

Appeal Period Expires 5/21/19  
 Zoning District R2

**Town of Essex, Vermont**  
**Application for Zoning Permit**  
 www.essex.org

Application Date 1/1  
 Permit Number 2019-26

All construction is to be completed in accordance with the Town of Essex Zoning Regulations and any/all federal or state regulations now in effect. You are required to post this permit in a conspicuous location on the property during the appeal period and it must remain posted throughout the construction period. You are required to contact the necessary state agencies to obtain state permits @ 477-2241 (Jeff McMahon, Permit Specialist).  
 Any interested person may appeal the decision of the Zoning Administrator to the Zoning Board of Adjustment within fifteen (15) days of the permit's date of issuance. Commencing construction within this fifteen (15) day appeal period is prohibited by law.  
 Signed: Nicholas Mone Jr

Parcel Account Numb. (Map-Parcel-Lot) 2- 057-047-000  
 (found in Town Assessor's Office)  
 Property Address: 2 SUNSET DR  
 Owner: Nicholas Mone Jr & Louise C.  
 Owner Address: 2 Sunset DR  
 Owner Phone: (work) \_\_\_\_\_ (home) 802-879-6491  
 (cell) 802-698-6376 (Email) enom666@msn.com  
 Contractors name: Shepnell Pools Phone: 862-2525  
 Cell: \_\_\_\_\_  
 Estimated Construction Dates: Start: 5/21/19 Completion: 1/1  
 Sq. Feet: 24' Dia Estimated Cost (labor & materials): \$6,978.90

**G**

Check box(es) which describe proposed use or construction (circle choice in parenthesis).  
 N = New A = Addition R = Remodel

<b>Residential:</b>	N	A	R
Single Family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Two-family (duplex)(other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Multi-family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Condominium / Townhouse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mobile home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Inclusions or Additions:</b>			
Garage (attached) (detached)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Porch (enclosed) (open)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool (in) <u>(above) ground</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barn (residential) (agriculture)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Non-residential:</b>			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Stormwater:</b>			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other:</b>			
Change in use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**B Sewage Disposal** (Please attach Sewer or Septic Application).  
 Public  Private  Connection Fee \$ \_\_\_\_\_ Date Paid: 1/1  
 Proposed New Bedrooms: 0 Existing Bedrooms 3

**C Water** (Please attach Water Service Application).  
 Public  Private  Fee \$ \_\_\_\_\_ Date Paid: 1/1

**D Driveway** (Please attach copy of approved Curbcut / Utility Application).  
 Date of approval 1/1 N/A

**E Stormwater** N/A  
 Project disturbs an area greater than or equal to 1 acre – Erosion Control Permit Required. Attach completed permit application.  
 Project creates new or expands existing impervious surface greater than or equal to 1/2 acre – Erosion Control Permit and Stormwater Management Permit required. Attach completed permit application.

**F Diagram** – Show a sketch of project on reverse of this application with property lines, building, and setbacks or attach separate sheet.

