

Permit # 24-048
Zoning District D-12R
Overlays NONE

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

Date Received: 10/30/24
Parcel # 08-018.000
Tax Map # 09-00-54.100

A. 1. Name of Landowner..... John Benjamins Phone No. 323-775-2965
2. Address of Landowner..... 139 Daggett Road, East Montpelier, VT 05651
3. Applicant (other than owner)..... Phone No.
4. Address of Applicant.....
5. Location of Property..... 139 Daggett Road & VT Route 14

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 checked="" 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..... Subdivision of an existing 38.44 acres parcel into 2 parcels.
Proposed Lot 4 has 5.59 Acres & 432'+/- of Road frontage on VT Rte 14. A proposed single family residence will be served on onsite water and sewer systems.
The remaining 32.85 Acres will comprise Lot 1 with the existing house, barn, and outbuildings. Lot 1 has 288' of frontage on VT Rte 14 and 504' on Daggett Road. No development is proposed on Lot 1.

C. Lot description:

- | | |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1. acreage..... Lot 1: <u>32.85 Acres</u>
Lot 4: <u>5.59 Acres</u> | 4. depth side yards <25'..... Ft. <25'..... Ft. (Lot 4)
(building to lot lines) No change on Lot 1 |
| 2. road frontage Lot 1: <u>792' total</u> Ft.
Lot 4: <u>432'</u> | 5. depth rear yard <25'..... Ft. (Lot 4)
(building to lot line) No change on Lot 1 |
| 3. depth front yard <40 Ft. (Lot 4)
(Road centerline to building) No change on Lot 1 | |

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..... John Benjamins Date 10-23-27
Applicant..... John Benjamins Date 10-23-24

Zoning Permit Fee: \$ 250.00 Cash _____ Check #1000 Date 10/30/24 Rec'd by JAP
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)

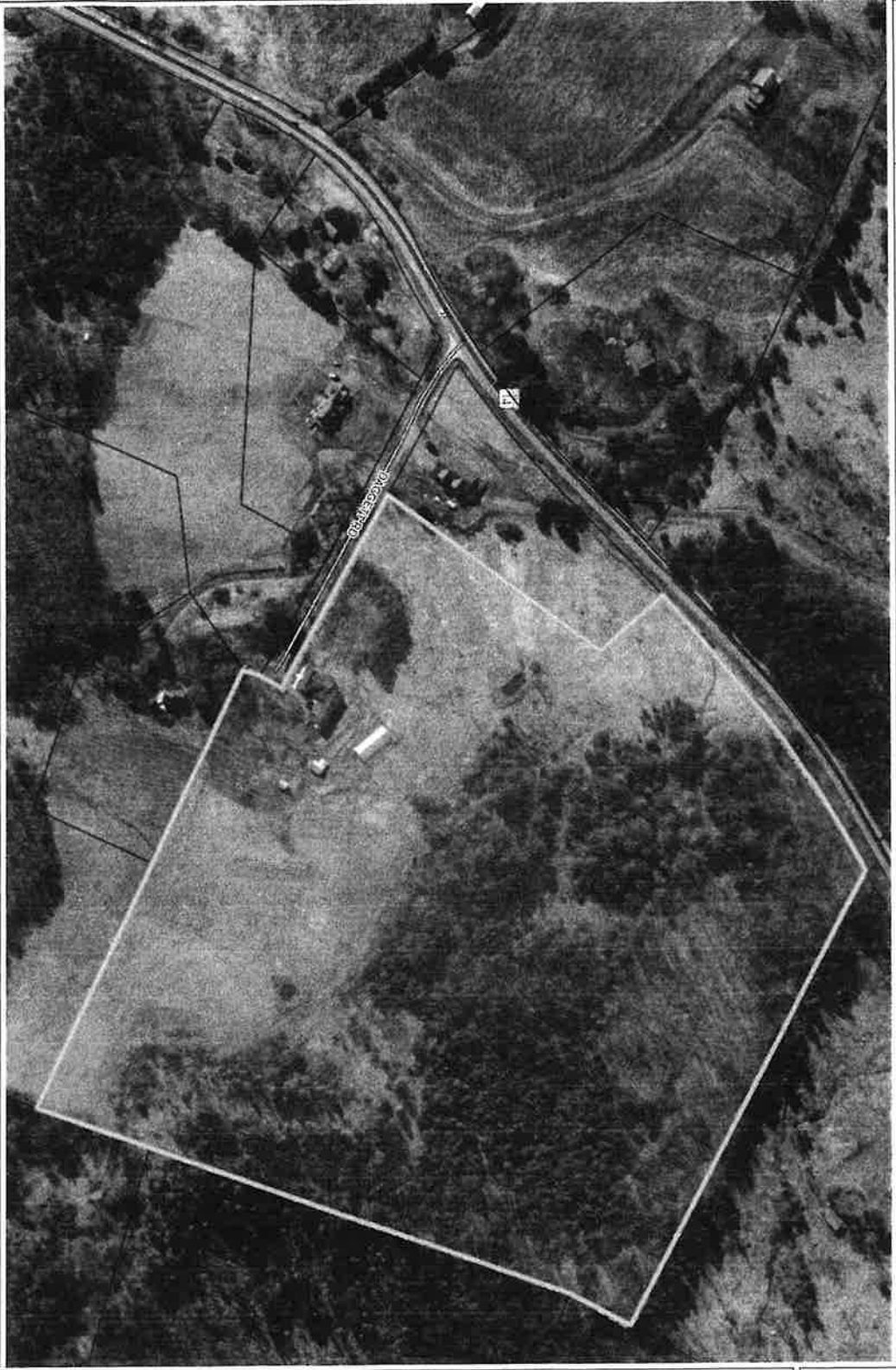
4. Denied (See written decision for reasoning)

