

Appeal Period Expires 5/1/09
 Zoning District R2

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

Application Date 1/1/09
 Permit Number 2009-24

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 and it must remain posted throughout the construction period.

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.

Occupancy of the premises shall not take place until a Certificate of Occupancy is obtained.

Approval is subject to accuracy of information provided by the applicant.

A

Parcel Account Numb. (Map-Parcel-Lot) 2-044-038-000
 (found in Town Assessor's Office)

Property Address: 6 ROSEWOOD TRAIL

Owner: GARDNER & SONS DEVL. CORP.

Owner Address: P.O. Box 21 COLCHESTER, VT. 05446

Owner Phone: (work) 862-2973 (home) 863-2120
 (cell) 373-8661 (Email) _____

Contractors name: BRAD GARDNER Phone: 373-8661
 Cell: _____

House 2576 Sq FT
 APT 732 Sq FT

Estimated Construction Dates: Start 4/15/09 Completion: 12/15/09

Sq. Feet 2500 Estimated Cost (labor & materials): \$200,000.00

G

Check box(es) which describe proposed use or construction (circle choice in parenthesis).

N = New A = Addition R = Remodel

Residential: including finished basement N A R

Single Family + finished basement

Two-family (duplex)(other)

Multi-family

Condominium / Townhouse

Mobile home

Inclusions or Additions:

Garage (attached) (detached)

Porch (enclosed) (open)

Deck

Pool (in) (above) ground

Shed

Barn (residential) (agriculture)

Non-residential:

Commercial / Industrial

Stormwater:

Stormwater

Erosion Control

Other:

Change in use

Miscellaneous

Renewal

B

Sewage Disposal (Please attach Sewer or Septic Application). 4/16/09 420.00 access apt

Public Private Connection Fee \$ 2,400 Date Paid: 4/2/09

Proposed New Bedrooms: 4 Existing Bedrooms N/A

C

Water (Please attach Water Service Application). 270.00 access apt 4/16/09

Public Private Fee \$ 1,900 plus Date Paid: 4/2/09

D

Driveway (Please attach copy of approved Curbcut / Utility Application).

Date of approval 1/1/09 attached

E

Stormwater

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.)

To be constructed pursuant to Planning Commission approval # PC:2005-14 and the Court ORDER.

G

Signature of Owner Brad Gardner

Office Use Only

Fees:	Type	Amount	Date Pd
	Permit	\$ <u>500.</u>	<u>1/1/09</u>
	School	\$ <u>1,094.25</u>	<u>4/2/09</u>
	Recreation	\$ <u>612.00</u>	<u>4/2/09</u>
	Recording	\$ <u>16.00</u>	<u>1/1/09</u>
	CO Other	\$ <u>75.00</u>	<u>1/1/09</u>

Building Permit

Approved Rejected Date 4/16/09

Issued to: Gardner & Sons Dev. Corp

Zoning Administrator: Sharon L. Kelley

Notes: Silt fence & construction fencing up before start of construction

C.O. Required Yes No



TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452
Fax: 878-1353 • E-mail: manager@essex.org • Website: www.essex.org

April 16, 2009

Brad Gardner
d/b/a B.C. Gardner, LLC
PO Box 21
Colchester, Vermont 05446

Re: **ROSEWOOD TRAIL**

Dear Brad:

This is to document the results of the on-site visit today with you, Chuck Vile, Town Tree Warden and me. We agreed to the following:

- The silt fencing will be re-secured on both lots. This is to be done straight away.
- Orange construction fencing will be installed **PRIOR TO CONSTRUCTION**, to protect the remaining trees.
- The two street trees for 6 Rosewood Trail (G14) will be planted away from underground utilities and will not be planted on the bank, however, will be planted as close as possible towards the road. The Certificate of Occupancy will be conditioned that the trees are to remain for the life of the project.
- Two trees identified on Lot G14 and labeled 'cut' by the Town Tree Warden will be removed as there is too much root damage for their survival.
- One 5-6 foot, 2-inch caliper hemlock tree, root-ball and burlaped is required to be planted towards the front of Lot G14. This tree will replace the removed tree noted above.
- Prior to the removal of any soils located in the front of either lot (the bank), the utility department will be contacted and confirmation will be given to the Community Development Department that they are agreeable to the removal of the bank.
- **Prior to backfilling the water installation** you are required to contact the Public Works Dept. at 878-1344 to schedule an inspection.
- Prior to scheduling a Certificate of Occupancy, sign off from Public Works must occur on the driveway and water.
- Lot J3 has 3 street trees required. Additionally, eight 5-6 foot, 2-inch caliper hemlock trees, root-ball and burlaped (4 on each side) will be required to be planted prior to the issuance of a certificate of occupancy.
- The Tree Warden has agreed to stake the location for the street trees and requested a few days advance notice.
- It is noted that the silt fence on Lot J3 was placed on Owen Jenkin's lot.

TOWN MANAGER	PARKS AND RECREATION	COMMUNITY DEVELOPMENT	PUBLIC WORKS	ASSESSOR	FINANCE	TOWN CLERK	LIBRARY	POLICE
878-1341	878-1342	878-1343	878-1344	878-1345	878-1359	879-0413	879-0313	878-8331

I believe I covered all the concerns discussed. Let me know I missed something.

Thank you for taking the time to meet with us today. I hope that by the time you have concluded your construction, Essex will be on your favored list!

Sincerely,

A handwritten signature in cursive script that reads "Sharon L. Kelley". The signature is written in dark ink and is positioned above the typed name.

