

TOWN OF UNDERHILL, VT
Planning & Zoning Administrator

P.O. Box 120, Underhill, VT 05489
E-mail: smcshane@underhillvt.gov

Phone: (802) 899-4434, x106
Fax: (802) 899-2137

MEMORANDUM

To: DRB, SB, UJFD, UCC
From: Sarah McShane, PZA
Date: 3/2/2015
Re: Agenda and Information for 3-2-2015 Hearing

**Development Review Board
NOTICE OF PUBLIC MEETING**

AGENDA

**Monday, March 2, 2015 - 6:30 Public Hearing
Underhill Town Hall, 12 Pleasant Valley Rd. Underhill, VT**

6:30 PM	Public Comment Period
6:35 PM	Final Subdivision Review- 2 Lot Subdivision Applicant: Baizley Docket #: DRB 14-04 Location: 623 Pleasant Valley Road
7:30 PM	Other Business Review minutes
8:00 PM	Adjourn

Additional information may be obtained at the Underhill Town Hall. The meeting and hearing are open to the public. Pursuant to 24 VSA §§4464(a)(1)(C) and 4471(a), participation in this local proceeding, by written or oral comment, is a prerequisite to the right to take any subsequent appeal. If you cannot attend the hearing, comments may be made in writing prior to the meeting and mailed to: Zoning & Planning Administrator, P.O. Box 120 Underhill, VT 05489 or to smcshane@underhillvt.gov.

Note: The timing of agenda items is approximate and subject to change

(PV623) Contents:

- a) Cover sheet from Brian Tremback (Lamoureux & Dickinson) dated 1-29-2015;
- b) Application for Subdivision: Final & Checklist (dated 1/26/2015);
- c) Subdivision Standards Findings Checklist;

- d) Wastewater System & Potable Water Supply Permit issued by the VT Dept. of Environmental Conservation (WW-4-4377) (dated 1-13-2015);
- e) A list of property abutters;
- f) A copy of the Overall Site Plan (Sheet S1) prepared by Lamoureux & Dickinson (project no. 14047, date 10-3-2014, last revised 1-16-2015);
- g) A copy of the Site Plan for Proposed Improvements (Sheet S2) prepared by Lamoureux & Dickinson (project no. 14047, date 10-3-2014, last revised 1-16-2015);
- h) A copy of the Water & Wastewater System Details and Specifications (Sheet D1) prepared by Lamoureux & Dickinson (project no. 14047, date 10-3-2014, last revised 1-16-2015);
- i) A copy of the survey plat of 'Proposed 2 Lot Subdivision Arnold & Paula Baizley' prepared by William H. Hannon, Plat No. 14434 (dated 7-14-2014);
- j) A copy of the DRB Preliminary Decision (dated 12-15-2014);
- k) A copy of DRB minutes from 6-2-2014 and 12-1-2014;
- l) A copy of the approved Access Permit dated 1-6-2015;
- m) A copy of the zoning map of the property;
- n) A copy of the hearing notice as published in Seven Days, posted at three public locations and mailed to abutters;
- o) A copy of the procedure checklist for this meeting; and
- p) This Memo.

**Final Subdivision Hearing on the Application of
Arnold Baizley for 2 Lot Subdivision**

Applicant(s): Baizley

Consultant(s): Brian Tremack/Lamoureux & Dickenson

Property Location: 623 Pleasant Valley Road (PV623)

Acreage: ±84.20 Acres

Zoning District(s):

RURAL RESIDENTIAL: 3 acres

250 ft road frontage

Setbacks: Front – 30 ft

Side & Rear – 50 ft

Accessory Bldgs. – 30 ft (front)

20 ft (side & rear lines)

Max. Bldg. Coverage: 25%

Max. Lot Coverage: 50%

Max. Building Height: 35 ft

SCENIC PRESERVATION: 10 acres

400 ft road frontage

Setbacks: Front – 30 ft

Side & Rear – 75 ft

Accessory Bldgs. – 30 ft (front)

20 ft (side & rear lines)

Max. Bldg. Coverage: 10%

Max. Lot Coverage: 15%

Max. Building Height: 35 ft

SOIL & WATER CON.: 15 acres

400 ft road frontage

Setbacks: Front – 30 ft

Side & Rear – 75 ft

Accessory Bldgs. – 30 ft (front)

20 ft (side & rear lines)

