitted. These locations only demonstrate potential locations for these replacement systems: other areas may be suitable but have not yet been explored.

Lot 2 is configured to include all the frontage along Factory Street. Application for a curb-cut permit has been submitted to the Selectboard for review of a driveway to enter the road at an existing logging access. Locations suitable for a mound-type septic system and drilled well to serve a three-bedroom single-family residence have been identified. Final design of these systems is ongoing with submittal to the State expected prior to the Development Review Board hearing on January 5. The footprint of house shown is conceptual only, with the final house footprint and locations to be determined by a future owner. It is understood that further administrative review of the building location and footprint will be required prior to issuance of a Building Permit for the Lot.

As Zoning Administrator Bruce Johnson is aware, just prior to submittal of this application the boundary between Lot 2 and the lands of Kingsbury Branch Hydroelectric was unresolved: two surveys, noted as References 1 & 2 on the subdivision survey, placed the line in different locations. Additional research into the land records dating back to 1844 (the old Town of Montpelier, before the division) has confirmed that the earlier Reference 2 survey correctly identified the line. The East Montpelier Tax Maps reflect the configuration shown on the latter, incorrect Reference 1 survey, and do not identify the owner to the south. The research is clear: the owner to the south is Kingsbury Branch Hydro (contiguous with land along the pond extending to the dam and Route 14) and the line is located as shown. Kingsbury Branch Hydro has been noticed as part of this application.

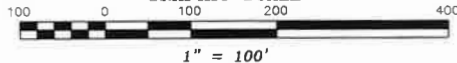
SURVEYORS NOTES:

1. THIS SURVEY WAS CONDUCTED BY USE OF A TRIMBLE S5 ROBOTIC TOTAL STATION, TOGETHER WITH A STEEL TAPE, WITH A PRECISION WITHIN ACCEPTED STANDARDS.
2. THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, PHYSICAL EVIDENCE LOCATED, AND INFORMATION PROVIDED BY OWNERS AND ADJUTERS.
3. ENCROACHMENTS, IF ANY, ARE AS SHOWN HEREON
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 A MAGNETIC READING TAKEN AT THE TIME OF FIELD PROCEDURES. 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 VERMONT ROUTE 14 ARE BASED UPON REFERENCE #6 AND THE OBSERVED CENTERLINE. THE RIGHTS OF WAY OF FACTORY STREET ARE BASED ON SURVEYS OF RECORD AND MONUMENTATION FOUND. WHERE UNMONUMENTED, A THREE ROD WIDTH BASED ON THE OBSERVED CENTERLINE IS ASSUMED PURSUANT TO 19 VSA-32.
7. THE LINE BETWEEN BROWN AND KINGSBURY BRANCH HYDRO IS SHOWN INCORRECTLY ON REFERENCE #1, APPARENTLY BASED ON EVIDENCE THAT DID NOT EXIST WITH NO REFERENCE TO PRIOR DEEDS OR THE REFERENCE #2 SURVEY DONE AND RECORDED 7 YEARS EARLIER.
8. THE LINE SHOWN HEREON IS CONSISTENT WITH THE REFERENCE #2 SURVEY. THE DESCRIPTION CONTAINED IN BOOK 13, PAGE 215 OF THE MONTPELIER LAND RECORDS, EVIDENCE OF TOP OF CUT SLOPE AND REMAINING DEAD FURROW ALONG THE LINE, A CALL TO AN ADJOINER IN BOOK 10, PAGE 19 OF THE EAST MONTPELIER LAND RECORDS AND MONUMENTATION FOUND.
9. THE HOUSE PORCH DOES NOT ENCRACH ON THE ROUTE 14 RIGHT-OF-WAY LINE PER REFERENCE #6 BUT IS WITHIN A 33' OFFSET OF THE EXISTING CENTERLINE BELIEVED TO BE THE HIGHWAY RIGHT-OF-WAY.

