

Date: 03-08-2021 / Application #: 011-21
 Fees Paid: 350 + \$15 recording fee = 365.-
 Parcel ID #: 360-0438
 Tax Map #: 13-180.000

**TOWN OF WATERBURY
 ZONING PERMIT APPLICATION**

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.

CONTACT INFORMATION

APPLICANT

Name: Ari Fishman
 Mailing Address: 438 Cuptil rd
Waterbury Center VT 05677
 Home Phone: 8
 Work/Cell Phone: 802 371 8646
 Email: ari@zenbanvt.com

PROPERTY OWNER (if different from Applicant)

Name: Stephen Fishman
 Mailing Address: 438 Cuptil rd
 Home Phone: 802 279 7744
 Work/Cell Phone: 802 279 7744
 Email: stephenf@stowecraftice

PROJECT DESCRIPTION

Physical location of project (E911 address): 438 Cuptil
Lot 2 (Fall TBD) -> 534
 Lot size: 2.15 Zoning District: _____
 Existing Use: N/A Proposed Use: Residential
 Brief description of project:
Single Family house w / garage

CHECK ALL THAT APPLY:

NEW CONSTRUCTION

- Single-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Commercial / Industrial Building
- Residential Building Addition
- Comm./ Industrial Building Addition
- Accessory Structure (garage, shed)
- Accessory Apartment
- Porch / Deck / Fence / Pool / Ramp
- Development in SFHA (including repairs and renovation)
- Other _____

Cost of project: \$ 300,000 Estimated start date: May '21
 Water system: Town Waste water system: Septic
 (WW-5-5434-1)

EXISTING

Square footage: _____ Height: _____
 Number of bedrooms/baths: _____
 # of parking spaces: _____
 Setbacks: front: _____
 sides: 1 rear: _____

PROPOSED

Square footage: 1800 Height: 33'
 Number of bedrooms/bath: 2/2
 # of parking spaces: 2
 Setbacks: front: 120 +
 sides: 80 / 920 rear: 120'

USE

- Establish new use
- Change existing use
- Expand existing use
- Establish home occupation

OTHER

- Subdivision (# of Lots: _____)
- Boundary Line Adjustment (BLA)
- Planned Unit Development (PUD)
- Parking Lot
- Soil/sand/gravel/mineral extraction
- Other _____

ADDITIONAL MUNICIPAL PERMITS REQUIRED:

- Curb Cut / Access permit
- E911 Address Request ← ref SL 3/28/21
- Water & Sewer Allocation
- none of the above

↑ ref KP 3/28/21 [Additional State Permits may also be required]

SKETCH PLAN

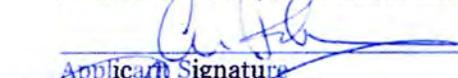
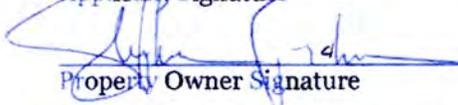
Please include a sketch of your project, drawn to scale, with all required measurements - see *Zoning Permit Application Instructions*. You may use the space below or attach separate sheets. For plans larger than 11"x17" please provide a digital copy (pdf. file format) in addition to a paper copy.

#011-21
FISHMAN

A2

see attached

SIGNATURES The undersigned hereby applies for a Zoning Permit for the use described in this application to be issued on the basis of the representations made herein all of which the applicant swears to be complete and true.

	3/1/21
Applicant Signature	date
	3/1/21
Property Owner Signature	date

CONTACT Zoning Administrator Phone: (802) 244-1018
Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Suite 1, Waterbury, VT 05676
Municipal Website: www.waterburyvt.com

3/22/21 Add'l info (EC) & Plan submitted. 4/2/21 McCain subm updt SP, date 3/22/21
3/29/21 Revised setbacks A.F.

