

Appeal Period Expires 11/22/12
 Zoning District C1

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

Application Date 1/1
 Permit Number 2010-238

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 @ 879-5676.

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: Douglas D. Shepard

A Parcel Account Num. (Map-Parcel-Lot) 2-017-013-000
 (found in Town Assessor's Office)
 Property Address: 249 BRIGHAM HILL RD.
 Owner: DOUGLAS D. SHEPARD
 Owner Address: 249 BRIGHAM HILL RD
 Owner Phone: (work) _____ (home) _____
 (cell) (802) 734-1146 (Email) _____
 Contractors name: _____ Phone: _____
 Cell: _____
 Estimated Construction Dates: Start: 10/1/10 Completion: 10/1/10
 Sq. Feet: 8'x40' +/- Estimated Cost (labor & materials): \$ 2,000

G

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

Residential:	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"/>
RV trailer on blocks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inclusions or Additions:			
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) (above) ground	<input 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"/>
Non-residential:			
Commercial / Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater:			
Stormwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other:			
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). EXISTING
 Public Private Connection Fee \$ _____ Date Paid: see state letter
 Proposed New Bedrooms: 1 Existing Bedrooms attache

C Water (Please attach Water Service Application). EXISTING
 Public Private Fee \$ see state letter Date Paid: see state letter

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

E Stormwater NA
 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. (Instruction sheet available upon request.)
over
(replacement home - Apr 2008)

G Signature of Tenant and Signature of Owner Douglas D. Shepard

Office Use Only

Fees:	Type	Amount	Date Pd
Permit		<u>\$ 50.00</u>	<u>11/7/12</u>
Recreation		<u>\$ 10.00</u>	<u>1/1</u>
Recording		<u>\$ 10.00</u>	<u>11/7/12</u>
Certificate of Occ		<u>\$</u>	<u>1/1</u>
Other		<u>\$</u>	<u>1/1</u>

Building Permit
 Approved Rejected Date 11/7/12
 Issued to: Douglas D. Shepard
 Zoning Administrator: Shawn Kelly
 Notes: see attached letter from State of VT and from Heather Shepard

C.O. Required Yes No

THIS PERMIT VALID FOR TWELVE (12) MONTHS FROM DATE OF ISSUE

(web) 11/02/10

11-06-12

To Whom it May Concern,

I Heather Shepard will not be staying / living in my 1988 Allegro Motor-home. It is parked at 249 Brigham Hill Rd Essex for storage purposes only.

If you have any questions or concerns please feel

free to contact me at 800-373-0525.

Thank you for your time.

Sincerely,

Heather Shepard

~~Heather Shepard~~



State of Vermont
 Department of Environmental Conservation
 Public Drinking Water and Groundwater Protection Division
 Essex Regional Office
 111 West Street
 Essex Junction, VT 05452-4695
www.septic.vt.gov

Agency of Natural Resources
 [phone] 802-879-5656
 [fax] 802-879-3871

October 24, 2012

Douglas Shepard, Sr.
 249 Brigham Hill Road
 Essex Junction, VT 05452

Dear Mr. Shepard:

Subject: Property located at 249 Brigham Hill Road, Essex, Vermont.

I am writing in follow up to your request for reconsideration of our decision that your property did not meet the criteria for an exemption from needing a Wastewater System and Potable Water Supply Permit. I have reviewed the new information you submitted, discussed the situation with my supervisor, Ernest Christianson, Program Manager, and also contacted Sharon Kelley, Zoning Administrator for the Town of Essex for confirmation on some of the details you provided. I have also considered the information provided by David Burke in previous correspondences with me.

It is my understanding that in 1996, you were issued a permit by the town to replace the existing single family structure with a two bedroom mobile home. In May 2008, the mobile home was being lived in year-round by your son and during that month, the mobile home was destroyed by fire. Neither the mobile home nor the contents was covered by insurance. Your son then brought a camper to the site and connected the camper to the existing shallow water supply and soil-based wastewater system on the property. Your son lived in the camper until November 2008 when cold weather caused him to go live with a friend at a different location. You were living at Lone Pine Campground in Colchester until you returned to Florida for the winter. In October 2010, you purchased the one bedroom Park Model RV and moved it from Lone Pine Campground to your property. You placed the Park Model RV in approximately the same location that the mobile home had been located and connected it to the existing shallow water supply and soil-based wastewater disposal system. You then returned to Florida and did not occupy the Park Model RV until May 2011 when you came back to Vermont.

Based on the information presented, we will agree that the replacement of the two bedroom mobile home with one single family residence with a maximum of two bedrooms does meet the criteria for an exemption from needing a Wastewater System and Potable Water Supply Permit pursuant to Section 1-304(a)(21) of the Wastewater System and Potable Water Supply Rules provided the residence is connected to the existing shallow water supply and soil-based wastewater disposal system.

If in the future, you wish to make changes to the structure, change the water supply or wastewater system, replace the wastewater system, subdivide the lot, change the use of the structure, increase the number of bedrooms in the structure, construct any new structures with plumbing, etc., you will need to contact this office for a determination as to whether or not a Wastewater System and Potable Water Supply permit is needed. Please note that this letter relates only to the permitting requirements of the Wastewater System and Potable Water Supply Rules. Please contact Sharon Kelley, Zoning Administrator at the Town of Essex (802 878-1343) to obtain any permits they require for your property.

Sincerely,

Jessanne Wyman
 Regional Engineer

C Town of Essex/Sharon Kelley
 Dave Burke



Wastewater System and Potable Water Supply Rules

§1-304 Exemptions

(a) The following are exempt from the permitting requirements of this Subchapter provided the specified conditions are met (Note: more than one exemption may apply in a particular situation)...

(21) a building or structure that is exempt or has a permit under these Rules that has been destroyed by fire, flooding, or other act of God or voluntarily removed, may be reconstructed without obtaining a permit or permit amendment provided that:

- (A) if permitted on or after January 1, 2007, the reconstructed building or structure is in compliance with all permit conditions;
- (B) the building or structure is reconstructed in approximately the same location;
- (C) there is no increase in design flow;
- (D) there is no change in the operational requirements of the potable water supply or the wastewater disposal system;
- (E) if the building or structure is exempt it must be reconstructed within two years of its destruction or voluntary removal unless, on a case by case basis, the Secretary extends the time period based on a determination that there are unavoidable delays in reconstruction. If the building or structure is permitted, there is no time limit for the reconstruction; and
- (F) there has been no other change to the building or structure, lot, potable water supply, or wastewater system that would require a permit under these Rules.