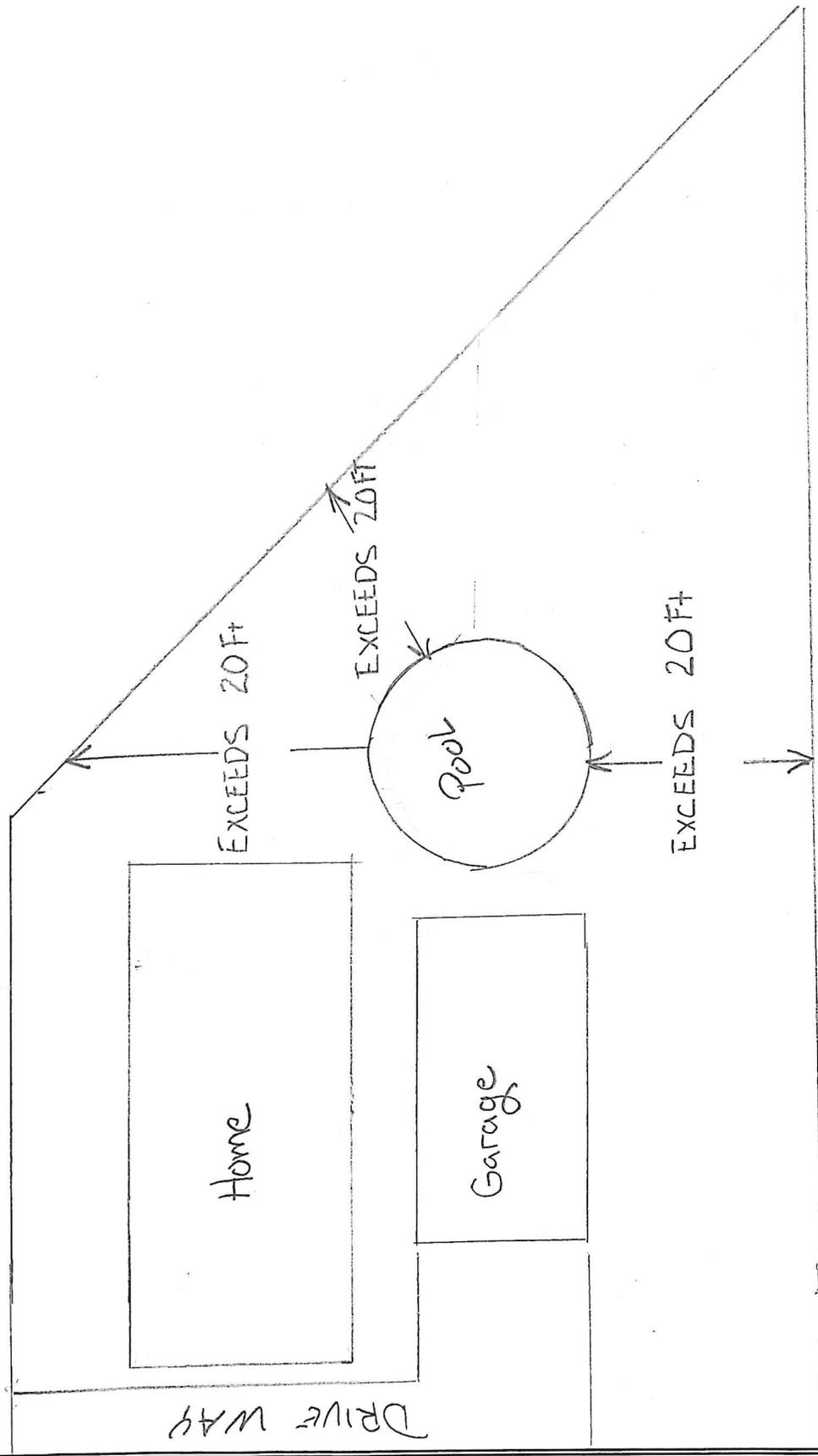
**G**  
~~Permits of record: house built approx 1960  
 124-1974 - missing  
 30-1986 - family room addition  
 47-2017 - convert deck to 3 second room~~  
 X fence must be installed.  
 Signature of Tenant and  
 Signature of Owner Nicholas Mone Jr

**Office Use Only**

Fees:	Type	Amount	Date Pd
Permit		\$ 50	5/13/19
Recreation		\$ _____	1/1
Recording		\$ 10	5/13/19
Certificate of Occ		\$ _____	1/1
Other		\$ _____	1/1

Building Permit  
 Approved  Rejected  Date 5/16/19  
 Issued to: Nicholas & Louise Mone  
 Zoning Administrator: Sharon L. Kelley  
 Notes: Pool Ordinance  
Chapter 522  
 C.O. Required Yes  No

F Diagram – Provide diagram here and include all setbacks



Chapter 5.20

SWIMMING POOLS\*

Sections:

- 5.20.010 Definitions.
- 5.20.020 Fences and walls—  
Required.
- 5.20.030 Access control not  
required when.
- 5.20.040 Above-ground pools—  
Requirements.
- 5.20.050 Above-ground pools—  
Location.
- 5.20.060 In-ground pools.
- 5.20.070 Barriers and lights  
during construction.
- 5.20.080 Violation—Penalty.

