

Permit # 22-060
Zoning District C
Overlays _____

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

Date Received: 8/17/2022
Parcel # 10-067.000
Tax Map # 21-52-37.000

- *****
- A. 1. Name of Landowner..... Fontaine Meadows LLC ✓ Phone No..... 802-279-1313
2. Address of Landowner..... 30 Fontaine Lane East Montpelier, VT 05651
3. Applicant (other than owner)..... Phone No.....
4. Address of Applicant.....
5. Location of Property..... VT Route 2 - old LaPerle Farm land

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 type="checkbox"/> Accessory Structure | <input type="checkbox"/> Extraction of earth resources |
| <input type="checkbox"/> Extend | <input checked="" 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..... Construct 24 X 40 farm stand - see attached
.....
.....
.....

C. Lot description:

- | | |
|--|---|
| 1. acreage | 4. depth side yards Ft. Ft.
(building to lot lines) |
| 2. road frontage Ft. | |
| 3. depth front yard Ft.
(Road centerline to building) | 5. depth rear yard 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..... Date August 17, 2022
Applicant Max Feb..... Date

Zoning Permit Fee: \$ _____ Cash _____ Check _____ Date _____ Rec'd by _____
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 # Date Issued Effective Date

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.



10.3

77.116

37

VT Route 14 N

37

14.2

12

14.11

US Route 2

57.21

57.27

57.27

State of Vermont
District #6
2178 Airport Road
Berlin, VT 05641
Vtrans.Vermont.gov

Agency of Transportation

[phone] 802-917-2879

June 09, 2022

Marc Fontaine
30 Fontaine Lane
East Montpelier, VT 05651
(Via email)

Subject: East Montpelier, US 2 L.S. 166+32 LT
Permit ID 45200
19 VSA § 1111 Permit

Dear Mr. Fontaine,

Your highway permit application to construct a residential driveway at the above referenced location, has been reviewed and found to meet the requirements for work within the highway right-of-way.

Pursuant to Title 19 VSA § 1111(b), authorization for this entrance is strictly contingent upon its compliance with all local ordinances and regulations relating to highways and land use. Furthermore, under Title 19 VSA § 1111(g), the agency or a municipal designee may suspend this authorization if the modified entrance fails to comply with such ordinances and regulations. To enforce a suspension, the agency may also, at its discretion, physically close the driveway or access point.

The permit will contain, but will not be limited to, the attached Special Conditions.

This permit addresses only access to, work within, and drainage affecting the State highway. It does not address other possible transportation issues, such as access to town highways, use of private roads, and use of railroad crossings. If relevant to the proposed development, such issues must be addressed separately.

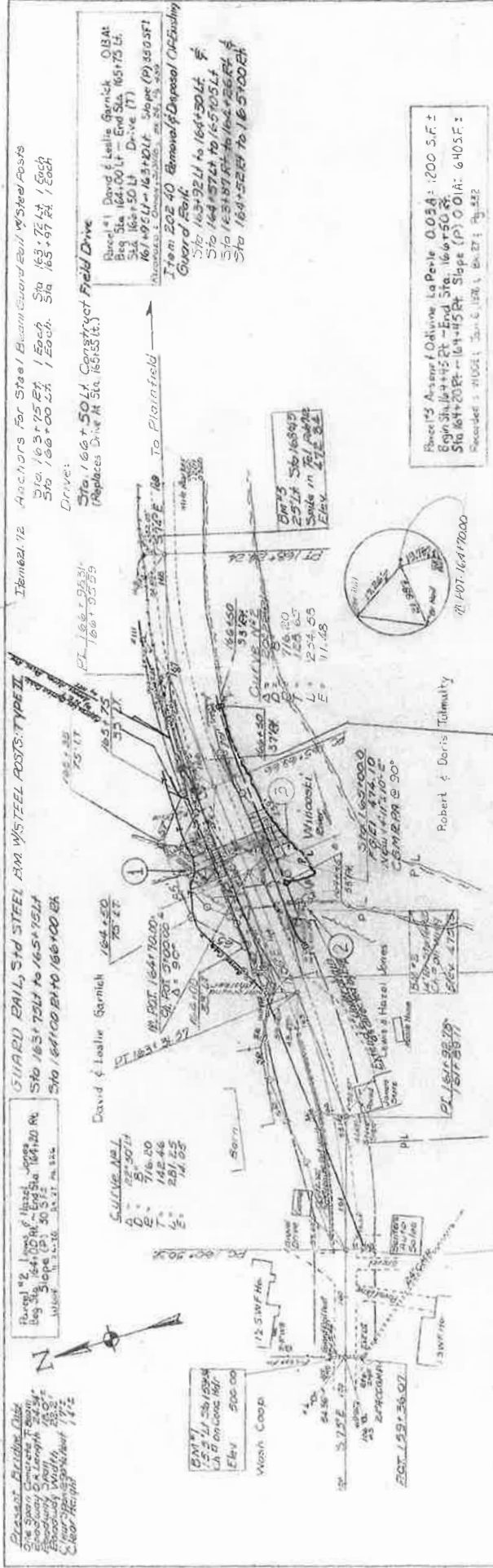
If you have any further questions about this matter, please call me at **802-356-4646**. **In accordance with the Special Conditions, you must contact the District Transportation Office #6 prior to starting work within the State highway right-of-way. The telephone number in Berlin is 802-917-2879.**

Sincerely,


Jerold M. Kinney
Technician VI

Attachments:

cc: Via e-mail
Michelle Redmond
William Franks
Nate Covey



WARD RAIL, STD STEEL RAIL W/STEEL POSTS-TYPE II
 STA 163+75 TO 164+00 RA
 STA 164+00 TO 165+00 RA
 STA 165+00 TO 166+00 RA

ANCHORS FOR STEEL BEAM GUARD RAIL W/STEEL POSTS
 STA 163+75 TO 164+00 RA / Each Sta 163+75 RA / Each
 STA 164+00 TO 165+00 RA / Each Sta 164+00 RA / Each
 STA 165+00 TO 166+00 RA / Each Sta 165+00 RA / Each

CONSTRUCT FIELD DRIVE
 STA 166+00 TO 166+50 RA
 REPLACES DRIVE R STA 165+50 RA

DAVID & LILLIE GARNICK
 164+50 TO 164+75 RA
 164+75 TO 165+00 RA
 165+00 TO 165+25 RA
 165+25 TO 165+50 RA

WASH COOP
 165+00 TO 165+25 RA
 165+25 TO 165+50 RA

Item 202.40 Removal of Debris (Debris)
 Quarry Road
 Sta 164+30 RA to 164+50 RA
 Sta 164+50 RA to 164+75 RA
 Sta 164+75 RA to 165+00 RA
 Sta 165+00 RA to 165+25 RA
 Sta 165+25 RA to 165+50 RA

Power Line
 164+00 to 164+50 RA
 164+50 to 165+00 RA
 165+00 to 165+50 RA

Robert & Doris Tahmulty
 165+00 to 165+25 RA
 165+25 to 165+50 RA

Circle diagram: R=100', Δ=90°

DM'S 56+68.99
 25' L
 Sinks in 76' RA
 Elev. 471.81

PT 165+00 RA

PT 165+25 RA

PT 165+50 RA

PT 166+00 RA

PT 166+25 RA

PT 166+50 RA

PT 167+00 RA

PT 167+25 RA

PT 167+50 RA

PT 168+00 RA

PT 168+25 RA

PT 168+50 RA

PT 169+00 RA

PT 169+25 RA

PT 169+50 RA

PT 170+00 RA

PT 170+25 RA

PT 170+50 RA

PT 171+00 RA

PT 171+25 RA

PT 171+50 RA

PT 172+00 RA

PT 172+25 RA

PT 172+50 RA

PT 173+00 RA

PT 173+25 RA

PT 173+50 RA

PT 174+00 RA

PT 174+25 RA

PT 174+50 RA

PT 175+00 RA

PT 175+25 RA

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PT 168+25 RA

PT 168+50 RA

PT 169+00 RA

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PT 173+25 RA

PT 173+50 RA

PT 174+00 RA

PT 174+25 RA

PT 174+50 RA

PT 175+00 RA

PT 175+25 RA

PT 175+50 RA

PT 176+00 RA

PT 176+25 RA

PT 176+50 RA

PT 177+00 RA

PERMIT ID# 45200

FOR AGENCY USE ONLY

Town: East Montpelier
Route: US Route 2
Mile Marker: 31.5
Log Station: 166+32 LT

VERMONT AGENCY OF TRANSPORTATION
State Highway Access and Work Permit

Owner's/Applicant's Name, Address, E-mail & Phone No. Marc Fontaine 30 Fontaine Lane E. Montpelier, VT 05651

Co-Applicant's Name, Address, E-mail & Phone No. (if different from above)
Sharon Bissell - 30 Fontaine Lane East Montpelier, VT 05651

The location of work (town, highway route, distance to nearest mile marker or intersection & which side)
Route 2, East Montpelier Map ID 21-53-37.000

Description of work to be performed in the highway right-of-way (attach plan) Construct new residential driveway

Property Deed Reference Book: 163 Page: 148, 149 (only required for Permit Application for access)
Tax Map (I D Parcel) #195-06910915

Fee \$ (fees do not apply for residential or agricultural purposes)

Is a Zoning Permit required? Yes No - If Yes, #

Is a 30 VSA § 248 permit required? Yes No - If Yes, #

Is an Act 250 permit required? Yes No - If Yes, #

Other permit(s) required? Yes No - If Yes, name and # of each

Date applicant expects work to begin July 30 20 22

Owner/Applicant: Marc Fontaine Position Title:

(Print name above)
Sign in Shaded area: Sharon Bissell Date: 5/17/22

Co-Applicant: Sharon Bissell Position Title:

(Print name above)
Sign in Shaded area: Marc Fontaine Date: 5/17/22

INSTRUCTIONS: -Contact the Development Review and Permitting Services Section (802.636.0037) or your local area Transportation Maintenance District Office to determine your issuing authority. The issuing authority will determine what plans, fee and other documents are required to be submitted with your Vermont Statutes Annotated, Title 19, Section 1111, permit application request.

- Original signatures are required on an original Form. The Owner/Applicant and Co-Applicant (if applicable) declares under the pains and penalty of perjury that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

FEE: -See Fee Schedule for applicable administrative processing and application review fee.

PERMIT APPROVAL

Your permit application to construct a residential driveway at the above referenced location has been reviewed by this office and approved. A copy of the State Standards on residential driveway construction, B-71a, has been included for your reference.

The work is subject to the restrictions and conditions on the reverse page, plus the Special Conditions stated on the attached page(s).
Date work is to be completed 10/31/2023 Date work accepted:

By: Jerrold Kinney Issued Date 06/09/2022 DTA or Designee
Authorized Representative for Secretary of Transportation

NOTICE: This permit covers only the Vermont Agency of Transportation's jurisdiction over this highway under Vermont Statutes Annotated, Title 19, Section 1111. It does not release the petitioner from the requirements of any other statutes, ordinances, rules or regulations. This permit addresses only access to, work within, and drainage affecting the state highway. It does not address other possible transportation issues, such as access to town highways, use of private roads, and use of railroad crossings. If relevant to the proposed development, such issues must be addressed separately.

No work shall be done under this permit until the owner/applicant has contacted the District Transportation Office at: Vermont Agency of Transportation District #6 2178 Airport Road, unit A, Berlin, VT 05641 phone: 802-917-2879

paragraph shall not reinstate any such encumbrances previously extinguished by the Marketable Record Title Act, Chapter 5, Subchapter 7, Title 27, Vermont Statutes Annotated.

Reference is hereby made to the above-mentioned instruments, the records thereof, the references therein made, and their respective records and references, in further aid of this descriptions.

TO HAVE AND TO HOLD all of right and title and interest in and to said quitclaimed premises, with the privileges and appurtenances thereof, to the said Grantee, **Malone 3035 US Route 2 Properties LLC**, and its successors and assigns forever. AND FURTHERMORE, the said Grantor, **Town of East Montpelier**, does for itself and its successors and assigns, covenant with the said Grantee, and its successors and assigns, that from and after the ensembling of these presents, the said **Town of East Montpelier** will have and claim no right, in, or to the said quitclaimed premises, except as set forth herein.

IN WITNESS WHEREOF, Grantor hereunto sets it hand and seal this 27th day of August, 2020.

TOWN OF EAST MONTPELIER

By: Seth Gardner
Seth Gardner, Selectboard Chair
Duly Authorized

STATE OF VERMONT
COUNTY OF WASHINGTON

At East Montpelier, Vermont, this 27th day of August 2020, personally appeared Seth Gardner, Selectboard Chair and Duly Authorized Agent of the Town of East Montpelier, and he acknowledged this instrument, by him subscribed, to be his free act and deed and the free act and deed of the Town of East Montpelier.



Before me, Rosalie Laquerre
Notary Public
Rosalie Laquerre
Commission No. 157.0001228
My commission expires: 1/31/21

VERMONT PROPERTY TRANSFER TAX
TOWN CLERK'S OFFICE
Received Aug 27, 2020 09:27A
Return No. 42070047
Recorded in VOL: 163 PG: 148- 149
Of East Montpelier Land Records
ATTEST: Rosalie Laquerre
Rosalie Laquerre, Town Clerk