Max. Bldg. Coverage: 7%

Max. Lot Coverage: 10%

Max. Building Height: 35 ft

Relevant Regulations: 2012 Underhill Unified Land Use & Development Regulations
2002 Road Policy

- Article II, Table 2.3 – Rural Residential District (pg. 12)
- Article II, Table 2.5 – Mt. Mansfield Scenic Preservation District (pg. 18)
- Article II, Table 2.6 – Soil & Water Conservation District (pg. 21)

- Article II, Table 2.7 – Flood Hazard Overlay District (pg. 24)
 - Section 3.2 – Access (pg. 27)
 - Section 3.7 – Lot, Yard & Setback Requirements (pg. 35)
 - Section 3.13 – Parking, Loading & Service Area (pg. 41)
 - Section 3.18 – Steep Slopes (p. 53)
 - Section 3.19 – Surface Waters & Wetlands (60)
 - Section 3.22 – Water Supply & Wastewater Systems (pg. 65)
 - Section 7.6 – Final Subdivision Review (pg. 139)
 - Article VIII – Subdivision Standards (pg. 143)
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Staff Comments/Questions

Subdivision approval is requested for the 2 Lot subdivision pursuant to review under the following sections of the 2012 Unified Land Use and Development Regulations:

Article II, Tables 2.3, 2.5, and 2.6

The property is located in the Rural Residential, Scenic Preservation, and Soil & Water Conservation zoning districts as defined in Article II, Tables 2.3, 2.5, and 2.6 of the 2012 Unified Land Use and Development Regulations. The proposed dwelling is located within the Scenic Preservation zoning district. The Applicant is proposing to subdivide a ±28.3 parcel.

The application appears to meet all of the applicable dimensional standards. During the Sketch Plan Review meeting, the Board determined that the Applicant would not need to demonstrate the required 400 ft of frontage (see minutes from 6-2-2014). The Board discussed the issue during the Preliminary Hearing and determined that a waiver was not required.

Article II, Table 2.7, Flood Hazard Overlay District

Portions of the existing driveway leading to the property are located within a mapped Special Flood Hazard Area. Maintenance of existing infrastructure is exempt from floodplain review. If at any time in the future the applicant proposes any substantially improved roads, the project will require additional floodplain review.

Section 3.2, Access

Access for the subdivision is proposed via existing 60' wide easement off Pleasant Valley Road.

Per Section 3.2.C.3- A town access permit "shall be obtained after site plan, conditional use or preliminary subdivision approval." The Applicant obtained an Access Permit from the Selectboard on 1-6-2015.

The Applicant has provided a draft shared maintenance agreement as part of the draft deed during the preliminary hearing.

The Final Subdivision plans include the required 10' x 30' pull-off area (outside the mapped floodplain) as requested during preliminary review and during Access review by the Selectboard.

Section 3.7, Lot, Yard & Setback Requirements

Only one principal structure is proposed per lot [Section 3.7(A)]. The subdivision appears to meet the requirements of Section 3.7(B). However, the setbacks indicated on the plans are measured from the proposed dwelling since a building envelope has not been designated.

Section 3.13, Parking, Loading & Service Areas

Off-street parking for the single family dwelling on the proposed lot appears adequate.

Section 3.18, Steep Slopes

Portions of the property contain steep slopes (15% -25%) and very steep slopes (>25%). All proposed development appears to be outside of these areas according to the ANR Natural Resources Atlas. Development on steep and very steep slopes is subject to Conditional Use review under Section 5.4, or for the subdivision of land, applicable subdivision standards under Article VII, and the requirements of Section 3.18. As proposed, this subdivision will not impact areas of steep and very steep slopes.

Section 3.19, Surface Waters & Wetlands

Settlement Brook runs along portions of the far western property. Settlement Brook is more than 2,500 ft from the proposed development.

The existing driveway and bridge cross the Seymour River. No residential development or encroachments are proposed within the riparian buffers or setbacks. According to the ANR Natural Resources Atlas there are no wetlands on the property.

Section 3.22, Water Supply & Wastewater Systems

The applicant has provided a copy of the Wastewater System and Potable Water Supply Permit (WW-4-4377) issued by the Vermont Department of Environmental Conservation. The septic permit is for a proposed four bedroom single family residence.

A Vermont Agency of Natural Resources and Natural Resources Board Project Review Sheet was submitted with the preliminary plans. The on-site septic system is not proposed within the riparian buffer or setback [Section 3.22(C)(4)].

