

Sarah McShane

From: Harry Shepard
Sent: Wednesday, September 23, 2020 2:57 PM
To: Sarah McShane
Cc: lympusrb@yahoo.com; piper.mika@gmail.com; Chris Jolly
Subject: Fence-406 Maple Street
Attachments: Public Works Comments to proposed fence.pdf; Easement Deed-Drainage at 406 Maple Street.pdf; Request Letter to remove stone wall in easment-406 Maple.pdf

Sarah,

Confirming our discussion, the Town has storm drainage and an 20' wide easement centered on this drainage that is proximate to the northern property line of the subject property. A mark-up of the application plan showing the approximate location of existing drainage/easement and the Town's easement deed is attached. The proposed fence is located within and would be an encroachment violation of the easement.

Dear Mr. Balser and Ms. Middleton,

We have similar concerns with the recently relocated stone wall abutting the drainage inlet and within the easement limits. We had sent the attached letter via Certified US Mail regarding this matter on Sept 3, 2020 but it was returned undelivered Monday-we had an incorrect address. We resent the yesterday to the address noted on your recent application. Please be advised that the Town requires the easement area to be maintained cleared of any overbuilding in accordance with the easement provisions.

Please feel free to call with any questions or to discuss this matter further.

Sincerely, Harry Shepard

Harry J. Shepard, PE
Public Works Director/Town Engineer
Town of Stowe
PO Box 730
Stowe, VT 05672
802-253-8770

PLEASE NOTE NEW EMAIL ADDRESS is HShepard@stowevt.gov

From: Sarah McShane <smcshane@stowevt.gov>
Sent: Wednesday, September 23, 2020 11:59 AM
To: Harry Shepard <hshepard@stowevt.gov>
Subject: Email Contacts

Here are the two email addresses that I have for the property owners.

Rick Balser lympusrb@yahoo.com
Missy Middleton piper.mika@gmail.com

**Zoning Permit
Town of Stowe
PO Box 216
Stowe VT 05672**

APPLICATION INFORMATION

Permit Z-4884
Application Date 10/22/13
Physical Location 406 MAPLE ST
Map ID 7A-077.000 Tax ID 01077
Project Description INSTALL WINDOW AND DOOR; REMOVE WINDOW
Owner RICK BALSER
Applicant/Contact RICK BALSER
Applicant Address PO BOX 216
SOUTH POMFERT VT 05067

FEES PAID

Source	Date	Amount
RICHARD BALSER 4668	10/22/13	\$50.00

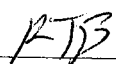
APPROVALS/ACTIONS ON RECORD

Action Taken	Date	Effective Date	Expiration Date
SHPC RECOMMENDATION	10/23/13		
ZONING	10/24/13	11/08/13	11/08/16

Conditions/Comments NONE

Based upon a review of this project, the following other local and state approvals are anticipated to be needed:

☐ Stowe Water Connection ☐ Stowe Sewer Connection ☐ Stowe Driveway Entrance Permit
☐ VT Construction Permit ☐ VT Wastewater Permit ☐ VT Driveway Permit ☐ VT Stormwater Permit



ZONING ADMINISTRATOR
Richard Baker
Notes

10/24/13

Date

Accompanying documents and plans submitted with the zoning permit application are part of this permit and are on file in the Zoning Office.

Permission is hereby granted in accordance with the requirements and regulations of the Town of Stowe Zoning Ordinance to proceed with the above project. This permit shall not take effect until the time for appeal has passed, or in the event that a notice of appeal is properly filed, no such permit shall take effect until adjudication of that appeal by the appropriate municipal panel is complete and the time for taking an appeal to the environmental division has passed without an appeal being taken. If an appeal is taken to the environmental division, the permit shall not take effect until the environmental division rules in accordance with 10 V.S.A. § 8504 on whether to issue a stay, or until the expiration of 15 days, whichever comes first. No construction or activity related to this approval may occur until the time for appeal has passed.

This approval does not cover any required state approvals. Wastewater System and Potable Water Supply permits may be required for construction or modifications that change the wastewater flow. Other State permits may be required for certain uses. The applicant is advised to contact a DEC Permit Specialist at 476-0195 to discuss the State permit requirements.