Sharon L. Kelley, Zoning Administrator

cc: Chuck Vile, Town Tree Warden
Aaron Marin, Assistant Town Engineer

G:\commdev\pc\misc\rosewood trail 6 gardner apr09

TOWN OF ESSEX, VERMONT
APPLICATION FOR CURB CUT / UTILITY PERMIT

Pursuant to Title 19 V.S.A. Section 43. Application for curb cut and Utility Installation in Town Right-of-Way

All applications for curb cuts and utility installations shall be submitted to the Director of Public Works / Town Engineer for review. Applicants shall submit the information requested on this form and any additional information requested by the Director of Public Works / Town Engineer for a clear understanding of this application. The permit is issued under authority of the Town Manager in accordance with Section 601 of the Town Charter and 24 V.S.A. paragraph 1236 (2).

Application No. _____ Date 1 4/1/09
Property Address: ROSEWOOD TRAIL (Lot 614)
Owner Address: P.O. Box 21 COLCHESTER VT. 05446
Owner Name: GARDNERTSONS Devel. Corp.
Phone Number: (home) 863-2120 (work) 862-2973 (cell) 373-8661
Tax Map # 44 Tax Parcel _____ Tax Lot 38

Application is for: (check one)

A) New Curb Cut B) Utility Installation: Overhead Underground

Please use attached diagram to describe location and type of installation.

Comments be Director of Public Works / Town Engineer:

Culvert: Yes No Water Bar(s): Yes No

Culvert Diameter: (18 inch minimum) *12" PVC Total length of Culvert: (30 foot minimum) *

*** FOR OFFICE USE ONLY ***

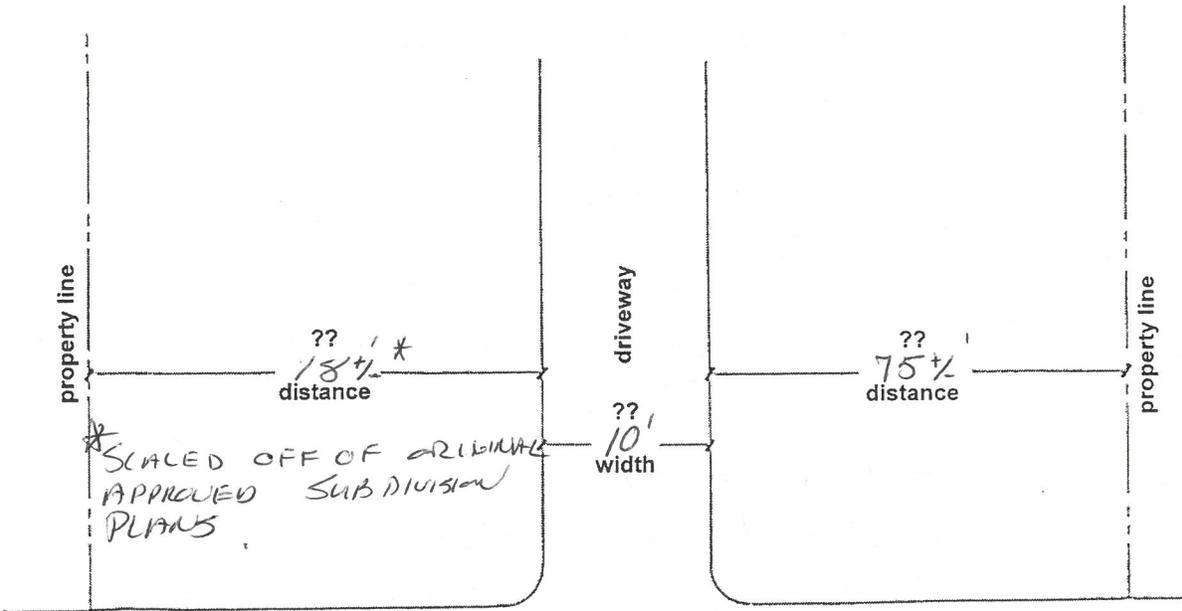
Signature of Owner:
Bradley C. Gard

Fee Paid \$ _____
Approved Rejected As Noted
[Signature] 4-2-09

Per Authority of the Town Manager by the
Director of Public Works / Town Engineer

1. Culvert must be HIGH DENSITY POLYETHYLENE (HDPE) PIPE
2. Culvert will be purchased by the Applicant
Culvert will be purchased and installed by the applicant. The Town of Essex Department of Public Works will inspect.
- 3.

Note: A MINIMUM OF 24 HOURS NOTICE IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.



