

Permit # 21-062

**ZONING PERMIT APPLICATION**

Date Received: 11/11/21

Zoning District C

**TOWN OF EAST MONTPELIER**

Parcel # 09-034.010

Overlays —

PO Box 157, East Montpelier, VT 05651

Tax Map # 12-02-03,000

\*\*\*\*\*

- A. 1. Name of Landowner... The Hangar Building, LLC Phone No. 802-223-4448  
 2. Address of Landowner... 80 Carleton Boulevard, East Montpelier, VT 05651  
 3. Applicant (other than owner)... Bennett Family Trust c/o Rubin Bennett Phone No. 802-223-4448  
 4. Address of Applicant... & Shaline Kirkpatrick, 80 Carleton Boulevard, East Montpelier, VT 05651  
 5. Location of Property... Hangar Building = 1970 VT RTE 14S, Bennett Family Trust = 80 Carleton Blvd.

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

- |                                     |   |   |
|-------------------------------------|---|---|
| <b>To:</b>                          | <b>For:</b>   | <b>For:</b>   |
| <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.....  
To adjust the boundary between the land of The Hangar Building, LLC and the Bennett Family Trust.  
0.70 Acres will transfer from the Hangar Building to the Bennett Trust leaving the Hangar Building with  
2.76 Acres and increasing the Bennett parcel to 1.80 Acres. After the adjustment, the Bennett drive  
and house will be on the Bennett parcel.

- C. Lot description: Hangar: Existing 3.46 / Prop. 2.76 Ac  
 1. acreage ..... Bennett: Existing 1.10 / Prop. 1.80 Ac  
 2. road frontage ..... >150' Ft.  
 3. depth front yard ..... No Change Ft.  
 (Road centerline to building)  
 4. depth side yards ..... Bennett - W 86.8' Bennett - E :No Change  
Hangar: .49.2Ft. Ft.  
 (building to lot lines)  
 5. depth rear yard ..... Bennett - No Change  
Hangar: .149.8' 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 11/11/2021  
 Rubin Bennett, Owner  
 Applicant [Signature] Date 11/11/2021  
 Rubin Bennett & Shaline Kirkpatrick

\*\*\*\*\*  
 Zoning Permit Fee: \$ 250.00 Cash \_\_\_\_\_ Check #7359 Date 11/11/21 Rec'd by D.S.  
 DRB Hearing Fee: \$ \_\_\_\_\_ Cash \_\_\_\_\_ Check \_\_\_\_\_ Date \_\_\_\_\_ Rec'd by \_\_\_\_\_

Make checks payable to the "Town of East Montpelier"



Surveyors & Septic Designers, Inc

301 North Main Street, Suite 1

Barre, Vt. 05641

Phone 802-479-9636

Fax 802-479-4017

email: [cdchase@chasesurveyors.com](mailto:cdchase@chasesurveyors.com)

[billchase@chasesurveyors.com](mailto:billchase@chasesurveyors.com)

[kjurentkuff@chasesurveyors.com](mailto:kjurentkuff@chasesurveyors.com)

September 21, 2021

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

RE: Proposed Boundary Line Adjustment, The Hangar Building, LLC, Parcel ID #09-034.010 and Bennett Family Trust, Parcel ID #09-022.000

Dear Bruce,

Please find attached what we hope to be a complete application for the adjustment of the boundary lines between a parcel owned by The Hangar Building, LLC at 1970 VT RTE 14S and a parcel owned by the Bennett Family Trust at 80 Carleton Boulevard.

The Hangar Building LLC owns a 3.46-acre parcel with an existing office building. This lot has 462' of frontage on VT RTE 14 and 336' of frontage on Carleton Boulevard. It is subject to an easement in favor of Bennett Family Trust. The driveway and part of the house belonging to the Bennett Family Trust are over the line onto the land of the Hangar building, LLC but they do fall within this easement. The office is served by onsite sewer and water.

The Bennett Family Trust owns a 1.10-acre parcel with a single-family residence. This lot has 124' on Carleton Boulevard and 52' on Sandy Pines Road. The driveway and part of the house are over the line onto the land of the Hangar building, LLC but they do fall within the above-mentioned easement. The single-family residence is served by onsite sewer and municipal water.

