

# Town of East Montpelier

# ZONING PERMIT

## NOTICE

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

Date Issued: April 13, 2021

Effective Date: April 28, 2021

Location: 170 Cherry Tree Hill Road

Owner: Ellen Leonard ; Janice Walrafen  
Ben Graham ; Adrienne Allison

For: ~1,500 sq.ft. 2-story, 2-bedroom

Home w/ a 8' x 10' Deck

Application # 21-023

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.

TOWN OF  
EAST MONTPELIER, VERMONT  
TOWN & ZONING ADMINISTRATOR

C. Bruce Johnson  
40 Kelton Rd, P.O. Box 157  
East Montpelier, VT 05651-0157

manager@eastmontpeliervt.org  
(802) 223-3313 x 204  
Fax: (802) 223-4467

April 13, 2021

Ellen Leonard  
Janice Walrafen  
170 Cherry Tree Hill Road  
East Montpelier, VT 05651

Ben Graham  
Adrienne Allison  
61 Main Street  
Plainfield, VT 05667

Re: East Montpelier Zoning Application #20-032  
Parcel #05-022.000; Tax Map #08-03-58.100

Dear Ms. Leonard, Ms. Walrafen, Mr. Graham & Ms. Allison:

This letter is to inform you that I have approved East Montpelier Zoning Permit Application #21-023 for the construction of a 2-bedroom single-family residence on the grounds of the property located at 170 Cherry Tree Hill Road, the hard copy of which has been mailed to Mr. Graham. This is a use of one of the two new single-family residence rights allocated to the 170 Cherry Tree Hill property under East Montpelier Zoning Permit #19-022.

East Montpelier Land Use & Development Regulations Section 7.4 requires the issuance of a Certificate of Compliance prior to use/occupation of a new single-family residence. The application form for the certificate is included with this permit. A condition included in Zoning Permit #19-022 adds an additional twist to this requirement:

**No Certificate of Compliance for additional structures will be issued until all required screening & landscaping improvements and parking & traffic improvements have been completed**

Further, once the improvements are accomplished, we'll need to treat your drive as a private road, give it a name (a Selectboard decision that you can have significant input into) and provide all the main structures with new street addresses.

Please feel free to contact me should you have any questions about the permit or the ancillary issues.

Sincerely,



C. Bruce Johnson  
East Montpelier Town & Zoning Administrator

Permit # 21-023**ZONING PERMIT APPLICATION**Date Received: 4/13/21Zoning District D**TOWN OF EAST MONTPELIER**Parcel # 05-022.000Overlays WR

PO Box 157, East Montpelier, VT 05651

Tax Map # 08-03-58.100

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- A. 1. Name of Landowner** Janice Walrafen/Ellen Leonard/Ben Graham/Adrienne Allison **Phone No.** 802-223-1242
- 2. Address of Landowner** 170 Cherry Tree Hill, East Montpelier
- 3. Applicant (other than owner)** Ben Graham **Phone No.** 802-793-8189
- 4. Address of Applicant** 61 Main Street, Plainfield Vermont
- 5. Location of Property** 170 Cherry Tree Hill, East Montpelier

**B: Application is made (check appropriate boxes):**

- |   |  |  |
|---|--|--|
| <b>To:</b>                                    | <b>For:</b>  | <b>For:</b>  |
| <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 type="checkbox"/> Other                         |

Describe work to be performed.....

Constructing New Accessory Dwelling per PRD zoning permit from zoning application #19-022. This application is only for one (3) in the plans) of the two additional dwelling sites permitted. Includes new well and septic system.

See #20-032

**C. Lot description:**

- |   |   |
|---|---|
| 1. acreage <u>10.22 acres</u>                                       | 4. depth side yards <u>80</u> Ft. <u>250</u> Ft.<br>(building to lot lines) |
| 2. road frontage <u>438.7</u> Ft.                                   |   |
| 3. depth front yard <u>250</u> Ft.<br>(Road centerline to building) | 5. depth rear yard <u>+1000</u> Ft.<br>(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 Janice Walrafen 4/13/21 Date 4/12/21

Applicant Adrienne Allison 4/13/21 Ellen Leonard 4/13/21 Date 4/13/21

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Zoning Permit Fee: \$ 0 Cash      Check      Date 4/13/21 Rec'd by D.S.DRB Hearing Fee: \$      Cash      Check      Date      Rec'd by     

Make checks payable to the "Town of East Montpelier"

No Fee - See decision for #20-032

**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](http://publicservice.vermont.gov/energy_efficiency/rbes)

Commercial Building Energy Standards: [http://publicservice.vermont.gov/energy\\_efficiency/cbes](http://publicservice.vermont.gov/energy_efficiency/cbes)

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**E. Action by Zoning Administrator:**

1. ☒ Granted ☐ Denied Date ..... Reason .....