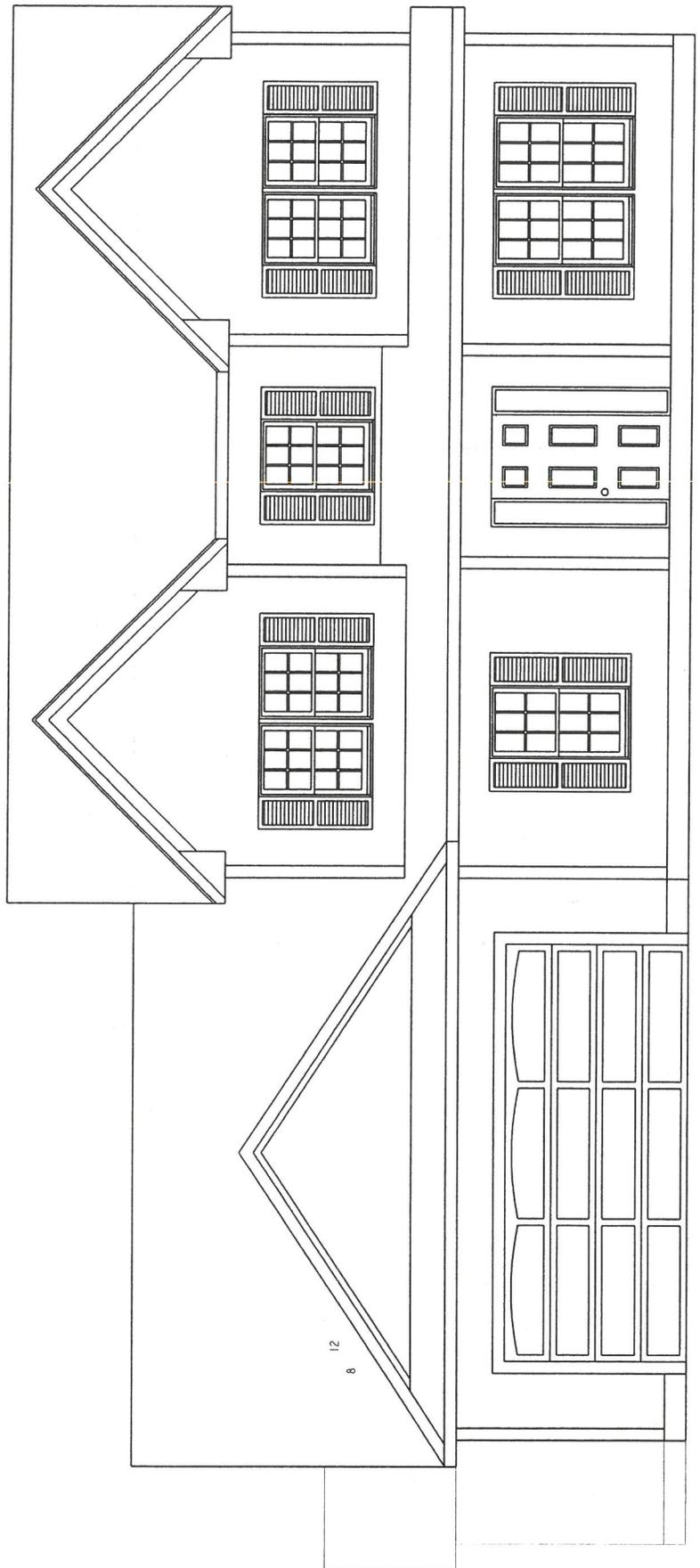
ROSEWOOD TRAIL
STREET NAME

Comments and / or special instructions from Director of Public Works / Town Engineer :

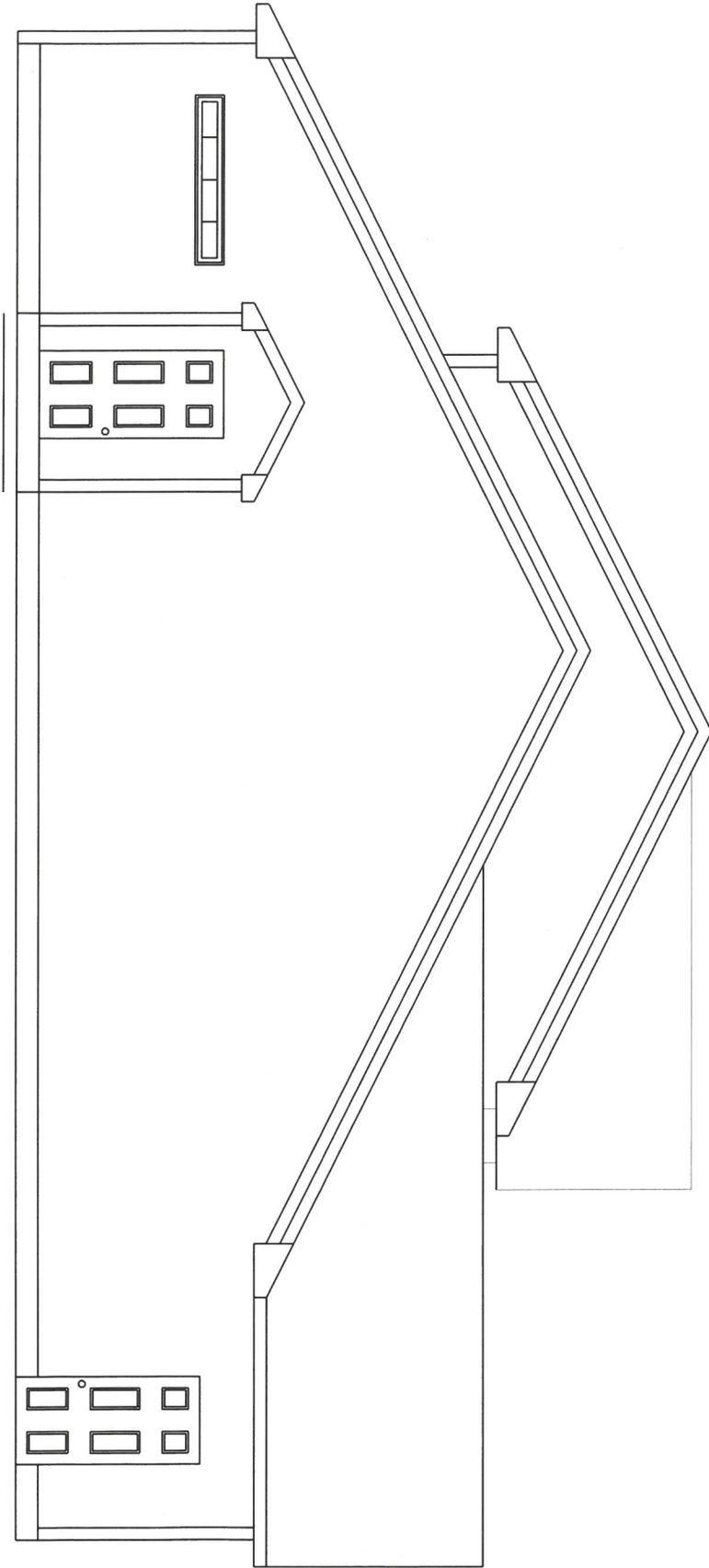
* THE DRIVEWAY SHALL HAVE A MAXIMUM WIDTH OF 10.0' FOR A SINGLE DRIVE, UP TO A MAX. OF 15.0' WIDE FOR A DOUBLE DRIVE. LOOKING @ THE INFORMATION PROVIDED, THE PROPOSED DRIVE IS A SINGLE.

