

.....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)

Jeffry J. Laquerre

APPLICANTS(S) IF DIFFERENT FROM TITLE OWNER

PROPERTY DESCRIPTION

ADDRESS OF PARCEL 2199 VT Route 14 North and Hammett Hill Road

PARCEL ID NO 08-024.100 TAX MAP # 09-00-10.220

TYPE OF MUNICIPAL ACTION(S):

	PERMIT #	ACTION	DATE ISSUED
ZONING PERMIT			
DRB HEARING			
CERT COMPLIANCE			
SIGN PERMIT			
CURB CUT PERMIT	24-001	Granted	February 12, 2024 w/ conditions
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.

**TOWN OF
EAST MONTPELIER, VERMONT**
ZONING ADMINSTRATOR

Mikaela Engert
40 Kelton Rd, P.O. Box 157
East Montpelier, VT 05651-0157

zoning@eastmontpeliervt.org
(802) 223-3313 x 205
Fax: (802) 223-4467

February 13, 2024

Jeffrey J. Laquerre
2199 VT Route 14 North
East Montpelier, Vermont 05651

Re: Access (Curb Cut) Application Permit #24-001

Dear Jarrett:

The East Montpelier Select Board met on Monday, February 12, 2024, and approved your requested curb cut application for a new access on Hammett Hill Road with the following conditions/requirements:

- Clear brush along Hammett Hill Road for clear site distance,
- Install an 18" culvert that is 30' long,
- Permanently discontinue your existing driveway after your new driveway is constructed, and
- Apply for and receive new address and E911 designation for Hammett Hill and discontinue 2199 VT Route 14N address and E911 designation.

Please review the application and this information carefully for all additional details. If you have any questions on the construction conditions, please contact Road Foreman Guthrie Perry at 802-223-5870. For other questions, please call me.

Sincerely,

Mikaela Engert

Mikaela Engert
Zoning Administrator &
East Montpelier E-911 Coordinator Assistant

Enclosure

Permit # 24-001
CK# 526
Fee \$ 50.00

ACCESS (CURB CUT) APPLICATION
TOWN OF EAST MONTPELIER
PO Box 157, East Montpelier, VT 05651

Date Received: 1.30.24
Parcel # 08-024.100
Tax Map # 09-00-10.220

Applicant: Jeffrey J Laquerre Phone: 802-522-5296

Mailing Address: 2199 VT Route 14 N E. Montpelier, VT 05651

Property Owner: Jeffrey J Laquerre Phone: 802-522-5296

Mailing Address: 2199 VT Route 14 N E. Montpelier, VT 05651

Property Location: 2199 VT Route 14 N E. Montpelier, VT 05651

PROJECT DESCRIPTION: **sketch drawing and location map must be attached.**

☐ CONSTRUCT A NEW ACCESS

☐ CHANGE AN EXISTING ACCESS

- ☐ agricultural
☐ commercial
☐ industrial
☒ residential
☐ development
☐ other _____

- Current Access:
☐ agricultural
☐ commercial
☐ industrial
☐ residential
☐ development
☐ other _____

- Proposed Access:
☐ agricultural
☐ commercial
☐ industrial
☐ residential
☐ development
☐ other _____

Distance, in feet, of the proposed access to the nearest intersection (specify the intersection): Hamlet Hill
195-150 ft

Has the proposed access been flagged (i.e., marked) at the site? ☒ YES ☐ NO

Site must be flagged before the application will be considered.

The undersigned agree(s) to construct and maintain this access in accordance with applicable regulations and adhere to the specifications, restrictions, and conditions contained in this permit, if issued.

[Signature]
Applicant

1/23/24
Date

[Signature]
Property Owner

1/23/24
Date

____ Denied: _____

____ **Approval to Proceed:** Upon receipt of this permit you are authorized to proceed with the project in accordance with the conditions, specifications and restrictions, including Road Foreman recommendations, contained in this document and any attachments to this document. Approval is granted only for the work described in this application and must be performed as directed. The Permit Holder shall be responsible for all damages to persons and/or property due to or resulting from any work allowed under this permit. The Permit Holder shall defend, indemnify and hold harmless the Town of East Montpelier and its officers, agents and employees from all suits, actions or claims of any character, name and description brought on account of any injuries or damages sustained by any person or property, including all costs or expenses to defend against such suits, actions or claims.