OFFICE USE ONLY

Zoning District/Overlay: Medium Density Residential (MDR)/SFHA
 Review type: Administrative DRB Public Warning Required: Yes No
 DRB Referral Issued (effective 15-days later): 3/29/2021
 DRB Mtg Date: 4/21/21 Decision Date: _____
 Date Permit issued (effective 16-days later): _____
 Final Plat due (for Subdivision only): _____

- REVIEW/APPLICATIONS:**
- Conditional Use Waiver
 - Site Plan
 - Variance
 - Subdivision:
 - Subdv. BLA PUD
 - Overlay:
 - DDR SFHA RHS CMP
 - Sign
 - Other _____
 - n/a

Remarks & Conditions: Applicant must obtain a certificate of completion from the ZA prior to use or occupancy, as per S. 614. Project must comply with the Residential Building Energy Standards (RBES), info. enclosed.

Authorized signature: _____ Date: _____

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

EXHIBIT **B1**

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name Ari Fishman & Molly Tonino				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 438 Guptil Road Lot 2, now 534 Guptil Rd.				Company NAIC Number:	
City Waterbury Center		State Vermont		ZIP Code 05677	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) PID 360-0438					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) Residential Residential					
A5. Latitude/Longitude: Lat. 44.35676 d N Long. -072.72599 d W Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number 1B ← (diagram for DRB pkt)					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) N/A sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage N/A sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number Town of Waterbury 500123			B2. County Name Washington		B3. State Vermont
B4. Map/Panel Number 50023C0226	B5. Suffix E	B6. FIRM Index Date 03-19-2013	B7. FIRM Panel Effective/ Revised Date 03-19-2013	B8. Flood Zone(s) <input checked="" type="checkbox"/> AE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) See notes
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input checked="" type="checkbox"/> FIS Profile <input type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

B2

OMB No. 1660-0008
Expiration Date: November 30, 2022

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 438 Guptil Road			Policy Number:	
City Waterbury Center	State Vermont	ZIP Code 05677	Company NAIC Number	

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.
 Benchmark Utilized: Vermont VECTOR RTN network Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929 NAVD 1988 Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE. (B11)

Check the measurement used.

- | | | | |
|--|-------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) _____ | 598.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor _____ | 608.3 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) _____ | | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| d) Attached garage (top of slab) _____ | | <input type="checkbox"/> feet | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) _____ | 598.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) _____ | 595.9 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) _____ | 596.4 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support _____ | 595.7 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No Check here if attachments.

Certifier's Name Keith R. Van Iderstine	License Number 024.0000719	Place Seal Here	
Title Land Surveyor			
Company Name McCain Consulting, Inc.			
Address 93 South Main St., Suite 1			
City Waterbury	State Vermont		

Signature	Date 03-22-2021	Telephone (802) 244-5093	Ext.
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Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

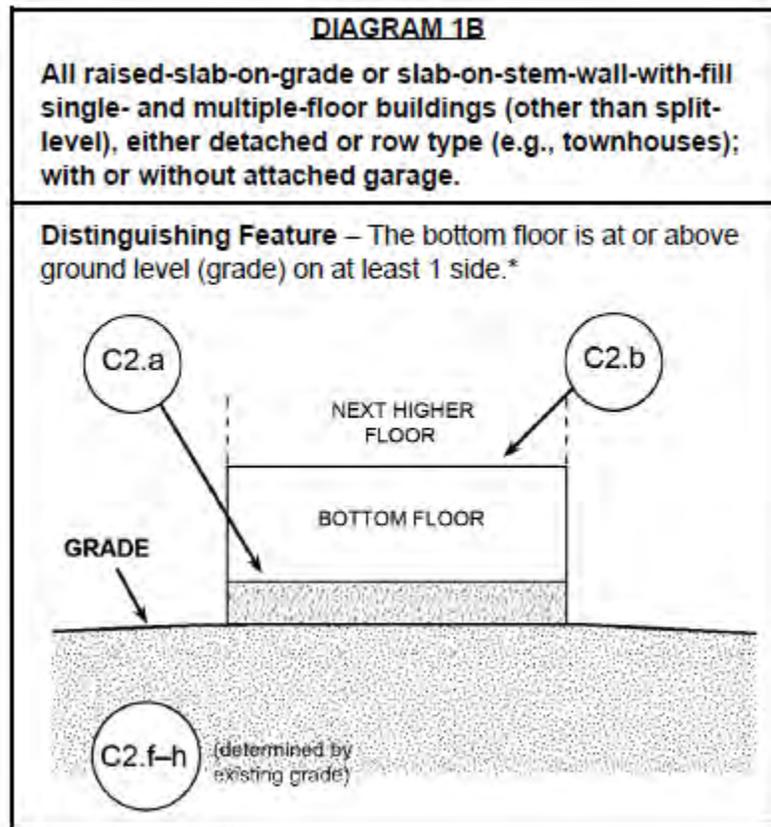
Comments (including type of equipment and location, per C2(e), if applicable)
 B9: Building will be built in an area that is Flood Zone X. The adjacent Flood Zone AE Base Flood Elevation is 595.7 feet. C2e: The lowest mechanical system will be the heating and hot water systems.

