

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 29 2023

Effective Date: JULY 14 2023

Location: 460 BARNES RD

Owner: TYSON BROWN & JULIA WATSON

For: BLA BETWEEN PID 06-070.000 & 06-070.500 TO
MEET ROAD FRONTAGE REGULATIONS

Application # 23-024

Approved by: **Tyson Brown, 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 # 23-024

ZONING PERMIT APPLICATION

Date Received: 6-15-2023Zoning District D

TOWN OF EAST MONTPELIER

Parcel # 06-070,000Overlays N/A

PO Box 157, East Montpelier, VT 05651

Tax Map # 08-01-36,000

- A. 1. Name of Landowner TYSON BROWN & JULIA WATSON Phone No. 406 461-4958
2. Address of Landowner 460 BARNES RD 802 822-2708
3. Applicant (other than owner) _____ Phone No. _____
4. Address of Applicant _____
5. Location of Property 460 BARNES RD

B: Application is made (check appropriate boxes):

To:

- ☐ Construct
☐ Repair
☐ Alter
☐ Extend
☐ Remove
☐ Change use

For:

- ☐ One ☐ Two-family dwelling
☐ Multi-family dwelling
☐ Accessory Structure
☐ Commercial / Business
☐ Light Industrial
☐ Industrial

For:

- ☐ Subdivision of land
☒ Boundary adjustment
☐ Extraction of earth resources
☐ Ground water withdrawal
☐ Landfilling
☐ Other

Describe work to be performed BLA BETWEEN PID 06-070,000 & 06-070,500
TO CONFORM TO ZONING DISTRICT D ROAD FRONTAGE OF
250 FEET AREA OF ADJUSTMENT 0.01 ACRES LESS THAN
2%

C. Lot description:

1. acreage 12 + 9 +
2. road frontage 250 + 550 Ft.
3. depth front yard N/A Ft.
(Road centerline to building)

4. depth side yards N/A Ft. _____ Ft.
(building to lot lines)
5. depth rear yard N/A Ft. _____ 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 6/15/23

Applicant _____ Date _____

Zoning Permit Fee: \$ 100.00 Credit Card Cash _____ Check _____ Date 6-15-2023 Rec'd by P. Canada

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 MEETS REQUIREMENTS OF
EAST MONTPELIER'S LUDR ZONING DISTRICT D

2. Appealed to Development Review Board: Date By

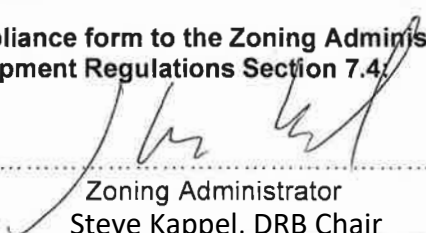
Notice: Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board &/or Town Clerk within 15 days of the decision or act. Appeal fee is \$150.

3. Final Action: Permit # 23-024 Date Issued 6/29/23 Effective Date 7/14/23

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
Steve Kappel, DRB Chair

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.

LEGEND

- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- EDGE OF GRAVEL
- STONEWALL
- X X WIRE FENCE
- OVERHEAD UTILITY LINE
- TIE LINE
- ⊙ IRON ROD FOUND (DIA., HT.)
- ⊙ IRON PIPE FOUND (DIA., HT.)
- REBAR SET W/ I.D. CAP
- ▲ UNMONUMENTED POINT
- ⊙ UTILITY POLE
- (D) PER DEED
- (R) PER REFERENCE #
- N/F NOW OR FORMERLY
- ⊙ DRILLED WELL

SUBJECT PROPERTY:

TYSON BROWN & JULIA WATSON
PID: 05-070-000
SPAN: 195-052-10048
DEED: BOOK 153 PAGE 28

ZONING INFORMATION

ZONE D - RURAL RESIDENTIAL -
AGRICULTURAL DISTRICT

MIN. LOT SIZE: 3 ACRES
MIN. LOT FRONTAGE: 250'
SETBACKS:
FRONT: 40' FROM CL OF ROAD
SIDE: 25'
REAR: 25'
MAX BUILDING HEIGHT: 35'



SURVEYORS NOTES:

1. THIS SURVEY WAS CONDUCTED BY USE OF A TRIMBLE S6 ROBOTIC TOTAL STATION, A GEOMAX ZOOM 90 TOTAL STATION, OR A GEOMAX ZENITH35 PRO GNSS RECEIVER 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 ABUTTERS.
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 STATE PLANE GRID NORTH BASED ON CORS-CORRECTED GPS OBSERVATION NAD 83, VT ZONE 4480, VCAP CORS STATION. SCALE FACTOR 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 RIGHT-OF-WAY OF BARNES ROAD IS 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. BECAUSE PARCEL 1 OF THE LAND OF BROWN & WATSON IS BEING REDUCED BY NO MORE THAN 2% (.06%), THIS BOUNDARY LINE ADJUSTMENT IS EXEMPT FROM THE REQUIREMENTS OF THE STATE WASTEWATER & POTABLE WATER SUPPLY PERMIT PROGRAM (E.P.R., CHAPTER 1) AS PROVIDED FOR IN §1-304(8)(A)(i) OF SAID RULES.

REFERENCES:

1. A PLAN ENTITLED "PORTION OF LAND IN THE TOWN OF E. MONTPELIER BELONGING TO ROBERT, FRANCES & TIMOTHY CARVER" BY WILLIAM CHASE, CUNNINGHAM ASSOCIATES INC., DATED MAY 1975 AS FOUND IN THE TOWN OF EAST MONTPELIER TOWN RECORDS IN SLIDE 30, MAP #130.
2. A PLAN ENTITLED "SUBDIVISION SURVEY, JAMES & CHRISTINE ABRAMS, CENTER ROAD, EAST MONTPELIER, VERMONT" BY THIS FIRM, DATED NOVEMBER 26, 2016 MOST RECENTLY REVISED FEBRUARY 14, 2019 AS FOUND IN THE TOWN OF EAST MONTPELIER TOWN RECORDS IN SLIDE 92, MAP #414.
3. A PLAN ENTITLED "MAP SHOWING LAND BEING CONVEYED BY ETHEL O. BARNES TO (A) DONALD J. PEDROZO (B) GEORGE C. AND GERTRUDE L. PEDROZO, EAST MONTPELIER, VERMONT" BY ORWIN & MARSH INC., DATED DECEMBER 1968, AS FOUND IN THE TOWN OF EAST MONTPELIER TOWN RECORDS, HANGER 95, MAP #434.
4. A PLAN ENTITLED "SUBDIVISION OF LAND OWNED BY MARTHA ISRAEL, EAST MONTPELIER, VT." BY MICHAEL J. PATTERSON L.S., DATED JUNE 2009 AS FOUND IN THE TOWN OF EAST MONTPELIER TOWN RECORDS, SLIDE 79 PAGE 305.
5. A PLAN ENTITLED "SUBDIVISION OF LANDS OF MORSE FAMILY TRUST, COUNTY ROAD, EAST MONTPELIER, VERMONT" BY TERRY WILSON, VERMONT MAPPING & SURVEY CO., LLC, DATED JULY 2020 AS FOUND IN THE TOWN OF EAST MONTPELIER TOWN RECORDS, HANGER 95, MAP #434.
6. A PLAN ENTITLED "DOROTHY A. MORSE ESTATE, COUNTY ROAD, EAST MONTPELIER, VT." BY VERMONT SURVEY AND ENGINEERING, INC., DATED AUGUST 6, 2007 AS FOUND IN THE TOWN OF EAST MONTPELIER TOWN RECORDS, SLIDE 71 PAGE 246.

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.

4/17/2023 *William R. Chase*
DATED: WILLIAM R. CHASE, RLS, #542 VERMONT
NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL

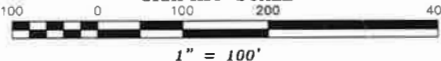
**BOUNDARY SURVEY &
BOUNDARY LINE ADJUSTMENT**
TYSON BROWN & JULIA WATSON
460 BARNES ROAD, EAST MONTPELIER, VERMONT

SCALE: 1" = 100' DATE: 4/17/2023 PROJ: # 2022 107 DWG: # 22107A
DRAWN BY: TOM CHECKED BY: WRC/PB/PC 84/ETB SHEET SURVEY

Chase
301 North Main Street, Suite 1
Barre, VT 05641
802.479.9636

Surveyors & Septic
Designers, Inc

GRAPHIC SCALE



TOWN CLERK'S OFFICE
Received Aug 01, 2023 04:09P
Recorded in VOL: 182 PG: 218- 218
Of East Montpelier Land Records
ATTEST: Rosie Laquerre
Rosie Laquerre, Town Clerk

.....Space above this line for recording data.....

TOWN OF EAST MONTPELIER
MEMORANDUM OF MUNICIPAL ACTION
24 V.S.A. Section 4449(c)

RECORD TITLE OWNER(S) OF PROPERTY (GRANTOR)

TYSON BROWN & JULIA WATSON

APPLICANTS(S) IF DIFFERENT FROM TITLE OWNER

PROPERTY DESCRIPTION
ADDRESS OF PARCEL

460 BARNES RD

PARCEL ID NO

06-070-000

TAX MAP #

08-01-36.000

TYPE OF MUNICIPAL ACTION(S):

	PERMIT #	ACTION	DATE ISSUED
ZONING PERMIT	<u>23-024</u>	<u>GRANTED</u>	<u>6.29.2023</u>
DRB HEARING			
CERT COMPLIANCE			
SIGN PERMIT			
CURB CUT PERMIT			
R-O-W PERMIT			
VIOLATION NOTICE			

All Records of Municipal Actions are located in the Town Clerk's Office. See permit &/or decision for applicable conditions.