.....
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.



417 0 0 206 00 417 0 Feet
 MGS, 1994, Web Mercator Auxiliary Sphere
 © Vermont Agency of Natural Resources October 17, 2024

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



LEGEND

- Rate Threatened and Endangered Spe
- RTB Animal
- RTB Plant
- Contours - LIDAR 1 ft.
- Contour Line, Intra Major
- Contour Line, Intra Minor
- Contour Line, Intermediate Even
- Contour Line, Intermediate Odd
- ★ Wetland Projects
- Wetland - VSWI
 - Class 1 Wetland
 - Class 2 Wetland
 - Class 3 Wetland
 - Wetland Buffer
- Wetlands Advisory Layer
- Parcel (standardized)
- Roads
 - Interstate
 - US Highway, 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Road
- Town Boundary

1: 2,500
 1 in = 258 ft
 1 cm = 39 inches

NOTES:
 Map created using ArcGIS (Natural Resources Atlas)

Preliminary & Final Subdivision Application
John Benjamins
2-Lot Subdivision
VT Route 14 & 139 Daggett Road, East Montpelier

Project Description

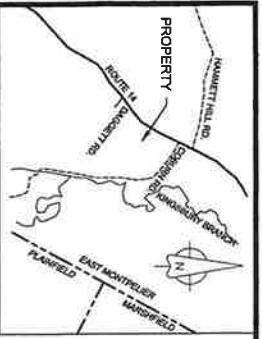
The proposed project consists of a 2-lot subdivision of the existing 38.44-acre parcel which lies southeast of VT Route 14 and northeast of Daggett Road. The property lies in the Rural Residential - Agricultural District (Zone D) having a minimum lot size of 3 acres and minimum road frontage of 250 feet. The lot is currently developed with an existing house, barn, and sheds at 139 Daggett Road.

Proposed Lot 4 of 5.59 acres has 432' of road frontage. The proposed single-family residence will be served by an on-site water supply and sewage disposal system. The proposed curb cut location is shown on the plan, which application has been concurrently submitted to the Vermont Agency of Transportation.

The remaining 32.85 acres will remain with Lot 1 (this acreage is calculated from the previous survey for John Benjamins). No development is planned for this lot. Lot 1 has 288' of frontage on VT Route 14 and 504' of frontage on Daggett Road. Lot 1 is subject to an 86' x 526' unrestricted access and utilities easement off the end of Daggett Road in favor of David Coburn, Cynthia Salwen, et al.