AE

From FEMA Form 086_0_33 Elevation Certificate and Instructions 2015 Edition (Revised 7/15)

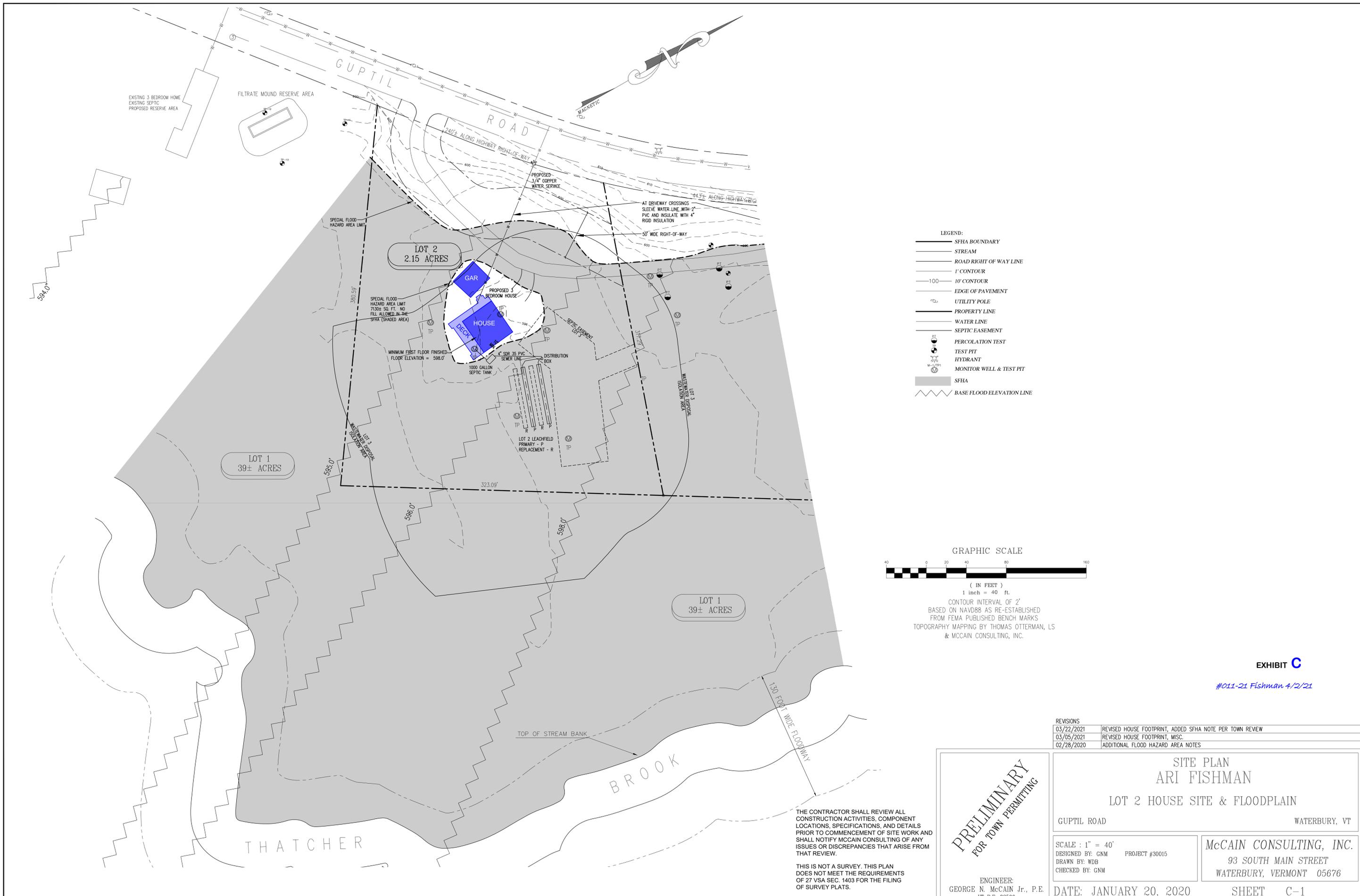
Building Diagrams

In A zones, the floor elevation is taken at the top finished surface of the floor indicated.



* A floor that is below ground level (grade) on all sides is considered a basement even if the floor is used for living purposes, or as an office, garage, workshop, etc.

Ref: #011-21 Fishman (Staff)



- LEGEND:
- SFHA BOUNDARY
 - STREAM
 - ROAD RIGHT OF WAY LINE
 - 1' CONTOUR
 - 10' CONTOUR
 - EDGE OF PAVEMENT
 - UTILITY POLE
 - PROPERTY LINE
 - WATER LINE
 - SEPTIC EASEMENT
 - PERCOLATION TEST
 - TEST PIT
 - HYDRANT
 - MONITOR WELL & TEST PIT
 - SFHA
 - BASE FLOOD ELEVATION LINE



CONTOUR INTERVAL OF 2'
 BASED ON NAVD88 AS RE-ESTABLISHED
 FROM FEMA PUBLISHED BENCH MARKS
 TOPOGRAPHY MAPPING BY THOMAS OTTERMAN, LS
 & MCCAIN CONSULTING, INC.

EXHIBIT C

#011-21 Fishman 4/2/21

REVISIONS	
03/22/2021	REVISED HOUSE FOOTPRINT, ADDED SFHA NOTE PER TOWN REVIEW
03/05/2021	REVISED HOUSE FOOTPRINT, MISC.
02/28/2020	ADDITIONAL FLOOD HAZARD AREA NOTES

PRELIMINARY
 FOR TOWN PERMITTING

ENGINEER:
 GEORGE N. McCAIN Jr., P.E.
 VT P.E. 92506

SITE PLAN
ARI FISHMAN
 LOT 2 HOUSE SITE & FLOODPLAIN
 GUPTIL ROAD WATERBURY, VT

SCALE : 1" = 40'
 DESIGNED BY: GNM PROJECT #30015
