	<u> </u>
	/
EXHIBIT	

TOWN OF WATERBURY ZONING PERMIT APPLICATION

Date: 01-21-202 Application #: 003-21
Fees Paid: 300 + \$15 recording fee = 315.

Parcel ID #: 255-0/25

Tax Map #: 12-082-000

Please provide all of the information requested in this application.

Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process of this application. Based upon the nature of the project you may need to submit additional information. For instructions on how to fill out this form please refer to the *Zoning Permit Application Instructions & Fee Schedule* available on the municipal website or at the municipal offices. Submit one copy of the completed application and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

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APPLICANT		ER (if different from Applicant)
Name: Arnot Development Group, Inc.	Name: Same	star Manufaire D1 -
Mailing Address: 358 South Pinnacle Ridge Waterbury, VT 05676	Mailing Address:	6105 Mountain Rd Stowe, VT 05672
Home Phone :	Home Phone :	
Work/Cell Phone: 802-578-0910	Work/Cell Phone:	
Email:_arnotdevelopmentgroup@gmail.com	Email:	2
PROJECT DESCRIPTION		CHECK ALL THAT APPLY:
Physical location of project (E911 address): Lot 17B Pin	nnacle Ridge	NEW CONSTRUCTION Single-Family Dwelling
Lot size: 1.2 Acres Zoning District: Conservation	on	 □ Two-Family Dwelling □ Multi-Family Dwelling
Existing Use: Vacant Lot Proposed Use: Singl	e Family Home	☐ Commercial / Industrial Building
Brief description of project: Application is for a var	riance to setbacks for	•
preexisting small lot. Application was submitted	and approved in 200	7
but has since expired		□ Accessory Structure (garage, shed)
		□ Accessory Apartment
Cost of project: \$400,000.00 Estimated start date:	Summer 2021	☐ Porch / Deck / Fence / Pool / Ramp☐ Development in SFHA (including
		repairs and renovation)
Water system: Private Waste water system: FXISITING PROPOSED	<u> </u>	Other
EXISITING PROPOSED Square footage: Height: Square footage:	2,300 Height: 30	USE □ Establish new use
	rooms/bath: 3/2 1/2	☐ Change existing use
,		□ Expand existing use
	40', 80', 25' to ROW	☐ Establish home occupation
		OTHER □ Subdivision (# of Lots:)
sides: sides:_N/A /	_	□ Boundary Line Adjustment (BLA)
ADDITIONAL MUNICIPAL PERMITS REC	QUIRED:	□ Planned Unit Development (PUD)
□ Curb Cut / Access permit x E911 Address Request		□ Parking Lot
□ Water & Sewer Allocation □ none of the above		□ Soil/sand/gravel/mineral extraction
[Additional State Permits may also be	requireuj	M Other Variance

Date created: Oct-Nov 2012 / Revised: July 2019

PAGE 1 of 2

KETCH PLAN	Please include a sketch of your project, drawn to so Permit Application Instructions. You may use the larger than 11"x17" please provide a digital copy (p	space below or attach separate sheets. For plans
ARNOT		ЕХНІВІТ
	Attached are two sketches, one from 2007 a	pplication and one for 2021 application
	Difference between two sketches are adjoini	ng property owners have changed
SNATURES 1	The undersigned hereby applies for a Zoning Permit f he basis of the representations made herein all of wh	or the use described in this application to be issue ich the applicant swears to be complete and true.
	Paul arnot	1/12/21
	Applicant Signature	date
	Paul arnot	1/12/21
	Property Owner Signature	date
Ma	ing Administrator Phone: (802) 244-1018 iling Address: Waterbury Municipal Offices, 28 North nicipal Website: www.waterburyvt.com	n Main Street, Suite 1, Waterbury, VT 05676
Zoning District/Ove	OFFICE USE ONI rlay: Conservation (CNS)	REVIEW/APPLICATIONS:
Review type: □ Adr ORB Referral Issue	ninistrative DRB Public Warning Required: Yes d (effective 15-days later): Decision Date:	□ Site Plan □ Variance
	(effective 16-days later):	
Final Plat due (for s	Subdivision only): Project must comply with the	Overlay
Remarks & Condition	Standards (RBES), info. enclosed.	

Date:_

Authorized signature:

TOWN OF WATERBURY CONDITIONAL USE INFORMATION

This Conditional Use (and Setback Waiver) information sheet supplements the Zoning Permit application. Please provide all of

Lot 17B Pinnacle Ridge Rd.

the information requested on each form. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process. Submit one copy of the completed forms and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

PI	RO.	IF	CT	DE	SC	RI	PT	ION
	100	W -	\sim	The last	-	1 3 1		1011

Brief description of project: Single Family Residence consisting of three bedrooms and to	wo and one-nan baths
tuck under garage and basement planned and prepped for future use.	