Section 7.6, Subdivision Review, Final Subdivision Review

It was determined at the sketch plan meeting on June 2, 2014 that preliminary subdivision review would not be waived in accordance with Section 7.5(B). A preliminary hearing was held on 12-1-2014. The DRB issued a Preliminary Decision on 12-15-2014.

The submission requirements of Section 7.6 and the hearing requirements of Section 7.6(C) have been fulfilled. During the Preliminary Review the Board determined that a site visit was not required.

Article VIII, Subdivision Standards

The Applicant has provided responses to applicable sections of Article VIII on the Findings Checklist. This document should be reviewed [Section 8.1(C), Sections 8.2 through 8.8].

A building envelope has not been designated on the plans. Section 8.2.G (pg 146) requires the designation of building envelopes to “limit the location of structures, parking areas, and associate site improvements.”

Per Section 8.3.C (Rock outcrops, Steep Slopes, Hillsides & Ridgelines -pg 148) “Building envelopes, to the extent physically feasible, shall be located to exclude these areas.”

Underhill Road Policy, Vermont Agency of Transportation B-71 standards

The driveway appears to meet Standard B-71. An Access Permit was obtained by the Selectboard on 1-6-2015.

Underhill DRB Rules of Procedure
Final Hearing Application of
Arnold & Paula Baizley
3-2-2015

State the following:

- 1) “This is a final hearing on the application of Arnold & Paula Baizley for a final subdivision review for a 2-lot subdivision on property they own at 623 Pleasant Valley Road in Underhill, VT.

The purpose of final subdivision review is to determine final project conformance with the municipal plan, the regulations, and other municipal ordinances in effect at the time of application.

This subdivision revision is subject to review under the 2012 Unified Land Use and Development Regulations.

- 2) The order of speakers tonight will be:
 - a. We will hear from and ask questions of representatives the Applicants’ consultant, and/or the Applicants;
 - b. Then we will hear and ask questions of the Planning & Zoning Administrator, Sarah McShane;

- c. Then we will give other persons in the room a chance to speak. Under our Rules of Procedure, each speaker is limited to five minutes; however, that time can be increased upon request to the Board and majority consent of the Board; then
 - d. The applicant's or their consultants will have an opportunity to respond; then
 - e. Final comments will be solicited from all parties.
 - f. All speakers should address their comments to the Board, not to other parties present at the hearing.
 - g. Board members may feel free to ask questions of any speaker.
- 3) Are any State or municipal representatives present?
- 4) An Interested Parties Info Sheet has been provided to all attendees. Please review it for further information.

Then state:

"Only those interested persons who have participated, either orally or through written statements in a DRB proceeding may appeal a decision rendered in that proceeding to the Environmental Division of Superior Court."

- 5) If you are an applicant/applicant representative, or an interested party who wants to participate in the hearing, we will have you come up to the witness chair and clearly state your name, residential address, and mailing address if it differs.
- 6) I am now going to swear in all those present who wish to speak tonight. All individuals who plan to testify must take the following oath by responding "***I do***" at the end: "***Do you hereby swear that the evidence you give in the cause under consideration shall be the whole truth and nothing but the truth under pains and penalties of perjury?***"
- 7) Are there any conflicts of interest or have there been any ex parte communications on the part of the Board members?
- 8) At this point I am going to enter into the record the information package that was sent by the Planning & Zoning Administrator prior to the hearing. The information included in this package relevant to this hearing is:
- a. Cover sheet from Brian Tremback (Lamoureux & Dickinson) dated 1-29-2015;
 - b. Application for Subdivision: Final & Checklist (dated 1/26/2015);
 - c. Subdivision Standards Findings Checklist;
 - d. Wastewater System & Potable Water Supply Permit issued by the VT Dept. of Environmental Conservation (WW-4-4377) (dated 1-13-2015);
 - e. A list of property abutters;

- f. A copy of the Overall Site Plan (Sheet S1) prepared by Lamoureux & Dickinson (project no. 14047, date 10-3-2014, last revised 1-16-2015);
- g. A copy of the Site Plan for Proposed Improvements (Sheet S2) prepared by Lamoureux & Dickinson (project no. 14047, date 10-3-2014, last revised 1-16-2015);
- h. A copy of the Water & Wastewater System Details and Specifications (Sheet D1) prepared by Lamoureux & Dickinson (project no. 14047, date 10-3-2014, last revised 1-16-2015);
- i. A copy of the survey plat of 'Proposed 2 Lot Subdivision Arnold & Paula Baizley' prepared by William H. Hannon, Plat No. 14434, dated 7-14-2014);
- j. A copy of the DRB Preliminary Decision dated 12-15-2014;
- k. A copy of DRB minutes from 6-2-2014 and 12-1-2014;
- l. A copy of the approved Access Permit dated 1-6-2015;
- m. A copy of the zoning map of the property;
- n. A copy of the hearing notice as published in Seven Days, posted at three public locations and mailed to abutters;
- o. A copy of the procedure checklist for this meeting; and
- p. This Memo.