 DRAWN BY: WDB
 CHECKED BY: GNM

McCAIN CONSULTING, INC.
 93 SOUTH MAIN STREET
 WATERBURY, VERMONT 05676

DATE: JANUARY 20, 2020 SHEET C-1

THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION ACTIVITIES, COMPONENT LOCATIONS, SPECIFICATIONS, AND DETAILS PRIOR TO COMMENCEMENT OF SITE WORK AND SHALL NOTIFY MCCAIN CONSULTING OF ANY ISSUES OR DISCREPANCIES THAT ARISE FROM THAT REVIEW.

THIS IS NOT A SURVEY. THIS PLAN DOES NOT MEET THE REQUIREMENTS OF 27 VSA SEC. 1403 FOR THE FILING OF SURVEY PLATS.

Vermont Department of Environmental Conservation
Watershed Management Division
1 National Life Drive, Davis 3
Montpelier, VT 05620-3522

Agency of Natural Resources

phone 802-828-1535
fax 802-828-1544

Dina Bookmyer-Baker, Zoning Administrator
Town of Waterbury
Electronic communication

April 7, 2021

Ref: #011-21 Fishman

Dear Dina Bookmyer-Baker,

Thank you for sending (3/22/2021) the application for a single-family house with garage on Lot 2 of the subdivision near 438 Guptil Road in Waterbury.

The building is in the mapped Special Flood Hazard Area (Zone AE) of Thatcher Brook with a Base Flood Elevation of 595.7' (NAVD88) per Elevation Certificate for Construction Drawings (Van Iderstine 3/22/2021). The Elevation Certificate is not stamped and has several errors that should be corrected for the record.

