

# Town of East Montpelier

# ZONING PERMIT

## NOTICE

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

Date Issued: June 13, 2022

Effective Date: June 28, 2022

Location: 440 East Hill Road

Owner: Norman & Carla Messier

For: Boundary Adjustment: 0.06 Acres From

Lot 2 to Lot 3 of 2021 Subdivision # 21-004

Application # 22-043

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) 477-2241 or [jeff.mcmahon@vermont.gov](mailto:jeff.mcmahon@vermont.gov), before beginning any construction.

Permit # 22-043

## ZONING PERMIT APPLICATION

Date Received: 6/9/22Zoning District 2

## TOWN OF EAST MONTPELIER

Parcel # 09-102.000Overlays WR

PO Box 157, East Montpelier, VT 05651

Tax Map # 12-02-42.200

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- A. 1. Name of Landowner Norman & Carla Messier Phone No. 802-476-4244  
2. Address of Landowner 440 East Hill Road, East Montpelier, VT 05651  
3. Applicant (other than owner) \_\_\_\_\_ Phone No. \_\_\_\_\_  
4. Address of Applicant \_\_\_\_\_  
5. Location of Property \_\_\_\_\_

## 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... To adjust the boundary line between Lot 2 and Lot 3 of the recently approved subdivision of Messier. The area of adjustment is 0.06 Acres +/- from Lot 2 to Lot 3.

After adjustment, Lot 2 will be 9.23 Acres +/- and Lot 3 will be 4.34 Acres +/-.

Changes affect Subdivision 21-004

## C. Lot description: 2) 9.29 Ac -&gt; 9.23 Ac

- |   |  |
|---|--|
| 1. acreage <u>3) 4.28 Ac -&gt; 4.34 Ac</u>                          | 4. depth side yards <u>87</u> Ft. <u>89</u> Ft.<br>(building to lot lines) |
| 2. road frontage <u>&gt;250'</u> Ft.                                |  |
| 3. depth front yard <u>150</u> Ft.<br>(Road centerline to building) | 5. depth rear yard <u>120</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 N. & C. Messier Date 6/9/22

Applicant \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

Zoning Permit Fee: \$ 100.00 Cash ☒ Check \_\_\_\_\_ Date 6/9/22 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](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 .....

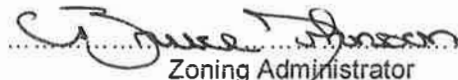
**Notice:** Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. The appeal fee is \$150.00.

3. Final Action: Permit # 22-043 Date Issued 06/13/22 Effective Date 06/28/22

**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.

# TOWN of EAST MONTPELIER

P.O. Box 157  
East Montpelier, VT  
05651-0157

C. Bruce Johnson, ZA  
zoning@eastmontpeliervt.org  
(802) 223-3313 ext. 205

June 13, 2022

Norman & Carla Messier  
440 East Hill Road  
East Montpelier, VT 05651

Re: East Montpelier Zoning Application #22-043

Dear Mr. & Ms. Messier:

Please find enclosed the permit and supporting documents for the requested 0.06-acre boundary adjustment from Lot 2 to Lot 3 of the 2021 Messier subdivision (East Montpelier Permit #21-004) contained in East Montpelier Zoning Application #22-043.

Boundary adjustments are treated like subdivisions for the purposes of plat recording. You have 180 days to duly file and record a mylar copy of the approved plat with the East Montpelier Town Clerk as required by the East Montpelier Land Use & Development Regulations (LUDR) Section 6.6 coupled with 24 V.S.A. §4463(b). The mylar must contain a certificate block as described in LUDR Section 6.6(A)(4) and must be certified by me, the zoning administrator, as a true copy of the approved plat prior to recording.

Please understand that Permit #22-043 is solely for a boundary adjustment between Lots 2 & 3 of the 2021 Messier subdivision. No new lot has been created by this permit and the only allowable transfer result is the merger of the 0.06 acres with your 4.28-acre home parcel (Lot 3 of the 2021 subdivision), resulting in a 4.34-acre parcel.