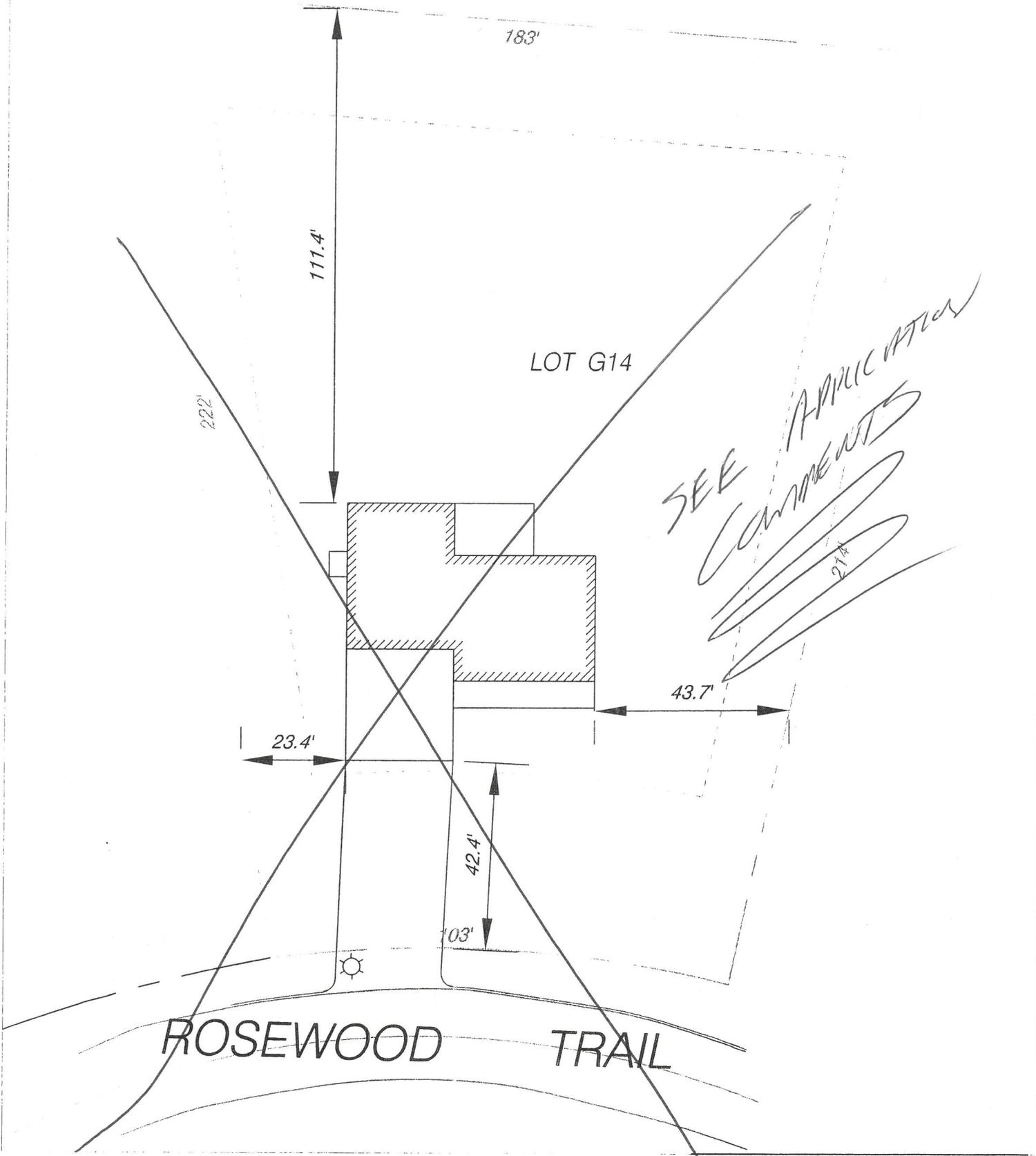
THE TOTAL LENGTH OF THE DRIVE CULVERT SHALL BE A MINIMUM OF 20' IN LENGTH FOR A 10' WIDE DRIVE, 25' IN LENGTH FOR A 15' WIDE DRIVE.

NOTE: A MINIMUM OF 24 HOURS IS REQUIRED PRIOR TO COMMENCEMENT OF CONSTRUCTION. WITHIN 24 HOURS OF COMPLETION, THE APPLICANT IS REQUIRED TO NOTIFY THE DIRECTOR OF PUBLIC WORKS / TOWN ENGINEER FOR INSPECTION PURPOSES.



12
8





*SEE APPLICATION
COMMENTS*
214

ROSEWOOD TRAIL

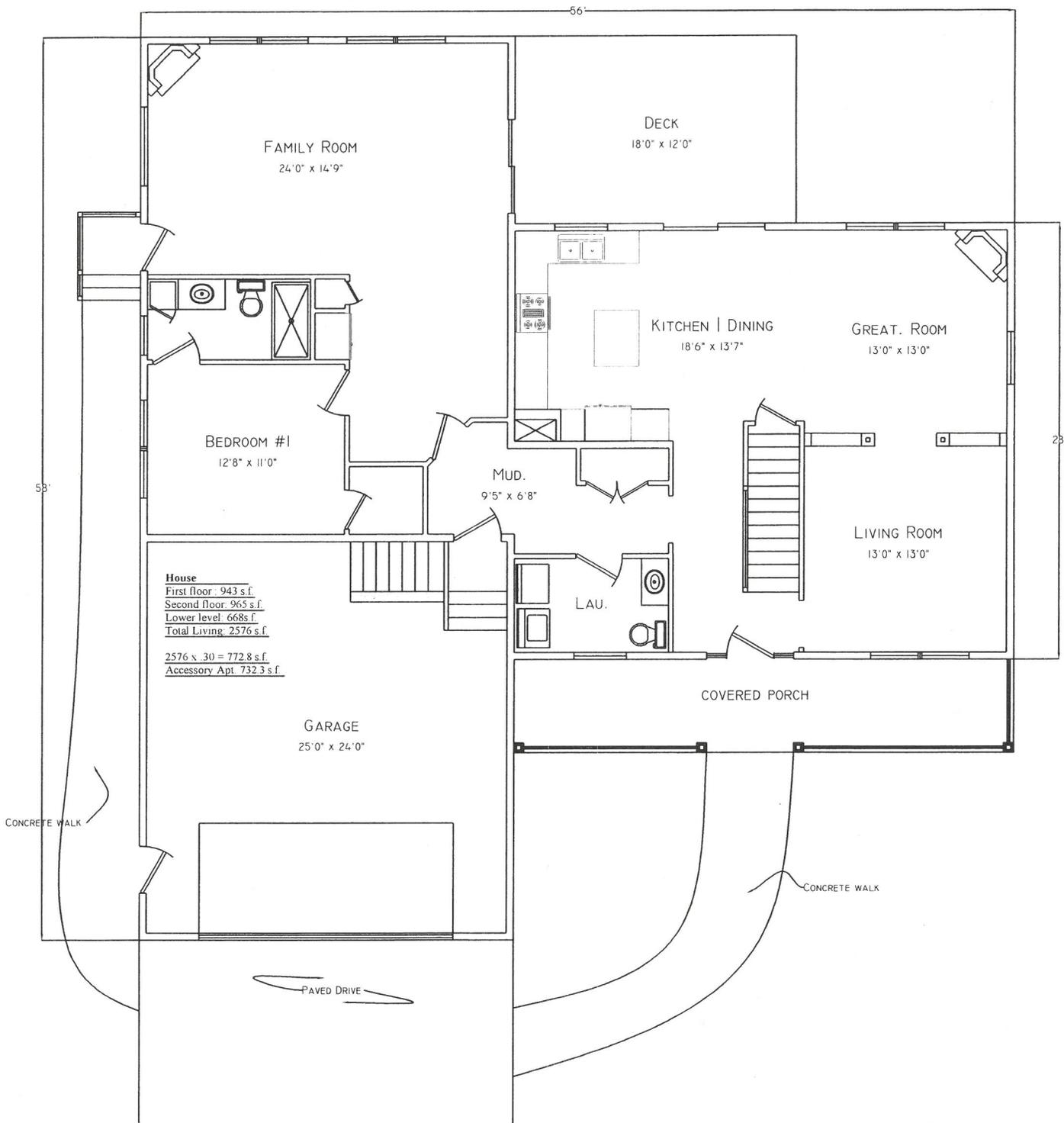
**Gardner and Sons
Development Corp.**

Site Plan

NTS

ROSEWOOD TRAIL ESSEX, VT
LOT # G14

3/30/09
P.O. BOX 21 COLCHESTER, VT 05446
BUS: (802) 373-7527
FAX: (802) 862-1780



Developer reserves the right to make modifications to floor plans, materials and specifications without notice. Dimensions are approximate. Illustrations are the artist's rendering only. Oral representations cannot be relied upon as correctly stating representations of the developer.

FIRST FLOOR PLAN

NTS.

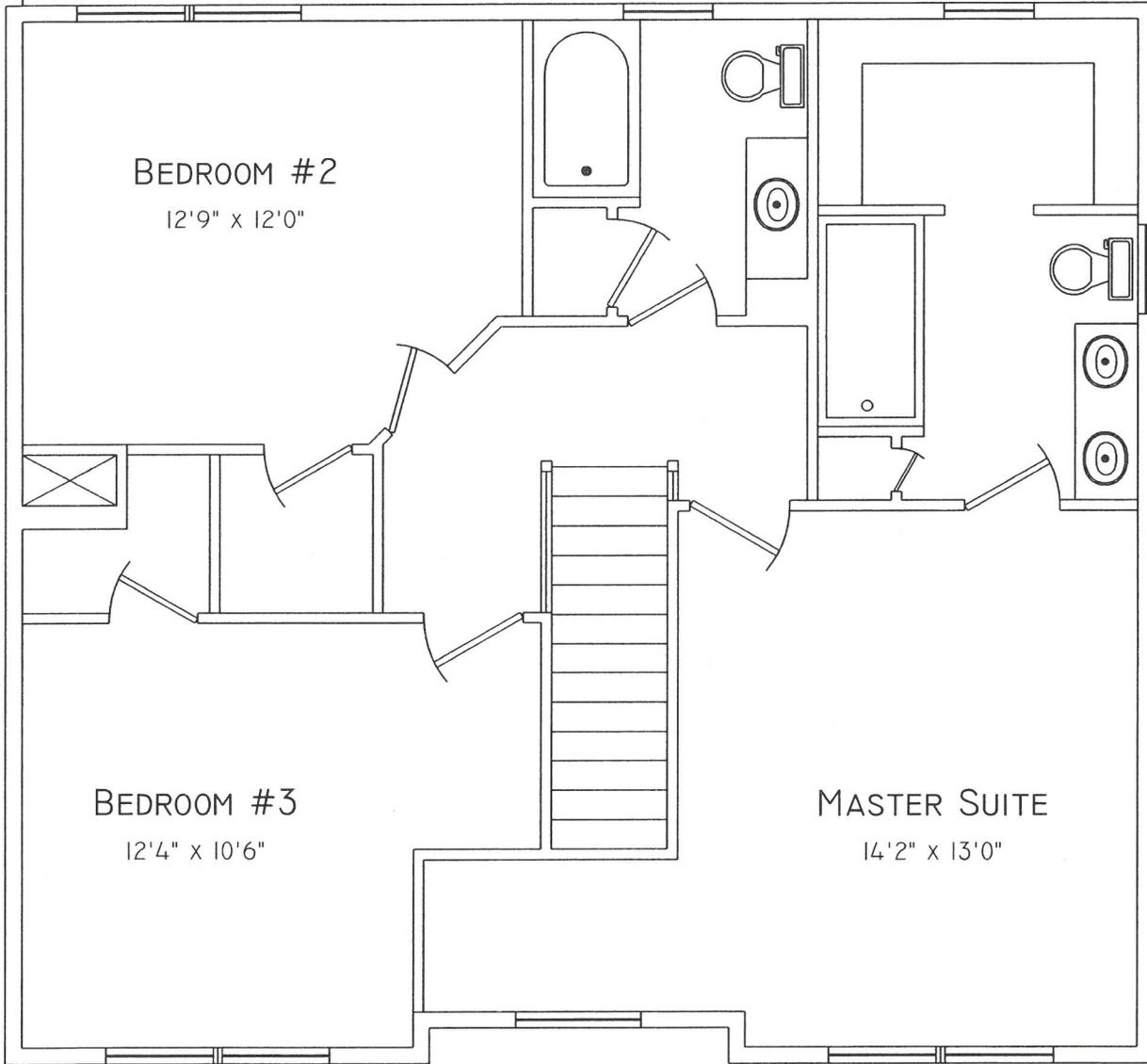
**Gardner and Sons
Development Corp.**

ROSEWOOD TRAIL ESSEX, VT
LOT # G14

3/18/09

P.O. BOX 21
COLCHESTER, VT 05446

BUS: (802) 373-7527
FAX: (802) 862-1780



Developer reserves the right to make modifications to floor plans, materials and specifications without notice. Dimensions are approximate. Illustrations are the artist's rendering only. Oral representations cannot be relied upon as correctly stating representations of the developer.

SECOND FLOOR PLAN

NTS.

**Gardner and Sons
Development Corp.**

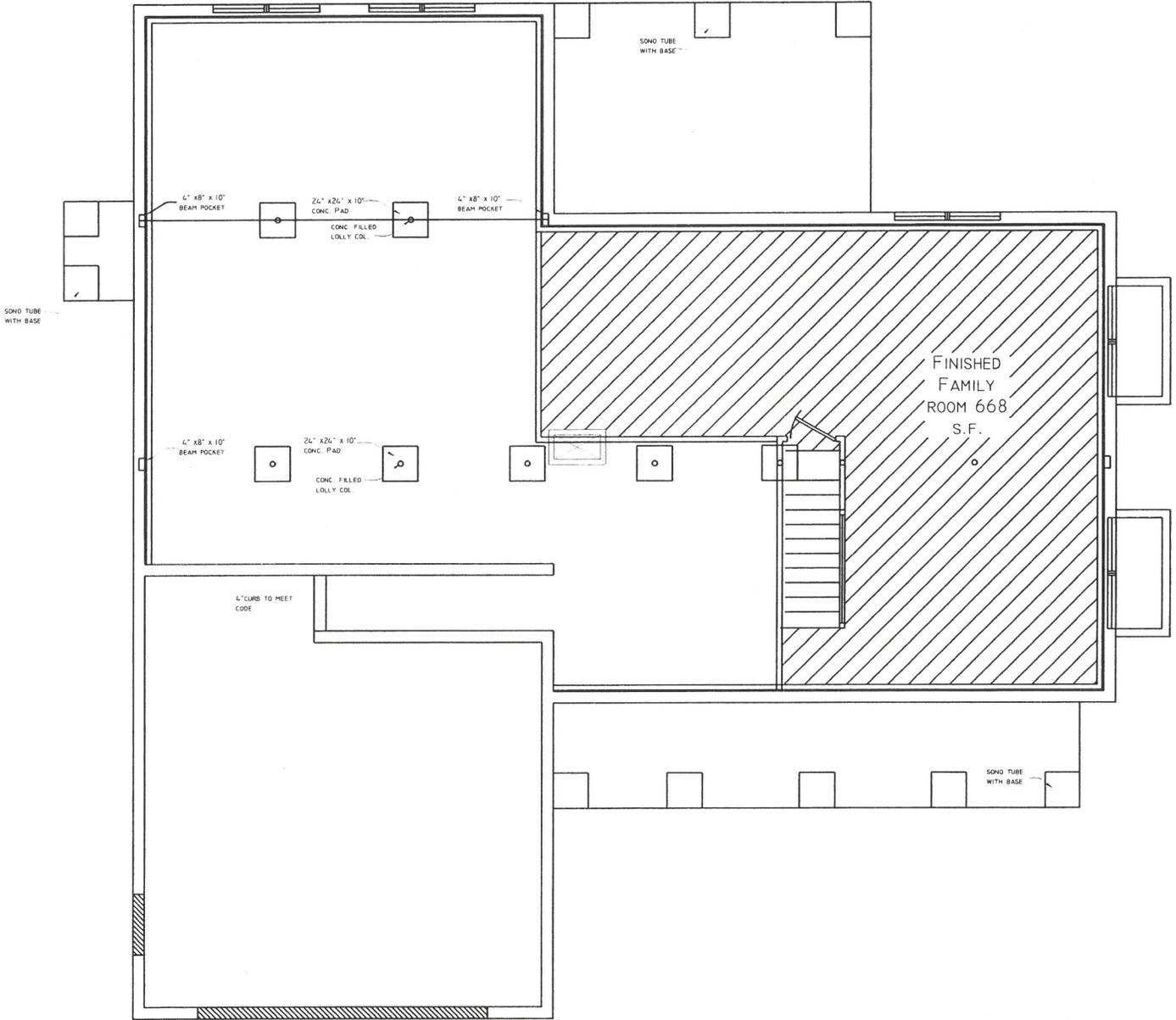
ROSEWOOD TRAIL ESSEX, VT

LOT # G14

3/18/09

P.O. BOX 21
COLCHESTER, VT 05446

BUS: (802) 373-7527
FAX: (802) 862-1780



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LOWER LEVEL

NTS.

Gardner and Sons Development Corp.

ROSEWOOD TRAIL ESSEX, VT

LOT # G14

3/18/09

P.O. BOX 21
COLCHESTER, VT 05446

BUS: (802) 373-7527
FAX: (802) 862-1780

NOTICE OF ARCHITECTURAL APPROVAL

Notice is hereby given that on March 24, 2009, pursuant to Article IV of the Declaration of Covenants, Conditions and Restrictions dated October 16, 2006 and recorded in Volume 701 on Pages 662-672 of the Land Records of the Town of Essex for the real estate development known as "Tanglewood Extension" in the Town of Essex, Vermont, Declarant hereby approves the Architectural Plans dated March 23, 2009 for a three bedroom dwelling house with a one-bedroom "in-law" apartment for use only by one or two relatives of the Owner located at 5 Rosewood Trail, Lot G14, in the development, currently owned by Gardner & Sons Development Corp.

Dated at Essex Junction, Vermont, this 24th day of March, 2009.

IN THE PRESENCE OF:

(witness)

Declarant - Birchwood Land Company, Inc.

By: _____

W. Owen Jenkins - President

Wendy R. Jenkins - Vice-President

STATE OF VERMONT
CHITTENDEN COUNTY, SS.

At Essex Junction this 24th day of March, 2009, W. Owen Jenkins and Wendy R. Jenkins, President and Vice-President of Birchwood Land Company, Inc., personally appeared, and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed and the free act and deed of Birchwood Land Company, Inc.

Before me, _____
Notary Public

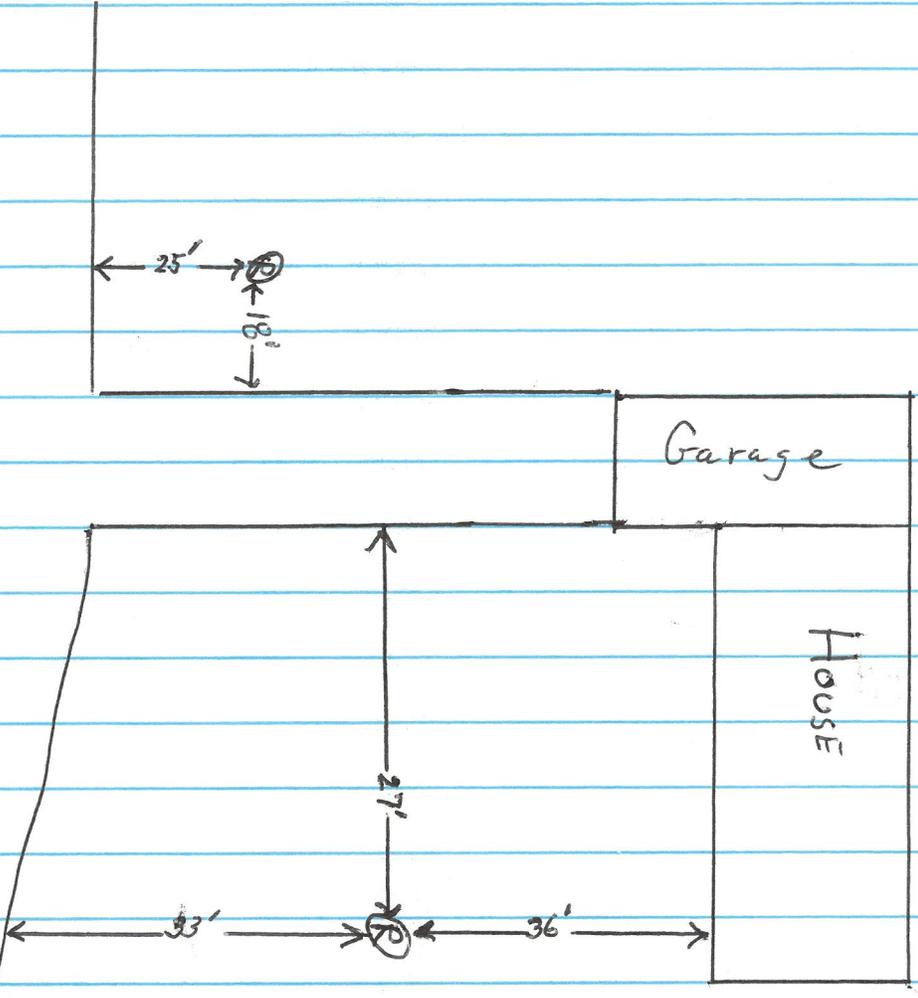


TREE PLANTING LOCATIONS

1
 @ Rosewood TRAIL
 ESSEX CENTER

Andrew
 2009-201

10/26/09
 Not to Scale
 C.V.



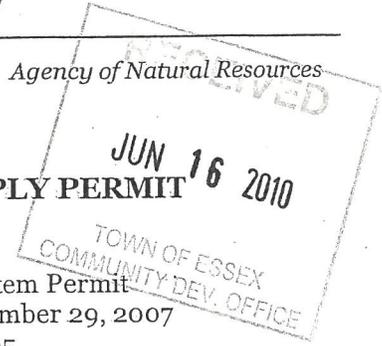
(R) = Tree Planting Location

Species:
 Red Oak
 2" - 3" Caliper
 Balled + Burlaped

2009-24 / 2010-6

State of Vermont
Department of Environmental Conservation

Agency of Natural Resources

**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 September 29, 2007
Chapter 21, Water Supply Rules, Effective April 25, 2005Permit Number: WW-4-1954-3
Landowner: Brad Gardner
P.O. Box 21
Colchester VT 05446

PIN: EJ03-0246

This permit affects property identified as Town Tax Parcel ID # Essex: 2044038000, 2044040000 and referenced in deeds recorded in Book 704ges 606-608 Land Records in Essex, Vermont.

This project, consisting of Lot G14 with an existing four bedroom single family residence with a one bedroom accessory apartment and Lot J3 with a four bedroom single family residence each served by municipal water and wastewater services, located at #5 and #6 Rosewood Trail in Essex, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

1.1 The project shall be completed as shown on the application, plans and/or documents prepared by O'Leary-Burke Civil Associates, PLC, with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Last Plan Revision Date
1	Property Plat	8/30/2005	11/28/2005
1B	Lands of Birchwood Land Company, Inc.	9/27/2004	6/25/2008

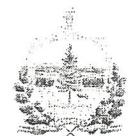
1.2 The project shall not deviate from the stamped plans in a manner that would change or affect the exterior water supply or wastewater disposal systems, building location, or, the approved use of the building, without prior review and written approval from the Wastewater Management Division.

1.3 This permit does not relieve the landowner from obtaining all other approvals and permits as may be required from the Act 250 District Environmental Commission, the Department of Public Safety, Division of Fire Safety- telephone (802) 879-2300, and local officials **prior** to proceeding with this project.

1.4 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall be responsible for the recording of this permit in the Essex Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.

1.5 Each prospective purchaser of each lot shall be shown copies of the Wastewater System And Potable Water Supply Permit and the stamped plans prior to conveyance of the lot.

1.6 By acceptance of this permit, the landowner 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.



- 1.7 In issuing this permit, the Division has relied upon the licensed designer's certification that the design-related information submitted was true and correct, and complies with the Vermont Wastewater System and Potable Water Supply Rules and the Vermont Water Supply Rules. This permit may be revoked if it is determined that the project does not comply with these Rules.
- 1.8 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.

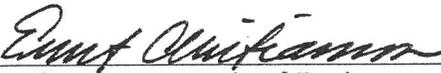
2. WATER SUPPLY

- 2.1 This project is approved for connection to the Essex municipal water system as depicted on the stamped plans. The project is approved for a maximum of 675 gallons of water per day for Lot G14 and 540 gallons of water per day for Lot J3. No changes to the water supply shall be allowed without prior review and approval by the Wastewater Management Division.

3. WASTEWATER DISPOSAL

- 3.1 This project is approved for connection to the Essex municipal wastewater treatment facility as depicted on the stamped plans. The project is approved for a maximum of 360 gallons of wastewater per day for Lot G14 and 210 gallons of wastewater per day for Lot J3. No changes to the wastewater disposal system shall be allowed without prior review and approval by the Wastewater Management Division.
- 3.2 This permit is based, in part, on a municipal approval for connection to their wastewater treatment facility. If the municipal approval expires, and the municipality files a written request with the Secretary, the Secretary will remove the sewage allocation for this project from the list of committed reserve capacity. If the municipal approval expires, this permit shall be invalid unless the municipality renews its approval and does not request that the Secretary remove the sewage allocation for this project from the list of committed reserve. Once the project is removed from the list of committed reserve capacity, a new permit must be issued for the project. An updated application form and an application fee will be required. The rules in effect at the time of the filing of the application for a new permit will be applied to the project.

Justin G. Johnson, Commissioner
Department of Environmental Conservation

By 
Ernest Christianson, Regional Engineer
Dated June 3, 2010

cc: Essex Planning Commission
O'Leary-Burke Civil Associates, PLC
Water Supply Division
Department of Public Safety, Division of Fire Safety