\* Prior ordinance history: Ordinances passed 6/15/81 and 10/17/88.

**5.20.010 Definitions.**

For the purpose of this chapter:

A. "Above-ground pool" means any pool described in subsection C of this section which is not more than twelve inches below the surrounding ground level.

B. "Below-ground pool" means any pool described in subsection C of this section which is more than twelve inches below surrounding ground level and has a wall less than forty-two inches in height above ground level.

C. "Pool" means and is described as any walled area greater than six feet in diameter, containing twelve inches or more of water, maintained out of doors for bathing, swimming or wading, and any such device or structure with a depth of twenty-four inches or greater below ground level, whether or not any water is contained therein. (Ord. passed 6/3/96(part))

**5.20.020 Fences and walls—  
Required.**

No individual, partnership or corporation, public or private, shall construct or maintain a swimming pool without fence or walls, as further described herein, properly erected and maintained to prevent accidental access by any persons to such swimming pool, or access by minor children as described in the preamble to the ordinance codified in this chapter as "unaware by reason of lack of mature judgment, inability to recognize danger to themselves, physically and otherwise to save themselves from such danger, as well as to other persons so restricted in judgment and physical limitations who may accidentally become exposed to such threat," without climbing, burrowing or unlatching gates. (Ord. passed 6/3/96 (part))

**5.20.030 Access control not required  
when.**

Any reference herein to structures within five feet of enclosure shall not pertain to homes or garages when used as one or more sides of the enclosure; however, access control as required by Section 5.20.020 must be provided for. (Ord. passed 6/3/96 (part))

**5.20.040 Above-ground pools—  
Requirements.**

Above-the-ground pools greater than twelve inches and less than forty-two inches in wall height shall meet the same requirements as below-ground pools. (Ord. passed 6/3/96 (part))

**5.20.050 Above-ground pools—  
Location.**

Above-ground pools forty-two inches in wall height or higher shall be located so that a wall height of forty-two inches is maintained above all points of land or solid objects, or

structures within five feet from any point of the perimeter of the pool. All ladders or steps shall be removed or elevated to forty-two inches above ground when unattended and secured by a safety latch. (Ord. passed 6/3/96 (part))

**5.20.060 In-ground pools.**

A. In-the-ground pools shall be surrounded by a fence or wall at least forty-two inches in height and equipped with a swinging or sliding gate which may not be unlatched from the outside without reaching over the gate into the enclosure.

B. Such fence or wall may have no openings which do not have one dimension which is less than three inches. Such fence or wall shall be located at least four feet from pool edge and maintained forty-two inches minimum above the surrounding terrain or any structure or solid objects. (Ord. passed 6/3/96 (part))

**5.20.070 Barriers and lights during construction.**

No person may construct a below-ground pool without providing adequate barriers and lights at all times during construction. (Ord. passed 6/3/96 (part))

**5.20.080 Violation—Penalty.**

Any person who violates a provision of this chapter shall be subject to a civil penalty of up to five hundred dollars per day for each day that such violation continues, with a mandatory minimum civil penalty that shall not be less than the civil penalty set for that offense unless the person does not contest the municipal complaint and pays the waiver fee. Police officers of the Town of Essex shall be authorized to act as issuing municipal officials to issue and pursue before the traffic and municipal ordinance bureau a municipal complaint.

B. An issuing municipal official is authorized to recover a waiver fee, in lieu of a civil penalty, for any person who declines to contest a municipal complaint and pays the following waiver amount for each violation:

First offense	\$ 25.00
Second offense	50.00
Third offense	100.00
Fourth and subsequent offenses	200.00

Offenses shall be counted on a calendar year basis.

C. An issuing municipal official is authorized to recover civil penalties in the following amounts for each violation:

First offense	\$ 50.00
Second offense	100.00
Third offense	200.00
Fourth and subsequent offenses	400.00

Offenses shall be counted on a calendar year basis.

D. In addition to the enforcement procedures available before the traffic and municipal ordinance bureau, the town manager or designee is authorized to commence a civil action to obtain injunctive and other appropriate relief, or to pursue any other remedy authorized by law. (Ord. passed 6/3/96 (part))