The applicant is responsible for determining property lines and meeting the required setbacks for development. All exterior lighting must meet the Zoning Ordinance lighting standards.



Development Application
Town of Stowe Zoning Department
PO Box 216
Stowe VT 05672
Voice (802) 253-6141

Project #
(To be assigned)

Date Received: 10/22/13

This form serves as an application for all requested zoning and subdivision reviews.

Owner Information

Property Owner

RICK BALSER

Mailing Street Address
City, State and Zip

P.O. BOX 216, STOWE, VT. 05672

Phone Number

Day: 802 456 7212 Other: 802 457 9398

Applicant/Contact Information (Relationship to Owner)

- ☒ Owner (If so, skip to site information) ☐ Lessee ☐ Contractor
☐ Architect/Designer ☐ Agent for Owner ☐ Under purchase contract

All information and correspondence is sent to applicant/contact.

Contact Name

Company (if any)

Mailing Street Address
City, State and Zip

Phone Number

Other:

Site Information

Physical Address

406 MAPLE ST.

Business (if any)

Parcel Identification

01077

Overlay Districts

SHOD ☐ RHOD ☐ 100 Yr Floodplain ☐ Meadow Overlay ☐ FEH ☐
(Check if any portion of parcel is in district)

Please briefly describe the project or request below:

CHANGE LOCATION & SIZE OF EXISTING WINDOW
ADD ~~NEW~~ NEW ENTRY DOOR

For All Approvals:

The below signed hereby agrees that the proposed work shall be done in accordance with the application, plan, specifications, and other associated documentation and that the work shall conform to all applicable town ordinances and regulations. Signing as an "Agent for Owner" indicates that the person signing has the permission of the owner to act on the owner's behalf. Additional permits may be needed from the State of Vermont and/or the Town of Stowe for development.

Indicate if:

- ☒ Property Owner OR
☐ Agent for Owner

Signature:

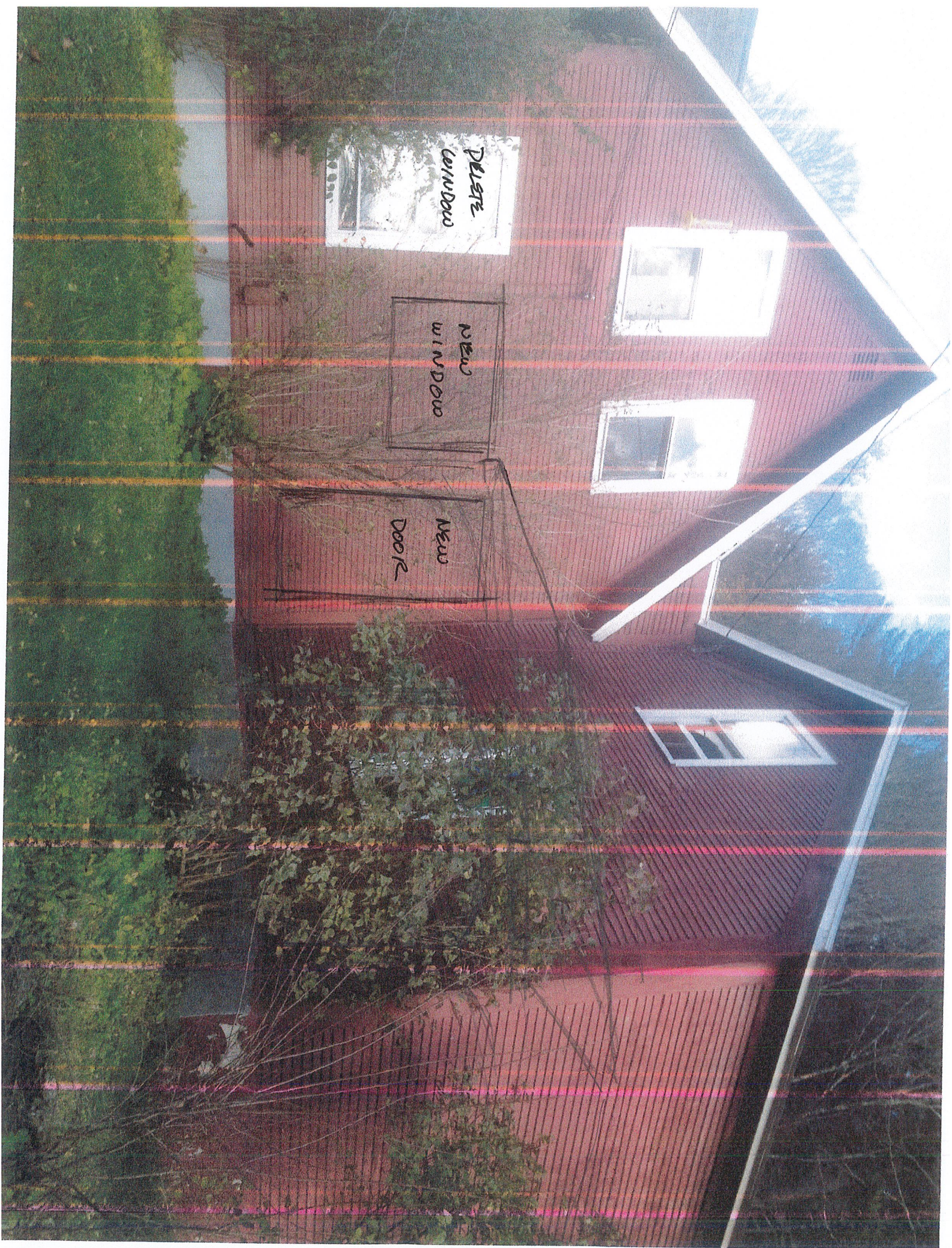
Rick Balser

Date: 10/22/13

Fee Submitted: \$

Check ☐ Cash ☐ Credit card ☐ Refer to fee schedule on reverse side.

Additional application information is required on reverse side for all construction projects: →



DELSTE
window

NEW
window

NEW
DOOR

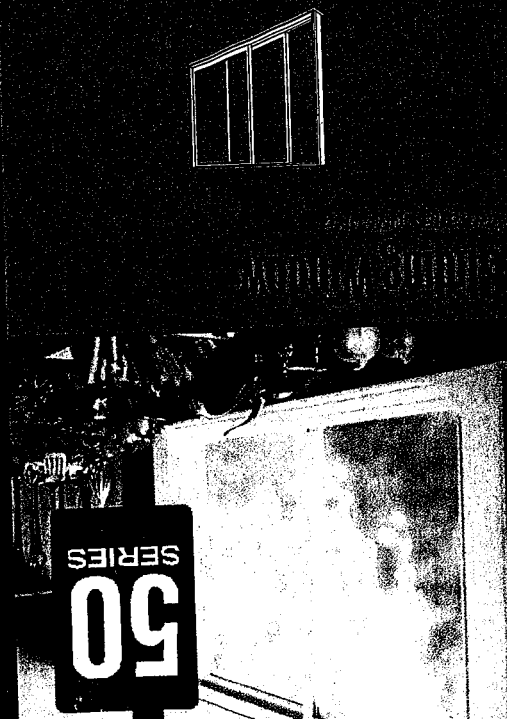


ENERGY STAR® Qualified in all 50 States.
Aprobado por ENERGY STAR en los 50 estados.

WARRANTY	Garantía
LIMITED LIFETIME	Limitada de por vida
GLASS TYPE	Tipo de vidrio
LOW-E3/Argon	
INSECT SCREEN	Mosquitero
INCLUDED	Incluido
HARDWARE	Herrajes
INCLUDED	Incluido
GRILLES	Rejillas
NONE	Ninguna
COLOR	Color
WHITE	Blanco
FRAME TYPE	Tipo de Marco
NAIL FIN	Aleta de sujeción
ROUGH OPENING	Abertura sin acabado
48 1/2" x 35 1/2"	
UNIT DIMENSION	Dimensión de la unidad
48" x 35"	