2-12-2024
Date

[Signature]
SELECTBOARD

[Signature]
SELECTBOARD

[Signature]
SELECTBOARD

[Signature]
SELECTBOARD

[Signature]
SELECTBOARD

East Montpelier Access (Curb Cut) Application

Permit # _____

Road Foreman Determination:

☒ Proposed access meets applicable sight distance standards. Comments: Clear brush

Road Foreman Recommendations:

18" culvert 30' long

Culvert/Drainage Requirements:

Roadway Culverts – 18" minimum diameter of metal, reinforced concrete, or polyethylene pipe with drop inlets or catch basins as required. Hydraulic Analysis to determine appropriate pipe diameter is recommended for all live stream crossings and elsewhere where large storm flows may be expected. See VTrans Standard A-76.

Driveway Culverts – Circular drainage culverts shall have a minimum inside cross-sectional area equivalent to that provided by a 15" circular pipe. See VTrans Standard B-71.

Underdrains – 6" minimum diameter of metal, PVC plastic or polyethylene pipe.


Road Foreman

2/12/24
Date

Additional Selectboard Conditions &/or Restrictions:

The East Montpelier Land Use & Development Regulations and the East Montpelier Road & Bridge Standards are incorporated by reference.

I, Jeffrey J Laquerre, would like to move my existing driveway from the access off of VT Route 14 N to a new access off of Hammett Hill Road. The existing access off of VT Route 14 N will remain where it is to allow access to the Perchlik property. My existing driveway from the access off VT Route 14 N will be removed and grass planted as soon as the other driveway is completed. I would like to move our driveway from the existing access as the tenant that is renting the Perchlik property has a daycare and our driveway is blocked multiple times a week due to the daycare parents not being able to make it up the driveway. We also feel that our driveway is dangerous for us to pull in and out of with trailers / campers as we have to back in off from rt 14 and have nearly been hit multiple times

6:18



ERM



1/2

3D

N

HAMMETT HILL RD

VERMONT RTE 14 N

Parked Car

25°
AQI 36

Search Maps



JL

Zoning Administrator Staff Report

24-001 Curb Cut for Jeffrey J. Laquerre 2199 VT Route 14N & Hammet Hill Rd

REQUEST:

To construct a new residential driveway off Hammet Hill Road and permanently discontinue the portion of the current driveway that allows access to 2199 VT Route 14N (Laquerre). The portion of the current driveway that allows access to 2195 VT Route 14N (Perchlik) will remain.

BACKGROUND:

The property is in Zone D: Rural Residential-Agricultural District which requires a 3-acre minimum lot size, rear and side setbacks of 25 feet minimum, front setback of a minimum of 40 feet as measured from road centerline, and a minimum frontage requirement of 250 feet. This lot is considered a corner lot and as such has only front and side yards (Section 3.8 (E) of the LUDR, page 26).

This lot is considered a pre-existing non-conforming lot as it relates to lot size since it was created before the current regulations (Section 3.9 (A) of the LUDR, page 26)). Current lot size is 2.47 acres.

The parcel that abuts 2199 VT Route 14 N is 2195 VT Route 14 N and these lots were created of equal size and an access easement was granted to the owner at that time to ensure egress. Please see the attached Warranty Deed describing both the subdivision as well as the easement.

ANALYSIS:

Section 3.3 (D) on page 22 of the LUDR outlines that lots shall be served by no more than one access. The current access is shared by both 2195 and 2199 VT Route 14N. 2195 has a permanent access easement across 2199. This easement will remain in place and not be changed. Nor does the easement require that access be shared; it is expressly there to ensure access to 2195.

The applicant is proposing to permanently discontinue and remove their existing access to their home from VT Route 14N and establish access from Hammet Hill Road. Given the easement for 2195, changing the access to Hammet Hill Road for 2199 appears to meet the standard under D.1 of the LUDR.

It should also be noted that D.6 states that access for a lot that has frontage on two roads (e.g. a corner lot, such as this parcel is), shall have access from the secondary, or less traveled road. Given that the proposed access will move to Hammet Hill Road, which is not a main arterial route like RT 14 N, it would appear that the proposed location of the new driveway will also meet this standard. It also appears to meet the requirements of Section 3.3 (E) for Driveways. The Road Foreman typically reviews and comments upon the requirements for B-71 for curb cut applications.

It should also be noted that the current access to utilities that are available from the existing curb cut on RT 14N will not be hindered or changed. Nor does this application require DRB review as the access was not part of the subdivision approval from 1994.

If approved, the applicant will be required to obtain a new address and E911 designation and the current address shall be discontinued.