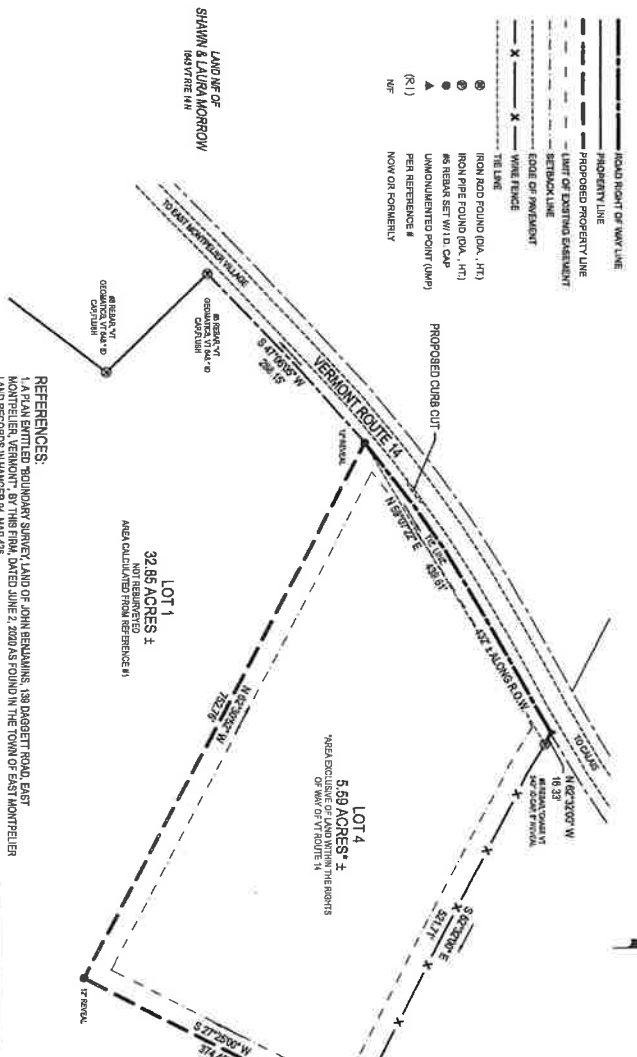
A review of the State ANR Natural Resources Atlas reveals no rare, threatened or endangered species or mapped wetlands on this lot. A printout of that review is included here.

This proposal reflects the owner's wishes as to how to approach the subdivision of their land. We believe that the subdivision as presented is in full conformance with the Development Regulations.



LEGEND

- ROAD RIGHT OF WAY LINE
- PROPERTY LINE
- PROPOSED PROPERTY LINE
- LIMIT OF EXISTING EASEMENT
- BACKSIGHT LINE
- FORESIGHT LINE
- EDGE OF PAVEMENT
- WIRE FENCE
- IRON ROD FOUND (OK, HT)
- IRON PIPE FOUND (OK, HT)
- MS BEAM SET WITH COPI
- UNDOCUMENTED POINT (UMP)
- PER REFERENCE #
- NEW OR FORMERLY



SURVEYOR'S NOTES:

- THIS SURVEY WAS CONDUCTED BY USE OF A TRIMBLE 88 ROBOTIC TOTAL STATION A GEOMAX ZOOM 90 TOTAL STATION, A GEOMAX ZENTRIS PRO GNSS RECEIVER, OR A LAND TRULIPUS PLUS GNSS RECEIVER WITH A PRECISION WITHIN ACCEPTED STANDARDS.
- THIS SURVEY IS BASED ON DEEDS AND SURVEYS OF RECORD, PHYSICAL EVIDENCE LOCATED, AND INFORMATION PROVIDED BY OWNER AND ADJUTERS.
- ENCROACHMENTS, IF ANY, ARE AS SHOWN HEREON.
- ONLY EASEMENTS AND/OR RIGHTS-OF-WAY ENCOUNTERED DURING RECORD RESEARCH NECESSARY TO DETERMINE PARCEL BOUNDARIES HAVE BEEN DETECTED HEREON. THE PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS.
- BEARINGS SHOWN HEREON ARE DATE PLANE GRID NORTH AND 83 VT ZONE AND BASED ON POST-PROCESSED GNSS OBSERVATIONS ON SEPTEMBER 17, 2024. 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.
- THE RIGHTS-OF-WAY OF VT ROUTE 14 AND DAGGETT ROAD ARE BASED ON SURVEYS OF RECORD AND MONUMENTATION FOUND WHERE UNDOCUMENTED. A THREE FOOT WIDTH BASED ON THE OBSERVED CENTERLINE IS ASSUMED PURSUANT TO 1998A-32. NO OPINION IS OFFERED AS TO THE OWNERSHIP OF THE LAND BETWEEN THE RIGHTS-OF-WAY LINES AS SHOWN HEREON AND THE CENTERLINE OF SAID ROADS.
- THE PROPOSED LOTS SHOWN HEREON HAVE BEEN DRAWN AS DIRECTED BY THE OWNER AND ARE BELIEVED TO BE IN CONFORMANCE WITH LOCAL REGULATIONS.