Feel free to contact me if you have any questions concerning this matter.

Sincerely,



C. Bruce Johnson  
East Montpelier Zoning Administrator

Project Description

Boundary Line Adjustment

Norman & Carla Messier

440 East Hill Road

Parcel 09-102.000

This project involves the adjustment of one of the boundary lines of a subdivision recently approved by the Town of East Montpelier Development Review Board. Norman & Carla Messier still own all three lots on East Hill Road. They wish to adjust the boundary line between Lot 2 and Lot 3 by 0.06 Acres +/- . This small area will be transferred from Lot 2 to Lot 3.

Lot 2 will lose 0.06 Acres +/- for an adjusted acreage of 9.23 Acres +/- . Lot 3 will gain 0.06 Acres +/- for an adjusted acreage of 4.34 Acres +/- . This will move the property line further away from the existing house on Lot 3. This adjustment does not affect the frontage of either Lot 2 or Lot 3.

No rare, threatened, or endangered species were identified per the Agency of Natural Resources Atlas. A printout of that review has been included.



# REFERENCES:

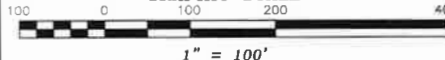
1. A PLAN ENTITLED "BOUNDARY SURVEY / SUBDIVISION MESSIER PROPERTY, EAST HILL RD & CLARK RD, EAST MONTPELIER, VERMONT" BY THIS FIRM, WILLIAM R. CHASE, RLS #542 DATED, JANUARY 11, 2008 AND REVISED MARCH 5, 2008 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER #72, MAP 251.
2. A PLAN ENTITLED "SUBDIVISION SURVEY, LAQUERRE / MESSIER, VERMONT ROUTE 14S & EAST HILL ROAD, EAST MONTPELIER, VERMONT" BY THIS FIRM, WILLIAM R. CHASE, RLS #542 DATED OCTOBER 8, 2015 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER #86, MAP 361.
3. A PLAN ENTITLED "PROPERTY SURVEY, GABLE REAL ESTATE, EAST HILL ROAD, EAST MONTPELIER, VERMONT" BY WAYNE D. LAURENCE, RLS #160 DATED DECEMBER 21, 1993 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER 49, MAP 72.
4. A PLAN ENTITLED "SUBDIVISION SURVEY 'WOODED CARVEOUT' JEROME L. RAPPAPORT, VERMONT 14 S & CLARK ROAD, EAST MONTPELIER, VERMONT" BY THIS FIRM, WILLIAM R. CHASE, RLS #542 DATED AUGUST 1, 2014 AND REVISED AUGUST 28, 2014 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER #84, MAP 350.
5. A PLAN ENTITLED "DUANE WELLS SUBDIVISION, CLARK ROAD, BANDFIELD ROAD, & EAST HILL ROAD, EAST MONTPELIER, VERMONT" BY THIS FIRM, WILLIAM R. CHASE, RLS #542 DATED SEPTEMBER 19, 2006 AND MOST RECENTLY REVISED DECEMBER 2, 2013 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER #86, MAP 361.
6. A PLAN ENTITLED "BOUNDARY LINE ADJUSTMENT, ROBIN BIRON & BRIAN & PAMELA PICKEL, EAST HILL ROAD & CLARK ROAD, EAST MONTPELIER, VERMONT" BY THIS FIRM, WILLIAM R. CHASE, RLS #542 DATED JUNE 6, 2019 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN HANGER #90, MAP 391.