9) We'll begin testimony, and hear from applicants and/or their consultant.

10) Next we will hear from the Planning & Zoning Administrator.

11) Are there members of the public who would like to speak?

12) Any final comments from anyone?

13) Does the Board feel that they have enough information at this time to make a decision on the application?

a. If more information is needed to make a decision on the application, adjourn the hearing to a time certain and outline for the applicant what is required at that continued hearing; or

b. If by consensus enough information has been presented to make a decision on the application, announce that the evidentiary portion of the hearing is closed.

14) Does the Board wish to discuss the application in open or (closed) deliberative session? (After the ruling, continue with the info below.)

“Within 45 days from this hearing, the Zoning Administrator, on behalf of the DRB, will send a copy of the decision and letter to the Applicants, their consultants, and those who have participated in tonight’s hearing. A 30-day appeal period will begin

on the date the decision is signed. The letter will outline the next steps in the process.

If there are no other comments or questions we will close [this portion of] the meeting.”



January 29, 2015

Sarah McShane
Zoning & Planning Administrator
Town of Underhill
P.O. Box 32
Underhill Center, VT 05490

RE: Baizley property, 623 Pleasant Valley Road
Final plan application

Dear Sarah:

On behalf of Arnold and Paula Baizley, we are submitting a Final Plan application for the subdivision of their 84.3-acre property on Pleasant Valley Road. They propose to create a 28.3-acre single-family residential lot and retain 56 acres with the existing house. A Preliminary Plan Hearing took place on Monday, December 1, 2014. The Preliminary Findings and Decision was issued by the Development Review Board on December 15, 2014 with the following requirements:

1. **That an Access Permit be obtained from the Selectboard prior to filing for final subdivision review.** The issuance of this permit pending.
2. **A copy of the Wastewater System and Potable Water Supply permit shall be submitted with the application.** This permit was issued on January 13, 2015. A copy is enclosed.
3. **That a driveway pull-off be shown outside the floodplain.** The enclosed plans show a pull-off just beyond the edge of the floodplain.

We have enclosed:

- | | |
|----------------------------------|--|
| 1. Final Plan Application | 5. Wastewater System and Potable Water Supply Permit |
| 2. Check for the application fee | 6. Abutting landowner mailing addresses |
| 3. Subdivision Checklist | 7. One full-size set of plans |
| 4. Findings Checklist | 8. Twelve 11" x 17" copies of the plans |

If you have any questions or need additional information, please don't hesitate to contact me.

Sincerely,

Brian Tremback
Certified Professional Soil Scientist
Licensed Designer, Class B
Wetland Scientist
brian@LDengineering.com

cc: Arnold Baizley

Enclosures

P:\2014\14047\Town\14047-Ltr-Final plan application.McShane.bjt.wpd

TOWN OF UNDERHILL

P.O. Box 32

Underhill Center, VT 05490

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

Email: underhillzoning@comcast.net

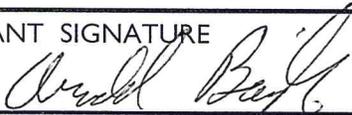
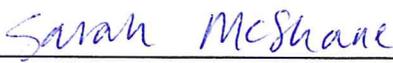
APPLICATION FOR SUBDIVISION: FINAL

ZONING DISTRICT(S):

PROPERTY CODE: PV623

FEES: \$300 hearing fee + \$100 per lot + costs + recording fees

Residential Rural Residential Water Conservation Scenic Preservation Soil & Water Conservation