Both of these lots fall within the Residential – Commercial Zoning District (Zone C) which has a minimum lot size of 1 Acre and a minimum frontage of 150'. After the adjustment, The Hangar Building LLC will be reduced to 2.76 Acres and 228' of frontage on Carleton Boulevard. The frontage on RTE 14 will remain the same. After adjustment, the Bennett Family Trust parcel will increase to 1.80 acres and 232' of frontage on Carleton Boulevard. The frontage on Sandy Pines will also remain the same. After adjustment, the house and drive serving Bennett residence will be fully on the Bennett lot.

A review of the State ANR Natural Resources Atlas reveals no threatened or endangered species or areas of wetlands. A printout of that review is included here. No development is planned for this project.

This proposal reflects the owner's wishes as to how to approach this Boundary Line Adjustment. We believe that the boundary line adjustment as presented is in full conformance with the Development Regulations and hope that you agree. As always, if you have any questions or comments about this application, please do not hesitate to call. Thank you.

Sincerely,

Timothy Morris

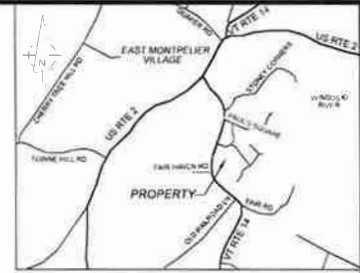
Survey / Engineering Technician

**SURVEYORS NOTES:**

1. THIS SURVEY WAS CONDUCTED BY USE OF A TRIMBLE S6 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 THE BEARING FROM THE ROD AT POINT A TO THE ROD AT POINT B 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 VT RTE 14S, CARLETON BOULEVARD, & SANDY PINES ROAD 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 CURRENT DEED TO THE HANGAR BUILDING LLC REFERS TO AN EASEMENT RECORDED IN BOOK 41 PAGE 179 WHICH RESERVES THE RIGHT TO RICHARD CASAVANT TO ACCESS THE LEACH FIELD SERVING SANDY PINES MOBILE HOME PARK.

**LEGEND**

- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPERTY LINE TO BE EXTINGUISHED
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- CHAINLINK FENCE
- WOOD FENCE
- OVERHEAD UTILITY LINE
- TIE LINE
- IRON ROD FOUND (DIA., HT.)
- IRON PIPE FOUND (DIA., HT.)
- #5 REBAR SET W/1 D. CAP
- UNMONUMENTED POINT
- UTILITY POLE
- PER DEED
- PER REFERENCE #
- N/F
- NOW OR FORMERLY



LOCATION MAP NOT TO SCALE



LAND N/F OF RICHARD & DIXIE BLAKE  
85 CARLETON BOULEVARD

LAND N/F OF VAUGHAN LIVING TRUST, JEROME & KATHERINE VAUGHAN, LIFE ESTATE  
110 CARLETON BOULEVARD

**REFERENCES:**

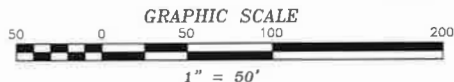
1. A PLAN ENTITLED "PLAN OF PROPOSED BUILDING LOTS IN THE TOWN OF E. MONTPELIER BELONGING TO HENRY HUNTINGTON" BY GUNNINGHAM ASSOCIATES, HORACE W. MORSE JR., DATED OCTOBER 1977 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 21, MAP 61.
2. A PLAN ENTITLED "TOPOGRAPHIC SITE PLAN, RICHARD CASAVANT, VERMONT STATE ROUTE NO. 14, EAST MONTPELIER, VERMONT" BY WAYNE D. LAWRENCE, DATED AUGUST 16, 1993, MOST RECENTLY REVISED MARCH 7, 1995 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 74, MAP 269.