The house is proposed to be elevated on a fill site that was permitted in April 2010. At that time, the bylaw required "no net fill" in the SFHA. The fill pad for Lot 2 was allowed by requiring the removal of an adjacent equivalent earth volume from Areas 1-5 to provide compensatory volume for floodwater. On 12/14/2011 Peter Lazorchak, PE for McCain Consulting noted that the Lot 2 cuts and fills were completed.

The application includes Sheet C-1 Site Plans – Ari Fishman, Lot 2 House Site and Floodplain (3/22/21) by George McCain of McCain Consulting. The plan stipulates, and the permit should require, that no additional new fill be placed below the BFE (595.7') or outside of the extent of the area shown as "Special Flood Hazard Area Limit 7130± Sq. Ft."

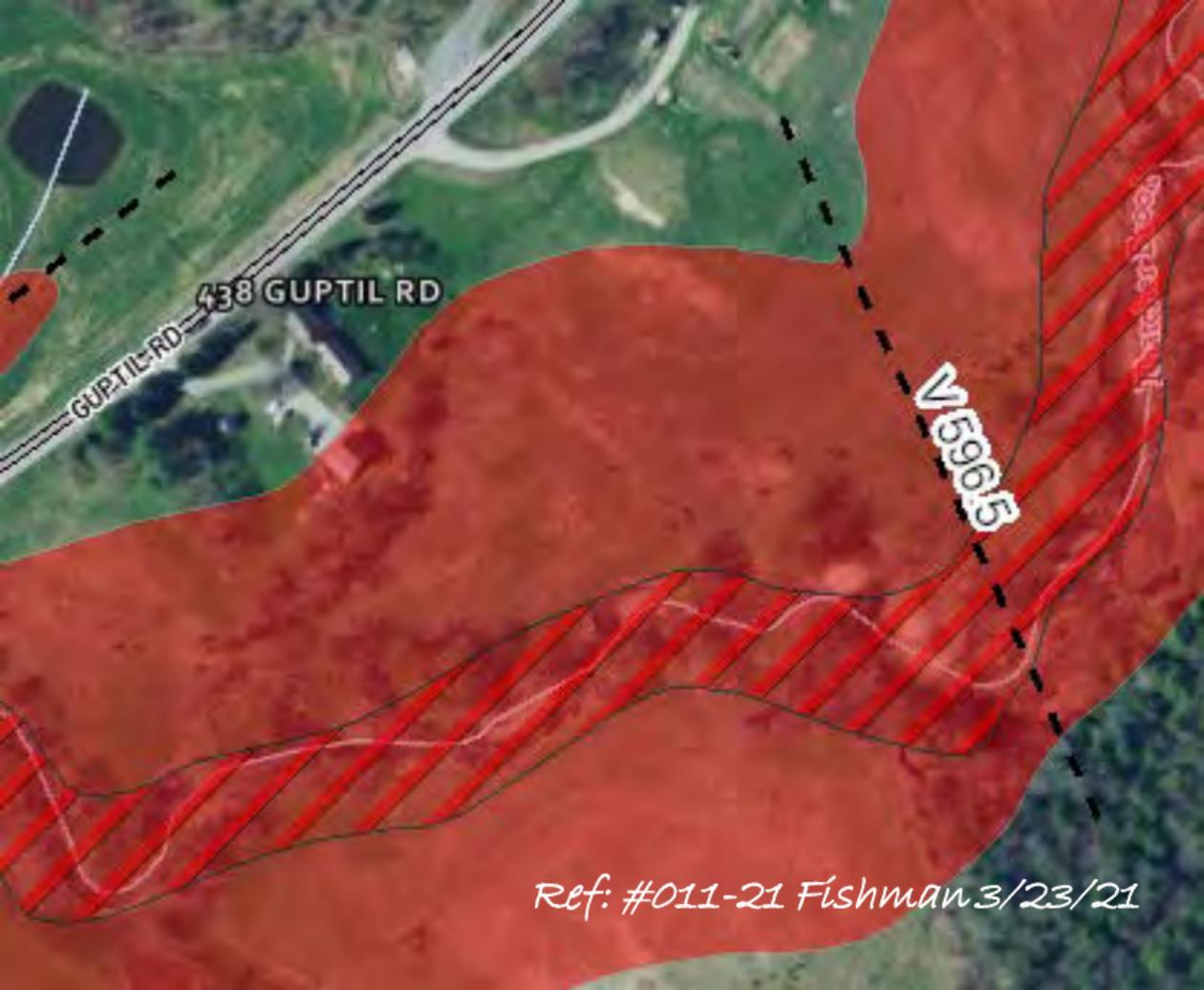
The proposed building will be built slab-on-grade with a Lowest Floor Elevation of 598', at least 2 feet above the Base Flood Elevation in compliance with the bylaw. All utilities will be at 598' or higher. In conformance with the bylaw, at the completion of the project the applicant will be required to submit an Elevation Certificate for the Finished Construction confirming the as-built condition in compliance with the Town bylaw and permit.

As always, other State, Federal or local permits may be required for this project. Peter Kopsco, the VT DEC Permit Specialist for the region, is available to help the applicant identify any other State Environmental Permits that may be necessary. These comments are offered in support of the Town of Waterbury under 606 (b) and 24 VSA §4424. Where the Town has additional or more stringent standards those standards will control.

Please let me know if you have any questions.
Thank you,



Ned Swanberg, Central Vermont Floodplain Manager, CFM
DEC River Corridor and Floodplain Protection Program
ned.swanberg@vermont.gov 802.490.6160



438 GUPTIL RD

GUPTIL RD

V59615

Ref: #011-21 Fishman 3/23/21



December 14, 2011

Ref: #011-21 Fishman

Clare Rock
Waterbury Zoning Administrator
51 South Main Street
Waterbury, VT 05676

RE: Town Permit 70-10-T
Fishman Property, Guptil Road, Waterbury
McCain Project No. 30015

Dear Clare,

Pursuant to condition # 3 of the approval of Application #07-10-T, this letter is to provide documentation regarding the construction that has occurred to date at the above referenced property.

The cut, fill, and house construction work on Lot 3 of the project was completed last year and an elevation certificate was filed, all as per our letter to former Zoning Administrator Alena Schnarr dated January 13, 2011.

This letter is to document that the cut and fill work associated with Lot 2 of the project was completed this year, and that the work was done as proposed, in a workmanlike manner, and in substantial compliance with the approved plans.

At this point no house has been constructed on Lot 2, so no elevation certificate for that lot is presented.

With the exception of the filing of an elevation certificate for the Lot 2 house when it is built, this completes the reporting requirements for Permit #07-10-T.

Please feel free to call with any questions you may have.

Sincerely,
McCain Consulting, Inc.

Peter Lazorchak, P.E.

cc: Stephen & Susan Bayer Fishman



Lot 2 Guptil Rd., Fishman (MDR/SFHA)

