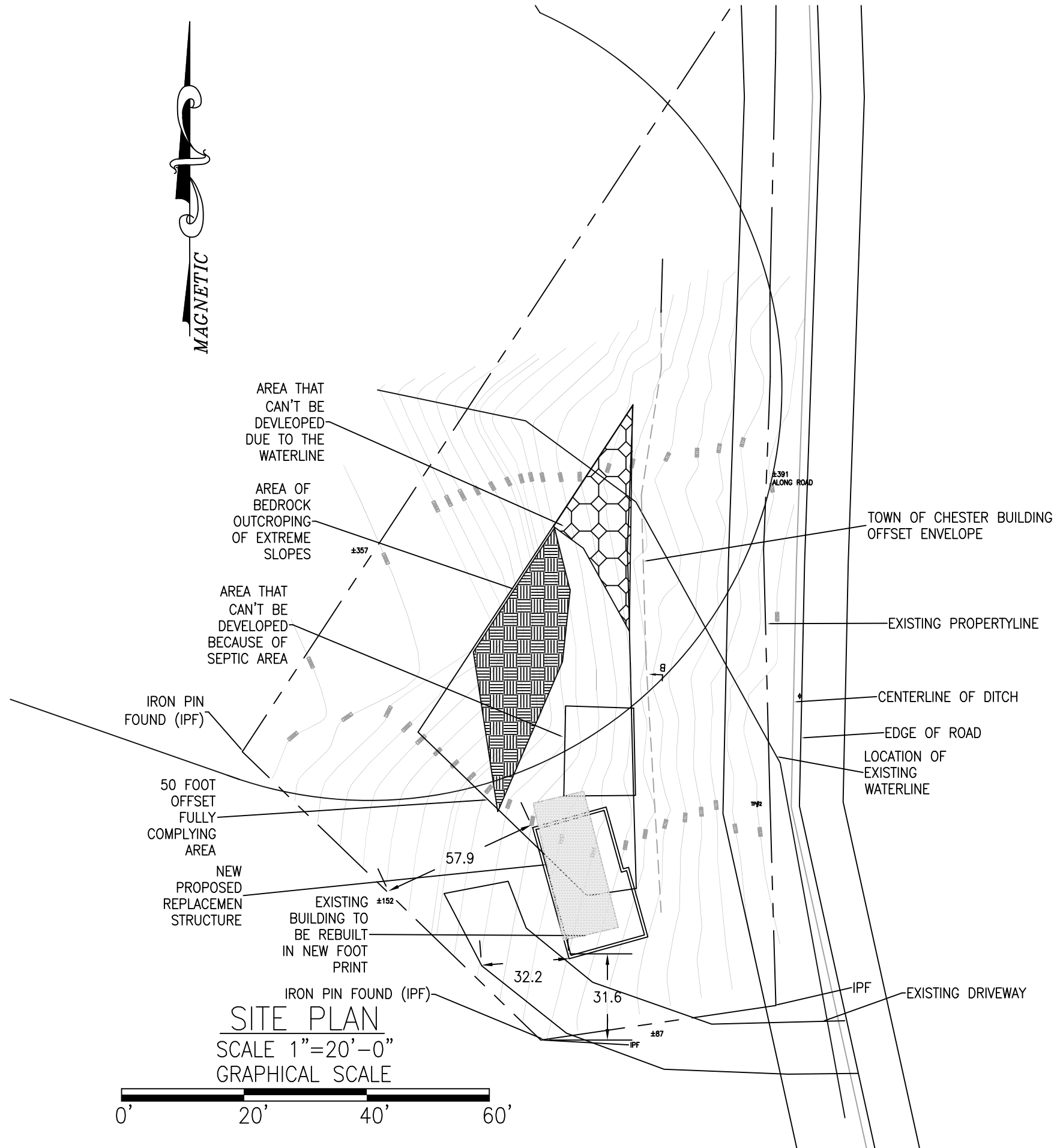




- GENERAL PROJECT NOTES:
- 1) TEMPORARY BENCH MARK ELEVATIONS ARE ASSUMED.
 - 2) REFERENCE TAX MAP FOR LOT INFORMATION AND SITE LOCUS.
 - 3) CONTOURS SHOWN FOR WELL ISOLATION ZONES ARE INTERPOLATED FROM USGS MAP.
 - 4) THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PERMIT APPLICATION ARE FOR THE USE OF THE ANR ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN 26 V.S.A. SECTION 2502(4), AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
 - 5) DIG SAFE SHALL BE CONTACTED BEFORE EXCAVATING IN ANY PUBLICLY OWNED LANDS.



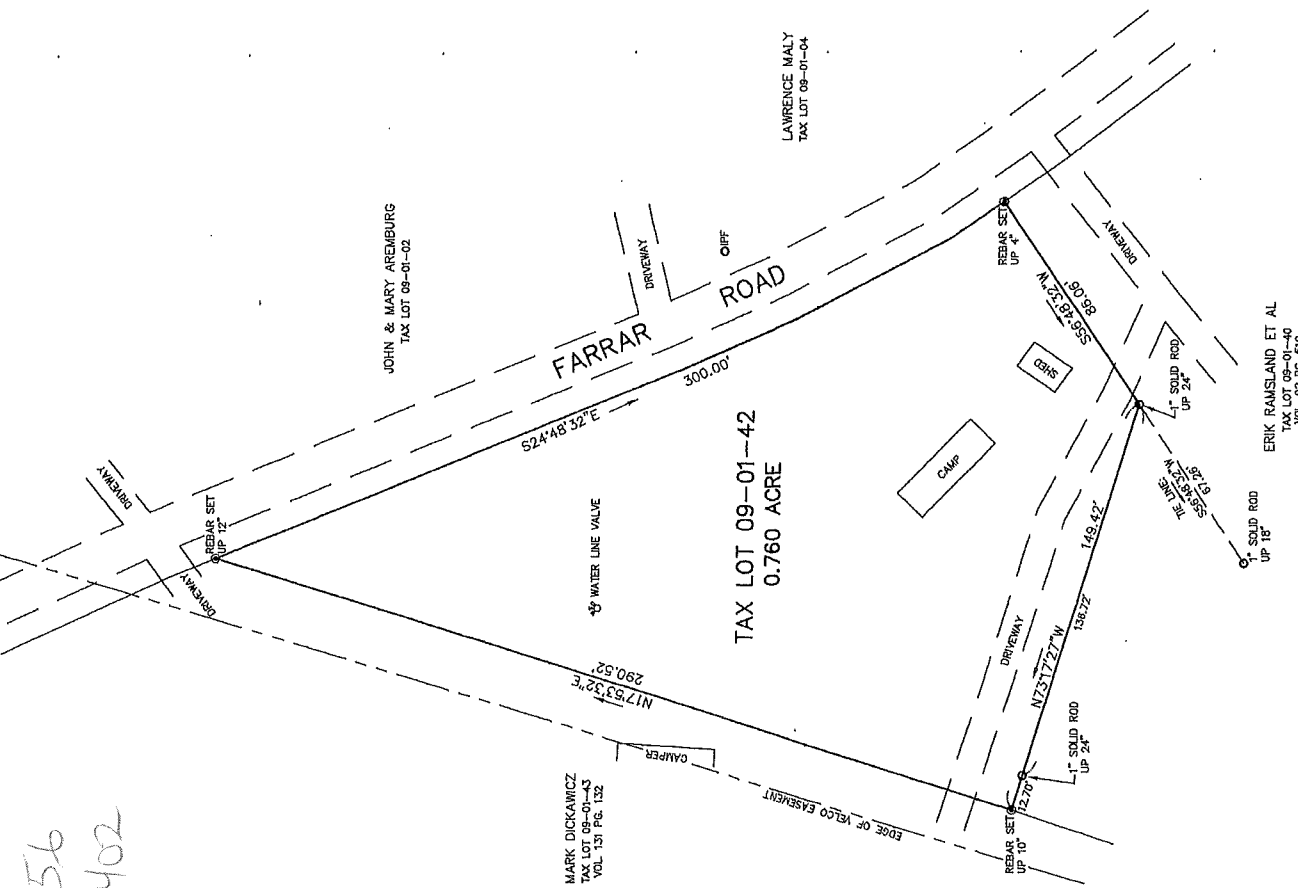
SITE PLAN
 SCALE 1"=20'-0"
 GRAPHICAL SCALE



PROJECT: JN# 014-20 CHRIS AUGUSTO VARIANCE REQUEST PLAN FOR REPLACEMENT OF 3 BEDROOM RESIDENCE FARRAR ROAD CHESTER VERMONT		
WAYSVILLE ENGINEERING 222 BARLOW RD SPRINGFIELD, VT 05156		
DATE: 12-28-20	REVISIONS:	DWG.NO
SCALE: AS NOTED		R1
DR. BY: JEW		
CHECKED BY: LPS		REV. 0

MAGNETIC 2017

Book 56
P 402



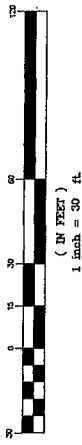
NOTES

1. OWNER OF RECORD OF TAX LOT 09-01-42: CHRISTOPHER & GEORGE AUGUSTO, 122 CHELSEA ST, GARNER, MA 01440. SEE REFERENCE VOL. 179 PAGE 153.
2. BOUNDARY SHOWN HEREIN ARE REFERENCED TO A 2017 MAGNETIC OBSERVATION.
3. THIS PROPERTY IS SUBJECT TO A SPRING AND WATER LINE EASEMENT SEE VOL. 69 PAGE 176.
4. THIS PROPERTY IS BENEFITTED BY AND SUBJECT TO, A RIGHT OF WAY IN COMMON. SEE VOL. 69 PAGE 176.
5. THE RIGHT OF WAY WIDTH OF FARRAR ROAD IS 2 ROADS. SEE HIGHWAY BOOK 2 PAGE 8.

LEGEND

- REBAR SET
- IRON PIN FOUND
- STONE WALL
- UTILITY POLE
- BARBED WIRE FENCE

GRAPHIC SCALE



BOUNDARY PLAN OF LAND OF
CHRISTOPHER AUGUSTO
AND
GEORGE AUGUSTO
847 FARRAR ROAD CHESTER, VERMONT.

PREPARED BY
PATON LAND SURVEYING
P.O. BOX 561 SPRINGFIELD, VT 05156
(802) 885-6674

DATE: DEC. 2, 2017 SCALE: 1"=30'
DRAWN BY: CTP CKD BY: CTP

PROJ. NO. 2017-274-16

*Received for filing
October 11, 2018
Sesonal Jadrnich, Town Clerk*

CERTIFICATION
IN MY OPINION AND TO THE BEST OF MY KNOWLEDGE THIS PLAT IS CONSISTENT WITH INFORMATION ABSTRACTED FROM THE TOWN OF CHESTER LAND RECORDS AND PHYSICAL EVIDENCE FOUND IN THE FIELD.