4030



Modelo





* Withdrawn *

7A-077.000

	Development Application Town of Stowe Zoning Department PO Box 730 Stowe VT 05672 Voice (802) 253-6141		Project # (To be assigned) 6366
			Date Received: 9-9-20
	This form serves as an application for all requested zoning and subdivision reviews.		
Owner Information			
Property Owner	Richard Baker & Missy Middleton		
Mailing Street Address City, State and Zip	2275 Steele Hill Rd. East Duxbury VT 05060		
Phone Number	Day: 457-9392 Other phone or email: 802-356-7212		
Applicant/Contact Information (Relationship to Owner) <input checked="" type="checkbox"/> Owner (If so, skip to site information) <input type="checkbox"/> Lessee <input type="checkbox"/> Contractor <input type="checkbox"/> Architect/Designer <input type="checkbox"/> Agent for Owner <input type="checkbox"/> Under purchase contract All information and correspondence is sent to applicant/contact.			
Contact Name			
Company (if any)			
Mailing Street Address City, State and Zip			
Phone Number	Other/Email:		
Site Information			
Physical Address	406 Maple Street, Stowe, VT		
Business (if any)			
Tax Map ID	621-195-11027		
Please briefly describe the project or request below:			
Seventy Foot long fence, six feet in height, along property property boundary line with 394 Maple Street (south side) and 422 Maple Street (north side) Pressure treated posts with spruce/cedar pickets and wood frame. Photos are attached to application.			
For All Approvals: The below signed hereby agrees that the proposed work shall be done in accordance with the application, plan, specifications, and other associated documentation and that the work shall conform to all applicable town ordinances and regulations. Signing as an "Agent for Owner" indicates that the person signing has the permission of the owner to act on the owner's behalf. Additional permits may be needed from the State of Vermont and/or the Town of Stowe for development.			
Indicate if: <input type="checkbox"/> Property Owner OR <input type="checkbox"/> Agent for Owner		Signature:  Date: 9 September 2020	
Additional application information is required on reverse side: ➔			
Note: Local Zoning approval does not cover any required state approvals. Wastewater System and Potable Water Supply permits may be required for construction or modifications that change the wastewater flow. Other State permits may be required for certain uses. The applicant is advised to contact a DEC Permit Specialist to discuss the State permit requirements at 802-505-5367.			

Construction Information

A site plan showing the proposed development is required if construction is involved. **The applicant is responsible for determining property lines and setbacks.**

Please answer the questions below for all construction projects:

Will there be a new curb cut (driveway opening)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will over 1/2 acre of land be graded or disturbed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will the development create an additional 1/2 acre of impervious surface?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will there be other changes resulting in increased sewer or water flows?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will there be a new connection to the Stowe sewage system?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will there be a new connection to the Stowe water system?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is any portion of the building rented out?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is an Act 250 permit or amendment required?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Maximum Bldg. Height: _____ * Building Height is defined as the vertical distance measured from the average elevation of the proposed finished grade at the front or rear of the building to the highest point of the roof for flat and mansard roofs, and to the average height between eaves and ridge for other types of roofs. On sloping sites the height will be measured on the uphill side.

Please answer the questions below for all projects involving residential dwellings:

Existing Rooms:	# Bathrooms:	# Bedrooms:	# Kitchens:
New Rooms:	# Bathrooms:	# Bedrooms:	# Kitchens:

Please complete the fee calculation below for all construction projects:

Indicate new/additional gross floor area	Cost/Sq. Ft.	Fee Required
Heated Enclosed Space: _____ sq ft	\$.20/sq. ft.	\$
Unheated Enclosed Space: _____ sq ft	\$.13/sq. ft.	\$
Unheated Unenclosed Space: _____ sq ft (such as decks and open porches)	\$.07/sq. ft.	\$
Structures other than buildings (such as ponds and tennis courts) (administrative approval)	\$50/structure	\$
Structures other than buildings (such as ponds and tennis courts) (Conditional use approval required)	\$100/structure	\$
Additional Recording Fee:	\$15 for permitted uses \$30 for conditional uses	\$
	Total Fee**:	\$ 60.00

** Minimum application fee for all construction (includes recording fee):
Permitted Uses: \$60.00 Conditional Uses: \$250.00

Fee Schedule for Projects Not Involving Construction (all fees below include recording fee)