**SUBJECT PROPERTIES:**

THE HANGAR BUILDING, LLC MAILING ADDRESS: 80 CARLETON BLVD EAST MONTPELIER, VT	BENNETT FAMILY TRUST RUBIN BENNETT & SHALINE KIRKPATRICK, LIFE ESTATE 80 CARLETON BLVD EAST MONTPELIER, VT
PID: 09-034 010 TAX MAP # 12-02-03.000 SPAN: 195-062-10060 CURRENT DEED: BK 109 PG 440 KEY DEEDS: BOOK 25 PAGE 230, BOOK 29 PAGE 300, & BK 25 PG 204	PID: 09-022 000 TAX MAP # 12-02-04.000 SPAN: 195-062-10056 CURRENT DEED: BK 149 PG 204 KEY DEED: BOOK 29 PAGE 353

**ZONING INFORMATION**  
ZONE C - RESIDENTIAL - COMMERCIAL DISTRICT

MIN. LOT SIZE: 1 ACRES  
MIN. LOT FRONTAGE: 150'  
SETBACKS:  
FRONT: 50' FROM CENTERLINE  
SIDE: 25'  
REAR: 25'  
MAX. BUILDING HEIGHT: 35'



**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.

2/11/2021 *William R. Chase*  
DATED: WILLIAM R. CHASE, R.L.S. #542 VERMONT  
NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.

**BOUNDARY LINE ADJUSTMENT  
THE HANGAR BUILDING, LLC  
& BENNETT FAMILY TRUST  
1970 VT RTE 14S & 80 CARLETON BLVD  
EAST MONTPELIER, VERMONT**

SCALE: 1" = 50' DATE: 2/11/2021 PROJ#: 2021 014 DWG#: 21014A  
DRAWN BY: TDM CHECKED BY: WRC FPM# 94-75/ EFB SHEET: 3/41



301 North Main Street, Suite 1  
Barre, Vt, 05641  
802 479 9636  
Surveyors & Septic  
Designers, Inc.



### LEGEND

- Contours - LiDAR 1ft.**
- Contour Line, Index Major
  - Contour Line, Index Minor
  - Contour Line, Intermediate Even
  - Contour Line, Intermediate Odd

**Rare Threatened Endangered**

- Threatened or Endangered
- Rare

**Wetland - VSWI**

- Class 1 Wetland
- Class 2 Wetland
- Buffer

**Parcels (standardized)**

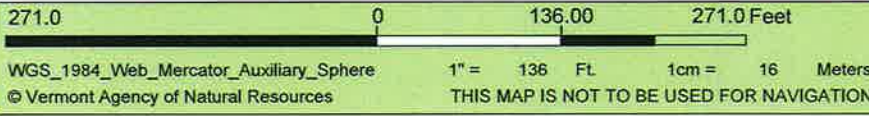
**Roads**

- Interstate
- US Highway; 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
- Legal Trail
- Private Road/Driveway
- Proposed Roads