Waterbury, VT

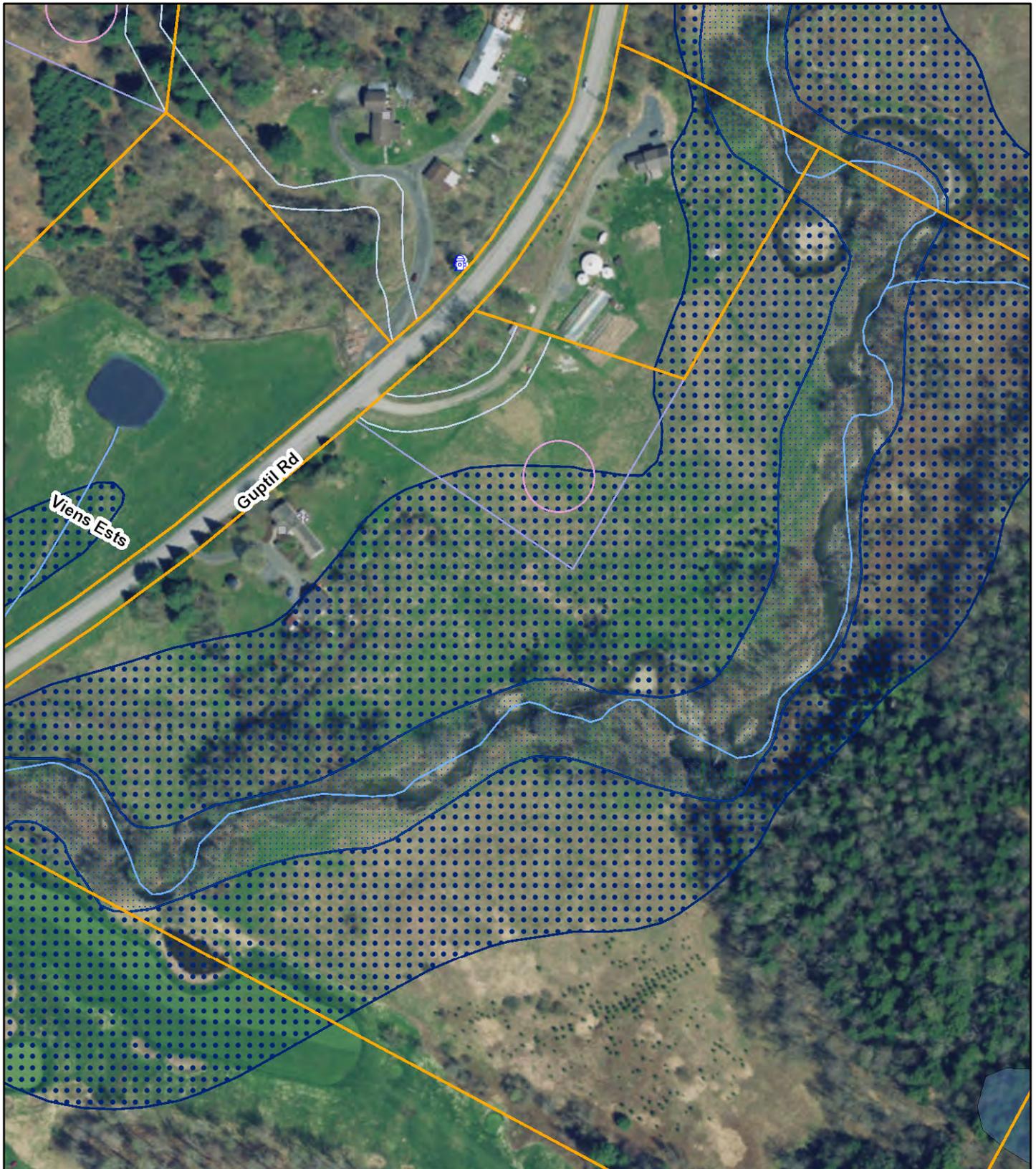
1 inch = 200 Feet



EXHIBIT E1

#011-21 (Staff)

March 26, 2021



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.



