

Town of East Montpelier

ZONING PERMIT

NOTICE

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

Date Issued: January 26, 2021
Effective Date: February 10, 2021
Location: 203 Captain Kidd Road
Owner: Andy & Michelle Harper
For: 24' x 28' Pole Barn w/ Gravel Floor

Application # 21 - 008

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 # 21-008
Zoning District D
Overlays -

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

Date Received: 1/21/21
Parcel # 09-105-700
Tax Map # 12-02-29-250

- A. 1. Name of Landowner ANDY + MICHELLE HARPER Phone No. 802-353-6111
2. Address of Landowner 203 CAPTAIN KIDD RD.
3. Applicant (other than owner) SAME Phone No. _____
4. Address of Applicant _____
5. Location of Property LAST HOUSE ON LEFT CAPTAIN KIDD

B: Application is made (check appropriate boxes):

- | | | |
|---|---|--|
| To: | For: | For: |
| <input checked="" 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 type="checkbox"/> Boundary adjustment |
| <input type="checkbox"/> Alter | <input checked="" 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 24' x 28' POLE BARN, GRAVEL FLOOR

C. Lot description:

- | | |
|---|---|
| 1. acreage <u>3.0</u> | 4. depth side yards <u>60'</u> Ft. <u>100'</u> Ft.
(building to lot lines) |
| 2. road frontage <u>300</u> Ft. | |
| 3. depth front yard <u>300 +</u> Ft.
(Road centerline to building) | 5. depth rear yard <u>55</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 [Signature] Date 1.18.21
Applicant _____ Date _____

Zoning Permit Fee: \$ 50.00 Cash _____ Check #5744 Date 1/21/21 Rec'd by D.S.
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 # 21-008... Date Issued 01/26/21... Effective Date 02/10/21...

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.

EASEMENT/RIGHT-OF-WAY NOTES

1. SEPTIC SYSTEM EASEMENT FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PROPOSED PRIMARY SEPTIC SYSTEM SERVING LOTS 7 & 8. EASEMENT LIMITS TO BE A MINIMUM OF 25' FROM THE OF RECORD AS CONSTRUCTED.
2. SEPTIC SYSTEM EASEMENT FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PROPOSED REPLACEMENT SEPTIC SYSTEMS SERVING LOTS 1-6. EASEMENT LIMITS TO BE A MINIMUM OF 25' FROM THE OF RECORD AS CONSTRUCTED.
3. WATER SUPPLY EASEMENT FOR PROPOSED DRILLED WELL TO SERVE LOT #7. EASEMENT LIMITS TO BE A MINIMUM OF 10' EITHER SIDE OF WATER LINE AND WELL AS CONSTRUCTED.
4. SEPTIC SYSTEM EASEMENT FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PROPOSED PRIMARY SEPTIC SYSTEM SERVING LOTS 1-6. EASEMENT LIMITS TO BE A MINIMUM OF 25' FROM THE OF RECORD AS CONSTRUCTED.
5. 20' EASEMENT FOR CONSTRUCTION, REPAIR, & MAINTENANCE OF PROPOSED FORCE MAIN TO SERVE LOT 5. TO BE 10' EITHER SIDE OF FORCE MAIN AS CONSTRUCTED.
6. 20' EASEMENT FOR CONSTRUCTION, REPAIR, & MAINTENANCE OF PROPOSED FORCE MAIN TO SERVE LOT 4. TO BE 10' EITHER SIDE OF FORCE MAIN AS CONSTRUCTED.
7. 20' EASEMENT FOR CONSTRUCTION, REPAIR, & MAINTENANCE OF PROPOSED FORCE MAIN TO SERVE LOT 1. TO BE 10' EITHER SIDE OF FORCE MAIN AS CONSTRUCTED.
8. CAPTAIN KIDD ROAD WAS CONVEYED TO THE TOWN OF EAST MONTPELIER ON DECEMBER 3, 2013, AND BECAME A PUBLIC ROAD ON DECEMBER 18, 2013. IT HAS A 60' R.O.W.

STORMWATER MANAGEMENT EASEMENT NOTES:

1. ALL AREAS NOTED HEREIN AS "STORMWATER MANAGEMENT EASEMENT" SHALL BE HELD IN COMMON WITH ALL LOTS IN THE SUBDIVISION FOR THE CONSTRUCTION, REPAIR AND MAINTENANCE OF THE STORMWATER MANAGEMENT FACILITIES ASSOCIATED WITH THE SUBDIVISION. REFERENCE IS MADE TO PLANS ENTITLED "STORMWATER MANAGEMENT PLAN (SHEETS 1 & 2), DUANE WELLS SUBDIVISION, CLARK ROAD, BANFIELD ROAD AND EAST HILL ROAD, EAST MONTPELIER, VERMONT, DATED 12/4/2007 BY THIS OFFICE FOR FURTHER INFORMATION REGARDING THE SPECIFICS OF THE FACILITIES ENCOMPASSED BY THESE EASEMENTS.
2. ALL AREAS WITHIN THE COMMON ACCESS & UTILITY EASEMENT FOR THE PROPOSED ROAD SERVING THE SUBDIVISION SHALL ALSO BE SUBJECT TO A STORMWATER MANAGEMENT EASEMENT AS NOTED ABOVE.