CONDITIONAL USE CRITERIA

Please respond to the following; you may answer on a separate sheet and attach additional pages and supporting materials:

- Describe how the proposed use will not have an undue adverse impact on the capacity of existing or planned community
 facilities to accommodate it (including roads and highways, municipal water or sewer systems, school system, fire protection services): Home to be build on a preexisting small lot in the Pinnacle Ridge Subdivision. Home to be
 served by existing private road, existing share septic system and indivdual drilled well.
- 2. Describe how the proposed use will not have an undue adverse impact on the character of the area affected as defined by the Municipal Plan and the zoning district in which the proposed project is located: Proposed use is consistent with the residential character of the neighborhood in which it will be located as well as the Municipal plan and zoning for the area.
- 3. Describe how the proposed use will not violate any municipal bylaws and ordinances in effect: There are no municipal bylaws or ordinances that restrict single family dwellings in the location for which the home is proposed.
- 4. Describe any devices or methods to prevent or control fumes, gas, dust, smoke, odor, noise, or vibration:
 Other than during construction, the project will not produce any fumes, gas, dust, smoke, odor, noise or vibration that are unsusual for a resdiential use. During construction efforts will be made to keep all such elements to a minimum
- 5. For removal of earth or mineral products which is not incidental to a construction, landscaping, or agricultural operation, a removal project must meet specific conditions outlined within Section 302 of the Waterbury Zoning Regulations. Are the conditions included within the Application Submittals? No removal of earth or mineral products are proposed.

CONTACT Zoning Administrator Phone: (802) 244-1018

Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Waterbury, VT 05676

Municipal Website: www.waterburyvt.com

Date created: Oct/ Nov 2012. Updated: July 2019
(1/29/21 cm fr P. Arnot)

PAGE 1 of 1





To:

Dina Bookmyer-Baker

From:

Paul Arnot

Date:

January 7, 2021

Subject:

Lot 17B Pinnacle Ridge

Hi Dina,

Following up on today's email, I have enclosed an application for a variance for Lot 17B Pinnacle Ridge and a copy of the original application from 2007 for reference.

A bit of history, I applied for and received a variance from the DRB on May 1, 2007, this approval has since expired. A variance is required because the property is what is considered a pre-existing small lot that cannot meet the current setbacks nor acreage requirements for the Conservation District in which it resides. The lot was created in 1970 predating zoning, Act 250 and Environmental Protection laws, I believe. As a part of my application I have included a sketch plan which shows the setbacks being requested, both from my 2007 application and current 2021 application, they are identical with the exception that the adjoiners have changed.

Also included is the ZBA approval from 2007. I did not notice until recently that the zoning administrator misinterpreted the setbacks and thus the approval is actually incorrect in that respect, not that it necessarily matters as this is a new application. I'm also including the original approval by the Pinnacle Ridge Homeowners Association as well as recent confirmation from the Association's President that my approval is still valid.

Please reach out to me with any questions you may have.





To:

Dina Bookmeyer-Baker

From:

Paul Arnot

Date:

January 20, 2021

Subject:

Lot 17B Pinnacle Ridge

Hi Dina,

On January 15, 2021, by email, I previously forwaded to you a revised application for a variance for Lot 17B Pinnacle Ridge. Today I am providing you with hard copies of what was included with my prior submission. This includs a revised site plan, unchanged from my prior submission with the exception that the setback to the ROW for West Pinnacle is now shown at 25°. On the site plan the 50° x 50° box is a true representation for the location for the home and is based upon the outside limits of the house, that is it includes porches and decks. I have included a survey for Lot 17B which in addition to its property lines shows a 20° easement across Lot 17C for the sewer line to the already constructed community leach field. Regarding septic, I am including the State WW Permit as well as the engineer's certification for the community system that Lot 17C will be tying into.

I am also including a check in the amount of \$115.00, previously provided a check for \$200.00, to cover the fee for the variance and recording. As with my prior application, I have included a history of the prior permitting for this lot below

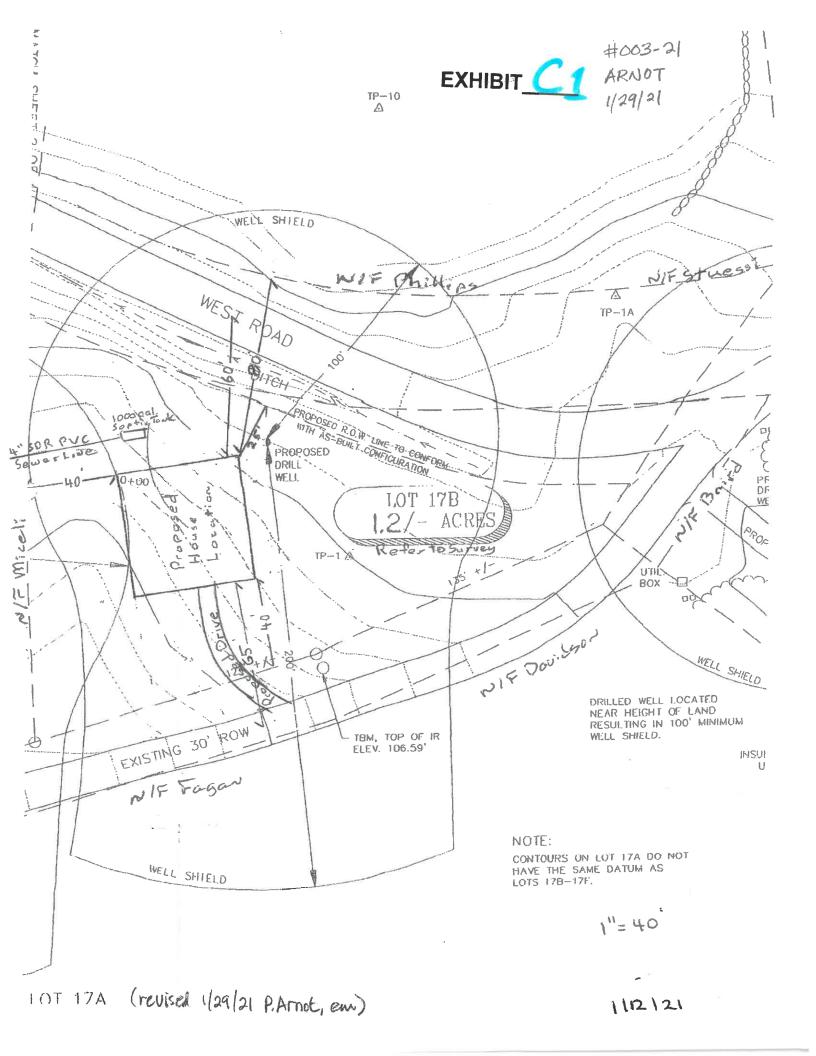
ZBA history for Lot 17B, I applied for and received a variance from the DRB on May 1, 2007, this approval has since expired, please refer to 2007 ZBA application and 2007 ZBA approval. A variance is required because the property is considered a pre-existing small lot that does not meet current setbacks nor acreage requirements for the Conservation District in which it resides. The lot was created in 1970, predating zoning, Act 250 and Environmental Protection laws. As a part of my application I have included a sketch plan which shows the setbacks being requested, both from my 2007 application and current 2021 application, these are identical with the exception that the adjoiners have changed and the distance to the ROW noted.

