

The previous notice for this hearing had an error stating that the hearing will be on Thursday, March 20. This date was incorrect. The hearing will be on Thursday, March 27. The corrected notice follows:

TOWN OF MONTGOMERY
DEVELOPMENT REVIEW BOARD
NOTICE OF PUBLIC HEARING

The Public Hearing will be **Thursday, March 27** at 5:30 pm at the Montgomery Public Safety Building, 86 Mountain Rd, Montgomery, Vermont.

Nafis and Sarita Khan have submitted an application for subdivision at 561 Highland Drive, parcel ID #00303.027. The parcel lies in both the Village 2 and Conservation 2 Zoning Districts and consists of 33.09 acres with an existing chalet. The application is to create three new parcels of 10.43 acres, 10.74 acres, and 10.82 acres, and reduce the existing parcel with the chalet to 1.09 acres. The Development Review Board will conduct a Site Plan Review for the proposed subdivision.

Further information may be obtained from the Zoning Administrator, Ellen Fox, or at the Montgomery Town Clerk's Office.

An interested person must participate in the local proceeding as a prerequisite to the right to any subsequent appeal.

Certificate of Mailing:

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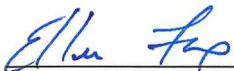
Notice of Hearing and copy of the application to the applicant:

Nafis and Sarita Khan		PO Box 486	MONTGOMERY CENTER	VT	05471
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Notice of Hearing to all abutters:

VERMONT DEPT FOREST PARKS & REC	WOODLAND	103 S MAIN ST 10 SOUTH	WATERBURY	VT	05676
ALPINE HAVEN PROP OWNERS ASSN IN	ATTN: COLLEEN PRATT	PO BOX 345	MONTGOMERY CTR	VT	05471
LAPOINTE JUDITH		8400 ST URBAIN	MONTREAL QUE	CANADA	H2P 2P1
WILBURN STEPHEN KEITH	WILBURN KATHRYN DENISE	PO BOX 295	MONTGOMERY CTR	VT	05471
O'BRIEN MICHAELS	O'BRIEN DEBRA G	74 DAVIS PARKWAY	SOUTH BURLINGTON	VT	05403
BOWDEN TODD P		PO BOX 418	MONTGOMERY CENTER	VT	05471
AHA WATER COOPERATIVE INC.		P.O. BOX 461	NEWPORT	VT	05855
JAY PEAK INC		VT ROUTE 242	JAY	VT	05859

I attest that these documents were mailed by me by first class mail this 6th day of March 2025.



Ellen Fox, Zoning Administrator

TOWN OF MONTGOMERY, VERMONT
APPLICATION TO DEVELOPMENT REVIEW BOARD

APPLICANT (s): Name (s) NAFIS + Sarita Khan Phone: 902-578-7103
Address PO Box 486 Montgomery Center VT 05471

PROPERTY: Parcel I.D. No. Sec attached Zoning District Village 2 and CONS 2
Location Across from 561 Highland Dr
Date Acquired 2008 Town Land Records - Book 79 Page 405
Present Use Undeveloped Proposed Use 1 House lots
Lot Size 32 acres Depth Frontage on Public Road or R.O.W.

TYPE OF APPLICATION:

- () Appeal from a decision of the Administrative Officer
() Application for a Conditional Use Permit
() Application for a Variance from the Town's Zoning Regulations
() Approval of lot(s) accessed via Right-of-Way of record
(x) Site Plan approval for Subdivision
() Request for interpretation of Zoning Regulation or Map

State reason for Application:

RECEIVED/PAID
DEC 19 2024
TOWN OF MONTGOMERY

ADDITIONAL INFORMATION REQUIRED WITH APPLICATION: A plot plan must be submitted with this application to show; property boundary lines with dimensions, easement and right-of-way lines, all existing and proposed structures and alterations, proposed subdivision of land, scale and true north, location of sewage and water supplies, and other relevant information.

I hereby certify that the information in this application, (including attachments), is true and correct.

Signed: [Signature]
Applicant (s) or Authorized Agent

Date: Dec 15th 2024

Submit to Town Clerk with required fee: \$215 (Checks payable to Town of Montgomery).

FOR USE BY DEVELOPMENT REVIEW BOARD

DRB Application No. Zoning Permit Application No.: Fee Paid:

Date Received: Notice of Hearing Date: Date of Hearing:

Decision of Board: Approved () Denied () Date of Decision:

Conditions:

Secretary, Development Review Board

Original to DRB and copies for applicant, listers, town clerk

APPLICATION FOR BUILDING/ZONING PERMIT

Applicant: Name(s) NAFIS and Sarita Khan Phone 9025787103
Mailing Address PO Box 486 Montgomery Ctr. Vt 05471 Email Relax@Vtsoftcaves.com
Physical Property Address: Highland Drive, Montgomery Center Vt. 05471

Project: New Building Improvement/Addition Subdivision Other (explain below)

Description: 32 acre property

New Building/Addition: Length (ft) _____ Width (ft) _____ Height (ft) _____ Total Sq. Footage _____

Setbacks: Edge of Road right-of-way (ft) _____ Rear line (ft) _____ Left line (ft) _____ Right line (ft) _____

New Subdivision: Lot # 1 Frontage 1750ft Depth 400ft | Lot # 2 Frontage 450+ Depth 1750+
Lot 3 Frontage 175ft Depth 700ft

I hereby certify that the information in this application (including attachments) is true and correct. *All owners must sign*
IMPORTANT: Attach a map or sketch to show property boundaries, easements and right of way, locations of existing and proposed structures and land alterations, water supply, sewage systems, roads, and driveways. Indicate scale and North.

Signed [Signature] [Signature] [Signature] Dec. 19th 2024
signature(s) _____ date _____

Submit this application with a zoning fee of \$ 50.00 + \$15.00 (recording fee). Payable to Town of Montgomery.

For use by Administrative Officer Only

Decision: Denied Approved Permit # _____

Permit approved subject to conditions specified below and is valid (except if appealed) beginning on _____ and expiring on _____

Conditions: All land development must comply with State & Federal Regulations. All additions/renovations to dwellings, new Single Family, and new multi-family dwellings (in buildings up to 3 stories) must meet the Vermont Residential Building Energy Standards. _____

Signed _____
Administrative Officer _____ Date of decision _____

An interested person may appeal a decision by the Administrative Officer, within 15 days of the date of such decision, to the Development Review Board.

{Blank Area Below for Recording Stamp}

Date Received		RECEIVED/PAID
		DEC 19 2024
TOWN OF MONTGOMERY		
Zone Class		
VILLAGE 2 and		CONS 2
Parcel ID #	00303.027X	Town Bk/Pg

Vermont Warranty Deed

Know All Persons By These Presents
that, I,

LAWRENCE F. WESLOCK,
Surviving joint tenant,

of Annapolis, County of Anne Arundel and State of Maryland, GRANTOR, in the consideration of One Dollar and Other Good and Valuable Consideration, paid to my full satisfaction by,

NAFIS KHAN and SARITA KHAN,
Husband and wife,

of Coral Springs, in the County of Broward and State of Florida, GRANTEES, by these presents do freely Give, Grant, Sell, Convey and Confirm unto the said GRANTEES,

NAFIS KHAN and SARITA KHAN,
Husband and wife, as tenants by the entirety,

And their heirs and assigns forever, a certain piece of land in the Town of Montgomery, in the County of Franklin and State of Vermont, described as follows, viz:

Being all and the same land and premises conveyed to Lawrence F. Weslock by Warranty Deed of Leisure Properties, Inc., dated September 20, 1974, recorded in Book 31, Page 437 of Montgomery Land Records and being therein described as follows:

"A parcel of land in the Alpine Haven Subdivision, so-called, containing 1.09 acres, more or less, with buildings thereon, lying on the northerly side of Highland Drive and being more particularly described as follows:

Beginning at an iron pipe on the northerly edge of Highland Drive, said point lies twenty-five feet (25'), more or less, from the centerline of said roadway and is the southeasterly corner of the lands and premises herein conveyed; thence N 16° 49' W a distance of two hundred fifty feet (250') more or less, to an iron pipe; thence S 42° 50' W a distance of 314.34 feet, more or less, to an iron pipe; thence S 43° 32' E a distance of 162.15 feet, more or less, to an iron pipe lying on the northerly edge of the abovementioned Highland Drive; thence N 48° 42' E in and along the northerly edge of said drive a distance of 129.86 feet, more or less, to a point; thence N 73° 11' E in and along the northerly edge of said drive a distance of 79.36 feet, more or less, to the point of beginning.

Meaning to convey Lot #80 as set forth in a certain survey map prepared by Palmer Company Limited of South Burlington, Vermont, dated May 15, 1974 and designated as Job No. 74-16.

Bring a portion of the land and premises conveyed to Leisure Properties, Inc. by warranty deed of Hubert Daberer and Russell King dated November 29, 1967 and recorded in Book 28A, Page 439 of the Montgomery Land Records.

The chalet on the above land is described as Chalet #80.

There is hereby EXCEPTED AND RESERVED the right to go upon the aforementioned premises at any time for the purpose of laying, relaying and repairing or maintaining any and all water or sewer lines which may be necessary for servicing any other property located in this area.

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The Grantor hereby agrees to keep and maintain said right-of-way in a good, reasonable state of repair, and it agrees to supply water to said premises as now piped and to supply garbage removal for said premises and to maintain the street lights in the area of said premises as now in existence. For these services, the Grantee, his heirs, administrators, or executors, shall pay to the Grantor, its successors or assigns, a reasonable annual fee therefore.

This instrument is conditioned that said premises shall not be used for commercial purposes of any nature or description and that no buildings shall be erected thereon except a one-family dwelling, or a replacement, or a garage to be used in connection therewith, and any such construction shall be of a type and an appearance in keeping with the area.

The Grantee, by the acceptance of this instrument, agrees that in the event he should sell or dispose of the above described premises, he will give to the Grantor or its assigns, the first option to purchase said premises for the price that it can be sold for to a third party.

This instrument shall also constitute a bill of sale and is evidence of delivery of all of the carpeting in said chalet, all appliances, and all furniture located therein."

Meaning hereby to convey all and the same land and premises as conveyed by Lawrence Weslock to Priscilla Long by Warranty Deed dated November 4, 1974 and recorded in Book 31 at Page 449 of the Montgomery Land Records, and then conveyed by Priscilla Long to Lawrence and Ann Weslock, joint tenants with the right of survivorship, by Warranty Deed dated November 4, 1974 and recorded in Book 31 at Page 450 of the Montgomery Land Records.

Reference is also made to a Corrective Deed from the Franklin-Lamoille Bank to the said Leisure Properties, Inc., said deed being dated March 9, 1977 and recorded April 1, 1977 in Book 32, Page 187 of Montgomery Land Records. The purpose of this deed is to correct any deficiencies which there may have been in the form of the transaction from Lawrence Weslock to Priscilla Long and in the transaction from Priscilla Long to Lawrence and Ann Weslock, and also to incorporate the corrections set forth in the above referenced corrective deeds from the Franklin-Lamoille Bank and from Leisure Properties, Inc.

Further reference may be made to Quit Claim Deeds from said Lawrence F. Weslock and Ann C. Weslock to Richard C. White, and from Richard C. White to Lawrence F. and Ann C. Weslock, said deeds dated March 14, 1977 and recorded in Book 32, Pages 188 and 190 respectively, of said Montgomery Land records.

Reference is here made to the aforementioned deeds and to the records thereof and to all prior deeds and their records for a more particular description of the lands and premises hereby conveyed.

To have and to hold said granted premises, with all the privileges and appurtenances thereof, to the said GRANTEES,

NAFIS KHAN and SARITA KHAN,
Husband and wife,

And their heirs and assigns, to their own use and behoof forever; and I, the said GRANTOR,

LAWRENCE F. WESLOCK,
Surviving joint tenant,

For myself and my heirs, executors and administrators, do covenant with the said GRANTEES,

NAFIS KHAN and SARITA KHAN,
Husband and wife,

And their heirs and assigns, that until the ensembling of these presents I am the sole owner of the premises and have good right and title to convey the same in manner aforesaid; that they are free from every encumbrance;

And I hereby engage to ~~Warrant and Defend~~ the same against all lawful claims whatever, except as aforesaid.

In Witness Whereof, I hereunto set my hand and seal this 7th day of July, 2003.

In the Presence of:

Timothy Hawkins
Witness to signature

Lawrence F. Westlock
LAWRENCE F. WESLOCK

State of Vermont }

County of Franklin }, ss.

At St. Albans, this 7 day of July, 2003, LAWRENCE F. WESLOCK personally appeared and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed.

Before me, Timothy Hawkins
Notary Public

Montgomery Town Clerk's office received for recording July 9 A.D., 2003, at 11 o'clock and 30 minutes A.M.

ATTEST Cynthia Cato
Ass't Town Clerk

Vermont Property Transfer Tax
32 V.S.A. Chap. 231
-ACKNOWLEDGMENT-
Return Rec'd.-Tax Paid-Board of Health Cert. Rec'd.-
VL Land Use & Development Plans Act Cert. Rec'd.
Return No. 46-03
Signed: Cynthia Cato Clerk
Date: July 9, 2003