

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 23, 2022

Effective Date: July 8, 2022

Location: 150 Wheeler Road

Owner: Guthrie & Amber Perry

For: 2-Story, 2,270 sq.ft. House
w/ Full-size (26'x58') Walk-out Basement

Application # 22-045

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, before beginning any construction.

Permit # 22-045

ZONING PERMIT APPLICATION

Date Received: 6/23/22Zoning District C

TOWN OF EAST MONTPELIER

Parcel # 10-025.300Overlays —

PO Box 157, East Montpelier, VT 05651

Tax Map # 11-00-55.300

- *****
- A. 1. Name of Landowner Guthrie & Amber Perry Phone No.
2. Address of Landowner PO Box 294 EM VT 05651
3. Applicant (other than owner) Phone No.
4. Address of Applicant
5. Location of Property 150 Wheeler Road

B: Application is made (check appropriate boxes):

- | To: | For: | For: |
|---|--|--|
| <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 New home

26' x 58' 1st story

20' x 38' 2nd story w/ 6' eave area

26' x 58' walk-out basement

C. Lot description:

- | | |
|-------------------------------------|--|
| 1. acreage <u>5.16</u> | 4. depth side yards <u>83</u> Ft. <u>145</u> Ft. |
| 2. road frontage <u>307</u> Ft. | (building to lot lines) <u>to cemetery</u> |
| 3. depth front yard <u>200+</u> Ft. | 5. depth rear yard <u>200+</u> Ft. |
| (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 [Signature] Date 6/23/22

Applicant Date

Zoning Permit Fee: \$ 197.00 Cash Check #1469 Date 6/23/22 Rec'd by DS.

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. Contact Jeff McMahon, our region's state permit specialist, at (802) 477-2241 or jeff.mcmahon@vermont.gov, before beginning any construction. The VT Agency of Natural Resources has an online "permit navigator" to help answer state environmental permit questions: <https://dec.vermont.gov/permitnavigator>

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: Date By

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. Appeal fee is \$150.

3. Final Action: Permit # 22-045 Date Issued 06/23/22 Effective Date 07/08/22

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

F. Action by Development Review Board:

1. Public Notice Date(s)

2. Date(s) of Hearing

3. ☐ Granted ☐ Without conditions ☐ With conditions (See written decision for conditions)

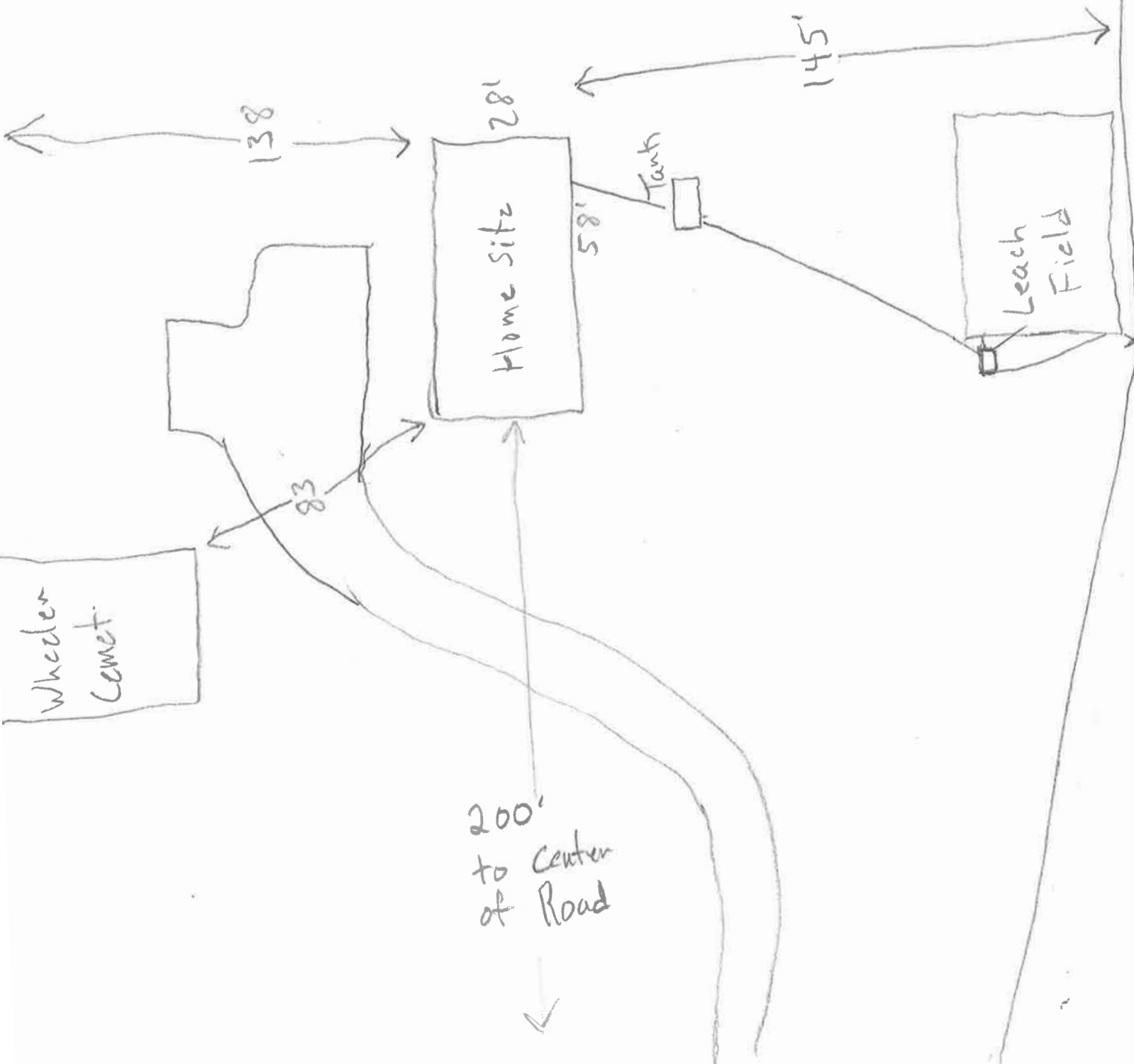
4. ☐ Denied (See written decision for reasoning)