## LEGEND:

- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- FORMER PROPERTY LINE
- PROPOSED PROPERTY LINE
- LIMIT OF EXISTING EASEMENT
- LIMIT OF PROPOSED EASEMENT
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- PROPOSED EDGE OF GRAVEL
- THREAD OF BROOK
- STONEWALL
- WIRE FENCE
- TIE LINE
- UGC
- UGC
- UNDERGROUND UTILITY LINE
- IRON ROD FOUND (DIA. .HT.)
- IRON PIPE FOUND (DIA. .HT.)
- #5 REBAR SET WITH ID CAP
- UNMONUMENTED POINT
- UTILITY POLE
- PER DEED
- PER REFERENCE #
- N/O
- DRILLED WELL
- TRANSFORMER PEDESTAL

LAND N/F OF  
ARMAND LAQUERRE  
BOOK 135 PAGE 94  
LAX MAP # 10-52-54-200

## 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.

6/25/21

*William R. Chase*  
WILLIAM R. CHASE RLS #542 VERMONT

NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

## MONUMENT DESCRIPTIONS

- |     |   |
|-----|---|
| 600 | #5 REBAR SET WITH CHASE ID CAP 10" REVEAL |
| 601 | #5 REBAR SET WITH CHASE ID CAP 12" REVEAL |
| 603 | #5 REBAR SET WITH CHASE ID CAP 12" REVEAL |
| 604 | #5 REBAR SET WITH CHASE ID CAP 12" REVEAL |
| 605 | #5 REBAR, NO CAP 10" REVEAL               |

LAND N/F OF  
CHARLES HOLT  
BOOK 105 PAGE 244  
1240 VT RTE 14 S

LAND N/F OF  
DAVID LIEBENOW  
PID: 09-105,250

LAND N/F OF  
GLEN EHRET  
PID: 09-105,800

LAND N/F OF  
JOHN & BARBARA BUSWELL  
PID: 09-105,500

LAND N/F OF  
DUANE WELLS

LAND N/F OF  
NATALIE CARTWRIGHT &  
ALLAN SERRANO  
BOOK 156 PAGE 64  
568 EAST HILL ROAD  
FORMERLY LOT 1

LAND N/F OF  
BARBARA BELCHER,  
DAVID PICKEL, ET AL  
BOOK 50 PAGE 238  
REFERENCE #2  
151-20-14-101

LAND N/F OF  
FAIRMONT DAIRY, LLC  
BOOK 125 PAGE 192  
PID: 09-080,302  
REFERENCE #4

## 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 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 EAST HILL ROAD ARE BASED ON SURVEYS OF RECORD AND MONUMENTATION FOUND. WHERE UNMONUMENTED, A THREE FOOT WIDTH BASED ON THE OBSERVED CENTERLINE IS ASSUMED PURSUANT TO 19-VSA-32.
7. THE PURPOSE OF THIS PLAN IS TO ADJUST THE BOUNDARY LINE BETWEEN LOT 2 AND LOT 3 SHOWN HEREON. THE PROPOSED LINE RUNS FROM 601 TO 603.

LOCATION MAP  
NOT TO SCALE

SUBJECT PROPERTY:  
MAILING ADDRESS:  
NORMAN & CARLA MESSIER  
440 EAST HILL RD  
EAST MONTPELIER, VT 05651

PID: 09-102,000  
SPAN: 195-082-10705

TAX MAP #12-02-42.2 #12-02-42.3  
DEED: BOOK 61 PAGE 379  
AREA: 10.4 ACRES ±

TAX MAP #12-02-54,250  
DEED: BOOK 137, PAGE 44  
AREA: 23.1 ACRES ±

## ZONING INFORMATION

ZONE D - RURAL RESIDENTIAL / AGRICULTURAL DISTRICT  
MIN. LOT SIZE: 3 ACRES  
MIN. LOT FRONTAGE: 250'  
SETBACKS:  
FRONT: 75'  
SIDE: 50'  
REAR: 50'  
MAX BUILDING HEIGHT: 35'

**BOUNDARY LINE ADJUSTMENT**  
**NORMAN & CARLA MESSIER**  
EAST HILL ROAD  
EAST MONTPELIER, VERMONT

SCALE: 1" = 100' DATE: 6/25/2021 PROJ: # 2019-061 DWG: 1-10010  
DRAWN BY: TDW CHECKED BY: WRC FBRO: 94 / EPB SHEET: S-581