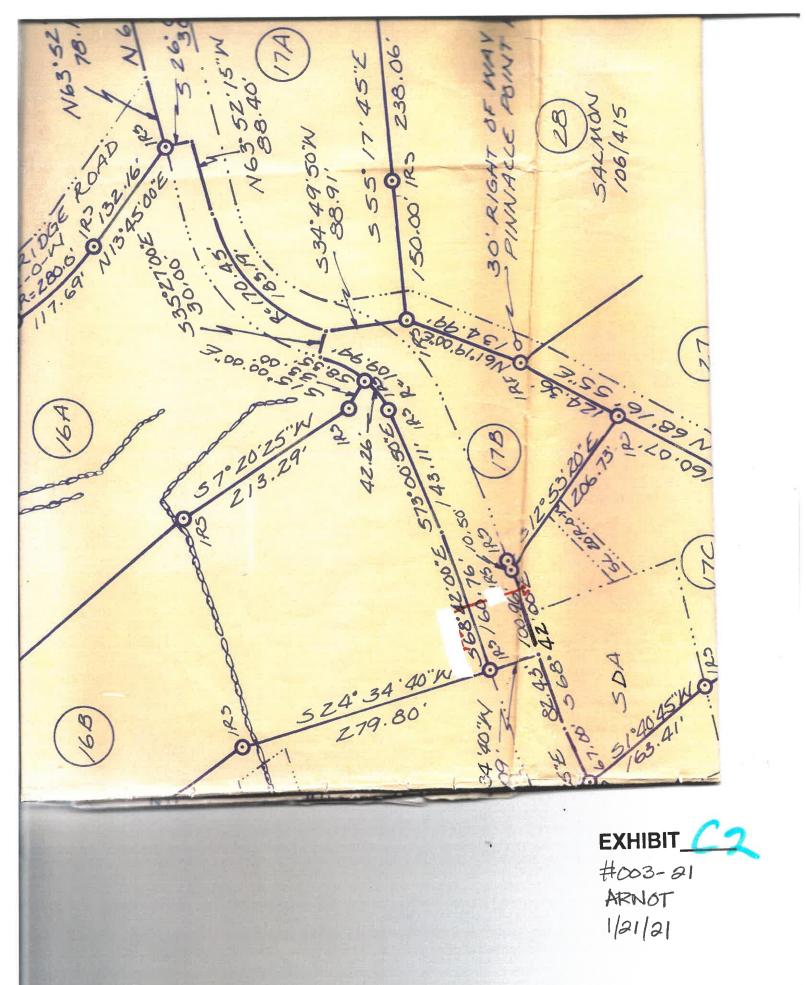
Also included is the ZBA approval from 2007, the original approval by the Pinnacle Ridge Homeowners Association as well as recent confirmation from the Association's President that my approval remains valid.