.....
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.





East Montpelier, VT

1 inch = 1079 Feet

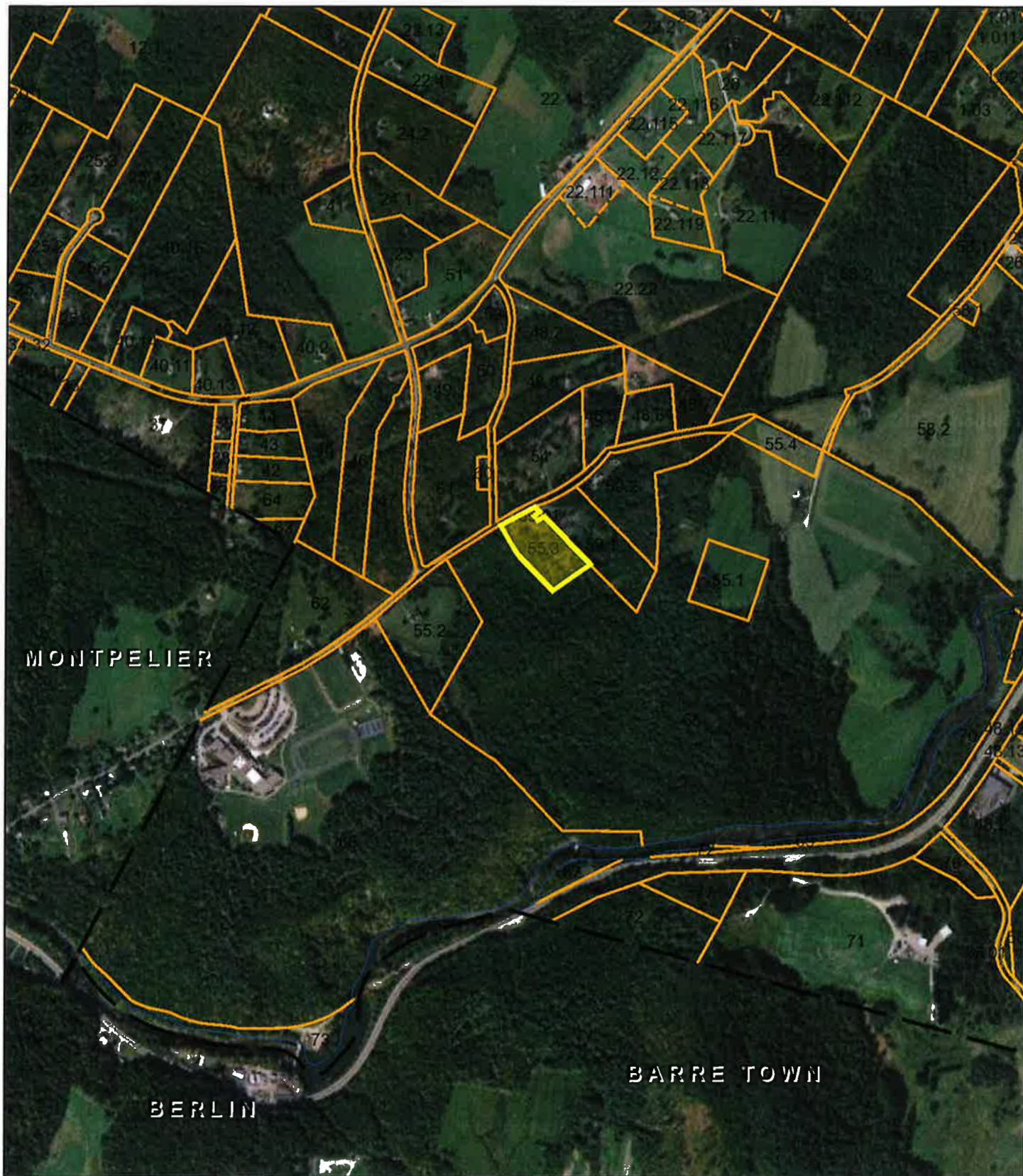
June 23, 2022

0 1079 2159 3238



CAI Technologies
Precision Mapping. Geospatial Solutions.

www.cai-tech.com



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.

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT**LAWS/REGULATIONS INVOLVED**

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
Wastewater System and Potable Water Supply Rules, Effective September 29, 2007
Chapter 21, Water Supply Rules, Effective December 1, 2010

Landowner(s): T. Wayne Clark Living Trust
651 Sugar Hill Road
Eastbrook, ME 04634

Permit Number: WW-5-5940
PIN: BR11-0273

This permit affects property identified as Town Tax Parcel ID # 10-0025.000 referenced in a deed recorded in Book 65 Page(s) 214-215 of the Land Records in East Montpelier, Vermont.

This project, consisting of the 4-lot subdivision with Lot 1 now being 212.5± acres with an existing 5-bedroom single family residence and the replacement of the failed septic system, Lot 2 now being 3.27± acres, Lot 3 now being 5.16± acres, and Lot 4 now being 5.74± acres, each for the construction of a 3-bedroom single family residence, located on Codling Road in East Montpelier, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

- 1.1 The project shall be completed as shown on the following plans and/or documents prepared by Wayne Lawrence, P. E., with the stamped plans listed as follows:

Sheet Number	Title	Plan Date
1 of 5	Property Subdivision	10/10/2011
2 of 5	Septic System Design Lot 1	9/30/2011
3 of 5	Septic System Design Lot 2	9/30/2011
4 of 5	Septic System Design Lot 3	9/30/2011
5 of 5	Septic System Design Lot 4	9/30/2011
	Lot 2 Well Shield	10/3/2011
	Lot 3 Well Shield	10/3/2011
	Lot 4 Well Shield	10/3/2011

- 1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from local officials.
- 1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the East Montpelier Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.



- 1.4 The landowner shall record and index all required installation certifications and other documents that are required to be filed under these Rules or under a specific permit condition in the East Montpelier Land Records and ensure that copies of all certifications are sent to the Secretary.