RECORD OWNER OF PROPERTY: Arnold & Paula Baizley	MAILING ADDRESS: 623 Pleasant Valley Road, Underhill, VT 05489
PHONE: 802-899-3281	E-MAIL: baizleya@us.ibm.com
ACREAGE IN ORIGINAL PARCEL: 84.3	PROPOSED NUMBER OF LOTS: 2
DESCRIPTION OF PROJECT: The project consists of subdividing a 84.3-acre parcel to create two lots. Lot 1 will contain the existing house and be 56 acres in size. Lot 2 will be used for one new single-family residence and be 28.3 acres in size. The existing driveway from Pleasant Valley Road will be shared by both houses	
DEVELOPER: Arnold & Paula Baizley	CONTACT INFORMATION: see above
DESIGNER / ENGINEER: Brian Tremback / Lamoureux & Dickinson	ADDRESS: 14 Morse Drive, Essex Junction, VT 05452
PHONE: 802-878-4450	E-MAIL: brian@LDengineering.com
SURVEYOR: William Hannon	ADDRESS: 774 Bakersfield Road, Jeffersonville, VT 05464
PHONE: 802-644-5726	EMAIL: bhannon@crossconsultingengineers.com
APPLICANT SIGNATURE 	DATE 1/26/15
RECEIVED 	DATE 2-2-2015

Please submit a complete application with the attached checklist and final plans to the Zoning Administrator. A Final Hearing before the Development Review Board will be scheduled upon receipt of a complete application. For questions, please contact the Zoning Administrator at 899-4434, x106 or underhillzoning@comcast.net.

*Baizley -
paid \$500 -
check # 1283 on 2-3-2015
S. McShane*

TOWN OF UNDERHILL, VERMONT

Subdivision Checklist: Final Hearing

Docket #: 14-04 Property ID: PV623 Meeting Date: 2-2-2015 (Final)

Applicant/Consultant: Applicant: Arnold & Paula Baizley
Consultant: Brian Tremback

of Lots: 2 Zoning District(s): RR, SWC, SP

Is this a Planned Residential Development? Yes No

Is this a Planned Unit Development? Yes No

Is this part of a previously-approved subdivision? Yes No

Submission Requirements

The following are required prior to scheduling a hearing.

<u>Required</u>	<u>Submitted</u>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	One large and twelve 11" x 17" copies of the final subdivision plan.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Engineering drawings (see attached checklist).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	State and/or Federal Permits/Approvals.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Draft legal documents (deeds, easements, Homeowners Associations, maintenance agreements, etc.).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Fees.
<input type="checkbox"/>	<input type="checkbox"/>	Master Plan. See Section 8.1(B)(1)(a) for specific requirements.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Finalized Findings of Fact (see attached checklist).
<input type="checkbox"/>	<input type="checkbox"/>	Written requests for modifications or waivers, including justifications for such requests.

TOWN OF UNDERHILL, VERMONT

Subdivision Checklist: Final Hearing



<u>Required</u>	<u>Submitted</u>	<u>SURVEY</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	The name and address of the record owner and designer of plat. Survey must be done by a licensed land surveyor.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Date, north orientation used and basis, scale, and legend.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	The property codes and names of owners of record of adjacent acreage, including those directly across any road adjoining proposed subdivision. Also include the names of all subdivisions immediately adjacent to the proposed subdivision.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Zoning district(s) applicable to the area to be subdivided.
<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed easements, rights-of-way, roads, driveways, pedestrian walkways, and utility corridors. Proposed utility easements will be centered on as-built utility lines.
<input type="checkbox"/>	<input type="checkbox"/>	Surface waters, wetlands, vernal pools, and associated buffers. None within construction areas
<input type="checkbox"/>	<input type="checkbox"/>	Mapped floodplains. None within construction areas
<input type="checkbox"/>	<input type="checkbox"/>	Open space areas.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed lot lines with dimensions.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Building envelopes for all structures, parking areas, and associated site improvements.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A vicinity map drawn to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. Show all of the area within two thousand (2,000) feet of any property line of the proposed subdivision.