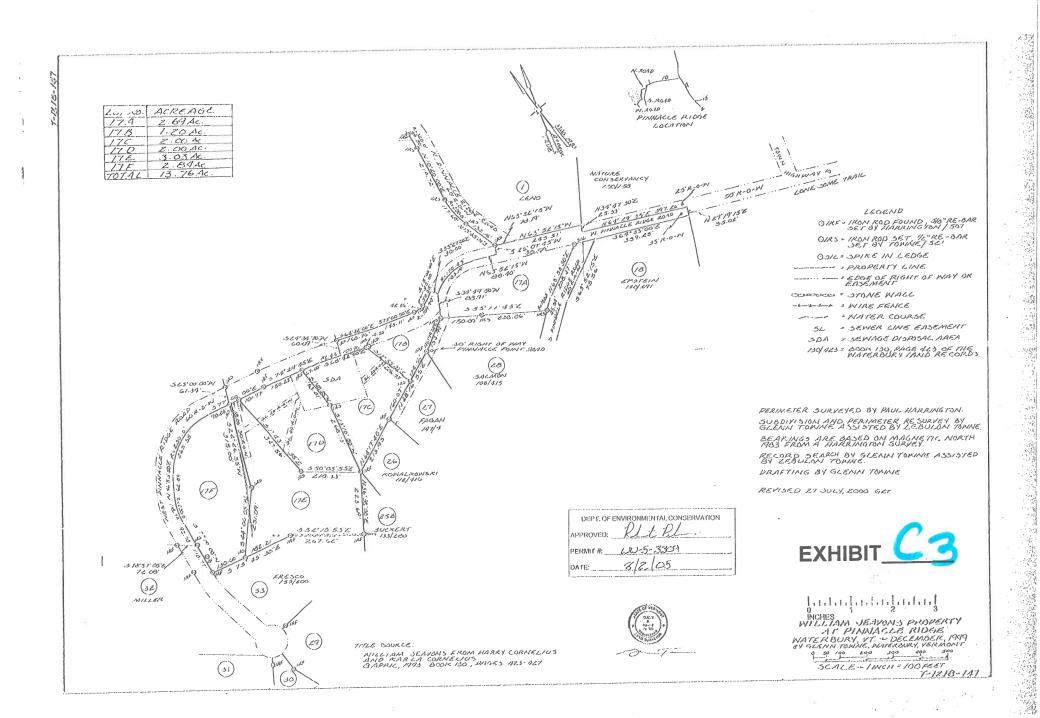
Please let me know if you have any further questions or are in need of any additional materials from.

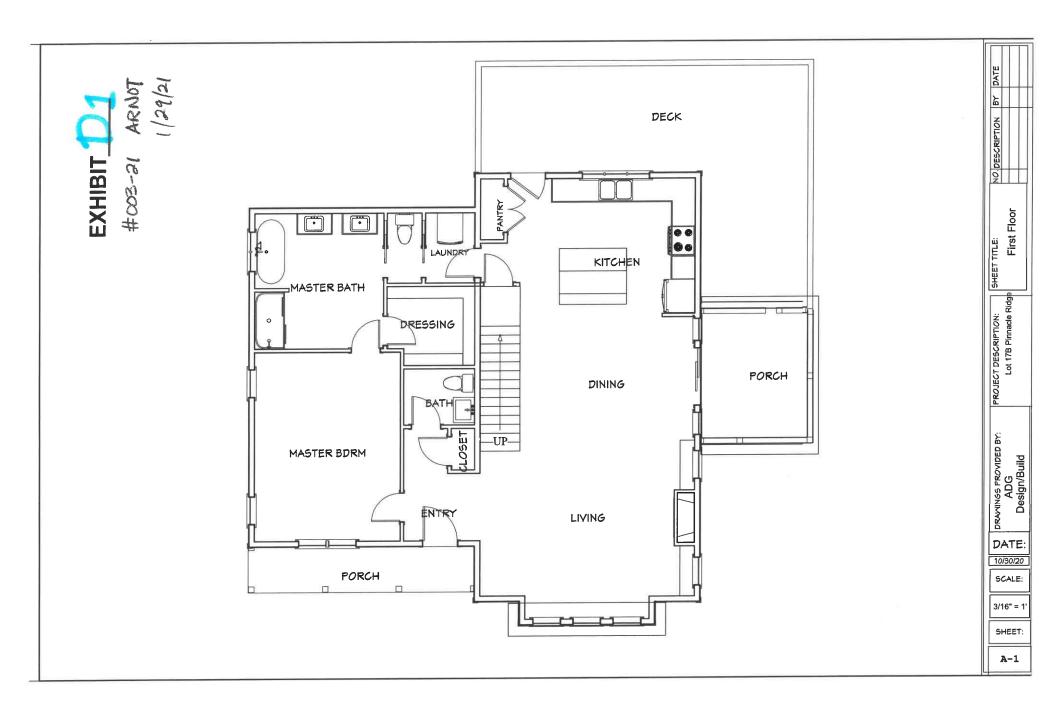
Paul Arnet

Thank/you

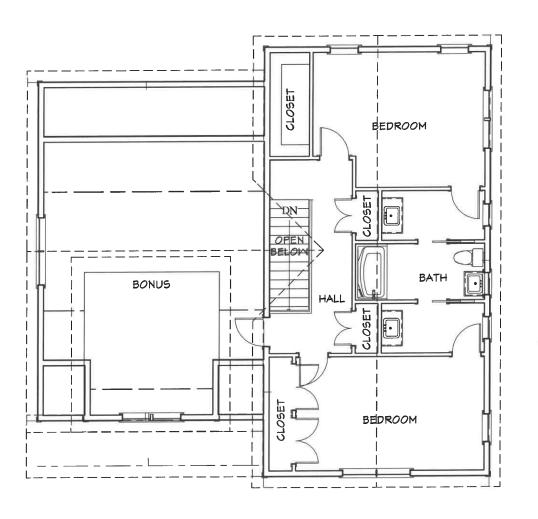












NO.DESCRIPTION Second Floor PROJECT DESCRIPTION: Lot 17B Pinnacle Ridge DRAWINGS PROVIDED BY:
ADG
Design/Build