ROBERT T. BROWN

TO

STEPHEN GILBERT

VERMONT WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, THAT, I, Robert T. Brown, a single person, of East Montpelier in the County of Washington and State of Vermont, in consideration of TEN AND MORE DOLLARS paid to my full satisfaction by Stephen Gilbert, a single person, of Derby, in the County of Orleans and State of Vermont, Grantee, by these presents do freely GIVE, GRANT SELL, CONVEY AND CONFIRM, unto the said Grantee, Stephen Gilbert, and his heirs and assigns forever, certain land and premises in the Town of East Montpelier, County of Washington and State of Vermont, described as follows, viz:

Being all and the same land and premises decreed to Robert Brown by Final Order of Divorce of Washington Superior Court in a case entitled Nancy Brown v. Robert Brown, Docket # F35-1-04 Wndmd, dated March 10, 2004, a certified copy of which is to be recorded in the East Montpelier Land Records.

Being all and the same lands and premises conveyed to Robert T. Brown and Nancy L. Brown by warranty deed of Jean Clark dated October 11, 1996 and recorded at Book 58 Pages 384-385 of the East Montpelier Land Records. In that deed, the herein conveyed land and premises are described as follows:

"Being part of all and the same land and premises conveyed to Mable R. Clark (now deceased) and Jean Clark, joint tenants with the right of survivorship, by Executor's Deed of Samuel C. FitzPatrick, Executor of the Estate of Gerald M. Hawkins, dated December 2, 1993 and recorded at Book 52, page 342 of the land records of the Town of East Montpelier, Vermont.

"The land and premises conveyed herewith are further described as follows:

"Being a portion of lands belonging to Jean Clark lying southerly of Hammett Hill Road and westerly of Vermont Route #14 in the Town of East Montpelier, containing 2.47 acres, more or less, and which parcel is more particularly described as follows:

"Beginning at the point of intersection of the southerly line of Hammett Hill Road with the westerly line of Vermont Route #14, as shown on a survey plat by Chase & Chase dated 9/30/96 and entitled "Subdivision of Lands of Jean Clark, Route 14 - East Montpelier, Vt.", as recorded in Plat Book 3-48, page 89 of the Town of East Montpelier Land Records.

"Thence proceeding along the westerly line of Vermont Route #14 bearing South 40 degrees 35' 47" West (bearings based on magnetic observations taken on site during field survey), a distance of 660.00 feet to an iron rod set; thence proceeding North 58 degrees 11' 19" West, a distance of 165.00 feet to an iron rod set; thence proceeding North 40 degrees 35' 47" East, a distance of 660.00 feet to an iron rod set; being a point of intersection with the southerly line of Hammett Hill Road; thence proceeding along said southerly line of Hammett Hill Road South 58 degrees 11' 17" East, a distance of 165.00 feet to the point and place of beginning.

"There is excepted and reserved herewith a 20-foot wide strip of land for easement purposes, for ingress and egress for Jean Clark and her heirs and assigns. Said right of way to extend from the westerly line of Vermont Route #14 along the existing driveway, as laid out and in use and shown on the aforementioned survey plat, to the westerly line of the herein described parcel."

The herein conveyed land and premises are subject to subdivision permit #EC-S-2350 recorded at Book 54 Page 115 of the East Montpelier Land Records,

Reference may be had to the above-mentioned instruments and their records, and to all prior instruments and their records, for a more particular description of the herein conveyed land and premises.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Stephen Gilbert, and his heirs and assigns to their own use and behoof forever;

AND I, the said Grantor, Robert T. Brown, for myself and my heirs and assigns, do covenant with the said Stephen Gilbert, and his heirs and assigns, that from and after the enrolling of these presents, I, the said Grantor, am the sole owner of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE, except easements, rights and rights-of-way of record, as aforesaid, and we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, I hereunto set my hand this 3 day of February, 2006

Robert T. Brown
Robert T. Brown

STATE OF VERMONT
WASHINGTON COUNTY, SS.

At Montpelier, this 3rd day of February, 2006, personally appeared Robert T. Brown and acknowledged the foregoing to be his free act and deed.

Before me Margaret A. Lander
Notary Public
My Commission expires: 2-10-07

East Montpelier Town Clerk's Office 7 February A.D. 2006 at 9:01 o'clock A.M.
Received for record a deed of which the foregoing is a true copy.

Attest: Stephen M. Jones
Ass't Town Clerk

NOTARY PUBLIC
ACKNOWLEDGEMENT
I, the Notary Public, do hereby certify that the foregoing is a true and correct copy of the original as the same was presented to me for recording.

87 (4-05)
Alison M. Jones
17 Feb 06