REFERENCES:

1. A PLAN ENTITLED "PROPERTY OF RICHARD & MARION KREIS, NORTH MONTPELIER, VERMONT" BY PHIL TUBBS, RLS #287, ROW WELLS, AND MIKE RABIN, DATED OCTOBER 1972 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS, HANGER 15, MAP 12 AND REVISED IN HANGER 16, MAP 15
2. A PLAN ENTITLED "VERMONT WOOLLEN CORPORATION, SUBDIVISION OF LOTS - FACTORY STREET, NORTH MONTPELIER, VERMONT, TOWN OF EAST MONTPELIER" BY ANDRE ROULEAU, DATED JULY 1965 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 3, MAP 18 AND REVISED 5/16/66 FOUND IN HANGER 4, MAP 22
3. A PLAN ENTITLED "PLAN OF PROPERTY IN CALAIS & EAST MONTPELIER, VT. BELONGING TO R & S CASSAVOY, J.K. HIGGINS, J.B. HIGGINS, & N.R. CLARK" BY RICHARD A. SAWYER, RLS #97, CUNNINGHAM ASSOCIATES, DATED DECEMBER 1978 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 22, MAP 74
4. A PLAN ENTITLED "PETER NOYES LOT, 1" = 50" AS PROVIDED BY THE CLIENT.
5. A SKETCH OF THE BOUNDARY LINE ADJUSTMENT OF THE LAND NOW OF ROBERT COATES DATED NOVEMBER 3, 1984 AS PROVIDED BY THE STATE OF VERMONT AND PART OF PERMIT DE-S-1547
6. A PLAN ENTITLED "PROJECT ST 144M" BY STATE OF VERMONT, DEPARTMENT OF HIGHWAYS, DATED 1/1/1936 AS PROVIDED BY THE STATE OF VERMONT.

GRAPHIC SCALE



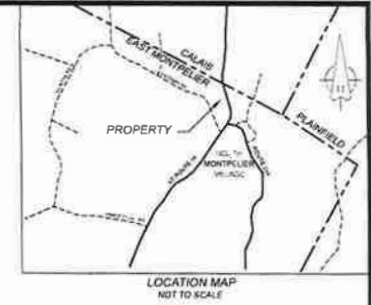
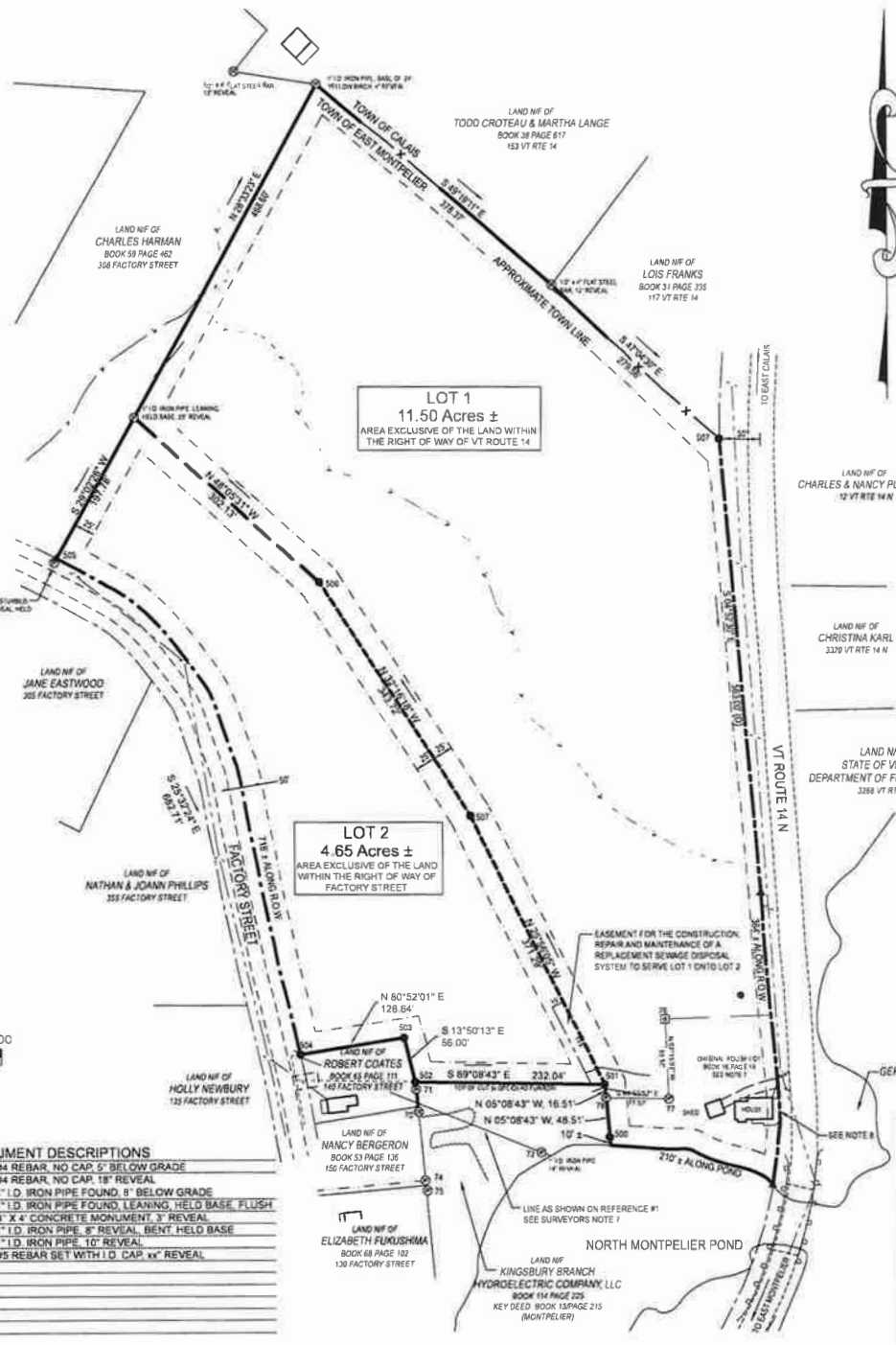
CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT 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. § 2596. THE SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY METHODS NOTED HEREON WITH A PRECISION WITHIN ACCEPTED STANDARDS FOR THIS CLASS OF SURVEY.