- 1.5 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all the permit conditions, were inspected, were properly tested, and have successfully met those performance tests",

or which otherwise satisfies the requirements of §1-308 and §1-911 of the referenced rules.

- 1.6 Lot 1 is approved with the existing 5-bedroom single family residence. No alterations to the existing building other than those indicated in this permit that would change or affect the water supply or wastewater disposal shall be allowed without prior approval by the Drinking Water and Groundwater Protection Division. Construction of additional nonexempt buildings including commercial and residential buildings is not allowed without prior permitting by the Drinking Water and Groundwater Protection Division and such permit may not be granted unless the proposal conforms to the applicable laws and regulations.
- 1.7 Lots 2, 3, and 4 are each approved for the construction of a 3-bedroom single-family residence. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.
- 1.8 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s), if applicable, prior to conveyance of any portion of the project to that purchaser.
- 1.9 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.10 Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.
- 1.11 This permit application was processed utilizing a reduced application fee based on the ownership of the property being limited to certain qualifying individuals. If the lot or lots subject to this permit are subsequently transferred within a two year period of the date of this permit to an individual who is not related by blood, marriage, or civil union to the landowner(s) identified by this permit, the full fee for the lots that were created shall be paid as required by 3 VSA section 2822. Such supplemental payment shall consist of the difference between the reduced application fee that was originally paid and the standard permit application fee prescribed for permits pursuant to Title 10 V.S.A., Chapter 64, effective at the time of the original application. The payment, a written statement that the lot or lots no longer qualify for the reduced fee, and written reference to this permit number shall be submitted to the Drinking Water and Groundwater Protection Division. The reduced fee was applied to Lots 2, 3, and 4.

