

Application/Parcel ID#: 2024-06/A1P5080.10 Administrative Use Only
Date Received: 10 MAY 24
Date Approved: 20 MAY 24

Permit Fees: \$190 -
Check# 169 / By whom: Almira Aekus
Filing Fees:
Total Fees Paid: 5190
Tax Map Number: 14-066

ZONING PERMIT APPLICATION
TOWN OF READSBORO, VERMONT

All sections must be completed. Incomplete applications will not be considered.

1. APPLICANT:

Name: Almira + Craig Aekus

Phone: (⁸⁰²) 558 8130

email address: _____

Mailing Address: Box 35A, Readsboro
Street City

VT 05350
State Zip

2. PROPERTY OWNER:

Name: Natasha M. Berard
Elizabeth C. Aekus
Craig E. + Almira L. Aekus

Phone: (⁸⁰²) 558-8130

Mailing Address: Enhanced Life Estate
Box 35A Readsboro
Street City

VT 05350
State Zip

3. PROJECT LOCATION:

14 Heartwell View Rd.

Deed - Book: 89

Page: 181

Tax Map Page: 14

Lot#: 066

Parcel ID#: A1P5080.01

4. HOW IS THE PROPERTY USED NOW?

open land

number of dwelling units: _____ industrial square feet: _____
commercial square feet: _____ public assembly/facility square feet: _____

Please describe any accessory structures that are on the property.

None

5. WHAT WORK IS PLANNED UNDER THIS PERMIT? (New construction, addition, subdivision, installation or change of sign, change of use). **Please be specific. Application must include number of stories and square footage of gross floor area for all construction.**

Single family 3 bedroom home w/ attached garage and detached shed.

6 **PLEASE CHECK WORK BELOW THAT APPLIES:**

- Accessory structures with less than 100 square feet of floor area and lacking a permanent foundation, electricity, or other utility connections require a Zoning Permit.
- New residential construction (1 or 2 units).
- New residential construction (3 units or more).
- Residential addition/alteration/renovation.
- Non-residential construction/addition/alteration.
- Subdivision or boundary line adjustment (Site Plan 2.5.1) For applications involving subdivision of land or a boundary line adjustment a survey plat meeting the requirements of 27 V.S.A. §1403 and the rules of the Board of Land Surveyors, stamped by a Registered Land Surveyor licensed to practice in Vermont or equivalent.
- Signs.
- Change of use: from residential to non-residential, or non-residential to residential; or from one non-residential use to another non-residential use.
- Conditional Use - A use permitted in a particular zoning district i.e., Primitive Camps, Home Industry, Health Care, Facility, campground (see Readsboro Zoning Bylaw Article 2.4.4 for Permitted uses in each zoning district). Requires Site Plan Review & public hearing with the Development Review Board.
- Appeals of Decision by Zoning Administrator to the Development Review Board.
- Variance request (Bylaw Article 2.4.2).
- Home Occupation - Article 3, section 3 .2.3 a - f
Article 4 Section 4.1.4 - Provide Zoning Administrator with description of Home Occupation in writing.

7 **ZONING INFORMATION** - may be obtained with assistance from: rmatte73@gmail.com or call 802-423-5068.

a. What zoning district is the property located in? CON

b. Dimensional Requirements:

*if this is an Appeal to the Development Review Board, please skip this question and go to 7c.

	<u>Required</u>	<u>Existing or Proposed</u>	<u>Comments</u>
<u>Lot Size:</u>	<u>2 acres</u>	<u>4</u>	
<u>Frontage:</u>	<u>200'</u>		
<u>Setback from Right-of-Way:</u>	<u>200' ± 75'</u>	<u>200'</u>	
<u>Rear Setback:</u>	<u>200' ± 20'</u>	<u>200'</u>	
<u>Left Side Setback:</u>	<u>70' ± 20'</u>	<u>70'</u>	
<u>Right Side Setback:</u>	<u>100' ± 20'</u>	<u>100'</u>	

c. If this is an Appeal to the Development Review Board, please answer the following two questions:

Provision of the Zoning Bylaw in Question: _____

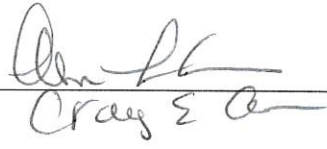
Reason for Appeal: _____

8 **ESTIMATED COST OF IMPROVEMENTS:** \$ 350,000.-

9 SIGNATURES AND AUTHORIZATIONS :

Signing of this application authorizes the Zoning Administrator to enter onto the premises for the purpose of verifying information presented in sub section 5 on this permit application.