Christopher T. Paton
CHRISTOPHER T. PATON, VT L.L.S. # 692

features of the property such as foundation, water supply, sewage disposal system, underground utilities, etc.

4. A nonconforming structure shall not be moved, altered, extended, or enlarged in a manner which will increase the existing degree of non-conformance.
5. The phrase 'shall not increase the degree of non-conformance' shall be interpreted to mean that the portion of the structure which is nonconforming shall not increase in size (or decrease in the event of failing to meet minimum standards such as parking and lighting). Therefore, portions of a structure within a setback area cannot be enlarged, portions above the maximum height cannot be expanded where parking is deficient the number or size of spaces cannot be reduced, etc. This phrase is not intended to prevent existing unfinished space from being finished or other similar scenarios provided there is no increase in size.
6. Nothing in this section shall be deemed to prevent normal maintenance and repair of a nonconforming structure provided that such action does not increase the degree of non-conformance.
7. The DRB shall permit the alteration or expansion of a nonconforming structure for the sole purpose of conformance with mandated environmental, safety, health, or energy codes.

3.19 NON-CONFORMITIES

A. Existing Nonconformities. Nothing in this section shall be construed to restrict the authority of the Town of Chester to abate public nuisances or to abate or remove public health risks or hazards. Any lawful lot, building or use in existence at the time of adoption or amendment of these Bylaws may be continued. Such lot, building or use shall meet all other requirements of these Bylaws, and is subject to the following provisions.

B. Nonconforming Lots.

1. Any existing lawful lot that does not meet the specified dimensional requirements in these Bylaws, may be maintained and developed for the purposes permitted in that district as long as all other requirements for that district are met.

2. **Existing Small Lots.** In accordance with the Act [§ 4412], any lot that is legally subdivided, is in individual and separate and nonaffiliated ownership from surrounding properties, and is in existence on the date of enactment of this bylaw, may be developed for the purposes permitted in the district in which it is located, even though the lot does not conform to minimum lot size requirements of the district in which the lot is located, provided such lot is not less than one eighth acre or has a minimum width or depth dimension of at least 40 feet.
 - a. If an existing small lot subsequently comes under common ownership with one or more contiguous lots, the nonconforming lot may be separately conveyed if the lots are conveyed in their preexisting, nonconforming configuration, provided such lot is not less than one eighth acre or has a minimum width or depth dimension of at least 40 feet.

C. Nonconforming Structures

1. Any legal structure or part thereof, which is not in conformance with the provisions of these bylaws concerning setback, height, size, or other structural requirements (including such things as parking, lighting, buffers, and lowest floor elevation in floodplain zoning) shall be deemed a nonconforming structure. Legal nonconforming structures exist as a result of construction prior to adoption of bylaws, or construction under an earlier set of less restrictive bylaws. Any nonconforming structure may be allowed to exist indefinitely, but shall be subject to the following provisions:
2. Subject to conditional use approval by the DRB, a nonconforming structure may be restored or reconstructed after unintentional loss provided the reconstruction is commenced within two years and does not increase the degree of non-conformance that existed prior to the damage.
3. A nonconforming structure which has been demolished shall not be reconstructed except in conformance with these bylaws. The DRB may grant a waiver from this provision if a hardship would be created by rebuilding in strict conformance with the requirements of these bylaws. In considering a waiver from these provisions, the DRB shall take into consideration the ability of the applicant to use remaining

features of the property such as foundation, water supply, sewage disposal system, underground utilities, etc.

4. A nonconforming structure shall not be moved, altered, extended, or enlarged in a manner which will increase the existing degree of non-conformance.
5. The phrase 'shall not increase the degree of non-conformance' shall be interpreted to mean that the portion of the structure which is nonconforming shall not increase in size (or decrease in the event of failing to meet minimum standards such as parking and lighting). Therefore, portions of a structure within a setback area cannot be enlarged, portions above the maximum height cannot be expanded where parking is deficient the number or size of spaces cannot be reduced, etc. This phrase is not intended to prevent existing unfinished space from being finished or other similar scenarios provided there is no increase in size.
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Web Data

Chester, VT

Official copies of data must be obtained at the Chester Town Office.
 Last Updated: May 01, 2020

Powered by

www.nemrc.com

Owner Information

Parcel 090142
Owner AUGUSTO, GEORGE
 122 CHELSEA STREET
 GARDNER, MA 01440
Location 847 FARRAR ROAD
Sec/TWP/Range
Descr CAMP BUILDING

Parcel Value Information

Land Value 25,000 **Homestead** 38,800
Dwelling Value 12,400 **Housesite** 38,800
Site Imprvmt
Outbuildings 1,400
Total 38,800

Parcel Information

NBHD 5 **SPAN** 144-045-10850
Acres 2 **Status** A - Active

Sales Information

Book 179 **Sale Date** 2017-10-04
Page 135 **Sale Price** 18,500

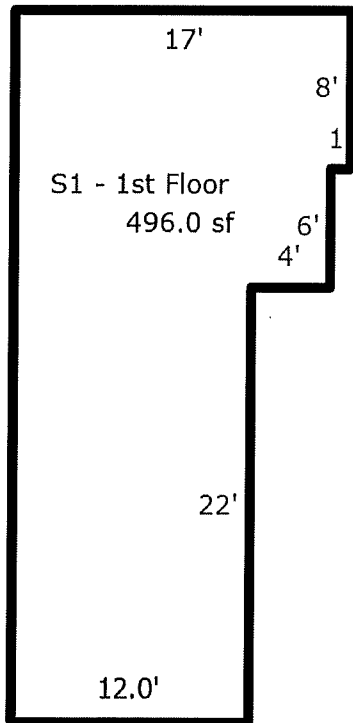


BUILDING	Total Rooms	2	Year Built	1970	Building SF	496.00	Energy Adj	Below Avg	Roughins
	Bedrooms	1	Effect Age	50	Quality	2.50	Bsmt Wall	No Data	Plumb Fixt
	Full Baths		Condition	Fair	Style	1 Story	Bsmt SF		Fireplaces
	Half Baths		Phys Depr	65	Design	Camp	Bsmt Fin		Porch
	Kitchens	1	Funct Depr		Bldg Type	Camp	Bsmt Fin SF		Gar/Shed
			Econ Depr						

Notes

LAND	Land	1	Area	2.00	Grade	0.50	Frontage	Depth
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Sketch





NOTES ON 847 FARRAR VARIANCE

1. Parcel # is 090142
2. District is R 120
3. Set backs are Front 50, Side 50, Back 50
4. Lot size is 0.760 acres
5. Minimum lot size is 3 acres
6. Existing lot is approximately 1/3 the minimum.
7. A survey of the parcel by Chris Paton was recorded October 11, 2018.
8. On July 10, 2020 a Wastewater and Potable water supply permit (WW-2-6140) was issued by Vermont ANR.
9. On 9/3/19 an application was made for a building permit with a copy of the survey by Chris Paton indicating where the building would be placed.
10. On 8/28/2020 a building permit was issued for a 1095 sq ft structure, effective 9/11/20
11. The map offered showed a 45 foot set back to the road and 54 feet set back to the SW boundary
12. Following a complaint by the southerly neighbor, a check on the new foundation was completed and on 9/14 a cease and desist letter was issued stating that the new foundation was intruding on the side setback by 20 feet.
13. On 9/15 an email was sent to the land owners explaining their options : buying the necessary property from the abutter or filing for a variance.
14. On 9/16 the land owner stated they would apply for the varaince
15. On January 9, 2021 an application for variance was filed with the ZA.
16. Numerous requests were made for a satisfactory map.
17. A map was emailed on 1/27/2021.
18. A written request for the answers to the variance exceptions section 7.15
19. On February 1, 2021, the property owner sent an email (attached)
20. A Notice of Hearing was issued for a 3/22/meeting.
21. Letters were sent to the abutters on 2/23/21
22. A warning was published March 3, 2021.
23. An amended warning with site visit was published 3/17
24. Communications were received from the southern neighbor (Eric) vehemently objecting to the building.
25. Mary Aremburg called on 3/10/21 to say she would love to have the building.

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 April 12, 2019**Permittee(s): Christopher Augusto**
122 Chelsea Street
Gardner, MA 01440**Permit Number: WW-2-6140**

This permit affects the following property/properties in Chester, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1	090142	144-045-10850	0.71	Book:179 Page(s):135

This application consisting of the reconstruction/relocation of an existing residence and the replacement of a failed wastewater disposal system, located at 847 Farrar Road in Chester, Vermont is hereby approved under the requirements of the regulations named above subject to the following conditions. 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.

1. GENERAL

- 1.1 The permittee is responsible to record this permit in the Chester Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2 The permittee is responsible to record the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Chester Land Records.
- 1.3 Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4 The wastewater system includes the use of an Innovative/Alternative component. Each prospective owner of a lot that utilizes an Innovative/Alternative component shall be shown a copy of the **Innovative/Alternative System Approval letter #2004-02-R7 for Advanced Enviro-Septic® (AES), Enviro-Septic® (ES), and Simple Septic® (SS) Pipe Leaching System** prior to conveyance of the lot.
- 1.5 By acceptance of this permit, the permittee 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, and permit conditions.
- 1.6 This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.
- 1.7 Approval of the replacement wastewater system for this project is granted under the Variance Section of the Wastewater System and Potable Water Rules, Section 1-802, for the purpose of eliminating an existing substandard condition and potential health hazard. The design flows for this building may not increase until a fully complying wastewater system design prepared by a qualified Vermont Licensed Designer is submitted for review and approved by the Drinking Water and Groundwater Protection Division.
- 1.8 The Drinking Water and Groundwater Protection Division relied in part upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies



with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.

2. CONSTRUCTION

2.1 Construction shall be completed as shown on the plans and/or documents prepared by Jason E. Waysville, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
Chris Augusto Replacement	R1	06/12/2020	07/09/2020

2.2 The landowner shall complete construction of the wastewater system approved by this permit **no later than December 30, 2020**. The landowner may request one extension of this deadline, provided the landowner makes the request in writing a week prior to the specified date, and shows good cause why construction cannot be completed by the stated date. If this condition is not met, this permit shall no longer remain effective for the purpose of authorizing construction of the replacement system and will require an application for an amendment.

2.3 The landowner is required to continue any measures necessary to prevent wastewater from surfacing on top of the ground, entering surface waters of the State, or backing up into the existing residence until such time as the approved wastewater system is constructed, activated, and all the conditions of this permit are satisfied.