12/14/2020 *William R. Chase*
 DATED: WILLIAM R. CHASE RLS #542 VERMONT
 NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

MONUMENT DESCRIPTIONS

70	#4 REBAR, NO CAP, 5" BELOW GRADE
71	#4 REBAR, NO CAP, 18" REVEAL
74	1" I.D. IRON PIPE FOUND, 8" BELOW GRADE
75	1" I.D. IRON PIPE FOUND, LEARNING, HELD BASE, FLUSH
76	4" X 4" CONCRETE MONUMENT, 3" REVEAL
77	1" I.D. IRON PIPE, 8" REVEAL, BENT, HELD BASE
78	1" I.D. IRON PIPE, 10" REVEAL
501	#5 REBAR SET WITH I.D. CAP, 4x4" REVEAL
502	
503	
504	
505	
506	
507	
508	



LEGEND

- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED SETBACK LINE
- DEED LINE
- LIMIT OF EXISTING EASEMENT
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- APPROX. THREAD OF BROOK
- WIRE FENCE
- GUARD RAIL
- OVERHEAD UTILITY LINE
- TIE LINE
- EDGE OF MOWING
- IRON ROD FOUND (DIA. HT.)
- IRON PIPE FOUND (DIA. HT.)
- #5 REBAR TO BE SET
- UNMONUMENTED POINT
- UTILITY POLE
- PER DEED
- PER REFERENCE #
- NW OR FORMERLY
- DRILLED WELL

ZONING INFORMATION

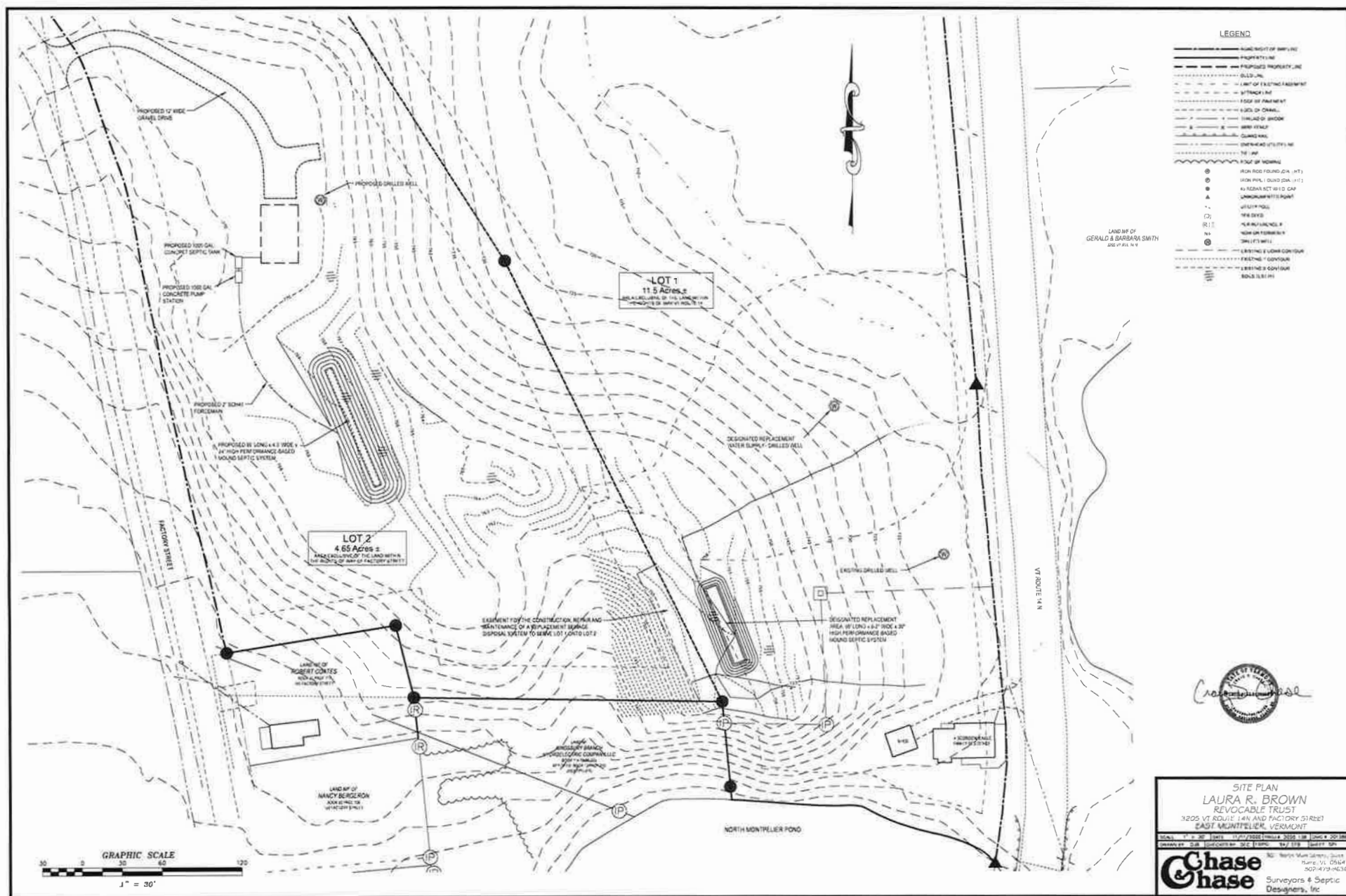
ZONE C - RESIDENTIAL - COMMERCIAL DISTRICT
 MIN. LOT SIZE: 1 ACRE
 MIN. LOT FRONTAGE: 150'
 SETBACKS:
 FRONT: 50' FROM CL
 SIDE: 25'
 REAR: 25'
 MAX BUILDING HEIGHT: 35'

SUBJECT PROPERTY

MAILING ADDRESS:
 LAURA R. BROWN
 P.O. BOX 70
 NORTH MONTPELIER, VT 05666
 PID: 08-047-000
 TAX MAP #20-06-05-000
 SPAN: 185-062-10115
 HOUSE DEED: BOOK 76 PAGE 66
 16 AC. DEED: BOOK 76 PAGE 69
 TOTAL AREA: 16.15 ACRES ±

SUBDIVISION
 LAURA R. BROWN
 REVOCABLE TRUST
 3205 VT ROUTE 14N AND FACTORY STREET
 EAST MONTPELIER, VERMONT

SCALE: 1" = 100' DATE: 11/11/2020 PROJ#: 2020 138 DWG#: 20138A
 DRAWN BY: TDM CHECKED BY: WRC FBPG: 94/ EFB SHEET: SURV1
Chase & Chase
 301 North Main Street, Suite
 Barre, VT 05644
 802.479.9634
 Surveyors & Septic
 Designers, Inc.



Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, January 5, 2021 at 7:00 p.m. by Zoom remote conferencing to conduct review of zoning application 20-052 submitted by Laura Brown on behalf of the Laura R. Brown Revocable Trust. The purpose of this subdivision is to separate off a 4.65-acre building lot along Factory Street from the developed portion of the property along VT Rte. 14 N. The proposed new lot will have a curb cut on Factory Street that is the subject of East Montpelier access application 20-053. The following notice will appear in the Times Argus on Saturday, December 19, 2020:

The East Montpelier Development Review Board will hold a Public Hearing on Tuesday, January 5, 2021 at 7:00 p.m. to consider the following:

Final plat review of Application #20-052, submitted by Laura Brown, as trustee of the Laura R. Brown Revocable Trust, to subdivide the trust's property located at 3205 VT Rte. 14 N. This proposal will divide the 16.15-acre parcel into two lots: Lot 1 of 11.5 acres and existing house with frontage on VT Rte. 14 N; and, Lot 2 of 4.65 acres with frontage on Factory Street. The property is located in Zone C – Residential/Commercial District, where the minimum lot size is 1 acre.