The undersigned hereby certifies that the information submitted in this application regarding the property is true, accurate and complete and that I (we) have full authority to request approval for the proposed use of the property and any proposed structures. I (we) understand that any permit will be issued in reliance on the above representations and will be automatically void if any are untrue or incorrect

Signature of owner(s) of property:  Date: 4/24/24
Craig E [unclear]

_____ Date: _____

Signatures of applicant(s) other than property owner:

_____ Date: _____

_____ Date: _____

This information must be submitted with a Site Plan (for subdivisions a survey is required that meets the standards set by the State of Vermont) if required, other required forms and an application fee. Your site plan must contain all the information listed below. **INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED.**

No Zoning Permit Application will be accepted for a new residential or commercial construction until Septic System Permit has been inspected and approved the State of Vermont and an Access Permit for curb cuts on State or Town Roads has been approved by Readsboro's Superintendent of Public Works and/ or the Selectboard prior to construction. A copy of both permits must accompany the Zoning Permit Application.

NOTE: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.

Applicant is required to provide the names and addresses of adjoining property owners without regard to any public right of way. Information is located at the Town Office.

Name:

Mailing Address:

Daniel Lovetere

925 Heartwellville View Dr

Archibald Clarke

P.O. Box 283 Newfane, VT 05345

Jason Wood

103 Heartwellville View Dr

Jan Rancatti

273 Heartwellville Dr

David Rondeau

378 Heartwellville Dr.

Name:

Keith Byrne
Miguel Cruz
Salvatore D'Amato

Mailing Address:

APT. 913
290 West 232nd St Bronx, NY 10465
243 Reanok Ave Willimantic, CT 06226
P.O. Box 244 Abilene, TX 79604

If you have any questions, please call, Administrative Officer, Robert Matte


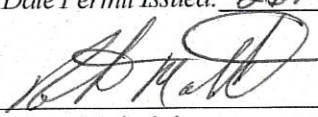
at **802-423-5068** or email: **rmatte73@gmail.com**.

_____: Agency of Natural Resources has reviewed the property in the Flood Plain Area

Comments:

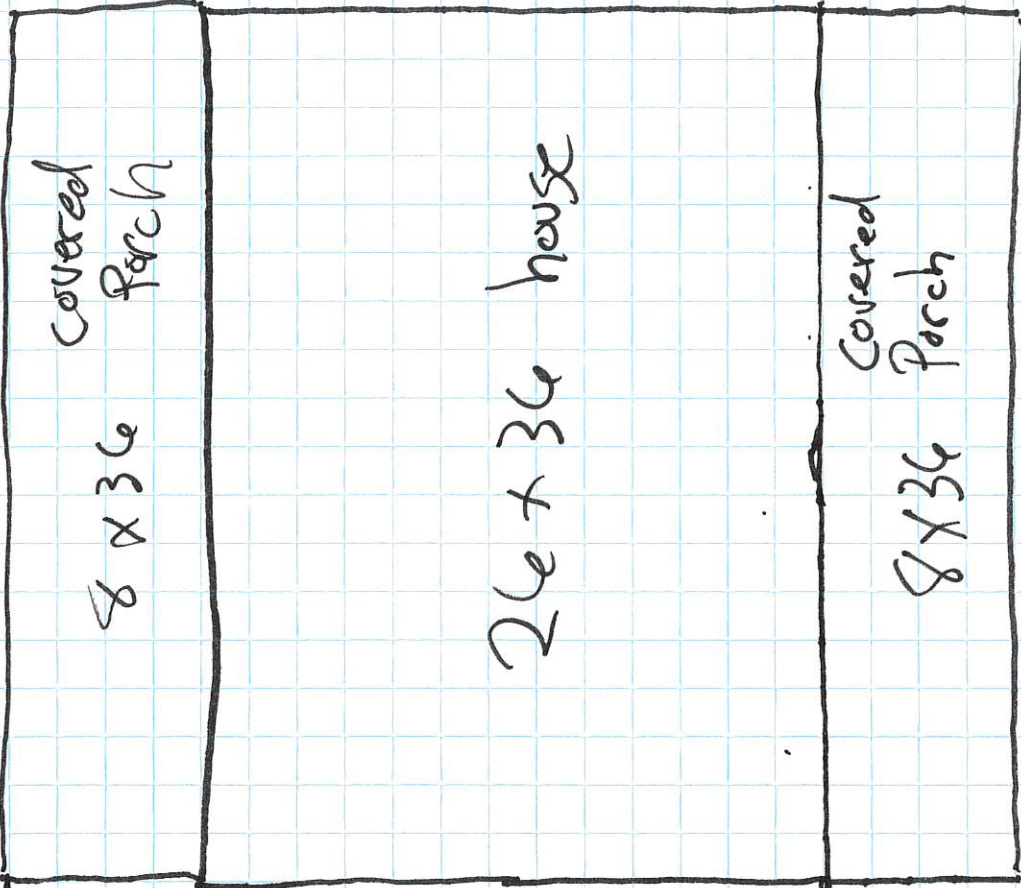
Signature: _____

Date: _____

<u>For Administrative Use Only:</u>	<u>Development Review Board Action:</u>
<u>Zoning Administrator Action</u>	Date Received: _____
Application Number: <u>2024-06</u>	Notice of Hearing: _____
Date Received: <u>10 MAY 24</u>	Date of Hearing: _____
 (initial by Admin. Officer)	Date of Decision: _____
Amount of Fee Paid: <u>\$190-</u>	Decision: _____
Date Permit Issued: <u>20 MAY 24</u>	(Approved, denied, approved with conditions)
 Zoning Administrator	_____ DRB Chair or Clerk

Approved by Planning Commission 01/10/2023 (This application cannot be altered or changed).

28'



Covered Porch

8 x 36

26 + 36 house

Covered Porch

8 x 36

34 x 28

GARAGE

34



Section 280 NON-CONFORMING USES

The following provisions shall apply to all buildings and uses existing on the effective date of these Regulations which do not conform to the requirements of these Regulations.

Any non-conforming use of structures or land except those specified below may be continued indefinitely, but:

1. Shall not be moved, enlarged, altered, extended, reconstructed, or restored (except as provided below), nor shall any external evidence of such use be increased by any means whatsoever.
2. Shall not be changed to another non-conforming use without approval by the Planning Commission.
3. Shall not be re-established or restored without approval by the Planning Commission if such use has been discontinued for a period of six months, or has been changed to, or replaced by, a conforming use.

ARTICLE III: GENERAL REGULATIONS

Section 300 MISCELLANEOUS REQUIREMENTS

The provisions of these Regulations shall be subject to such additions, modifications or exceptions as herein provided by the following general regulations.

In accordance with Sections 4406 and 4409 of the Act, the following shall apply:

Section 301 EXISTING SMALL LOTS

Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective date of these Regulations may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eighth acre in area with a minimum width or depth dimension of forty feet.

Section 302 REQUIRED FRONTAGE ON, OR ACCESS TO, PUBLIC ROADS OR WATERS

No land development may be permitted on lots which do not either have frontage on a public road or public waters or, with the approval of the Planning Commission, access to such a road or waters by a permanent easement or right-of-way at least twenty feet in width.

Section 303 PROTECTION OF HOME OCCUPATIONS

No regulation herein is intended to infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which

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 November 6, 2023

Permittee(s): Joseph Berard
1356 Branch Hill Road
Readsboro, VT 05350

Permit Number: WW-2-7565

This permit affects the following property/properties in Readsboro, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1	ALPS080.001	513-161-10237	4.00	Book:85 Page(s):234

This application, for an on-site mound wastewater disposal system and a potable water supply to serve a proposed 3-bedroom single-family residence, located at ALPS080.001, Route 100 in Readsboro, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. 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. GENERAL

- 1.1. The permittee is responsible for recording this permit in the Readsboro Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2. The permittee is responsible for recording the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Readsboro Land Records.
- 1.3. Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4. The wastewater system includes the use of an Innovative/Alternative component. Each prospective owner of a lot that utilizes an Innovative/Alternative component shall be shown a copy of **Innovative/Alternative System Approval # 2006-04-R7 for General Use of Infiltrator® Quick4 Chambers** prior to conveyance of the lot.
- 1.5. By acceptance of this permit, the permittee 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.
- 1.6. The Drinking Water and Groundwater Protection Division relied upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.
- 1.7. This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.