SURVEY REFERENCES:

1. PLAN ENTITLED "BOUNDARY SURVEY OF LAPRAGE REALTY, VERMONT ROUTE 14, EAST MONTPELIER, VERMONT" PREPARED BY WAYNE D. LAWRENCE, DATED 7/28/98.
2. PLAN ENTITLED "NEW ENGLAND TELEPHONE TELECOMMUNICATIONS SITE, PROPERTY OF LAURA K. BANFIELD, EAST MONTPELIER, VT." PREPARED BY DUNKOVEN ASSOCIATES DATED AUG. 1999.
3. "PLAT SHOWING A PORTION OF WAYNE & SANDRA FAIR PROPERTY, LOTS 1 & 2, EAST MONTPELIER, VERMONT" PREPARED BY FIELDER ASSOCIATES LAST REVISED JAN. 29 1991.
4. SURVEY PLAT BY THIS FIRM DATED 11/4/02, ENTITLED "BOUNDARY SURVEY OF THE LAURA BANFIELD PROPERTY CLARK, DAVIS & EAST HILL ROADS EAST MONTPELIER, VERMONT", AS FILED IN THE TOWN LAND RECORDS.
5. SURVEY PLAT BY THIS FIRM DATED 05/01/03, ENTITLED "DUANE WELLS SUBDIVISION CLARK, BANFIELD, AND EAST HILL ROADS, EAST MONTPELIER, VERMONT", AS FILED IN THE TOWN LAND RECORDS.
6. SURVEY PLAT BY THIS FIRM DATED 7/2/06, ENTITLED "PROPOSED LOTS 8 & 10 CLARK ROAD, BANFIELD ROAD, AND EAST HILL ROAD, EAST MONTPELIER, VERMONT", AS FILED IN THE TOWN LAND RECORDS.

N/F KIRKPATRICK
BOOK 87 PAGE 125

N/F KIRKPATRICK
BOOK 87 PAGE 125

DAVE
N/F LIEBENOW
LOT 9 PER REF 6

LOT 10
3.14 AC.±

LOT 11
3.04 AC.±

LOT 12
9.05 AC.±

HARPER
PER REF 5

N/F WELLS
LOT 6 PER REF 5

N/F WELLS
LOT 4 PER REF 5

N/F MESSIER

N/F EHRET
LOT 8 PER REF 5

N/F LAMBERTON
LOT 3 PER REF 5

N/F BUSWELL
LOT 7 PER REF 5

N/F RAPPOLD &
KASULEA
LOT 2 PER REF 5

N/F MESSIER

N/F BIRON

N/F FAIRMONT DAIR

This plat is identical to the final plat approved by resolution of the Development Review Board of the Town of East Montpelier, Vermont on the _____ day of _____, 2017, subject to the requirements and conditions of said resolution.

Signed this _____ day of _____, 2017, by _____, Zoning Administrator, East Montpelier.

MUTATIONS NOTED

1. THIS SURVEY WAS CONDUCTED BY USE OF A LEICA DIST 4 TOTAL STATION TOGETHER WITH A STEEL TAPE, WITH AN ERROR OF CLOSURE WITHIN ACCEPTED STANDARDS.
2. THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, FIELD EVIDENCE LOCATED, AND INFORMATION SUPPLIED BY OWNERS AND ADJUTERS.
3. ENCROACHMENTS, IF ANY, ARE AS SHOWN HEREON.
4. SUBJECT TO EASEMENTS, RIGHT-OF-WAY, RESTRICTIONS, AND RESERVATIONS OF RECORD.
5. READINGS SHOWN HEREON ARE BASED ON THE SURVEY NOTED IN REFERENCE NO. 1 SHOWN ELSEWHERE HEREON.
6. TOWN EASEMENTS WERE DETERMINED TO BE 3 ROD RIGHTS-OF-WAY BASED ON OTHER AREA SURVEYS OF RECORD, MONUMENTATION FOUND, AND PURSUANT TO TITLE 10, SECTION 294 OF THE VERMONT STATE STATUTES ANNOTATED.

STORMWATER MANAGEMENT
EASEMENT (SEE NOTE HEREON)

GRAPHIC SCALE
1" = 100'

REVISED: 4/12/17, CREATED LOTS 10, 11, & 12 - CDC
REVISED: 4/04/17, CREATED CONCEPTUAL LOTS 10, 11, & 12
REVISED: 7/28/16, UPDATED ADJUTER INFORMATION - C
REVISED: 7/19/16, CREATED CONCEPTUAL LOTS 10, 11, & 12
REVISED: 12/4/13, ROAD PARCEL REMOVED FROM LOT 1
REVISED: 12/4/13, STORMWATER MANAGEMENT EASEMENT
Revised: 10/4/09 (CDC) Added easement and setback lines