For permitted uses not involving construction: \$60 Middleton #174
 For conditional uses not involving construction, appeals and variances: \$250
 Administrative amendment of conditional uses: \$70
 New signs: \$70
 Certificate of Occupancy: \$55 (additional inspections if need after first: \$40)
 Subdivisions:
 Preliminary Layout Application (Base Fee): \$250
 Preliminary Layout (Fee per lot if equal to and/or more than 5 lots): \$250/lot or unit
 Final Plat Application (Base Fee): \$250
 Final Plat Application (additional fee per lot if preliminary layout was not required): \$100/lot or unit
 Minor Subdivision - Lot Line Adjustment: \$105 (includes recording fee for one map page)
 Final Plat Recording Fee (per map page): \$25

Payments should be made to the Town of Stowe. Payment can be made by cash, check, or with a credit card (Mastercard, Visa or Discover) or online. Go to www.townofstowevt.org/townclerk/ and click the link for online payments. Please note there is a 3% convenience fee for credit card payments.

Sarah McShane

From: Missy Middleton <piper.mika@gmail.com>
Sent: Wednesday, September 23, 2020 7:05 PM
To: Harry Shepard
Cc: Sarah McShane; lympusrb@yahoo.com; Chris Jolly
Subject: Re: Fence-406 Maple Street

At this point we will withdrawal our fence application and we will extend our lawn to our property line. We would also like to know, since our fence application has been refused, what we can do to define our property line since our neighbors have used it consistently for the parking lot for their AirBnB business.

Best regards

Missy & Rick

On Wed, Sep 23, 2020 at 6:59 PM Missy Middleton <piper.mika@gmail.com> wrote:

We received this about an hour and a half before a zoning meeting where an attorney called in and basically called us liars for not disclosing this. How is this even right or fair?

We couldn't even refute or defend what she said. Really unbelievable

Missy

On Wed, Sep 23, 2020 at 2:56 PM Harry Shepard <hshepard@stowevt.gov> wrote:

Sarah,

Confirming our discussion, the Town has storm drainage and an 20' wide easement centered on this drainage that is proximate to the northern property line of the subject property. A mark-up of the application plan showing the approximate location of existing drainage/easement and the Town's easement deed is attached. The proposed fence is located within and would be an encroachment violation of the easement.

Dear Mr. Balser and Ms. Middleton,

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✦ Tall Flat Board Cedar Picket



Thursday, September 17, 2020

Re: 406 Maple Street, Stone
Fence & barn application

Hi Sarah,

Per your email request, we are enclosing
some additional information for both of
the applications we have submitted.

If anyone has any additional questions,
please contact us.

Thanks for your help

Kerry Luddick



Certificate of Occupancy
Town of Stowe Zoning Department
PO Box 730
Stowe VT 05672
Voice (802) 253-6141

This application is required in order to obtain a Zoning Certificate of Occupancy. Complete the application information below and submit this form with a \$55 payment. Payments should be made to the Town of Stowe. Payment can be made by cash, check, or with a credit card (Mastercard, Visa or Discover) or online. Go to www.townofstowevt.org/townclerk/ and click the link for online payments. Please note there is a 3% convenience fee for credit card payments.

Application Information

Permit #	
Physical Location	
Map #	
Project Description	
Property Owner Name	
Applicant Name	
Mailing Street Address City, State and Zip	
Phone Number	Day: _____ Other: _____
Has all construction been completed?	<input type="checkbox"/> Yes <input type="checkbox"/> No (Describe incomplete work): _____
Has a Building Energy Standards Certificate been recorded?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable

The applicant certifies that this project was constructed in accordance with the above referenced zoning permit and is compliant with setbacks and dimensional requirements as indicated on the approved site plan and that any conditions of approval have been met. Signing as an "Agent for Owner" indicates that the person signing has the permission of the owner to act on the owner's behalf.

Indicate if: <input type="checkbox"/> Property Owner OR <input type="checkbox"/> Agent for Owner	Signature: _____ Date: _____ Print Name: _____
<input type="checkbox"/> Yes <input type="checkbox"/> No	The Zoning Administrator has permission to enter onto the property to complete an outside inspection without scheduling an appointment. If no, please call to make appointments for Certificate of Occupancy inspections.