**Stream/River**

- Stream
- Interim/Head Channel

1: 1,626  
September 21, 2021



**DISCLAIMER:** This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

### NOTES

Map created using ANR's Natural Resources Atlas



# Bennett -- 80 Carleton Blvd & 1970 VT Rte. 14 S

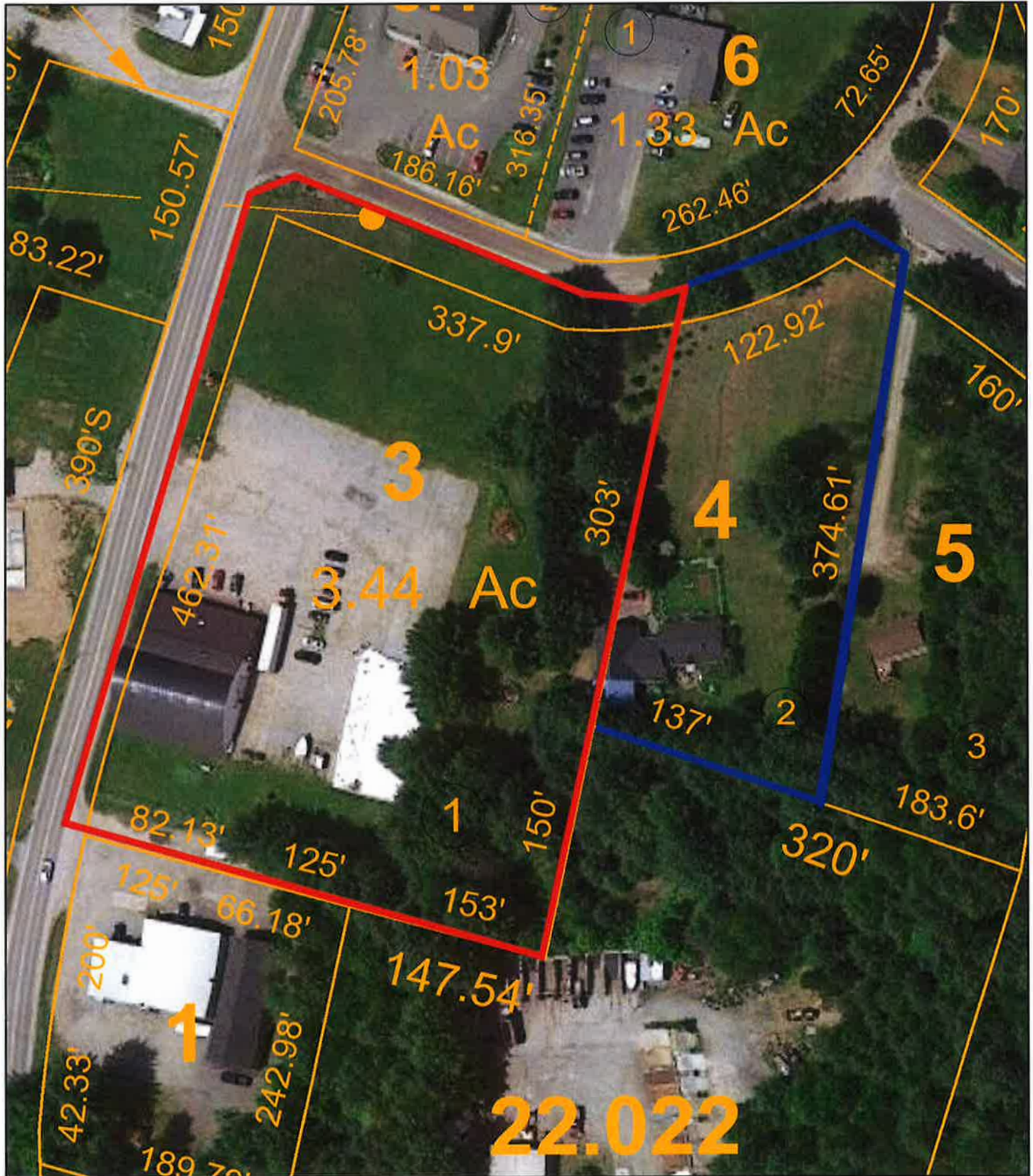
East Montpelier, VT



November 17, 2021

1 inch = 99 Feet

www.cai-tech.com



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# Bennett -- 80 Carleton Blvd & 1970 VT Rte. 14 S