2. CONSTRUCTION

- 2.1. Construction shall be completed as shown on the plans and/or documents prepared by John E. Dupras, with the stamped plans listed as follows:

Title	Sheet #	Plan Date
Wastewater Disposal System and Potable Water Supply Design	C-1	03/04/2024
Wastewater Disposal System and Potable Water Supply Design	C-2	03/04/2024

- 2.2. Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.
- 2.3. No buildings, roads, earthwork, re-grading, excavation, or other construction that might interfere with the operation of the wastewater system or potable water supply are allowed on or near the site-specific wastewater system, wastewater



replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

- 3.1. 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) on a Secretary-approved form 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 permit conditions, were inspected, were properly tested, and have successfully met those performance tests."* or which satisfies the requirements of §1-311 of the referenced rules.
- 3.2. Prior to the use of the potable water supply, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. The Lead sample shall be a first-draw. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use or within 60 days of the submission of the Installation Certification required in Condition 3.1, whichever comes first.

4. DESIGN FLOW

- 4.1. The following table provides the flows that the wastewater system and potable water supply are designed to accept based on existing and proposed lot and building uses. The design flows in gallons per day (gpd) in the following table are derived from section 1-803 of the Rules:

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
1	1	3-bedroom single-family home for up to 6 occupants	420	420

- 4.2. The table above reflects the designed capacity for wastewater systems and potable water supplies derived from the uses documented in the permit application. If additional capacities are needed, a permit amendment will be required for the total design flows.

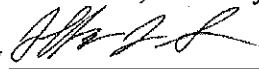
5. WASTEWATER SYSTEM

- 5.1. Prior to the construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.2. Should a wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.3. Should the wastewater system approved in this permit experience future performance issues, including but not limited to failure, the landowner shall engage a qualified Licensed Designer who will contact one the technology's listed Service Providers regarding the performance issue and permit the Service Provider to inspect the site to ensure reporting requirements of the Innovative/Alternative Approval may be met.
- 5.4. This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

- 6.1. Prior to construction or site work on the lot, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.
- 6.2. Should a potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Julia S. Moore, Secretary, Agency of Natural Resources