2. WATER SUPPLY

- 2.1 Lot 1 is authorized to utilize the existing on-site water supply system having a maximum design flow of 560 gallons per day provided the potable water supply is operated at all times in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. No other means of obtaining potable water shall be allowed without prior review and approval by the Drinking Water and Groundwater Protection Division unless otherwise exempt. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 2.2 Lots 2, 3, and 4 are each approved for a potable water supply using a drilled or percussion bedrock well for a maximum of 420 gallons of water per day provided the supply is located as shown on the stamped plan(s) and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 2.3 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.4 The water source location as shown on the stamped plan(s) shall be staked out and flagged by a qualified Vermont Licensed Designer prior to any construction on this project with the flagging being maintained until construction is complete.

3. WASTEWATER DISPOSAL

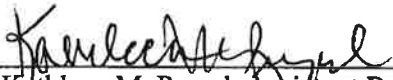
- 3.1 Lot 1 is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of 560 gallons of wastewater per day. The system(s) shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.
- 3.2 Lots 2, 3, and 4 are each approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for a maximum of 420 gallons of wastewater per day. The system(s) shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.
- 3.3 The components of the sanitary wastewater system herein approved shall be routinely and reliably inspected during construction by a Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.

- 3.4 The corners of the proposed primary or replacement wastewater disposal area(s) shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.5 The wastewater system for this project is approved for domestic type wastewater only except as allowed for water treatment discharges. No discharge of other type process wastewater is permitted unless prior written approval is obtained from the Drinking Water and Groundwater Protection Division.
- 3.6 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater disposal systems are allowed on or near the site-specific wastewater disposal system or replacement area depicted on the stamped plans. All isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules shall be adhered to and will be incorporated into the construction and installation of the wastewater disposal field.
- 3.7 Lot 2 and Lot 4 are approved for the mound wastewater disposal systems provided the mound is constructed in strict accordance with the following conditions:
 - a. The mound system is to be located and constructed as depicted on the plans that have been stamped by the Drinking Water and Groundwater Protection Division.
 - b. A qualified Vermont Licensed Designer shall inspect the mound system during critical stages of construction. This shall include the staking of the location of the mound, ensuring the site has been properly plowed prior to placement of the appropriate sand fill, the installation and testing of the distribution piping, final grading of the mound including side slopes, and pump station installation.
 - c. The construction of the mound shall adhere to the guidelines set forth in Section 1-913(f) of the above referenced rules.
 - d. Upon completion of construction, and prior to occupancy of any structure being served by the mound system, the inspecting consultant shall submit to the Drinking Water and Groundwater Protection Division a written certification stating the construction has been completed in accordance with the stamped plans and the permit.
- 3.8 Each purchaser of any portion of the project shall be shown copies of the Wastewater System And Potable Water Supply Permit, the stamped plans, and Innovative/Alternative System Approval letter #2004-02-(2010 approval for Advanced Enviro-Septic Pipe, expires 12/1/2012) for the Enviro-Septic® Leaching System prior to conveyance of the lot. The owner of a property where an Innovative/Alternative System has been installed shall comply with all the conditions in the Innovative/Alternative Approval letter that is incorporated with this permit including a maintenance agreement for the system.
- 3.9 A qualified Vermont Licensed Designer, shall, upon completion and prior to placing the system in use, report in writing to the Division that the installation was accomplished in accordance with the Innovative/Alternative System Approval Letter, stamped plans and permit conditions. The Drinking Water and Groundwater Protection Division is to be notified if at any time the wastewater disposal system fails to function properly and/or creates a health hazard.

- 3.10 The wastewater disposal systems serving Lot 2 and Lot 4 were designed using the performance base approach. The use of the performance-based wastewater disposal systems approved in this permit requires that an annual inspection be performed by a qualified Vermont Licensed Designer starting when the system is placed in use and continuing for the first three years of operation. The field inspections shall be done in April or May and a written report shall be submitted by the June 15th of each year to the landowner and the Drinking Water and Groundwater Protection Division. The inspections shall consist of a field inspection of the wastewater disposal system and the area within 25' of the system in all directions noting any indication of failure.
- 3.11 A future replacement wastewater disposal area has been identified on the stamped plan(s) to serve Lot 3. There shall be no construction or other activities that would impact the suitability of this replacement area for wastewater disposal. Should the existing system fail, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to repair or replacement of the system.

David K. Mears, Commissioner
Department of Environmental Conservation

By


Kathleen M. Peyerl, Assistant Regional Engineer
Dated December 2, 2011

cc East Montpelier Planning Commission
Wayne Lawrence