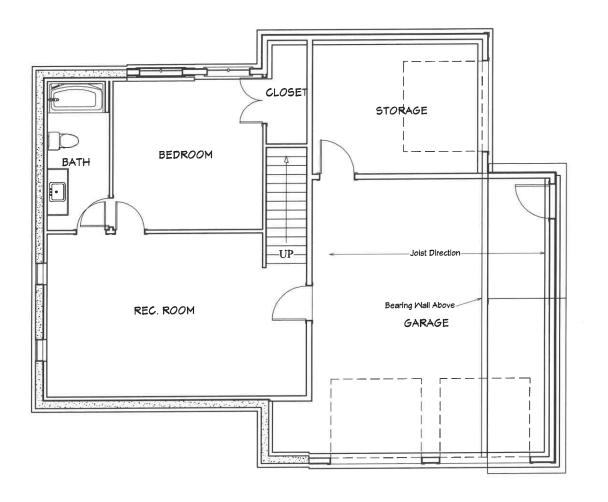
DATE:

SCALE:

3/16" = 1

SHEET:





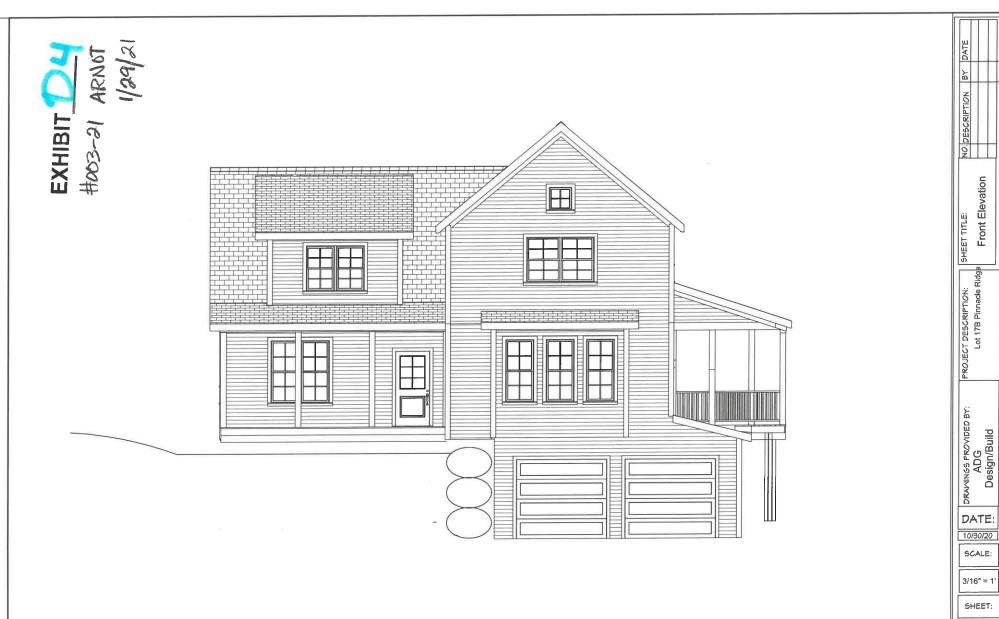
NO.DESCRIPTION Lower Level SHEET TITLE: PROJECT DESCRIPTION: Lot 17B Pinnacle Ridge DRAWINGS PROVIDED BY:
ADG
Design/Build DATE:

10/30/20

SCALE:

3/16" = 1

SHEET:







SHEET TITLE:

Rear Elevation

DATE

NO.DESCRIPTION BY

PROJECT DESCRIPTION: Lot 17B Pinnacle Ridgs

DRAWINGS PROVIDED BY:
ADG
Design/Build

DATE:

10/30/20

SCALE:

3/16" = 1





SHEET TITLE: NO DESCRIPTION West Elevation

PROJECT DESCRIPTION: Lot 17B Pinnacle Ridge

DRAMINGS PROVIDED BY:
ADG
Design/Build

DATE:

SCALE:

3/16" = 1'

SHEET:

EXHIBIT DOS # 4 003-21 ARNOT



H. SHEET TITLE: NO DESCRIPTION BY DATE BY BATE BY BATE BY BATE

r: PROJECT DESCRIPTION: Lot 17B Pinnacle Ridge

DRAWINGS PROVIDED BY:
ADG
Design/Build

DATE:

10/30/20 SCALE:

3/16" = 1

SHEET:

Lot 17 B Pinnacle Ridge Exterior Material Specification

EXHIBIT Des thoos- 21 ARNOT 1/29/21

exterior trim:

general:

- siding:

Hardie Plank smooth lap siding

- sub-fascia: 1 x 6

- fascia: 1 x 4

- frieze boards: 1 x 4

- barge board: 1 x 4

- 1 x 6 corner boards

- soffits: plywood



Ref: #003-21 ARNOT

Pinnacle Ridge Homeowners Association Waterbury, Vermont 05676 1-20-21

Mr. Paul Arnot Arnot Development Group 358 S Pinnacle Ridge Rd Waterbury, VT 05676

Dear Paul,

The Pinnacle Ridge Homeowners Association (PRHA) Board and its Architectural and Site Review Committee (ASRC) wish to share with you some concerns about, and its expectations for, the pending development of Lot 17B with respect to the following:

- 1. The following paragraphs from the "Pinnacle Ridge Declaration of Covenants and Restrictions" are applicable to development of Lot 17B, need to be understood and followed going forward, by both you as the developer and, subsequently, the buyer:
 - a. **Paragraph 4** "Any structure erected or placed on a lot shall be at least fifty (50) feet from any lot line or right-of-way line, unless the location of such structure is specifically exempted by the Review Board."
 - b. **Paragraph 10** "Trees providing natural screening from neighboring lots shall not be removed, limbed, or girded without prior written approval from the Review Board"
 - c. Paragraph 13 "All plans and specifications for the siting, construction, remodeling, alteration, or reconstruction of or addition to any structure upon any lot, for the location of any driveway and for landscaping to be planted upon a lot shall require the approval in writing by the Review Board prior to the commencement of construction or planting. Plans and specifications showing in detail the structure, driveway location and landscaping proposed by the owner of the lot shall be submitted to the Review Board and its review shall encompass all aspects of such structures, driveways and landscaping, including but not limited to location, exterior form and appearance, materials, color, architectural style, exterior lighting affixed to or separate from any structure, and finish grade elevation of any structure. If approval is granted, such approval shall be evidenced by written endorsement of the Review Board, executed prior to commencement of construction or planting; and no changes or deviations in such plans shall be allowed without prior written consent of the Review Board..."

With respect to Paragraph 13, we remind you that any changes and/or deviations from the original plans submitted for review in 2007 are to be submitted to the Board, prior to commencement of construction, and should contain all the details described, therein.

- 2. As you are aware, re-application for a Zoning Permit from the Town of Waterbury is necessary, prior to commencement of construction.
 - a. Because Pinnacle Ridge is within a Conservation Zoning District (CZD), application for such a permit will include review by the Waterbury Development Review Board (WDRB) regarding waiver of the 100-foot setback and minimum 10-acre lot size requirements.
 - b. The applicant for permit is required to notify all adjacent property owners of the Town's review for variances, via certified mail, 15 days prior to the WDRB meeting.

Thank you for your attention to this matter.

Sincerely,

PRHA ARSC and President, Barbara Cipolla

Cc: Mr. Steve Lotspeich

Ms. Dina Brookmyer-Baker

Mr. Tony Walton





February 16, 2021

Todd & Jennifer Davidson 21 Pinnacle Point Waterbury, VT 05676

Dear Todd & Jennifer,

This letter is to serve as **Notice of a Public Hearing** before the **Waterbury Development Review Board (DRB)**. As an adjoining landowner you are hereby notified: The Waterbury Development Review Board will convene a Public Hearing at **6:30** p.m. on **Wednesday**, **March 3, 2021** at the Municipal Center, 28 North Main Street, Waterbury, VT to act on Arnot Development Group's application for a waiver on setbacks for Lot 17B Pinnacle Ridge, Waterbury, Vermont. The property resides in the Conservation District. This notice is being sent to you as an adjacent property owner to the project described above. You should receive this notice not less than 15 days prior to the date of the public hearing above.

Although you are not required to attend this hearing, your participation in the local regulatory proceeding is a prerequisite to the right to appeal any resulting decision or action of the Development Review Board, as set forth in 24 V.S.A. § 4471. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

This application and all supporting materials are on file at the Waterbury Municipal Offices for your review. Please call or email the Zoning Administrator, Dina Bookmyer-Baker, at 802-244-1018 or dbookmyerbaker@waterburyvt.com to make arrangements to review the file. The municipal offices are open Monday through Friday, from 8 a.m. to 4:30 p.m.

Background:

Some background on myself. My family and I lived in Pinnacle Ridge for over twenty-seven years, I believe making us the second longest residents. For some time I was active in the Association and knew most of my neighbors, however there has been such a large turnover in recent years bringing in new residents that I now barely know anyone. My experience with the Association actually began prior to building my first home in Pinnacle Ridge when no Association existed. Believing that a properly formed association was important to the neighborhood, I paid to have the Declaration and Bylaws drafted and convinced the developer to establish and turn it over to the homeowners. I have been on the Architectural

Review Committee and also the Road Committee. My role with the Road Committee included writing an RFP, collecting bids and overseeing a complete rebuild of the neighborhood's roads. In addition to my role with the Association, I have designed and built a number of the homes in Pinnacle Ridge.