Lot 2 Guptil Rd., Fishman

Waterbury, VT

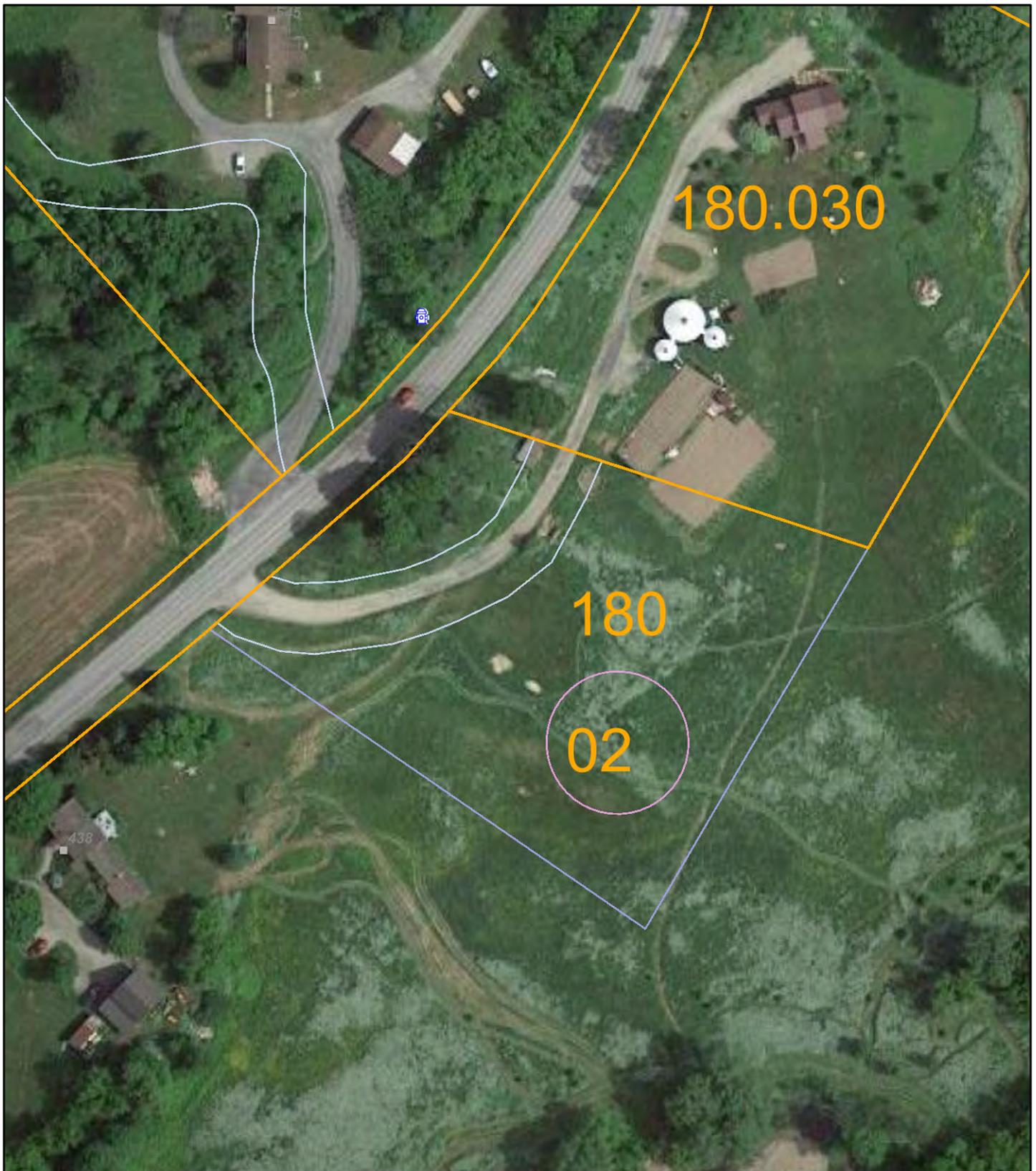
1 inch = 100 Feet



EXHIBIT **E2**

#011-21 (Staff)

March 26, 2021



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.

EXHIBIT **F**

#011-21 Fishman
Abut-ltr & mail-certs

**NOTICE OF PUBLIC HEARING
WATERBURY DEVELOPMENT REVIEW BOARD
Wednesday, April 21, 2021**

Date mailed certified: 3/31/21

FROM: Ari Fishman
438 Guptil Road
Waterbury Center, VT 05677

TO: Adjoining Landowners

Adjoining landowners are hereby notified: The Waterbury Development Review Board will convene a Public Hearing at 6:30 p.m. on **Wednesday, April 21, 2021**, via ZOOM and conference call. Connection details will be provided on the DRB agenda published on www.waterburyvt.com prior to the meeting. The Board will act on the following:

#011-21: Ari Fishman (applicant), Stephen Fishman (owner)
Special Flood Hazard Area review to construct a new dwelling and detached garage on undeveloped Lot 2 Guptil Road. (MDR/SFHA zoning/overlay districts)

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. 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 currently closed to the public except by appointment only.



7020 1810 0001 1339 7560

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Waterbury Center, VT 05677

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55
Total Postage and Fees \$4.15

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



7020 1810 0001 1339 7560

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Waitsfield, VT 05675

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
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Postage \$0.55
Total Postage and Fees \$4.15

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



7020 1810 0001 1339 7546

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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Waterbury Center, VT 05677

Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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EXHIBIT **F2**

#011-21 Fishman