TOWN OF UNDERHILL, VERMONT

Subdivision Checklist: Final Hearing



Required	Submitted	<u>ENGINEERING DRAWINGS</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Name and address of record owner(s) and designer of engineering plans.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Date, north orientation used and basis, scale, and legend.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Abutting neighbors identified by name and property code.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Zoning district(s) applicable to the area to be subdivided.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Natural topography (surface contours, grades) and drainage patterns.
<input type="checkbox"/>	<input type="checkbox"/>	Outcrops, ledges, visually prominent ridgelines and peaks, or other unique topographical and geographical features. (Include tree canopy height for proposed development down-slope of ridges and hilltops). None within construction areas
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Areas of steep or very steep slopes.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Surface waters, wetlands, vernal pools, and associated buffers.
<input type="checkbox"/>	<input type="checkbox"/>	Mapped floodplains. None within construction areas
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Natural vegetative cover (timber and orchard stands, witness and shade trees, copses, hedgerows, etc.).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Areas of forestland.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Significant wildlife habitat areas and corridors, and rare, threatened, and endangered plant and animal communities and associated buffers. None within construction areas
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Primary agricultural soils. See narrative
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Historic sites and structures. None within construction areas
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Designated Source Protection Areas. None within construction areas
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Preserved open space areas, forestland, natural, cultural, and historic features. None within construction areas
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Existing easements, rights-of-way, pedestrian walkways, curb cuts, driveways, roads (including Class IV), parking areas, and utility corridors.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed easements, rights-of-way, pedestrian walkways, curb cuts, driveways, roads and upgrades, parking areas and designs for each (include cuts, fills, grades, drainage, culverts, travel lane widths, shoulder widths, surfacing, etc.)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed utility corridors.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Existing buildings and grades.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed new lot lines (dimensions to the nearest foot, no bearings) and acreages.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Building envelopes for all structures, parking areas, and associated site improvements.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Docket #: _____ Property ID: PV623 Hearing Date: _____

Applicant/Consultant: Arnold & Paula Baizley / Brian Tremback (L&D)

The following standards are excerpted from Article VIII of the Unified Land Use and Development Regulations. For full standards, refer to the complete regulations document.

Applicant(s) shall submit proposed findings of fact for each of the relevant subdivision standards below as part of the application for final subdivision review. Proposed findings shall address how the proposed development relates to each portion of the standard.

<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards</u>
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(A) Development Suitability

Indicate how the proposed subdivision will not result in undue adverse impacts to public health and safety, the natural environment, neighboring properties and uses, or the character of the area in which it is located.

The proposed project will not result in undue adverse impacts:

- The subdivision will result in the creation of only a single new residential lot.
- The new house is unlikely to be visible from any public viewing point.
- The new house will take advantage of an existing clearing in the woods.
- The new house will be located in the same portion of the property as the existing house.
- The new house will share the existing driveway from Pleasant Valley Road.
- There are generous sight distances in both directions from the driveway entrance at Pleasant Valley Road.
- The Vermont Natural Heritage Inventory records no occurrences of rare, threatened, or endangered species on the subject property or in the area. A deer wintering area is designated on the western portion of the property but its limits are outside the area proposed for construction.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required Submitted **Section 8.2 General Standards Cont'd**

 (B) Development Density

Provide the density calculations for each zoning district in the proposed project.

Zoning District:

a. Total land area in the proposed subdivision within this zoning district	2,077,830	ft ²
b. Area of land within existing road rights-of-way	0	ft ²
c. Area of land within proposed road rights-of-way	18,590	ft ²
d. Add lines b & c	18,590	ft ²
e. Subtract line d from line a	2,059,240	ft ²
f. Minimum lot size for this district	435,600	ft ²
i. Divide line e by line h	4.7	LOTS

Required Submitted **(C) Existing Site Conditions**

Indicate how the proposed subdivision will integrate and conserve existing site features and natural amenities (topography, drainage patterns, surface waters, wetlands, vernal pools, floodplains, vegetative cover, outcrops, ledges, ridgelines, peaks, primary agricultural soils, historic sites and structures, etc.).

No significant changes to topography or clearing of vegetation are proposed. The new house and driveway will be located in an existing clearing and avoid wetlands, surface waters, prime agricultural soils, etc.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.2 General Standards Cont'd

(D) Underhill Town Plan & Regulations

How will the proposed subdivision conform to the stated policies and objectives in the Underhill Town Plan as most recently amended, other provisions of these regulations, adopted capital or transportation improvement programs, and other municipal bylaws, ordinances and regulations?

The proposed subdivision conforms to the requirements of the Town Plan, the Land Use and Development Regulations, and the Sketch Plan review comments.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.2 General Standards Cont'd



(E) District Settlement Patterns

Identify the district(s) in which the proposed subdivision will occur.



Underhill Flats Village Center



Rural Residential



Water Conservation



Scenic Preservation



Soil & Water Conservation

Address the provisions in the applicable district(s) as stated in Section 8.2 (E).