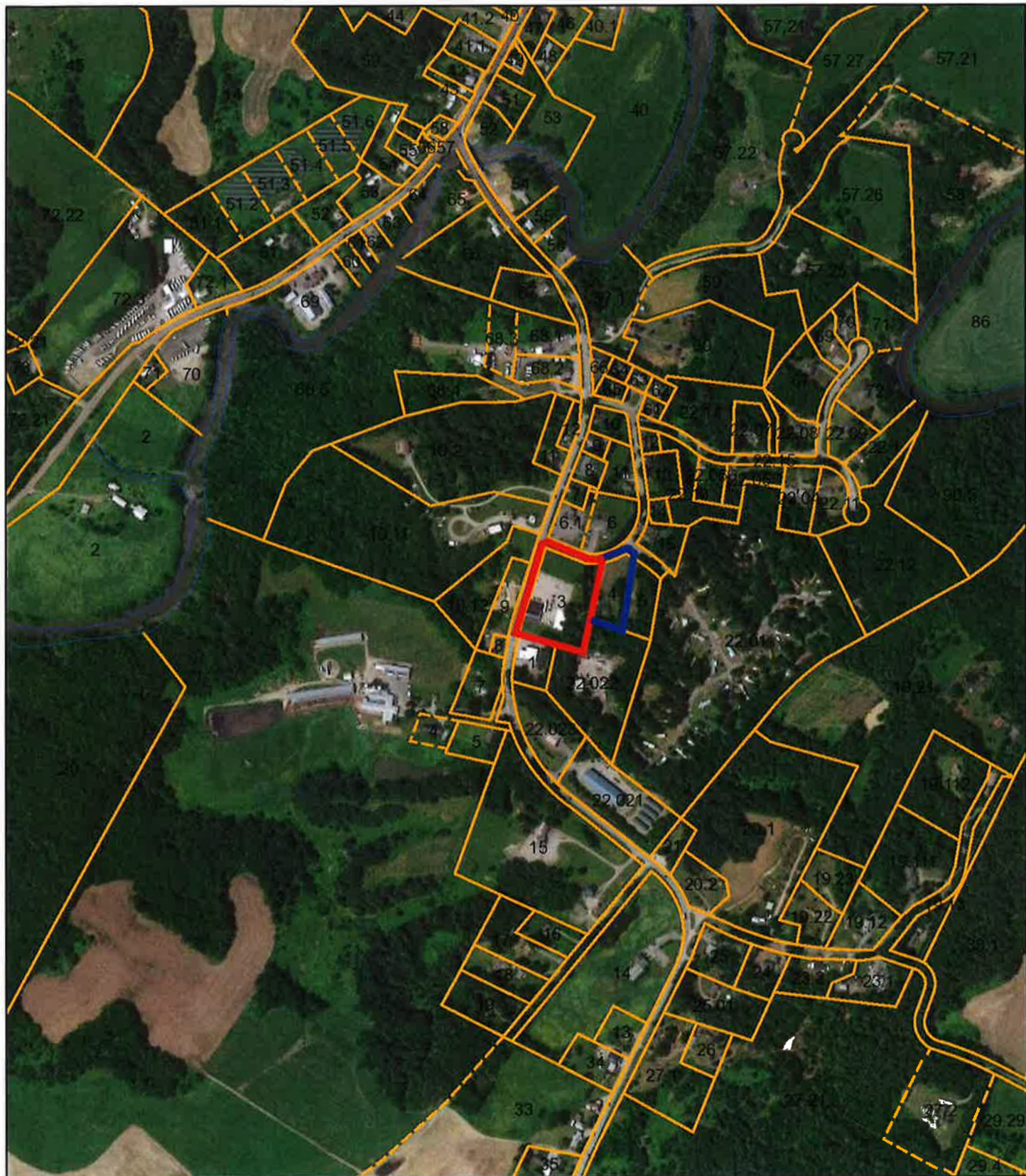
East Montpelier, VT



November 17, 2021

1 inch = 702 Feet

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# Town of East Montpelier

The East Montpelier Development Review Board will hold a Public Hearing Tuesday, December 7, 2021 at 7:00 p.m. by Zoom remote conferencing to conduct final plat review of zoning application 21-062 submitted by Rubin Bennett. This is a relatively routine boundary adjustment complicated by the fact the west and south sides of the Bennetts' garage structure are both too close to the relevant boundary lines. The garage was constructed under a variance approved in 2004. The new survey done for this permit application showed that the boundary locations used for the variance were off by about 12 feet to the south, resulting in a garage location far closer to the boundaries than authorized. The DRB will need to confirm the acceptability of the garage location. The existing small shed south of the garage will need to be removed. The following notice will appear in the Times Argus on Saturday, November 20, 2021:

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

**Final plat review of Application #21-062, submitted by Rubin Bennett on behalf of The Hanger Building LLC, for a boundary adjustment to transfer 0.70 acres from The Hanger Building LLC property at 1970 VT Rte. 14 S to the Bennett Family Trust property at 80 Carleton Blvd. The boundary adjustment will result in a 2.76-acre Hanger Building parcel and a 1.80-acre Bennett Family Trust parcel. The property is located in Zone C –Residential & Commercial, 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/december-7-2021-drb-meeting/>**

Applicants 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](mailto:manager@eastmontpeliervt.org).

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