2. Appealed to Development Review Board ..... By .....  
Date .....

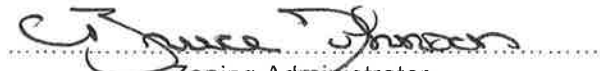
**Notice:** Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.

3. Final Action: Permit # 21-023 ... Date Issued 04/13/21 ... Effective Date 04/28/21 ...

**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

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**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)

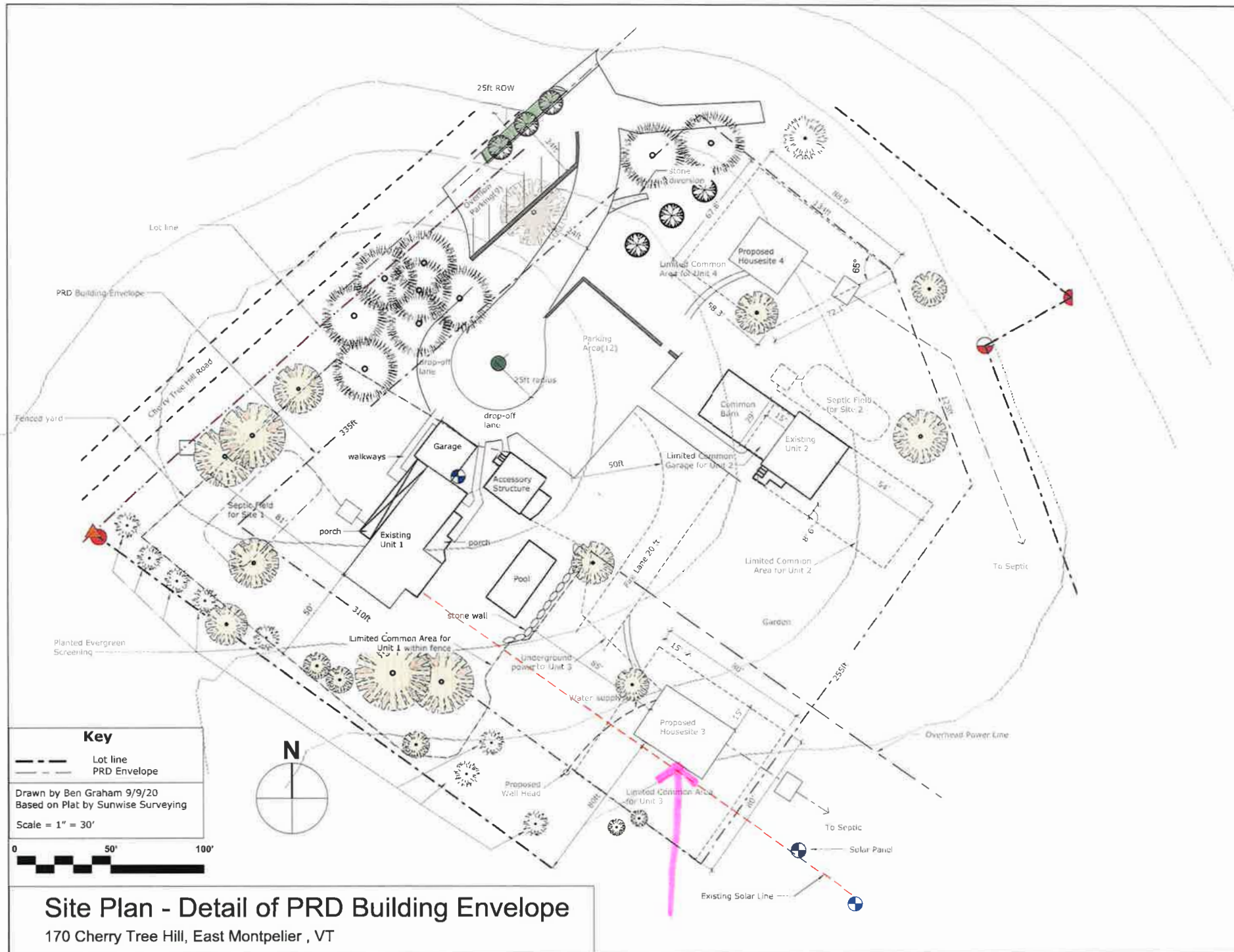
.....  
Chairman, Development Review Board

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.