Zoning Administrator Approval

Certificate of Occupancy is hereby granted:
☐ **Granted** ☐ **Granted With Conditions (see Remarks/Conditions below)** ☐ **Denied**
Status: ☐ **Permanent** ☐ **Temporary If Temporary, Expiration** _____

Zoning Administrator

Date

The Zoning Administrator acknowledges that the use and/or building construction is in reasonable conformity with the zoning permit granted based upon evidence submitted by the applicant and a visual site inspection. No as-built survey information has been provided unless noted otherwise. The Town of Stowe does not certify or imply any conformity to a uniform standard of construction or life safety code.

This approval does not cover any required State approvals. Other approvals and/or final inspections may be required before use of the structure. The applicant is responsible for determining property lines and meeting the required setbacks for development. This review does not certify setbacks or building heights.

Remarks/Conditions of Approval

TOWN OF STOWE

Historic Overlay District & Historic Building Application Checklist



The following information is required for all applications subject to review under Section 10.

Submitted	
	Completed Development Application Form
	Application Fee- See Fee Schedule (Effective 7/1/2015)
	Project Narrative – This must include the existing or intended use of all buildings on the lot, as well as a detailed list and description of all proposed alterations.
	Dimensional Information- Required district setbacks shall be clearly depicted on the site plan. The Applicant must also provide a density calculation (if applicable) and existing and proposed building coverage.
	Floor Plans -Floor plans shall include all floors of the structure and shall be of sufficient detail to allow the Zoning Administrator or DRB to determine if an application, as proposed, will fully comply with the Regulations.
	Current color photographs showing the site and affected structures, all sides, neighboring structures and relevant details.
	A description of all materials to be used on the exterior of any building.
	Manufacturer cut sheets for all lighting fixtures including bulb type, wattage, lumens, and direction of light.
	Manufacturer cut sheets for all window and door replacements. Replacement windows must be simulated divided lites (SDL) or true divided lites (TDL) only, mullions between the glass are unacceptable.
	Historic building inventory information.
	<p>Building Elevations- Building elevations shall be of all sides of the structure and clearly mark the height of the structure. Building elevations must be drawn to scale of no less than 1/4" = 1'0" and include the following and:</p> <ol style="list-style-type: none"> Facades, materials, type of siding, roofing, and shingles; Natural materials are preferred- aluminum and vinyl imitation clapboard is discouraged; Existing features and proposed alterations; Entrances, stairways, and ramps; All significant external building elements, including but not limited to walls, windows, doorways; Windows shall depict the proposed mullion /lite pattern; Doors shall depict the material, glazing, and paneling; The location of all exterior lighting; The location of all HVAC equipment, chimneys, vents larger than bathroom or laundry, and any other mechanical equipment; Architectural details such as railings, trim, and molding; Details including roof eaves, soffits and gables, building corners, window and door trim, railings and porch trim shall be depicted with large scale (1" =1'-0" or greater);
	<p>Site Plan drawn in an appropriate scale on paper not smaller than 18" X 24" showing boundaries of the property and including the following:</p> <ol style="list-style-type: none"> Locator map of an appropriate scale showing the relation of the property boundaries and road frontage to at least two (2) intersecting roads in the vicinity. Name of project, name and address of property owner. Names of adjoining property owner(s). Name of firm preparing plan, scale, north point and date of preparation. Existing features including lot area, structures, streets, driveways, waterways, wetlands, easements, rights-of-way, land use and deed restrictions, parking spaces and landscaping features. Proposed features including structures, streets, driveways, traffic circulation, parking areas, loading areas, pedestrian walks, fences and walls, water supply, sewage disposal area and lighting locations. <p>Site plans must be drawn to scale, with a scale appropriate to show the necessary details for review. At a minimum, site plans must show the dimensions of the lot to be built on, location of the building and/or accessory building to be erected, altered, extended or moved and a surveyor's plot plan of the property, if available. The application should further include the location of all streams and wetlands, construction-related soil erosion measures and permanent stormwater control measures.</p>
	Additional information as deemed necessary by the Historic Preservation Commission.