2.4 Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.

2.5 No buildings, roads, earthwork, re-grading, excavation, or other construction that might interfere with the operation of the wastewater system or potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

3.1 No permit issued by the Secretary shall be valid for a substantially completed wastewater system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

“I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and wastewater system was installed in accordance with the permitted design and all permit conditions, was inspected, was properly tested, and have successfully met those performance tests”

or which satisfies the requirements of §1-311 of the referenced rules.

4. DESIGN FLOW

4.1 Lot use and design flows (gpd) shall correspond to the following:

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
1	residence	3-Bedroom Single Family Residence/6-person maximum occupancy	420	420

5. WASTEWATER SYSTEM

5.1 Prior to the construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.

5.2 Should the wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application

to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.


5.3 This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

6.1 Lot 1 is authorized to utilize the existing on-site, shared shallow spring water supply system provided the potable water supply is operated at all times in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system, and no other means of obtaining potable water shall be allowed, without prior review and approval by the Drinking Water and Groundwater Protection Division unless otherwise exempt. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a “failed supply”.

6.2 Should the potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Peter Walke, Commissioner
Department of Environmental Conservation

By 
Terry Shearer, Environmental Analyst VI
Springfield Regional Office
Drinking Water and Groundwater Protection Division

Dated July 10, 2020

Enclosure: I/A Approval Letter

cc: Jason E Waysville
Chester Planning Commission
Presby Environmental, Inc.

TOWN OF CHESTER
APPLICATION FOR BUILDING PERMIT

PARCEL ID #: 09-01-42
PROPERTY LOCATION: 847 FARRAR RD
APPLICANT: Christopher Augusto TELEPHONE: 978-660-6961
MAILING ADDRESS: 122 Chelsea ST Gardner MA 01440
PROPERTY OWNER: Christopher Augusto TELEPHONE: 978-660-6961
MAILING ADDRESS: 122 Chelsea ST
PROPOSED STRUCTURE: Addition
SIZE OF STRUCTURE: LENGTH 36'6" WIDTH 30' HEIGHT 19'6" 1095 sq ft
PROPOSED USE OF STRUCTURE: CAMP
WATERWAYS ADJOINING PROPERTY: NONE

This application shall be submitted to the Zoning Administrator with a sketch or plan of the boundaries of the lot, with the distance of each boundary and with the dimensions adequately showing the position of the proposed building, structure, alteration or extension in relation to the boundaries of the lot and building thereon. **THIS SKETCH MUST BE SUBMITTED OR THE APPLICATION WILL BE DENIED.**

It is acknowledged that this permit may require reassessment of the property and therefore the Zoning Administrator, the Town Listers and other Town personnel are granted access to the property by the owner for the purpose of reviewing all aspects of this application.

In accordance with 24 V.S.A. §4414, no construction may take place under a zoning permit unless and until a wastewater and portable water supply permit has been issued under 10-V.S.A. Chpt. 64.

**any building or dwelling to be occupied must, upon completion, obtain a certificate of occupancy from the Zoning Administrator certifying that such building conforms to the approved plans, specifications and requirements of the permit.

APPLICANTS SIGNATURE: Christopher Augusto DATE: received 9/3/2019

** TO BE COMPLETED BY THE ZONING ADMINISTRATOR **

PARCEL MAP #:	<u>09-01-42</u>	DISRICT:	<u>R120</u>	FEE:	<u>80.75</u>	DATE ACCEPTED:	<u>9/9/2019</u>
COMMENTS/CONDITIONS:	<u>water/wastewater permits need to be recorded</u>						
WASTEWATER PERMIT #:	<u>WW-2-6140</u>						
DISPOSITION:	<u>APPROVED</u>			<u>DENIED</u>		REFER TO DRB	
EFFECTIVE ON:	<u>9/11/2020</u>	EXPIRES ON:	<u>8/28/2020</u>				
CERTIFICATE OF OCCUPANCY REQUIRED:	<u>YES</u>						NO
This permit is granted in conformity with the Town of Chester Zoning Regulations. This permit is null and void in the event of misrepresentation, or if the applicant fails to undertake the proposed construction within 2 years of the date of approval.							
ADMINISTRATIVE OFFICER:	<u>Catherine A. Pastorek</u>			ISSUE DATE: <u>8/28/2020</u>			

Any decision of the Administrative Officer may be appealed to the Development Review Board by filing written notice of appeal with the Clerk of the Development Review Board within fifteen (15) days of the date of the Administrative Officers decision.

09-01-12

NOTES

- OWNER OF RECORD OF TAX LOT 09-01-42 CHRISTOPHER & GEORGE AUGUSTO.
- 122 CHELSEA ST. CHELSEA, VT. 05701. DEED REFERENCE VOL. 178 PAGE 113.
- BOUNDARY HEREON ARE REFERENCED TO A 2017 MAGNETIC OBSERVATION.
- THIS PROPERTY IS SUBJECT TO A SPRING AND WATER LINE EASEMENT SEE VOL. 81 PAGE 174.
- THIS PROPERTY IS SUBMITTED BY AND SUBJECT TO A RIGHT OF WAY IN COMMON. SEE VOL. 60 PAGE 176.
- THE RIGHT OF WAY WIDTH OF FARRAR ROAD IS 2 RODS.
- SEE NEIGHBOR BOOK 2 PAGE 8.

JOHN & MARY ARENBURG
TAX LOT 09-01-02

LAWRENCE MALY
TAX LOT 09-01-04

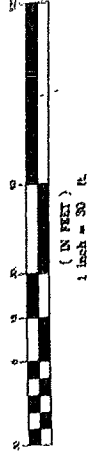
ERIK RAINESLAND ET AL
TAX LOT 09-01-10
VOL. 124 PG. 510

K. DICKINSON
TAX LOT 09-01-15

TAX LOT 09-01-42
0.7501 ACRES

- LEGEND
- ⊙ REBAR SET
 - IRON PIN FOUND
 - STONE WALL
 - UTILITY POLE
 - BARBED WIRE FENCE

GRAPHIC SCALE



BOUNDARY PLAN OF LAND OF

CHRISTOPHER AUGUSTO

AND

GEORGE AUGUSTO

347 FARRAR ROAD CHESTER, VERMONT



PREPARED BY

PATON LAND SURVEYING

P.O. BOX 581 SPRINGFIELD, VT 05155

(802) 555-8874

DATE: DEC 2, 2017 SCALE: 1"=30'

CREATED BY: CTP

CHECKED BY: CTP & JR

PLAN NO. NUT-274-1B

CERTIFICATION--
 I, CHRISTOPHER T. PATINA, LAND SURVEYOR, IN THE FIELD OF CHESTERLAND RECORDS AND PHYSICAL EVIDENCE FOUND IN THE FIELD.

CHRISTOPHER T. PATINA, M.P.L.S. # 592

09-01-42

September 14, 2020

Christopher and George Augusto
122 Chelsea Street
Gardner, MA 01440

Dear Sirs:

This letter confirms that the foundation built on your property at 847 Farrar Road in Chester (tax parcel number 09-0142) intrudes into the 50-foot side setback by 20 feet. The setback requirements for the Residential 120,000 zoning district, where your lot is located are shown below:

D. Dimensional Standards:

Minimum Lot Size	3 acres
Minimum Lot Frontage	200 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	50 ft.
Minimum Rear Yard Setback	50 ft.
Maximum Lot Coverage	10%
Maximum Building Height	35 ft.

The location of the foundation does not match the site plan you submitted when you applied for the building permit. **This invalidates the building permit issued in August, 2020.**

Until you resolve this issue, all construction work on the building must cease.

To resolve the issue, you may apply for a Variance as shown in Section 7.15 of the bylaws, quoted below. You must present evidence in a hearing before the Development Review Board which demonstrates that all the conditions listed in Section 7.15 are met to obtain the variance.

A second possibility is that you could acquire enough abutting land via purchase or boundary adjustment to expand your lot and create a 50-foot setback around the building.

Please contact me when you decide how you want to proceed. I wish you good luck in resolving this matter.

Sincerely,

Catherine A. Hasbrouck
Zoning Administrator
Town of Chester
cathy.hasbrouck@chestervt.gov (802) 875-2173

From the Chester Unified Development Bylaws

7.15 VARIANCE

A. Wherein a Variance from the zoning provisions of these Bylaws is requested for a structure on an existing lot that is not primarily a renewable energy resource structure, the Development Review Board may grant a Variance and render a decision in favor of the appellant, if all the following facts are found and the findings are specified in the decision. The decision on an appeal for a Variance shall be rendered within forty-five (45) days of the date of the public final hearing.

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of the lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of these Bylaws in the neighborhood or district in which the property is located.
2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these Bylaws and that the authorization of a Variance is, therefore, necessary to enable the reasonable use of the property.
3. That the unnecessary hardship has not been created by the appellant.
4. That the Variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare; and
5. That the Variance, if authorized, will represent the minimum Variance that will afford relief and will represent the least deviation possible from these Bylaws and from the Plan.

PD
160.00.
recd. 1/29.

DEVELOPMENT REVIEW BOARD

APPLICATION FOR A VARIANCE / WAIVER

Applicant's are encouraged to review Section 7.15 / 7.16 of the Chester Unified By-Laws

Landowner 's name Chris Augusto Tel # 978-660-6961

Landowner's address 112 Chelsea Street, Gardner MA 01440 Email gail@razz-m-tazz.com

Applicant's name (if different from owner) _____

Applicant's Tel # _____ Email _____

1) Location of property 847 Farrar Road

2) Description of use of property Single Family Residence yes

3) Reason (s) for appeal for a variance / waiver

a) Strict application of the Chester Unified By-Laws would produce undue hardship for the following reason(s) Because of the unique shape and physical characteristics of the property (ledge outcroppings) it is impossible to meet the required setbacks from the leachfield waterlines and property lines

b) Unique physical circumstances or conditions of the property creating hardship(s) as follows:

See attached map

c) Other reasons and pertinent information:

Fee \$ 160.00 Parcel ID # 090142 Appeal # _____

Applicant's signature Christopher Augusto date 1/9/21

Zoning Administrator [Signature] date 2/9/21



TOWN OF CHESTER

556 Elm Street
P.O. Box 370
Chester, VT 05143

(802) 875-2173
Fax (802) 875 2237

March 22, 2021

TOWN OF CHESTER
AMENDED NOTICE OF PUBLIC HEARING
BEFORE THE DEVELOPMENT REVIEW BOARD (VIA ZOOM)

On March 22, 2021, the Development Review Board will be holding a Site Visit at 847 Farrar Road at 4:30 pm and a Public Hearing at 6:00 PM at the Town Hall or via Zoom on an Application for a Variance.