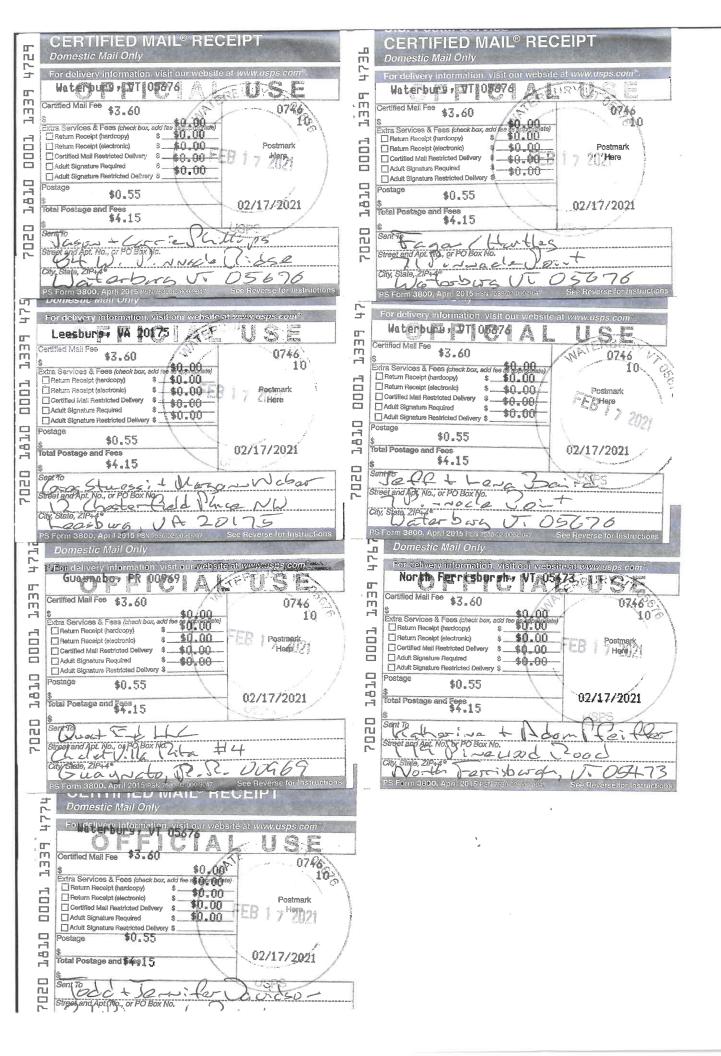
Some background on Lot 17B. Similar to all other lots in Pinnacle Ridge, Lot 7B is considered to be a preexisting small lot. This implies that it is a legal building lot that does not meet current zoning requirements for the zoning district in which it is located. Zoning has changed multiple times since the creation of the Pinnacle Ridge neighborhood in 1970. Lot 17B like all other lots in Pinnacle Ridge predates current zoning, the environmental protection rules and Act 250. Current zoning for Pinnacle Ridge now places it in the Conservation District which has a ten acre minimum lot size and 100' setbacks, dimensional requirements that no lots in Pinnacle Ridge meet.

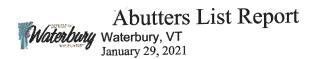
Pinnacle Ridge's covenants call for a minimum 50' setback from neighboring property lines, however this requirement can be "exempted by the Review Board." Prior to purchasing Lot 17B I submitted house plans and a site plan that included requested setbacks to the PRHOA in May of 2007, plan attached. The Association approved the plans for the home and setbacks in June of 2007, this approval does not expire. The request and subsequent approval allowed for 40' setbacks to the Medlar property, now Pfeiffer property, Salmon property, now Davidson property and the Fagan/Hartley property. The current application for waiver on setbacks before the DRB requests the very same setbacks as previously approved.

Believing that it may prove beneficial for you to have the opportunity to review my plans for Lot 17B I will try contacting you to provide a time to meet. Should you have any questions please do not hesitate to reach out to me by email, armotdevelopmentgroup@gmail.com or phone, 802-244-5836.

Warm regards,

Paul Arnot





Subject Property:

Parcel Number: CAMA Number: 255-0125.

255-0125.

Property Address: 0 W PINNACLE RIDGE RD

Mailing Address:

ARNOT DEVELOPMENT GROUP INC

358 S PINNACLE RIDGE RD

WATERBURY, VT 05676

Abutters:

Parcel Number:

245-0035.

CAMA Number:

245-0035.

Property Address: 35 N PINNACLE RIDGE RD

Parcel Number:

250-0007.

CAMA Number:

250-0007.

Property Address:

7 PINNACLE POINT

Parcel Number:

250-0021.

CAMA Number:

250-0021.

Property Address: 21 PINNACLE POINT

Parcel Number:

250-0066.

CAMA Number:

250-0066.

Property Address:

66 PINNACLE POINT

Parcel Number:

250-0071.

CAMA Number:

250-0071.

Property Address: 71 PINNACLE POINT

Parcel Number:

255-0130.

CAMA Number:

255-0130.

Property Address:

84 W PINNACLE RIDGE RD

Parcel Number:

1/29/2021

255-0210. 255-0210.

CAMA Number: Property Address:

210 W PINNACLE RIDGE RD

STUESSI GREGG W NABER MARYANN Mailing Address:

121 CHESTERFIELD PLACE NW

LEESBURG, VA 20175

Mailing Address:

BAIRD JEFFREY L & LENA E

7 PINNACLE POINT WATERBURY, VT 05676

Mailing Address:

DAVIDSON TODD B & JENNIFER C

21 PINNACLE POINT

WATERBURY, VT 05676

Mailing Address:

PFEIFFER KATHERINE D & ADAM D

179 PINEWOOD ROAD

N FERRISBURGH, VT 05473

Mailing Address: FAGAN JOHN M HARTLEY LAURA M

71 PINNACLE POINT

WATERBURY, VT 05676

Mailing Address:

PHILLIPS JASON J & CARRIE C

84 W PINNACLE RIDGE RD WATERBURY, VT 05676

Mailing Address:

QUEST END LLC

CHALET VILLA RITA #4 GUAYNABO, PR 00969





Lot 17B - Pinnacle Ridge

Waterbury, VT

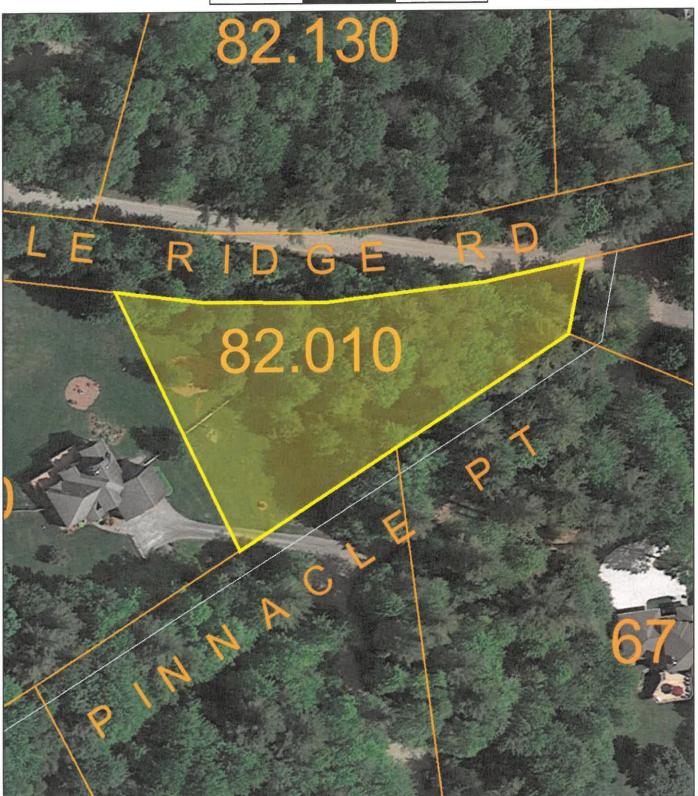
1 inch = 67 Feet





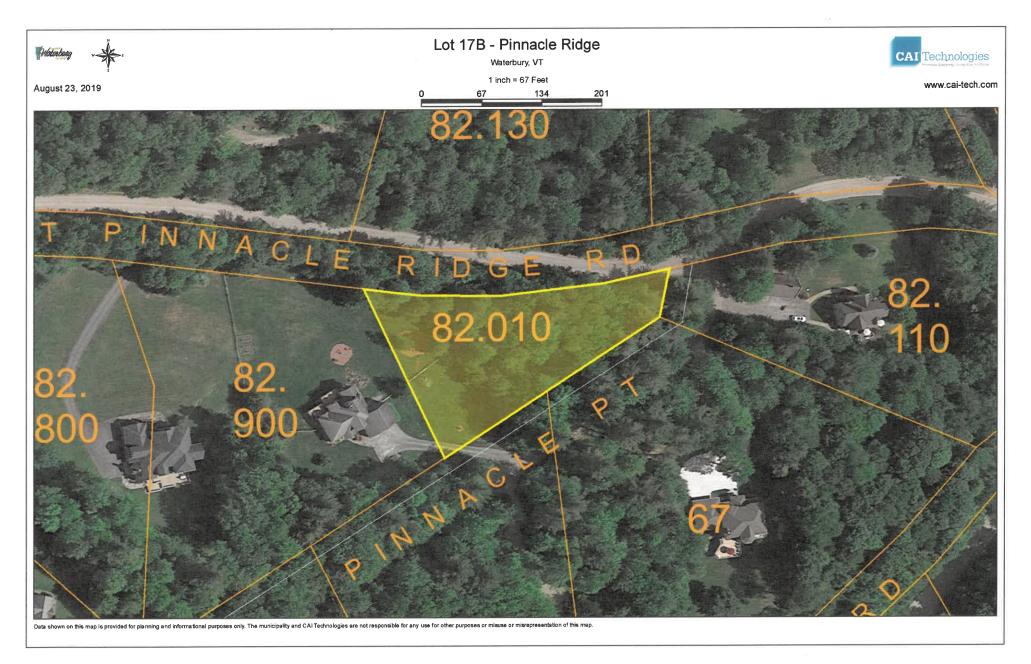
August 23, 2019

0 67 134 201



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.





Wednesday, May 23, 2007

Paul Arnot Arnot Development Group, Inc 358 S. Pinnacle Road Warterbury, VT 05676

Dear Paul,

Based on the plans submitted, three members of the Pinnacle Ridge Architectural and Site Review Committee unanimously grant approval for the architectural drawings submitted May 21, 2007. Please note that the approval is only for the association and that you will need to get local and state permits to begin construction.

You can refer to your copy of the Pinnacle Ridge Declaration of Covenants and Restrictions and bylaws of Pinnacle Ridge Homeowners Association to guide you as members in our Association.

Please take special note that the guidelines for Architectural and Site Review state under the heading-Road Conditions: "November through April": When construction on your property, pay attention to the condition of the Pinnacle Ridge roads. Road softening (such as occurs during regular and mini "mud season") combined with heavy construction equipment causes extensive damage. Instruct your builder to restrict truck travel during adverse road conditions and obtain authorization for such travel from the Review Board. Authorization must also be obtained for truck travel on town roads during these times. No construction vehicle over 24,000 pounds is permitted when roads are soft. Costs incurred to repair such damage will be billed to the lot owner responsible.

We wish you great success with your new home construction and wish to extend the first warm welcome to our neighborhood to the new homeowners!

Best Regards,

Laura Fagan,

Architectural and Site Review Committee Chairperson

Pinnacle Ridge Association

May 22, 2007

Harry Cornelius 3474 South Ocean Blvd. #13 Palm Beach, FL 33480

Paul Arnot Arnot Development Group, Inc. 358 S. Pinnacle Road Waterbury, VT 05676

Dear Paul,

This letter constitutes my approval of the architectural plans that were submitted to me via e-mail for construction on Lot 17B of the Pinnacle Ridge development.

Sincerely.

arry Cornelius