**Chase & Chase**

301 North Main Street, Suite  
Barre, VT, 05644  
802-479-9636  
Surveyors & Septic  
Designers, Inc



# Messier -- 440 East Hill Road

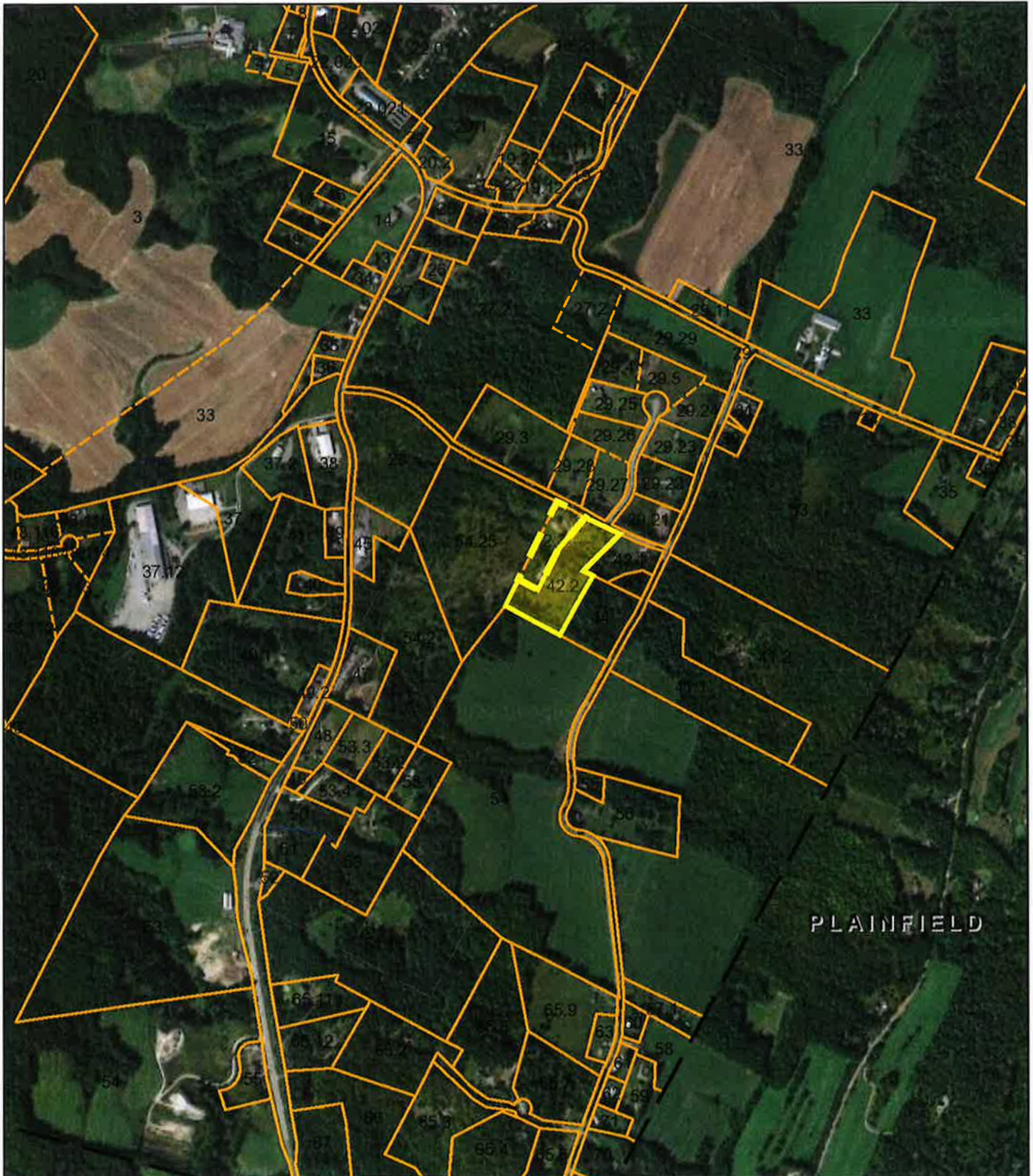
East Montpelier, VT

1 inch = 1079 Feet



June 9, 2022

[www.cai-tech.com](http://www.cai-tech.com)



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