ZONING INFORMATION

ZONE D - RURAL RESIDENTIAL
 2016 ZONING MAP RECORDED IN MAPS 2016-001
 JULY 12, 2020

MIN. LOT SIZE: 3 ACRES
 MIN. LOT FRONTAGE: 200'
 SETBACKS:
 FRONT: 40' FROM CL
 REAR: 25'
 MAX BUILDING HEIGHT: 35'

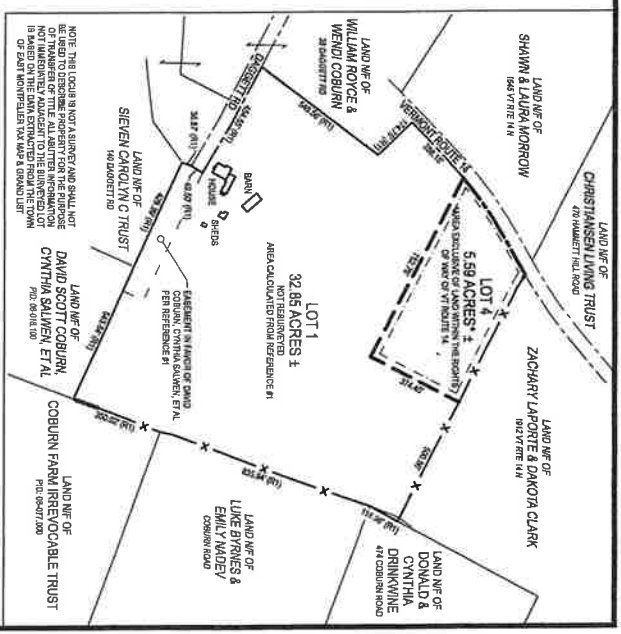


SUBJECT PROPERTY:

JOHN BENJAMINS
 PID:08-016-000
 TAX MAP #:09-00-54-100
 GRAN: 181-302-10181
 DEED BOOK (91 PAGE): 180

REFERENCES:

- A PLAIN ENTITLED "BOUNDARY SURVEY, LAND OF JOHN BENJAMINS, 138 DAGGETT ROAD, EAST MONTPELIER, VERMONT," BY THE FINAL DATED JUNE 7, 2024 AS FOUND IN THE TOWN OF EAST MONTPELIER LAND RECORDS IN VOLUME 84, MAP 9123.
- A PLAIN ENTITLED "BOUNDARY SURVEY, SUBDIVISION, DAVID HELLA, VERMONT ROUTE 14, EAST MONTPELIER, VERMONT," BY THE FINAL WILLIAM R. CHASE, R.L.S.R.K.A., DATED 12/14/84, REVERSED ACQUISIT 25, 2016 AND RECORDED IN SLIDE 69 MAP 99 OF THE LAND RECORDS OF THE TOWN OF EAST MONTPELIER.



CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED IS A TRUE AND CORRECT REPRESENTATION OF THE PARCEL BOUNDARIES AND CORNERS WITHIN THE REQUIREMENTS SET FORTH IN VERMONT STATUTES. THIS SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION BY METHODS NOTED HEREON WITH A PRECISION WITHIN ACCEPTED STANDARDS FOR THIS CLASS OF SURVEY.

DATE: 9/17/24
 WILLIAM R. CHASE R.L.S.R.K.A. EAST VERMONT
 NOT VALID UNLESS SEALED WITH AN EMPLOYED SURVEYORS SEAL

SUBDIVISION

JOHN BENJAMINS

138 DAGGETT ROAD & VT ROUTE 14
 EAST MONTPELIER, VERMONT

Chase
 Surveyors & Designers, Inc.

301 North Main Street, Suite 11
 Barre, VT 05641
 802-479-3636

SCALE	1" = 100'	DATE	9/17/24
DRAWN BY	WJC	CHECKED BY	WJC
DESIGNED BY	WJC	WITNESSED BY	WJC
PROJECT NO.	2024-027	DATE	2/17/24