By 

Dated April 3, 2024

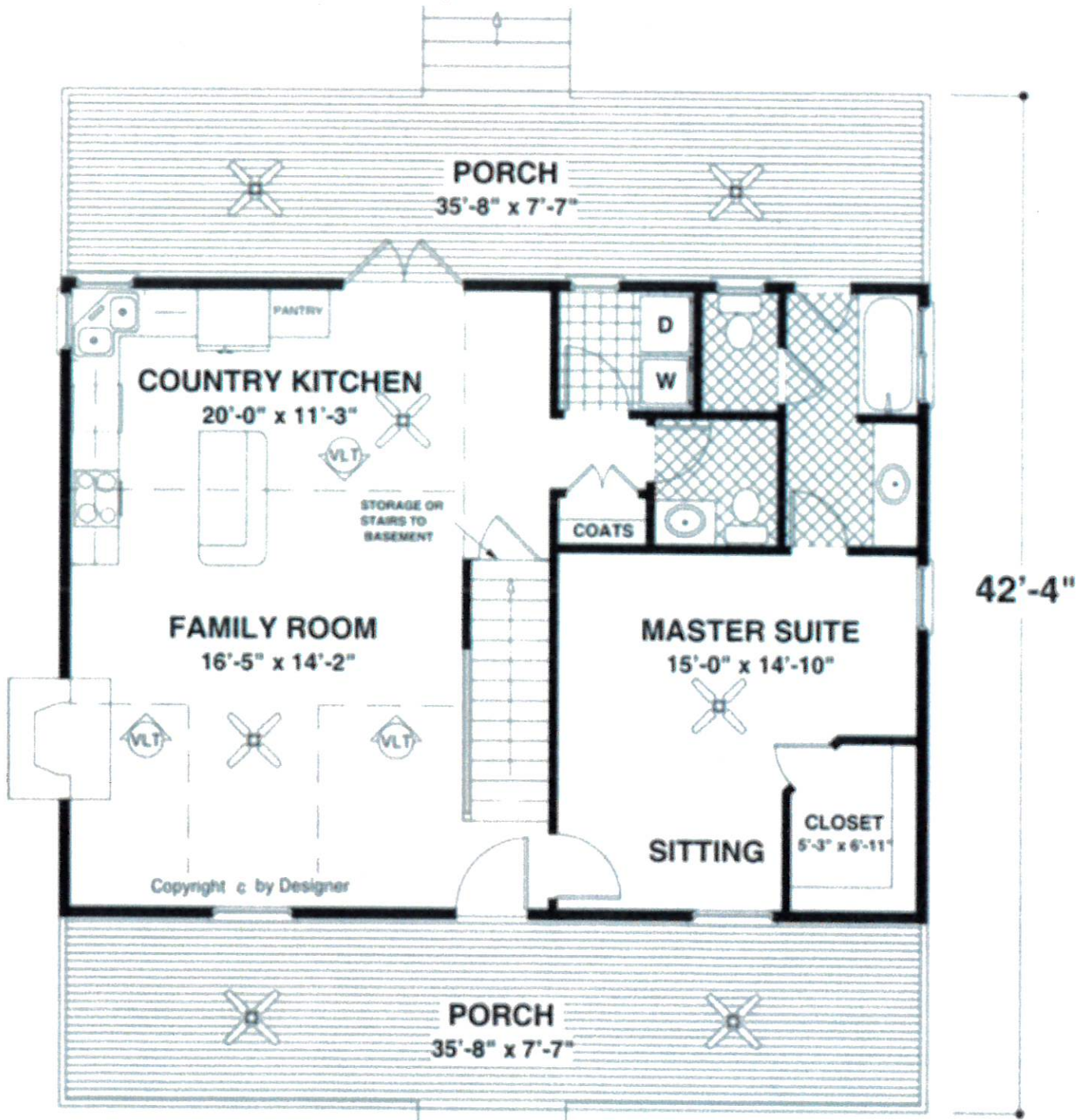
Jeff Svec, Regional Engineer, Springfield Regional Office, Drinking Water and Groundwater Protection Division

Enclosure: I/A Approval Letter

cc: John E. Dupras



Vermont Parcel Program



AMERICAN LAND AND DEVELOPMENT CO., INC.

TO

BRIAN H. DESILETS ET ALS

Location: Readsboro &
Stamford, Vermont

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that AMERICAN LAND AND DEVELOPMENT CO., INC., a corporation duly organized by law and having its usual place of business in Stamford, Bennington County, Vermont, GRANTOR, in consideration of the sum of One (1) Dollar and other valuable consideration to its full satisfaction paid by BRIAN H. DESILETS, of Pleasant Valley, New York, PETER O'KEEFE and NICHOLAS J. SICILIANO, both of Poughkeepsie, New York, and Joseph RESTA, of Hopewell Junction, New York, GRANTEEES, by the presents, does freely GIVE, GRANT, SELL, CONVEY, and CONFIRM unto the said Grantees, BRIAN H. DESILETS, PETER O'KEEFE, NICHOLAS J. SICILIANO, and JOSEPH RESTA, as tenants in common, and their heirs and assigns forever, the land situate on or off the easterly side of Route 8 and Route 100, in Readsboro and in Stamford, Bennington County, Vermont, bounded and described as follows:

Beginning at a point in the easterly line of said Route 100, which point is also in the southerly line of a private road known as Heartwellville View Drive; thence running southwesterly along the easterly line of said Route 100, 1194.41 feet to a point; thence running S. 62° 39' 44" E., 260.00 feet to a point marking a southwesterly corner of land conveyed by American Land and Development Co., Inc. to Alexander Kranyak, Jr., by deed dated June 4, 1971, recorded with Readsboro, Vermont, Land Records, in Book 31, Page 479; thence running N. 41° 00' 35" E., along the westerly line of land conveyed by American Land and Development Co., Inc., to Alexander Kranyak, Jr., as aforesaid, 285.00 feet to a point marking the northwest corner thereof, and a southerly line of land conveyed by American Land and Development Co., Inc., to Alexander Kranyak, Jr., by deed dated June 4, 1971, recorded in Readsboro, Vermont, Land Records, in Book 31, page 480; thence running N. 47° 25' 05" W., 83.58 feet along land of Alexander Kranyak, Jr., as aforesaid, to a point marking the southwesterly corner thereof; thence running N. 42° 34' 55" E., 290.98 feet along the westerly line of land of Alexander Kranyak, Jr., as aforesaid; thence running S. 47° 25' 05" E., along land of Alexander Kranyak, Jr., 154.27 feet to the westerly line of said Heartwellville View Drive; thence running northerly and northwesterly along the westerly line of said Heartwellville View Drive 67.20 feet to a point on the easterly side of Route 100 marking the point and place of beginning.

SUBJECT TO the easements recited in Paragraph (3) of DECLARATION OF PROTECTIVE PROPERTY RIGHTS OF AMERICAN LAND AND DEVELOPMENT CO., INC., dated October 2, 1970, and on file with the Readsboro, Vermont, Land Records, and the Stamford, Vermont, Land Records.

Meaning and intending to convey and hereby expressly conveying, all and singular, a portion of the premises conveyed to American Land and Development Co., Inc., by deed of Henry Matthew Kennedy et ux, dated September 2, 1969, and recorded with Readsboro, Vermont, Land Records, in Book 31, Page 173, and with Stamford, Vermont, Land Records, in Book 30, Page 21.

The Grantees and their heirs and assigns, as a part of the consideration herein and as a part of a general plan restriction for the mutual benefit of each and every purchaser of a lot or lots in the Alpenwald Subdivision in the Towns of Readsboro and Stamford, Vermont, as shown on plans filed, and to be filed, with the Readsboro, Vermont, Land Records, and the Stamford, Vermont, Land Records, do hereby agree and covenant with the Grantor, its successors and assigns, and with each and every purchaser of any lot or lots in said subdivision for the faithful performance of the covenants, restrictions, and agreements set forth in the DECLARATION OF PROTECTIVE PROPERTY RIGHTS OF AMERICAN LAND AND DEVELOPMENT CO., INC., dated October 2, 1970, and on file with Readsboro, Vermont, Land Records, in Book 31, Page 336, and with Stamford, Vermont, Land Records, in Book 30, Page 255. It is covenanted and agreed that each and every purchaser of premises in said subdivision his heirs and assigns, shall be given a deed by the Grantor containing the same covenants and conditions; each Grantee covenants and agrees with each and every purchaser of premises in said subdivision and with the Grantor herein and for mutual benefit that said Grantee will agree and perform the same conditions and agreements for the benefit of each and every purchaser, and as a part of the restrictions of the said subdivision as recited in said DECLARATION OF PROTECTIVE PROPERTY RIGHTS OF AMERICAN LAND AND DEVELOPMENT CO., INC., and each and every purchaser is given the right to enforce, by any legal means, performance of said covenants and agreements by each and every purchaser, his heirs and assigns.

TO HAVE AND TO HOLD said granted premises with all the privileges and appurtenances thereof to the said Grantees, BRIAN H. DESILETS, PETER O'KEEFE, NICHOLAS J. SICILIANO, and JOSEPH RESTA, as tenants in common, and their heirs and assigns, to their own use and behoof forever; and the said Grantor, AMERICAN LAND AND DEVELOPMENT CO., INC., for itself and its successors and assigns, does covenant with the said Grantees and their heirs and assigns, that until the ensembling of these presents, it is the sole owner and has good right and title to convey the same in manner aforesaid; that they are free from every encumbrance, except as aforesaid, and it does hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, the said AMERICAN LAND AND DEVELOPMENT CO., INC., has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by HARRY S. PATTEN, its President and Agent, hereunto duly authorized, this day of July, A.D. 1972

In the presence of: