

TOWN OF ESSEX CERTIFICATE OF OCCUPANCY APPLICATION

DATE OF REQUEST: _____

MAP/PARCEL/LOT: _____

NO. 2001-217

The undersigned herewith requests an inspection of the premises and the issuance of "Certificate of Occupancy" of premises, or portion thereof, for use or habitation.

This request is for use only of existing land or buildings.

This request is for new construction or rehabilitated or altered structure which was done under authority of zoning permit # 2001-217

issued to The Church of Jesus Christ of Latter Day on 73 Essex Way

Premises are at 73 Essex Way

Water service installation inspected and approved by Todd Law

Driveway location inspected and approved by Dennis Lutz

Sanitary sewer connection or septic system inspected and approved by:

Name: Todd Law Date: _____

Construction was begun 11-15, 2002 and completed _____, 20____

Approval granted by P.C. or Z.B.A. on _____, 20____.

Use of premises intended Church
(type of use)

Applicant's Signature: Richard P. Ardella Telephone: 802-288-9975
Cell 802-249-7778

By issuance of this Occupancy Permit, the Town of Essex Zoning Administrator hereby acknowledges that the use and/or building construction is in complete conformity with the Zoning Regulations, unless otherwise noted. Field measurements and similar dimensions for setbacks are based in part on evidence supplied by owner. The Town of Essex is not liable for errors or mistakes when it is found that information submitted by the applicant is erroneous or inaccurate.

Certificate of Occupancy has been approved with without _____ conditions.

If with conditions, see attachment outlining same.

See Attached Letter

Certificate of Occupancy denied _____. Please see attachment with reasons for denial.

10/18/02
Date

J. L. Firkey
Jerry L. Firkey, Zoning Administrator

ZIONS BANK

Established in 1873

International Operations
250 E. First Street, Ste 500
Los Angeles, California 90012
Phone: (213) 633-5663 / (800) 551-0110
Fax: (213) 628-8489
S.W.I.F.T: ZFNBUS55

Standby Letter of Credit

L/C No. ZSB800569

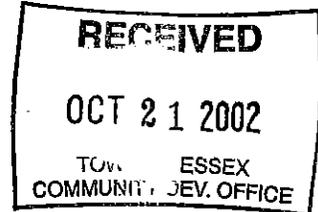
October 17, 2002

IRREVOCABLE STANDBY LETTER OF CREDIT NO. ZSB800569

ADVISING BANK:
(DIRECT)

EXPIRATION:
December 1, 2002

BENEFICIARY:
TOWN OF ESSEX
87 MAIN STREET
ESSEX JNCT, VT 05452



AMOUNT: USD50,000.00

Dear Sir/Madam:

At the request of CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, 50 EAST NORTH TEMPLE SALT LAKE CITY, UT 84150, we hereby establish our Irrevocable Standby Letter of Credit in your favor up to an aggregate amount of Fifty Thousand US DOLLAR (USD 50,000.00). This credit is available for payment against presentation of your draft(s) at Sight drawn on ZIONS FIRST NATIONAL BANK-LOS ANGELES, bearing the clause : "Drawn under credit no ZSB800569 of ZIONS FIRST NATIONAL BANK, Los Angeles, California" accompanied by the following documents:

This original Letter of Credit and amendment(s) thereto, if any, which will be returned to you following our notation thereon of the amount of such draft drawn hereunder. If the amount of the draft is for the full amount of this Letter of Credit, the original Letter of Credit will be retained by us.

A dated statement signed by an authorized representative of Town of Essex stating that Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole has defaulted under that certain agreement between Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole and Town of Essex relative to the Site Improvements for Essex Ward in Montpelier, VT (Project Number 547-1109-77)

Partial drawings are allowed.

All documents must be dispatched in one lot by registered mail or courier services directly to Zions First National Bank, International Operations, 550 South Hope Street, 3rd Floor, Los Angeles, CA 90071.

If you have any questions concerning this transaction, please call us at (800) 551-0110 Ext.2131, 2130 or 2123.

We hereby agree with you that all draft(s) drawn under and in compliance with the terms of this letter of credit will be honored upon presentation to us as specified herein.

THIS CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 500.

Sincerely,

A handwritten signature in black ink, appearing to be "Ane Lee", written over a horizontal line.

Authorized Signature

ZIONS BANK

Established in 1873

International Operations
250 E. First Street, Ste 500
Los Angeles, California 90012
Phone: (213) 633-5663 / (800) 551-0110
Fax: (213) 628-8489
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Standby Letter of Credit

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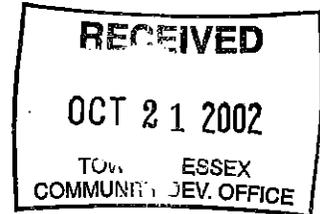
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Sincerely,

A handwritten signature in dark ink, appearing to read "Anne Lee".

Authorized Signature



TOWN OF ESSEX VERMONT

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

October 18, 2002

Richard Abdulla
Construction Superintendent
Church of Latter Day Saints
71 Essex Way
Essex Jct., VT 05452

Re: **Attachment to Certificate of Occupancy #2001-217**

Dear Mr. Abdulla:

This letter is sent to document the results of my Certificate of Occupancy inspection of the Church property on October 17, 2002 with you in attendance. Listed below are items that need to be completed and/or corrected to fulfill the requirements of the Site Plan approval issued by the Planning Commission and Conditional Use approval by the Zoning Board of Adjustment for the new church facility on 71 Essex Way.

- 1) Completion of the dumpster fencing.
- 2) Completion of the second course of pavement on the driveway and parking lots.
- 3) Provide Town Staff with a proposed paint color for the satellite dish and after approval paint the dish.
- 4) Obtain a sign permit from the Town Zoning Office for the existing sign on the front of the building.
- 5) Complete construction and landscaping for detention basin #2.
- 6) Complete the landscaping along the embankment on the westerly and northerly sides of the site.
- 7) Installation of signs along the bike path and at the driveway to the site as shown on sheet #1 of the site plan.
- 8) Have your engineer revise the landscaping plan in those areas that were too steep for the proposed plantings or are in the wetlands where the area cannot be disturbed. This should also include the area in front of the building along Essex Way where the native species were over cut and other areas of the property where native trees were cut and other changes to the landscaping took place. The landscaping amendments need to be approved by the Community Development Director, Herbert Durfee, III.
- 9) Your contractor will either need to replace the single headed light fixtures with double-headed fixtures or prove to the Community Development Staff that only single headed fixtures will be needed. If an attempt is made to change the plan, you are required, at a minimum, to have your engineer perform a lighting analysis to determine if less light fixtures will be needed.

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

- 10) Complete pavement line striping as shown on the approved site plan.
- 11) Complete the pavement markings on the crosswalk across the driveway as shown on the approved site plan.
- 12) Install the "Streetprint" crosswalk to the easterly side of the road on Essex Way as shown on the approved site plan.
- 13) Provide the Community Development Office with an "As Built" plan upon completion of the project.

In order to open the Church facilities for any type of functions you will need to post a bank guarantee in the form of an irrevocable letter of credit in the amount of \$50,000. The letter of credit must be written to guarantee that the above work will be completed to the satisfaction of this office by December 1, 2002.

As you are aware, I will be making an additional inspection on Wednesday October 23, 2002 at 10:00 a.m., with the Town Engineer and your project engineer, Doug Henson. There could be other amendments to this approval as a result of that inspection and, if so, I may need to require an adjustment to the Letter of Credit amount or time frame.

If you have any questions, please feel free to call me at 878-1343.

Sincerely,



Jerry L. Firkey, Zoning Administrator

cc: Herbert Durfee, Community Development Director
Todd Law, Assistant Town Engineer
Doug Henson, Lamoureux and Dickinson

f:\commdev\permits\lds church



TOWN OF ESSEX VERMONT

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

October 24, 2002

Richard Abdulla
Construction Superintendent
Church of Letter Day Saints
73 Essex Way
Essex Jct., VT 05452

Re: Certificate of Occupancy Inspection Held on October 23, 2002

Dear Mr. Abdulla:

This letter is to document the results of the inspection held on October 23, 2002 with your Engineer, Doug Henson, Joseph Mendor, Facilities Manager, Herb Durfee and Todd Law from the Town of Essex, you and I to review the unfinished work at 71 Essex Way.

We found that the following items still need to be completed prior to final construction of the site amenities as prescribed by the Town of Essex Planning Commission in their approval letter for the LDS Church dated May 24, 2001.

- 1) Your engineer needs to stake out the location of the fill area along the parking lot embankment including the wetlands near the bike path. Then complete the fill to coincide with the approved site and landscaping plans.
- 2) Your engineer needs to stake out the location of the trees to be planted along the bike path easement. If you have any questions regarding the plantings, you can contact Steve Kolvoord, General Manager for the Golf Course construction. He can be reached by calling 734-6145. He has been informed of your planting plans.
- 3) You need to complete the top soiling and seeding along the church side of the bike path and the sewer easement on the golf course property.
- 4) You need to paint the fire hydrants yellow.
- 5) No additional paint is necessary on the Satellite dish.
- 6) Your engineer needs to submit landscaping revisions for the easterly front area of the site to be approval by Herbert Durfee the Community Development Director. Once the changes have been approved you can add them to the "As Built" plans.

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

Richard Abdulla
October 24, 2002
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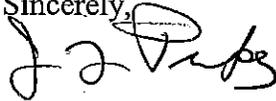
- 7) To complete the emergency access road we have approved the use of the concrete pavers between the curb and bike path. The elevation shall be that of the bike path.

Pursuant to my letter dated October 18, 2002, the construction work and landscaping must be completed by December 1, 2002. During our latter site visit we did acknowledge that some items might not get completed until spring of 2003. If this becomes the case, we will adjust the escrow account accordingly and set a completion date for the remainder of the project.

Please contact me prior to November 14, 2002 to perform an inspection of any completed work. After that date you will need to contact Herbert Durfee.

If you have any questions regarding the contents of this letter, please do not hesitate to call me at 878-1343.

Sincerely,



Jerry L. Firkey, Zoning Administrator

cc: Herbert Durfee, Community Development Director
Todd Law, Assistant Town Engineer
Joseph Mendor- Facilities Management , 273 LDS Lane, South Royalton, VT 05068
Doug Henson, PE