PROPERTY OWNERS: Chris Augusto
APPLICANT: Chris Augusto
LOCATION: 847 Farrar Road
DISTRICT: R120

ACTION REQUESTED: Build a single-family residence on non-conforming lot – variance requested.

Abutters are hereby notified that further information can be found at the Town Clerk's Office which is open Monday through Friday, 8:00 AM to 4:00 PM. Participation in the Public Hearing is a pre-requisite to the right to take any subsequent appeal.

Link to the Zoom meeting will be on the Town of Chester home page: www.chestervt.gov.

For the Development Review Board

Jill S. Barger
Zoning Administrator
(802) 875-2173
zoning@chestervt.gov

Jill Barger

From: Jill Barger
Sent: Monday, February 01, 2021 3:24 PM
To: Gail Sabettini
Subject: Re: Need more details please

Ok I can see these facts from the map. Especially sewer area

Just needed it in writing
I'll be back in touch

Jill S. Barger Esq.

On Feb 1, 2021, at 2:22 PM, Gail Sabettini <gail@razz-m-tazz.com> wrote:

See below for answers to your questions:

1) The lot is small and nonconforming so please explain the unique conditions and how these unique conditions present an unnecessary hardship if the setbacks are complied with?

The lot is an existing small lot with an irregular shape as shown on the plans. This shape when applying the required setbacks, in conjunction with applying the required setback (Via the State of Vermont) from the existing water line along with the setbacks from the proposed system leave a small area where building can be in compliance. This area is located on a large steep ledge outcropping thus creating an unnecessary hardship in creating a location to construct.

2) Explain why the property cannot be developed in strict compliance with the current bylaws.

The answer to this question is directly linked to the answer above. When you apply all the required setbacks from propertylines as well as existing features as well as permitted (via State) features there is only a small area where compliance can occur and this area due to geographical reasons is unbuildable.

3) You must also show that the unnecessary hardship was not created by "you."

This hardship was not created by the owner; the setbacks are town requirements for propertylines. The waterline is and has been existing for many years and that setback is a State of Vermont requirement. The wastewater system also has required setbacks and soil requirements and the location on the plan is the only location on the property where those requirements could be met.

4) Explain how, if granted, the variance will not affect the character of the neighborhood.

The variance if granted will not affect the character of the neighborhood since the proposed structure is comparable in size to the one that was removed and is in compliance with all other structure requirements with the Town of Chester. Also the the proposed structure is actually farther from the back propertyline then the previous existing structure was. This acutally improves the compliance of the lot as compared with what was pre-existing.

Please advise if you need anything else
please confirm you received this email
Thank you
gail

----- Forwarded message -----

From: **Jill Barger** <zoning@chestervt.gov>

Date: Mon, Feb 1, 2021 at 11:05 AM

Subject: Need more details please

To: Gail Sabettini <gail@razz-m-tazz.com>

Gail

We need more information to work on your request for a variance.

It is my understanding that when the building permit was issued, the sketch shows compliance

with the setbacks. Our site visit told a different story, as the letter from Cathy Hasbrouck explained, the foundation intrudes into the side setback by 20 feet.

Can you explain why this happened?

I am happy to prepare for a DRB hearing to consider your variance/waiver request but they are very detailed oriented and we will need a clean survey map showing the exact location of the poured foundation and measurements to each set back. Keep the map simple and clean. In its current form it is difficult to decipher and the set backs are not shown. I see a rock outcrop to the north which may be a factor.

We will then need a written detailed answer to the following: (If you need help with this, make an appointment to discuss this with me – it can be over the phone)

1. The lot is small and nonconforming so please explain the unique conditions and how these unique conditions present an unnecessary hardship if the setbacks are complied with.
2. Explain why the property cannot be developed in strict compliance with the current bylaws.
3. You must also show that the unnecessary hardship was not created by "you."

Advice from Carla

As you know, hearings can become contentious- there are strong feelings on both sides of the aisle.

In order for a meeting to accomplish a thorough review of a particular project, it is imperative that information to be collected that will satisfy the requirements of the bylaws.

If control of the meeting and it's participants is lost, the meeting will soon find itself off track, necessary information may not be forthcoming and decisions may not pass muster in court.

My advice, stick to the bylaws, stick to a consistent format. All questions and responses must go through the Chair- never let it become the applicant and opponents in a direct debate.

Stick to the bylaws- go right down through the bylaws the same way every time- that way you are sure to hit all the required input and it will be easier for the Clerk to write up minutes and then the document.

It would be a good idea for the Board to review the DRB Procedures document, the DRB Conflict of Interest document and the MAPA information (State Statute Title 24 Municipal and County Government, Part 2 Municipalities, Chapter 36 Municipal Administrative Procedure Act) as it spells out how DRB meetings are to be conducted.

If you cannot easily locate these documents, let me know- I have printed copies.

In the past, the Town has arranged for presentations concerning Zoning, hiring the Town Atty., Jim Carroll to speak, or arranging for a representative from the League of Cities and Towns to do a presentation. I bet it would be even easier to do this these days via ZOOM.

The League of Cities and Towns has a website with great information pertaining to DRB and info could be downloaded and printed as handouts.

It being the appointed hour of 6:00 pm, I will call to order this (month, day, year) meeting of the Chester Development Review Board.

I would like to introduce to you the members of your Development Review Board:

(first and last name of board member- indicate if they are an alternate sitting in)

Before we begin the business portion of our meeting, we invite you to join us in the Pledge of Allegiance.

(pledge)

Our Agenda this evening includes the following Agenda items:

(read the Agenda)

(indicate if there were site visits earlier in the evening, the address of the site visits and the hearings involved)

Have all in attendance signed in on the sign up sheet?

(verify with the Recording Clerk that she/he has what they require for a record of all in attendance)

This meeting will be recorded and will become the official record of these Hearings. It is important to capture the testimony, comments, questions and votes on tape, so we ask that participants raise their hand, be called upon by the Chair, identify themselves before speaking, and speak in a clear, loud voice. We may ask you to move closer to a microphone to be sure we capture what you say.

Let's begin with Agenda Item #1

(Usually the approval of the minutes of a previous meeting. Inquire if all members received the Draft minutes. Ask if there are typos or other items in the document that need attention?The minutes will have to be moved/ seconded, further dicusssion?, vote, so moved),

Agenda Item #2

(Usually "Citizens Comments". Inquire if there are any citizens present that have any comments, questions or concerns regarding anything other than the Hearings that are to be heard this evening.)

Agenda Item #3.....

(Hearings)

For each Hearing,

Announce the Title and Application number assigned.

Do any Board members have a Conflict of Interest?

If so, they will recuse themselves and the Chair will ask an alternate to step into the seat. Members should tell the Chair in advance if they have a conflict so that an alternate can be informed they will be needed that evening.

Do any Board members have Ex Parte Communication to report?

If so, divulge the communication.

I will now swear in all individuals wishing to participate in this Hearing.

I usually explain that to participate, ask questions, comment or offer testimony, you will need to be sworn in. Being "sworn in" doesn't mean you have to speak, but if you find you do want to speak, you will have the opportunity to do so. By being sworn in, you will be a participant and may appeal of the decision of the Board. Ask those wishing to be sworn in to raise their right hand.

"Do you solemnly swear that the evidence you shall give relative to the cause now under consideration shall be the whole truth and nothing but the truth under the pains and penalties of perjury?"

We will now consider the documents that were sent to us in our packets this week and vote to accept - or not- as exhibits.

Go through the documents one by one identifying them and reading them aloud. Each time, asking the Board "I would entertain a motion to accept this document as Exhibit ___(letters of the alphabet) if that is your pleasure- a member moves, another seconds, pause for more discussion by board members then vote, so moved.

Once all documents that came in the packet have been dealt with, move on to anything that came in late.

At this time, I invite Zoning Administrator Jill Barger to give us the information that has led up to this evening's meeting.

ZA tells when they started working with the applicant, when application was considered complete, notices posted-where/when, list of parties notified of the hearing.....

I now invite the Applicant to give a brief summary of their intent, we will go over the particulars as we review the criteria.

Applicant states their name and briefly states what they would like to do.... open a whatever- or they would like to subdivide (Lately they have been preparing a narrative which makes it easier for them to read aloud).

At this point depending on what type of review will be followed (Conditional Use, Subdivision, Boundary Line Adjustment, Waiver, Variance) the criteria reviewed step by step will differ.

**We will now begin reviewing the criteria for a _____.
Please turn to page _____ in the Development By-laws,
Section_____.**

Review the criteria in order. Refer to definitions as needed. Refer to districts and district standards as needed. Refer to General Standards as needed.

Continue to accept additional exhibits as presented during the Hearing (motion/second/vote, so moved)

*Chair poses each criteria item to the Applicant. (Read just as written in the by-laws- ie: How do you feel your project would....?
The Applicant responds to that criteria*

Chair asks Board members if they have questions or need clarification on the Applicants response.

After the Board has had their questions/concerns addressed, the Chair asks the public if they have any questions or comments. (Check to make sure speaker is sworn in)

The Chair recognizes an individual to speak.

Speaker begins by stating their name- then directs their question/comment to the Chair.

The Chair asks the Applicant to respond, response directed to the Chair. Chair asks Board if they have any further concerns?"

If none, move on the the next criteria

Proceed down through all criteria

When all has been reviewed,

Chair asks the Board- "Any further questions or clarification needed??"

Chair asks the Public "Any firther questions or comments?"

Chair asks the Applicant "Anything further you'd like to say?"

If nothing else is needed, it is time to entertain a motion to close the Hearing- or if some other information is needed- the hearing can be adjourned to a date and time certain to be continued.

If the hearing is to be continued, list clearly the information that will be needed when next you meet.

If the Hearing is to be closed, it needs a motion, a second and vote, so moved- "Hearing #____ is closed".

When closed, review the next steps- Findings/Conclusion/Decision/ Conditions. Discuss the time frame- 45 days to write and sign the document and the 30 day appeal clock that runs after that.

Thank everyone for coming.

Agenda item #____ is a Deliberative session to review previous matters.

At this point, the public is not invited to attend. You may need to remind people that a Deliberative session is not open to the public. The

recording device will be stopped and the deliberative session will commence once the public has left the room and only members are left. The members invite the Recording Secretary to stay and may invite the ZA to stay for all or part of the meeting as well.

DEVELOPMENT REVIEW BOARD

Rules of Procedure

Section I: Authority.

The Development Review Board of the Town of Chester hereby adopts the following rules of procedure (hereinafter referred to as these Rules) in accordance with 24 V.S.A. § 4461(a) and 1 V.S.A. §§ 312(e), (f), and (h).