## Housesite Legend

1. Old Farm House  
4 bedroom and common kitchen  
Community Center  
Clay studio
- 1a. Accessory building (future studio)  
1b. Accessory structure - pool
2. Barn House  
2 bedroom
3. New site 3  
2 bedroom
4. New site 4  
2 bedroom
5. Barn







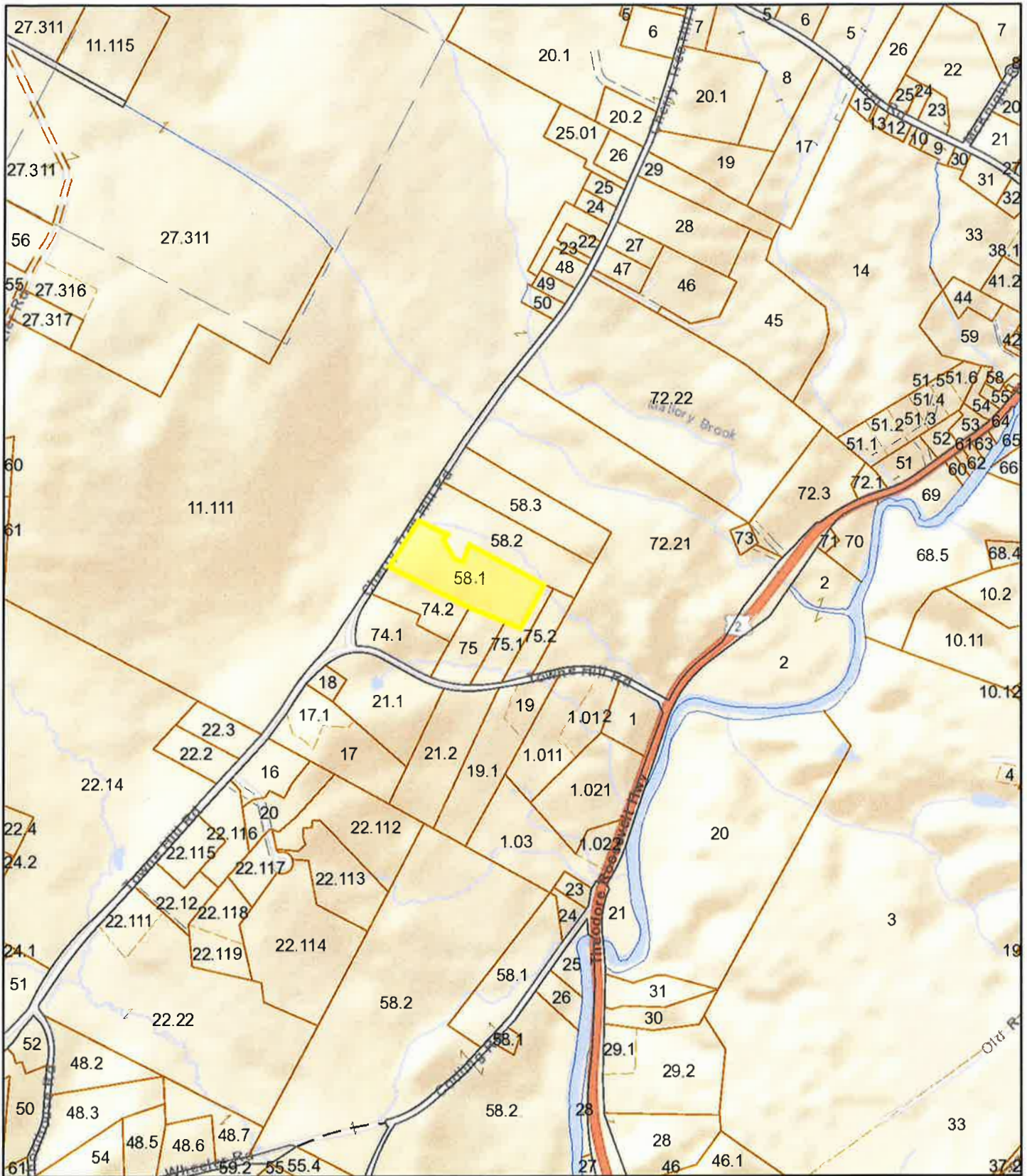
# Leonard/Walrafen -- 170 Cherry Tree Hill Road

East Montpelier, VT

1 inch = 1079 Feet



July 24, 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.