The meeting will be held utilizing Zoom remote conferencing. Participation options are listed at: <https://eastmontpeliervt.org/january-5-2021-drb-meeting/>

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 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 manager@eastmontpeliervt.org.

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



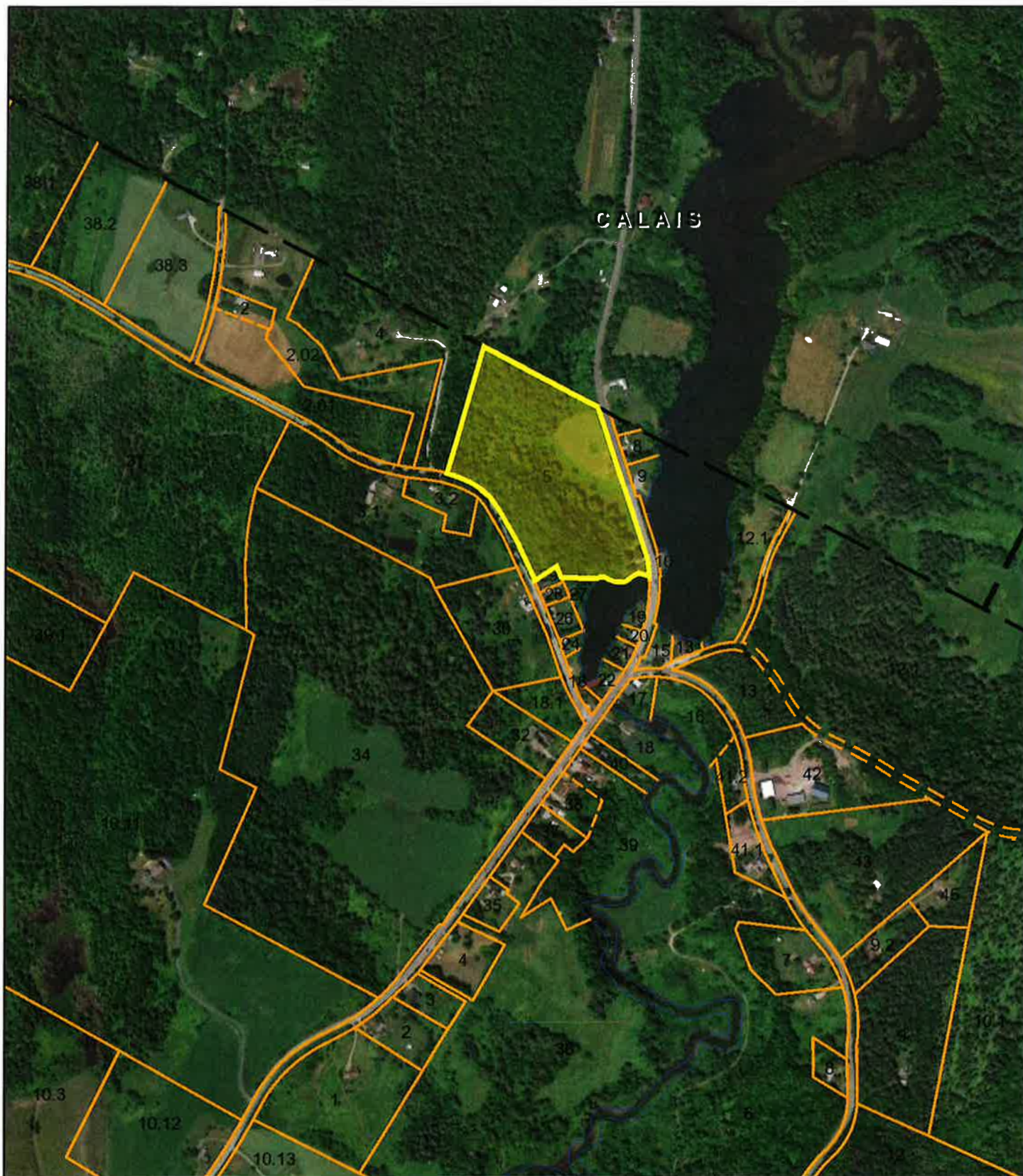
Brown -- 3205 VT Rte. 14 N

East Montpelier, VT

1 inch = 705 Feet



December 16, 2020



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.