Section II: Policy.

These Rules are adopted to ensure consistent and fair treatment of applicants, interested persons, and participants, orderly and efficient public proceedings, and compliance with state and federal law. These Rules shall also ensure that no board member will gain a personal or financial advantage from his or her work for the board, so that the public trust in municipal government will be preserved.

Section III: Definitions.

- A. "Board" means the Development Review Board.
- B. "Board member" means a regular or alternate member of the Development Review Board.
- C. "Conflict of interest" means any one of the following:
 - 1. A direct or indirect personal interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Development Review Board.
 - 2. A direct or indirect financial interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Development Review Board.
 - 3. A situation where a board member has publicly displayed a prejudgment of the merits of a particular proceeding before the board. This shall not apply to a member's particular political views or general opinion on a given issue.
 - 4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the board, pursuant to Section XII of these Rules.

- D. "Deliberative session" means a private session of the board to weigh, examine, and discuss the reasons for and against an act or decision, from which the public is excluded. There shall be no taking of evidence nor submission of testimony, nor shall a deliberative session be publicly noticed. The board may enter deliberative session by majority vote, and shall be deemed to be in deliberative session from the close of the final public hearing until the issuance of a written decision.
- E. "Executive session" means a session of a public body from which the public is excluded, pursuant to 1 V.S.A. § 313. Such private session may only be held for one of the reasons permitted by the statute, and no binding action may be taken in executive session.
- F. "Ex parte communication" means direct or indirect communication between a member of an appropriate municipal panel and any party, party's representative, party's counsel or any person interested in the outcome of any proceeding before the panel, that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.
- G. "Official act or action" means any legislative, administrative or quasi-judicial act performed by any board member.
- H. "Public deliberations" means the weighing, examining, and discussing, in a public proceeding, the reasons for and against an act or decision, but expressly excludes the taking of evidence and the arguments of parties.
- I. "Recuse" means to remove oneself from a particular board proceeding because of a real or perceived conflict of interest.

Section IV: Regular Officers.

The Development Review Board shall consist of five (5) regular members. The first meeting after Town Meeting but prior to May 1, or at other times throughout the year as needed, the Development Review Board shall hold an organizational meeting and elect by majority vote, a Chair, Vice Chair, and Clerk.

- A. The Chair shall preside at all meetings, hearings, and deliberative sessions, decide all points of order or procedure, and appoint members to any committee of the board. The Chair may administer oaths and may request the attendance of witnesses and the production of material germane to any issue under consideration.
- B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request. The Clerk shall assume such duties whenever the Chair and the Vice Chair are absent, or at their request.
- C. It shall be the duty of all members to review the minutes and other official records of Development Review Board meetings and actions, and correct and ratify these when appropriate and necessary.

D. The Clerk of the Development Review Board shall take minutes of all meetings.

Section V: Alternate Members.

The Selectboard shall annually, or as needed, appoint up to two alternates who may temporarily serve as Development Review Board members in the event of a recusal or absence of one or more members.

- A. An alphabetical roster of all alternate members shall be kept by the Development Review Board. The assignment of alternates for active duty will begin with the first alternate in alphabetical order and rotate through the list until all alternates have served and rotation will be repeated.
- B. Whenever a regular member has a conflict of interest or is expected to be on extended absence from the Development Review Board, the chairperson of the Development Review Board, or his or her designee, shall appoint an alternate to serve as an active member of the Development Review Board by selecting an individual from the roster as provided in paragraph A.
- C. If the chairperson of the Development Review Board does not appoint an alternate as required under paragraph B, a majority of the members of the Development Review Board present and voting may appoint an alternate to serve in accordance with paragraph B.
- D. An alternate member who is called upon to serve shall be required to be a part of the Development Review Board until a final decision is made on any application heard by the Development Review Board while serving as an active member. Participation includes attending deliberative sessions and any continuance of a public hearing if the application has been tabled or adjourned to another date.

Section VI: Regular and Special Meetings.

Regular meetings shall be held in the Town Hall at 7 p.m. on the second and fourth Mondays of the month, or as warranted. The Chair may cancel meetings at any time.

- A. Special meetings may be called by the Chair, provided at least 24 hours notice is given to each member and the time and place of each special meeting is publicly announced at least 24 hours before the meeting.
- B. A quorum shall consist of a majority of the entire board.
- C. Members may participate by telephone as long as the absent member can hear everything that is occurring at the meeting and everyone present at the meeting can hear the board member.
- D. All meetings shall be open to the public unless the board has entered a deliberative or executive session. The board may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. § 313, and only after a majority vote to enter executive session.

- E. There shall be an agenda for each meeting, with time allotted for each item or group of items to be considered. Those who wish to be added to the agenda shall contact the Zoning Administrator to arrange for a convenient time. The Chair shall determine the content of the agenda after consultation with the Zoning Administrator.
- F. All business shall be conducted in the same order as it appears on the agenda, except that by majority vote, the Chair may alter the order of items to be considered and/or the time allotted.
- G. The Chair shall rule on all questions of order or procedure and shall enforce these rules pursuant to 1 V.S.A. § 312(h).
- H. At each meeting, there shall be a period of time reserved for public comment near the end, of the meeting. The Chair may extend or reduce this period of time as necessary. Speakers may participate at other times throughout a meeting but only when recognized by the Chair. Such comment shall be limited to three minutes per speaker, unless by majority consent the board sets a different time limit. The board shall apply consistent time limits to all recognized to speak.
- I. Notice for hearings on the adoption, amendment, or repeal of the bylaw and other regulatory tools shall be pursuant to 24 V.S.A. § 4444, as amended.

Section VII: Public Hearings and Order of Business.

Public hearings shall be conducted as quasi-judicial proceedings pursuant to 1 V.S.A. § 310(5)(B). Hearings shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a)(1), (2), as amended. Hearings shall not exceed three hours in length unless approved by a majority of members present. Public comment may be offered during the hearing with the permission of the chair. Such comment, if recognized, shall be limited to 3 minutes per speaker, unless by majority consent the Board sets a different time limit. The board shall apply consistent time limits to all persons recognized to speak.

The Chair shall conduct the hearing in the following manner:

- A. Open the hearing by reading the warning of the hearing.
- B. Review the order of events, remind all present that the proceeding will be conducted in an orderly manner, and make copies of these Rules available.
- C. Request disclosure of conflicts of interest and ex parte communications.
- D. Review the definition of interested persons in 24 V.S.A. § 4465(b).
- E. Explain that, pursuant to 24 V.S.A. § 4471(a), only an interested person who has participated in this proceeding may take an appeal of any decision issued in this proceeding.

- F. The board shall not make any determination as to party status in all proceedings except for appeals of administrative officer decisions. As these Rules do not differentiate between persons with interested party status and those without, anyone seeking to participate in a proceeding may do so, subject to these Rules and those established by the Chair.
- G. Direct the applicant or his/her representative and all interested persons to step forward and take the following oath: *I hereby swear that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth so help me God (or, under the pains and penalties of perjury).*
- H. Accept written information presented to the board.
- I. Invite the applicant or applicant's representative to present such application or proposal.
- J. Invite board members to ask questions of the applicant or applicant's representative.
- K. Invite interested persons and members of the public to present information regarding the application or proposal.
- L. Invite the applicant, applicant's representative, or interested persons to respond to information presented.
- M. Invite more questions or comments from interested persons and members of the public.
- N. Allow final comments or questions from the applicant or his/her representative or members of the Board.
- O. Allow final comments or questions from the applicant or applicant's representative.
- P. Upon motion and majority approval, the Chair shall either adjourn the hearing to a time certain, or close the proceedings by stating that this is the final public hearing on the matter.
- Q. Upon final adjournment, the board shall be deemed to be in deliberative session until a written decision is issued.

Section VIII: Site Visits.

Site visits shall be open to the public; however, no testimony shall be taken and no ex parte communication shall occur. Site visits shall be held pursuant to the following conditions:

- A. Unless, prior to a hearing, the Chair determines that a site visit is not necessary, site visits shall be scheduled for all hearings and shall be held immediately prior to the public hearing. All hearings shall be publicly noticed in accordance with 24 V.S.A. § 4464(a)(1), (2).
- B. If necessary, the board may recess a hearing and conduct a site visit at a property which is the subject of an application before the board.

- C. If necessary, the board may adjourn a hearing to a time certain to conduct a site visit at a property which is the subject of an application before the board.
- D. The minutes of the proceeding shall reflect that a site visit was held, who was present, and the nature and duration of the site visit.

Section IX: Service List.

The Clerk shall create a list of individuals present at the hearing. The list shall include those who participated orally and those who participated in writing. All decisions of the board shall be mailed to those on the list. The list shall include:

- A. The names of those who participated.
- B. The nature and content of participation by those who participated.
- C. The mailing address of each of these persons.

Section X: Decisions.

The board shall make decisions in deliberative session. Deliberative sessions are not open to the public and shall not be warned. 1 V.S.A. §§ 312(e), (f). Members of the board who have not heard all testimony and reviewed all evidence submitted for a particular application or proposal shall not participate in that proceeding. Absent board members may review audiotapes of the proceedings, subject to the written consent of the applicant and all interested persons. The following rules shall apply to voting on decisions:

- A. Motions shall be made in the affirmative.
- B. The chair has the same voting rights as other members and can make motions.
- C. No second shall be required for a motion to have the floor.
- D. All members present are expected to vote unless they have recused themselves.
- E. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.
- F. For a motion to pass, it must receive the concurrence of a majority of the entire board, regardless of how many are present. 1 V.S.A. § 172; 24 V.S.A. § 4461(a).
- G. The board shall issue a written decision within 45 days of the final public hearing.

Section XV: Amendments.

These rules may be amended at any regular or special meeting by a majority vote, provided that each Development Review Board member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken. Only those amendments which are presented to the members prior to the meeting may be amended at that meeting.

These Rules of Procedure are effective as of the date adopted set forth in Section 14, above

These Rules of Procedure may be repealed or amended after public hearing, upon public notice by the Selectboard.

The Selectboard, upon petition of five percent of the legal voters filed with the clerk of the Town of Chester, shall hold a public hearing for consideration of amendment or repeal of these Rules of Procedure.

Date of Adoption: June 6, 2007

Effective Date: June 27, 2007

The Board of Selectmen

s/Seeley Morton
s/Richard Jewett
s/Michael LeClair
s/Derek Suursoo
s/William Lindsay

TOWN OF CHESTER
RULES OF PROCEDURE
INTERESTED PERSON INFORMATION SHEET

Who are interested persons?

Interested persons are those persons who, under Vermont law, have the right to appeal an act or decision of the [insert name of Town] zoning administrator or [DRB/ZBA/PC]. Interested persons include:

- The applicant or, if the applicant does not own the subject property, the person owning title to property.
- A municipality that has a plan or bylaw at issue in an appeal, or any municipality adjoining that municipality.
- A person owning or occupying property in the immediate neighborhood of a property that is the subject of any zoning decision or act who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed, and who alleges that the decision or act, if confirmed, will violate the municipal plan or bylaw.
- Any ten persons, either voters or landowners, who, by signed petition to the [DRB/ZBA/PC], allege that the decision or act, if confirmed, will violate the municipal plan or bylaw. The petitioners must designate one person to serve as their representative.
- Any department or administrative subdivision of the State owning property within the municipality, and the Agency of Commerce and Community Development.

Why is interested person status important?

Though many members of the public may be interested in a zoning permit application, only statutorily-defined interested persons may appeal a decision of a zoning administrator or [DRB/ZBA/PC]. If an interested person fails to make a timely appeal, all interested persons are bound by the officer's or [DRB/ZBA/PC] decision or act.

Interested persons must participate in a hearing to protect their appeal rights.

Only those interested persons who have participated in a [DRB/ZBA/PC] proceeding may appeal a decision rendered in that proceeding to the Environmental Court. Pursuant to State statute, participation consists of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

Applicant _____

Application No. _____

Date of Hearing _____

TOWN OF CHESTER INTERESTED PERSONS RECORD AND SERVICE LIST

Under the 2004 revisions to Chapter 117, the [DRB/ZBA/PC] has certain administrative obligations with respect to interested persons. At any hearing, there must be an opportunity for each person wishing to achieve interested person status to demonstrate compliance with the applicable criteria. 24 V.S.A. § 4461(b). The [DRB/ZBA/PC] must keep a written record of the name, address and participation of each person who has sought interested person status. 24 V.S.A. §4461(b). A copy of any decision rendered by the [DRB/ZBA/PC] must be mailed to every person or body appearing and having been heard by the [DRB/ZBA/PC]. 24 V.S.A. § 4464(b)(3). Upon receipt of notice of an appeal to the environmental court, the [DRB/ZBA/PC] must supply a list of interested persons to the appellant in five working days. 24 V.S.A. §4471(c).

This Interested Persons Record and Service List is intended to be used by the Clerk, or designated staff of the [DRB/ZBA/PC], to record information regarding persons who have sought interested person status. A separate Interested Persons Record and Service List should be used for each application considered by the [DRB/ZBA/PC]. This Interested Person Record and Service List can be used in conjunction with a separate sign in sheet.

Name	Address	Participated in Hearing?	Evidence/Statement of Concern Offered
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____

Name	Address	Participated in Hearing?	Evidence/Statement of Concern Offered
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____
_____	_____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____ _____ _____

DEVELOPMENT REVIEW BOARD

CONFLICT OF INTEREST POLICY

Participation, disclosure of conflicts, and recusal shall be governed by the following procedures:

1. Definitions:

- A. "Board" means the Development Review Board.
- B. "Board member" means a regular or alternate member of the Development Review Board.
- C. "Conflict of interest" means any one of the following:
 - 1. A direct or indirect personal interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Development Review Board.
 - 2. A direct or indirect financial interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister in law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Development Review Board.
 - 3. A situation where a board member has publicly displayed a prejudgment of the merits of a particular proceeding before the board. This shall not apply to a member's particular political views or general opinion on a given issue.
 - 4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the board, pursuant to Section XII of these Rules.
- D. "Deliberative session" means a private session of the board to weigh, examine, and discuss the reasons for and against an act or decision, from which the public is excluded. There shall be no taking of evidence nor submission of testimony, nor shall a deliberative session be publicly noticed. The board may enter deliberative session by majority vote, and shall be deemed to be in deliberative session from the close of the final public hearing until the issuance of a written decision.
- E. "Executive session" means a session of a public body from which the public is excluded, pursuant to 1 V.S.A. § 313. Such private session may only be held for one of the reasons permitted by the statute, and no binding action may be taken in executive session.

- F. "Ex parte communication" means direct or indirect communication between a member of an appropriate municipal panel and any party, party's representative, party's counsel or any person interested in the outcome of any proceeding before the panel, that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.
2. **Participation.** A board member shall not participate in any official action where he or she has a conflict of interest in the matter under consideration. A board member shall not, personally or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in any proceeding pending before the appropriate municipal panel (AMP).
 3. **Disclosure.** At all hearings, the Chair shall request that board members disclose all potential conflicts of interest. When recognized by the Chair, any interested person may request disclosure of potential conflicts of interest.

Nonetheless, after disclosing a conflict or perceived conflict, if a member who believes that he or she is able to act fairly, objectively, and in the public interest, shall submit a one-paragraph statement describing the matter under consideration, the nature of the potential conflict of interest, and the reason(s) why the member believes he or she is able to act in the matter fairly, objectively, and in the public interest.

This statement shall be signed by the member, and filed as part of the minutes of the proceeding pertaining to the matter under consideration.

4. **Recusal.** A board member shall recuse him or herself from any matter in which he or she has a conflict of interest, pursuant to the following:
 - a. The applicant or any interested person may request that a member recuse him or herself due to a conflict of interest. Such request shall not constitute a requirement that the member recuse him or herself.
 - b. A board member who has recused him or herself from a proceeding shall not sit with the board, deliberate with the board, or participate in that proceeding as a board member in any capacity.
 - c. If a previously unknown conflict is discovered, the board may take evidence pertaining to the conflict, and if appropriate, adjourn to a short deliberative session to address the conflict.
 - d. The board may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the board. The board may then resume the proceeding with sufficient members present.

5. Ex Parte Communications.

Ex parte communication is prohibited. Any board member who inadvertently conducts ex parte communication must disclose such communication as required below.

- a. **Disclosure.** At each hearing, the Chair shall request that members disclose any ex parte communications. Board members who have received written ex parte

communications shall place on the record copies of all written communications received as well as all written responses to those communications. Members shall prepare a memorandum stating the substance of all oral communications received, all responses made and the identity of each person making the ex parte communication.

6. Progressive Consequences for Failure to Follow the Conflict of Interest Procedures.

In cases where the conflict of interest procedures in Section XI have not been followed, the board may take progressive action to discipline an offending board member. In the discipline of a member, the board shall follow these steps in order:

- a. The Chair shall meet informally, in private, with the board member to discuss possible conflict of interest violation.
- b. The board may meet to discuss the conduct of the board member. Executive session may be used for such discussion. 1 V.S.A. § 313(4). The board member may request that this meeting occur in public. If appropriate, the board may admonish the offending board member in private.
- c. If the board decides that further action is warranted, the board may admonish the offending board member at an open meeting and reflect this action in the minutes of the meeting. The board member shall be given the opportunity to respond to the admonishment.
- d. Upon majority vote, the board may request that the offending board member resign from the board.

7. Removal.

Upon majority vote, the board may request that the legislative body remove a board member from the Development Review Board. Board members may be removed for cause by the legislative body upon written charges and after public hearing. 24 V.S.A. § 4460(c).

8. Amendments.

These rules may be amended at any regular or special meeting by a majority vote, provided that each Development Review Board member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken. Only those amendments which are presented to the members prior to the meeting may be amended at that meeting.

These rules may be amended at any regular or special meeting by a majority vote, provided that each Development Review Board member has been presented a written copy of the proposed amendment at least 24 hours before the meeting at which the vote is taken. Only those amendments which are presented to the members prior to the meeting may be amended at that meeting.

These Rules may be repealed or amended after public hearing, upon public notice by the Development Review Board.

These Rules are effective as of the date adopted set forth below.

The Development Review Board, upon petition of five percent of the legal voters filed with the clerk of the Town of Chester, shall hold a public hearing for consideration of amendment or repeal of these Rules.

Date of Adoption: April 8th 2013
Re-Adopted August 22nd 2016
Effective Date: April 2, 2013

The Development Review Board

_____ Carla Westine. Chair
_____ Amy O’Neil, Vice Chair
_____ Harry Goodell
_____ Phil Perlah

The Vermont Statutes Online

Title 24: Municipal And County Government

Chapter 36: Municipal Administrative Procedure Act

§ 1201. Definitions

As used in this chapter:

(1) "Contested hearing" means one of the following:

(A) A case in which an applicant for a land use permit under 10 V.S.A. chapter 151 is required to obtain local Act 250 review of municipal impacts by a municipality that has taken steps required under section 4420 of this title to allow it to conduct that local review.

(B) A hearing, under chapter 117 of this title, which will be subject to review on the record, as determined under procedures established in that chapter.

(C) A hearing which a provision of law requires to be heard according to procedures established in this chapter.

(D) A hearing by a municipal body which is not required by law to be conducted according to procedures established in this chapter, but which the municipality elects to conduct in accordance with this chapter.

(2) "Directly or indirectly interested" means a financial or personal involvement in the contested hearing or with any party.

(3) "Local board" means the entity authorized to conduct a contested hearing.

(4)(A) "Party," for purposes of proceedings under chapter 117 of this title, other than those related to local Act 250 review of municipal impacts, means "interested person," as defined by subsection 4465(b) of this title.

(B) "Party," for purposes of local Act 250 review of municipal impacts, means a person whose interests, under relevant provisions of 10 V.S.A. § 6086(a) being reviewed at the municipal level, may be affected by a proposed development or subdivision, as those terms are defined in 10 V.S.A. chapter 151. "Party" for purposes of other proceedings under this chapter, shall have the meaning established under statutes controlling those proceedings.

(C) "Party," for purposes of other proceedings under this chapter, shall have the meaning established under statutes controlling those proceedings. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995; amended 2003, No. 115 (Adj. Sess.), § 76, eff. Jan. 31, 2005.)

§ 1202. Application

(a) This chapter shall be used by local boards conducting contested hearings, where required by law, and may be used by local boards conducting contested hearings, even where not required by law. Local determinations to use this chapter, unless otherwise provided by law, shall be made by majority vote of those voting at a duly warned special or annual municipal meeting, or may be made on behalf of the municipality by the legislative body.

(b) This chapter creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(c) This chapter provides the minimum due process rights of parties in contested hearings. A local board may grant additional rights to parties so long as the rights of other parties are not substantially prejudiced.

(d) A local board may adopt additional procedural rules not inconsistent with this chapter governing its hearings. The ordinance adoption process established by chapter 59 of this title shall be used for this purpose. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1203. Conflicts of interest

Local boards shall comply with the provisions of 12 V.S.A. § 61(a) when they conduct contested hearings and make findings under this chapter. For purposes of this section, prohibitions referring to those within the fourth degree of consanguinity or affinity shall refer to the person's spouse, as well as to the person's and the spouse's: parent, child, brother, sister, grandparent, or grandchild. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1204. Notice

(a) Initial public notice of any hearing under this chapter shall be provided in accordance with applicable statutes. All parties and interested persons shall be given an opportunity for hearing after reasonable notice.

(b) At any hearing held under this chapter, opportunity shall be given to all parties to respond and present evidence and argument on all issues involved.

(c) If a hearing is to reconvene at a later date, it shall be deemed sufficient to constitute proper notice of that later session, if an announcement made before adjournment of the previous session of the hearing specifies the time, date, and place of that later session. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1205. Procedure at hearing

(a) The chair or vice-chair of the local board shall preside at the hearing. If neither is available, the board shall elect a temporary chair.

(b) The presiding officer may conduct all or part of the hearing by telephone, television, or other electronic means, if each participant in the hearing has an opportunity to participate in, hear, and, if technically feasible, to see the entire proceeding as it is taking place.

(c) The presiding officer shall cause the proceeding to be recorded. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1206. Evidence

(a) All testimony of parties and witnesses must be made under oath or affirmation.

(b) Irrelevant, immaterial, or unduly repetitious evidence shall be excluded. The rules of evidence as applied in civil cases in the Superior Courts of this State shall be followed. When necessary to ascertain facts not reasonably susceptible of proof under those rules, evidence not admissible under those rules may be admitted if it is of a type commonly relied upon by reasonably prudent people in the conduct of their affairs.

(c) When a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form, to expedite the presentation of direct testimony of a witness, provided the witness is available for direct testimony and cross-examination at the hearing on this evidence.

(d) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, parties shall be given an opportunity to compare the copy with the original. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1207. Ex parte communications

(a) A presiding officer shall not communicate, directly or indirectly, with any party, party's representative, party's counsel, or any person interested in the outcome of the proceeding, on any issue in the proceeding, while the proceeding is pending, without notice and opportunity for all parties to participate.

(b) No other members of a local board sitting in a contested hearing shall communicate on any issue in the proceeding, directly or indirectly, with any party, party's representative, party's counsel, or any person interested in the outcome of the proceeding, while the proceeding is pending.

(c) A presiding officer who receives an ex parte communication on any issue relating to the proceeding and a member who receives any ex parte communication shall place on the record all written communications received, all written responses to those communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person making the ex parte communication. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1208. Qualification of members

(a) Members of a local board in a contested hearing shall not participate in the decision unless they have heard all testimony and reviewed all other evidence submitted for the board's decision.

(b) Members who have not attended every session of the board in a contested hearing may participate in the decision if they have listened to the recording of the testimony they have missed (or read transcripts of this testimony) and reviewed all exhibits and other evidence, prior to deliberation. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1209. Decisions

(a) A final decision in a contested hearing shall be in writing and shall separately state findings of fact and conclusions of law.

(b) Findings of fact shall explicitly and concisely restate the underlying facts that support the decision. They shall be based exclusively on evidence of the record in the contested hearing.

(c) Conclusions of law shall be based on the findings of fact.

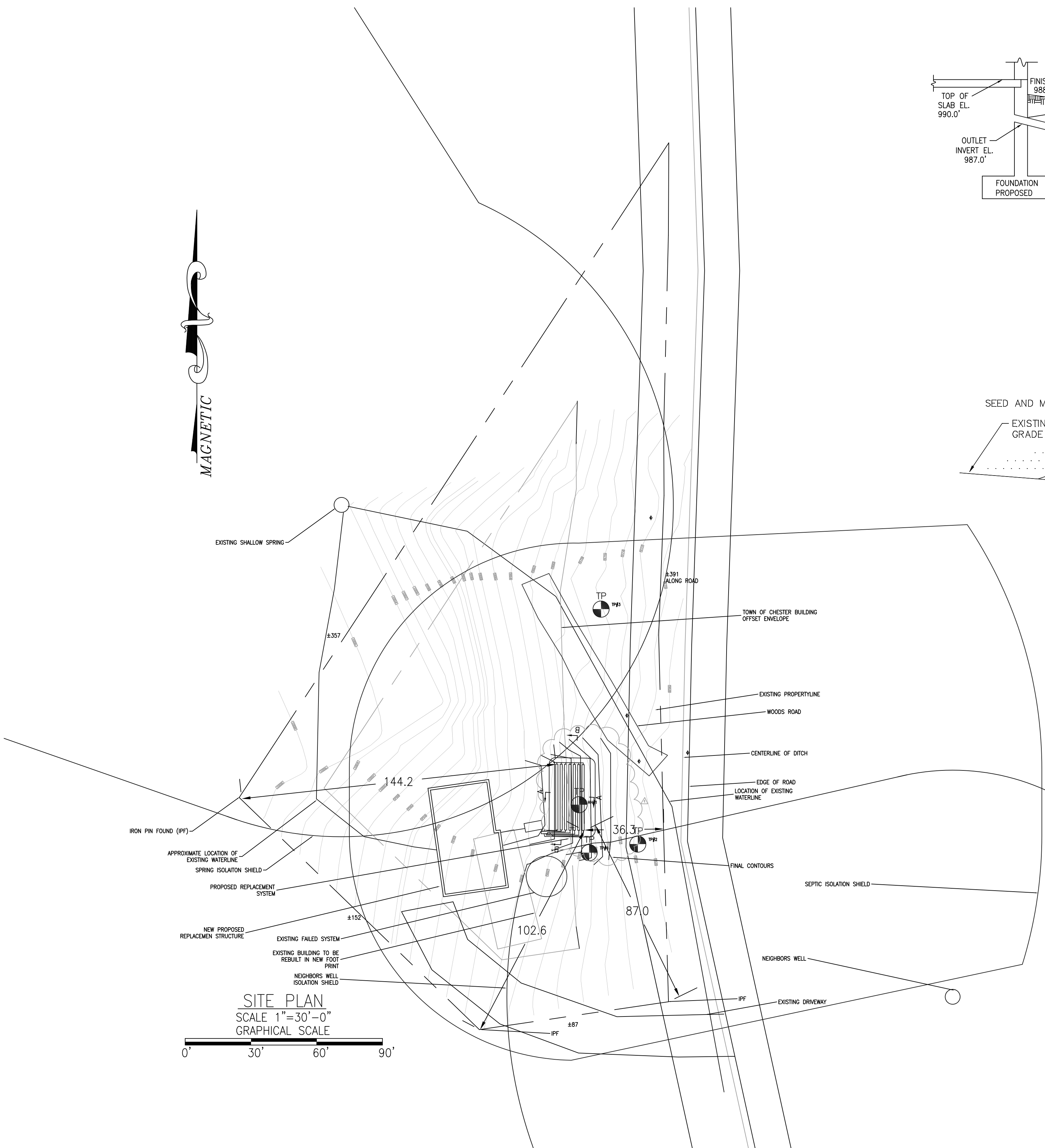
(d) The final decision in any case involving local Act 250 review of municipal impacts shall include notice that it constitutes a rebuttable presumption under the provisions of 10 V.S.A. chapter 151, and notice that presumption may be overcome in proceedings under 10 V.S.A. chapter 151.

(e) The presiding officer shall cause copies of the decision to be delivered to each party.

(f) Transcriptions of the proceedings of contested hearings shall be made upon the request and upon payment of the reasonable costs of transcription by any party. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

§ 1210. Appeals

Appeals under this chapter shall be taken in the manner established for the underlying proceedings to which this chapter is applied. (Added 1993, No. 232 (Adj. Sess.), § 44, eff. March 15, 1995.)

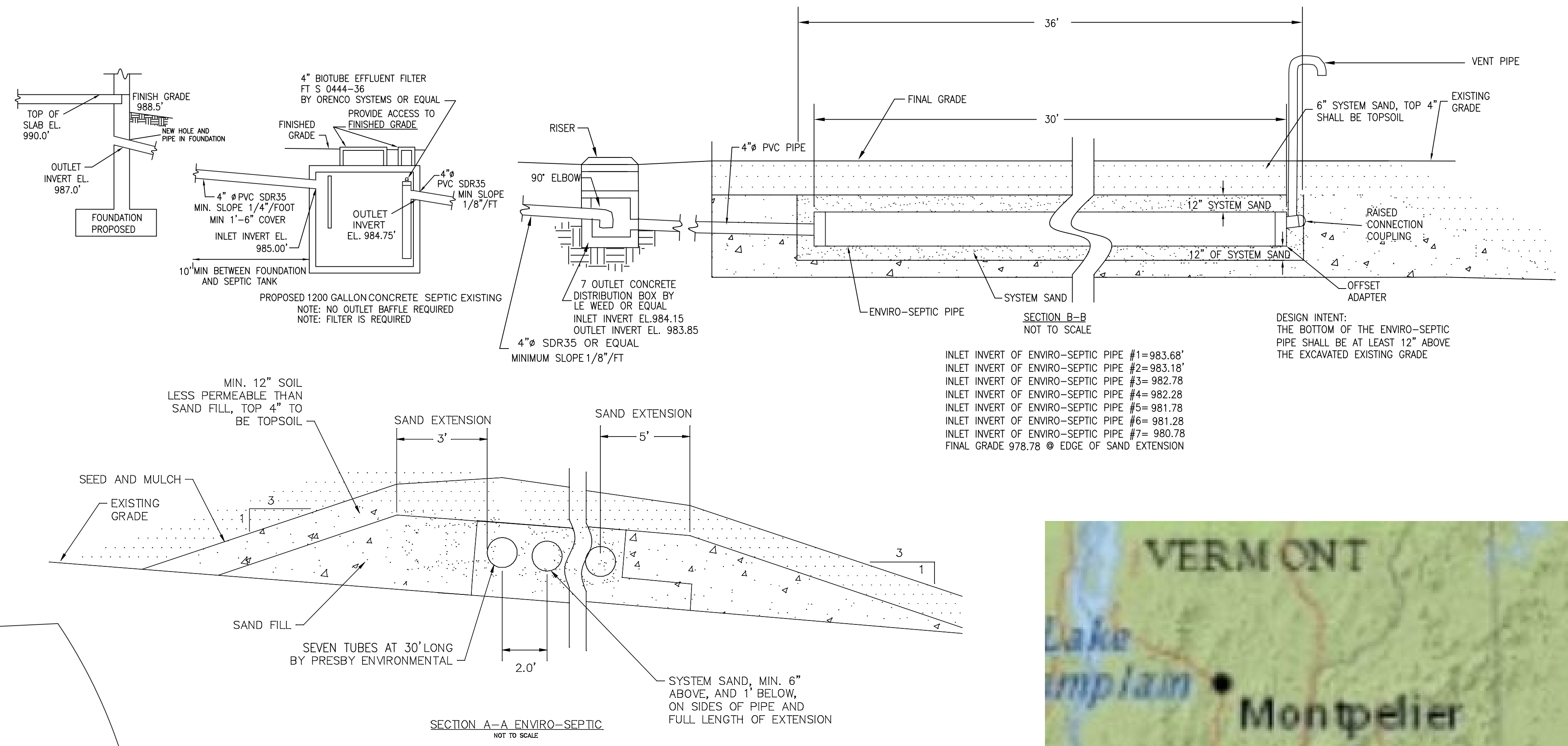


SOILS INFORMATION REPLACEMENT
 PROPERTY EXCAVATED BY WAYSVILLE ENGINEERING
 TP#2 EXCAVATED ON 5-18-2020

0"-2"	10YR 2/1 LOAMY, VERY FRAGILE, WEAK SUBANGULAR BLOCKY
2"-25"	2.5YR 4/4 LOAMY FINE SAND, FRAGILE, WEAK FINE GRANULAR
25"-39"	10YR 4/2 LOAMY FINE SAND, FIRM, FINE GRANULAR

NOTES: SEVERAL LARGE COBBLES WERE FOUND THROUGHOUT EACH LAYER
 CONCENTRATIONS OR REDOXIMORPHIC FEATURES WERE SEEN IN C LAYER
 TP#1 SIMILAR
 39 WEATHERED BEDROCK ENCOUNTERED
 ESTIMATED SEASONAL HIGH WATER TABLE AT 25
 TP#1 AND TP#3 HAD REFUSAL AT 40 INCHES AND 32 INCHES

GENERAL PROJECT NOTES:
 1) TEMPORARY BENCH MARK ELEVATIONS ARE ASSUMED.
 2) REFERENCE TAX MAP FOR LOT INFORMATION AND SITE LOCUS.
 3) CONTOURS SHOWN FOR WELL ISOLATION ZONES ARE INTERPOLATED FROM USGS MAP.
 4) THE PROPERTY LINES, EASEMENTS, AND OTHER REAL PROPERTY DESCRIPTIONS PROVIDED IN THIS PERMIT APPLICATION ARE FOR THE USE OF THE ANR ONLY. THEY DO NOT DEFINE LEGAL RIGHTS OR MEET LEGAL REQUIREMENTS FOR A LAND SURVEY AS DESCRIBED IN 26 V.S.A. SECTION 2502(4), AND SHALL NOT BE USED IN LIEU OF A SURVEY AS THE BASIS OF ANY LAND TRANSFER OR ESTABLISHMENT OF ANY PROPERTY RIGHT.
 5) DIG SAFE SHALL BE CONTACTED BEFORE EXCAVATING IN ANY PUBLICLY OWNED LANDS.



DESIGN CRITERIA:

SIZE OF LEACHFIELD: PRESCRIPTIVE BASED APPROACH
 THREE BEDROOM DESIGN PERMITTED FLOW = 420 GPD

PER RATE OF 17 MIN/INCH
 PER MANUAL 210 LF REQUIRED
 210 LF / 30FT/RUN = 7 RUNS
 SYSTEM WIDTH = 15 FT OUTER SYSTEM SURFACE
 MIN SAND AREA PER MANUAL = 350
 SAND AREA PROVIDED = 630 SFT
 SLOPE AT FIELD = 28%
 SEPTIC TANK PROPOSED 1200 GAL CONCRETE LOW PROFILE
 THIS SYSTEM IS NOT DESIGNED FOR GARBAGE DISPOSALS
 THIS SYSTEM IS NOT DESIGNED FOR OVERSIZED TUBES

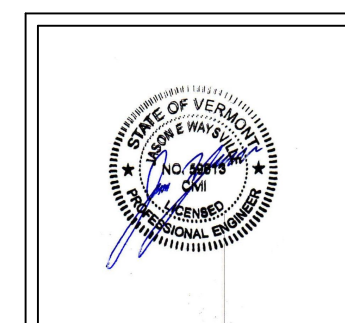
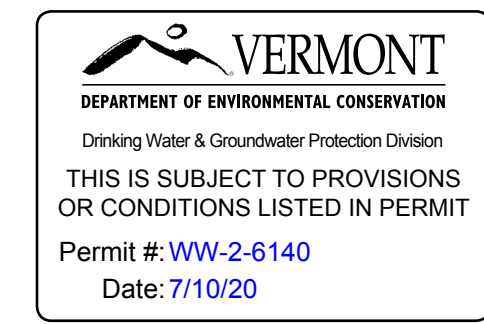
- ENVIRO-SEPTIC CONSTRUCTION NOTES:**
- 1) PRESBY ENVIRONMENTAL, INC. REQUIRES ALL INSTALLERS TO BE CERTIFIED. CERTIFICATION IS OBTAINED BY ATTENDING THE ENVIRO-SEPTIC DESIGNER AND INSTALLER CERTIFICATION COURSE PRESENTED BY PRESBY ENVIRONMENTAL, INC.
 - 2) ALL TREES AND SHRUBS SHALL BE CUT FLUSH WITH GROUND IN LEACHFIELD AREA AND WITHIN TEN FEET OF THE TOE OF THE LEACHFIELD.
 - 3) ANY SURFACE STONES LARGER THAN 12" SHALL BE REMOVED FROM LEACHFIELD AREA.
 - 4) PRIOR TO PLOWING, THE FORCE MAIN SHALL BE INSTALLED.
 - 5) THE LEACHFIELD AREA SHALL BE PLOWED, PARALLEL TO CONTOURS, THROWING SOIL UP HILL. ONCE PLOWED, NO EQUIPMENT SHALL BE ALLOWED TO COMPACT NATIVE SOIL.
 - 6) SAND FILL SHALL BE INSTALLED IN 12" LAYER, LETS UNTIL THE TOP OF BED IS REACHED.
 - 7) THE AREA OF SYSTEM SAND SHALL BE EXCAVATED OUT OF THE SAND FILL AND 6" OF SYSTEM SAND SHALL BE PLACED.
 - 8) 4" PVC PIPE AND ENVIRO-SEPTIC PIPE SHALL BE INSTALLED. ENVIRO-SEPTIC PIPE SHALL BE LEVEL.
 - 9) SYSTEM SAND SHALL BE PLACED BETWEEN ENVIRO-SEPTIC PIPE, THEN A MINIMUM OF 6" OF SYSTEM SAND SHALL BE PLACED ON TOP OF ENVIRO-SEPTIC PIPE.
 - 10) NO HEAVY EQUIPMENT SHALL BE ALLOWED ON FIELD AFTER PIPES ARE INSTALLED.
 - 11) ALL PIPE PENETRATIONS WITHOUT MANUFACTURED RUBBER BOOT SHALL BE SEALED WITH NON-SHRINK GROUT.
 - 12) THE SAND SURROUNDING THE LEACHFIELD SHALL BE GRASS TO PROVIDE PROTECTION OF SURFACE TUBES.
 - 13) ALL DISTURBED AREAS SHALL BE SEEDING AND MULCHED, THIS GRASS COVER SHALL BE MAINTAINED AND MOWED AT LEAST ANNUALLY.
 - 14) INSPECT THE SEPTIC TANK YEARLY, PUMP AS REQUIRED.
 - 15) EACH TIME THE SEPTIC TANK IS PUMPED, THE BIOTUBE FILTER SHOULD BE WASHED OFF WITH A GARDEN HOSE.
 - 16) THE TOP OF ALL TUBES INSTALLED AFTER ALL UNDERGROUND PIPES ARE IN PLACE, LEAK TEST TO TOP OF TUBE, NO LEAKAGE IS ACCEPTABLE.
 - 17) ALL JOINTS AND CONNECTIONS SHALL BE SOLIDLY WELDED UNLESS USED FOR ACCESS.
 - 18) ALL RISERS SHALL BE TIGHT FITTING AND FASTENED TO PREVENT ENTRY BY CHILDREN.
 - 19) ALL UNUSED ACCESSES SHALL BE SEALED TO PREVENT GROUNDWATER INFILTRATION.
 - 20) INSTALLERS OF ENVIRO-SEPTIC SYSTEMS MUST PROVIDE PRESBY ENVIRONMENTAL WITH A COPY OF A COMPLETED "SYSTEM INSTALLATION FORM" FOR EACH NEW OR REPLACEMENT SYSTEM INSTALLED.
 - 21) THERE SHALL BE NO DISTURBANCE WITHIN TWENTY-FIVE FEET OF THE LEACHFIELD TOE, EXCEPT CUTTING TREES FLUSH WITH GROUND SURFACE WITHIN TEN FEET OF THE TOE.
 - 22) THE INSTALLER SHOULD HAVE A COPY OF THE ENVIRO-SEPTIC INSTALLERS MANUAL ON-SITE DURING THE INSTALLATION TO ENSURE ALL CRITERIA IS MET.

THE SYSTEM SAND SHALL MEET THE FOLLOWING SPECIFICATIONS

SIEVE #	% PASSING
#4	95-100
#8	80-100
#16	50-85
#30	25-60
#50	10-30
#100	3-10

THE SAND FILL SHALL MEET ONE OF THE FOLLOWING SPECIFICATIONS

SIEVE #	% PASSING
#10	85-100
#40	30-50
#200	0-10
#4	95-100
#8	80-100
#16	50-85
#30	25-60
#50	10-30
#100	2-10
#10	85-100
#40	25-75
#60	0-30
#100	0-10
#200	0-5



DESIGN CERTIFICATION:
 I HEREBY CERTIFY THAT THE DESIGN-RELATED INFORMATION SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT, AND THAT, IN THE EXERCISE OF MY REASONABLE PROFESSIONAL JUDGEMENT, THE DESIGN INCLUDED IN THIS APPLICATION FOR A PERMIT COMPLIES WITH THE VERMONT WASTEWATER SYSTEM AND POTABLE WATER SUPPLY RULES AND THE VERMONT WATER SUPPLY RULES.

PROJECT: JN# 014-20 CHRIS AGUSTO WASTEWATER REPLACEMENT PLAN FOR EXISTING 3 BEDROOM RESIDENCE FARRAR ROAD		VERMONT CHESTER
WAYSVILLE ENGINEERING 222 BARLOW RD SPRINGFIELD, VT 05156		
DATE: 6-12-20	REVISIONS: R1 7-9-20 JW REMOVED EXTRA FILL AT TOE OF MOUND	DWG. NO R1
SCALE: AS NOTED	DR. BY: JEW	REV. 1
CHECKED BY: LPS		