- The proposed new house will be located in an existing clearing and will not require the cutting of more than a few trees, and therefore will not affect the forestry potential of the property.
- The portion of the property to be developed is not suitable for agriculture due to the small size of the clearing and steep slopes to the east.
- Wetland impacts are avoided.
- Sewage will be accommodated with an on-site wastewater system to be reviewed by the State. The District Assistant Regional Engineer has observed soil test pits on the property and confirmed suitability for a mound wastewater system.
- New impervious surfaces will be well below one acre and not require State permitting. Runoff will be dispersed by overland flow or conducted by vegetated swale to existing drainageways.
- No rare, threatened or endangered species, or deer wintering areas are recorded for the portion of the property that will support new construction.
- New construction will not be located on a ridgeline or a hillside visible from Pleasant Valley Road or other public viewing points.
- New construction will be supported in area that has no potential for sand or gravel extraction.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(F) Lot Layout

Explain how the proposed lots and lot layouts:

1. are suitable for their intended use, for subsequent development (building lots) or for resource or open space protection (conserved lots).

The proposal includes the creation of one new building site well-suited to accommodate a house, driveway, drilled well, and septic system. Construction will occur relatively near the existing driveway and house. It avoids undue adverse impacts to scenic resources and environmentally sensitive areas.

2. conform to desired district settlement patterns, as required under Subsection E.

The new house will be built in the Scenic Preservation District and will be situated so that improvements are not visible from Pleasant Valley Road.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.2 General Standards Cont'd



(F) Lot Layout Cont'd.

Explain how the proposed lots and lot layouts:

3. meet minimum lot size and density requirements under Article II, except as modified for planned residential or planned unit developments under Article IX.

The minimum lot size for the district in which the new house will be built is 10 acres. Proposed lot size is 28 acres.

4. conform to lot and yard requirements under Section 3.7.

The required setbacks will be met.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards Cont'd</u>
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(F) Lot Layout Cont'd.

If irregularly shaped lots (e.g., with curves, jogs, dog-legs, etc.) are proposed, provide an explanation for their necessity.

Almost 1/2 mile of new property line is proposed, consisting of only 4 line segments.

<u>Required</u>	<u>Submitted</u>	
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(G) Building Envelopes

See application checklist.

(H) Survey Monuments

See application checklist.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(I) Landscaping & Screening

1. How does the proposal preserve existing trees, tree lines, wooded areas of particular natural or aesthetic value to the site, and significant wildlife habitat areas?

The proposal restricts the new house site to the existing clearing and avoids the western portion of the property where deer wintering area has been identified.

2. How does the proposal comply with the requirement to provide an undisturbed vegetated buffer between developed and undeveloped portions of the subdivision, as necessary to minimize adverse impacts to surface waters and wetlands (See Section 3.19), or other natural or scenic resources under Section 8.3?

The proposal preserves the wooded slope to the east and forested land to the north and west. The clearing in which the house will be built extends south to the shared driveway. Few trees will need to be cut.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.2 General Standards Cont'd



(I) Landscaping & Screening Cont'd

3. How does the proposal provide for physical separation and visual screening as necessary to provide privacy, reduce noise or glare, or to establish a buffer between potentially incompatible land uses?

Proposed land use - single-family residential - on the new lot will be the same as that on the existing lot. Woodland will be preserved between the existing and proposed house sites.

4. How does the proposal comply with the requirement to establish a tree canopy along roads or pedestrian walkways?

Not applicable - no roads or pedestrian walkways are proposed.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.2 General Standards Cont'd



(J) Energy Conservation

Explain how the proposed subdivision design and layout, to the extent physically feasible, incorporates energy efficient design. See Section 8.2 (J) for recommended measures.

The new house will be orientated at the north end of a clearing, oriented roughly west to east. This will provide protection from north winds as well as reasonable sun exposure.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.3 Natural & Cultural Resources



(A) Resource Identification & Protection

Identify any significant cultural and natural features in the area of the proposed development, and indicate how they will be conserved.

There are no known cultural or natural features in the area of the proposed house site.

Required

Submitted



(B) Surface Waters, Wetlands & Floodplains

Explain how the proposed subdivision boundaries, lot lines and building envelopes are located and configured to avoid adverse impacts to surface waters, wetlands, special flood hazard areas (SFHAs), and designated Source Protection Areas (SPAs), and meet the specific requirements under Section 8.3 (B).

The proposed building envelope is in a location with minimal slope. There are no Flood Hazard, Source Protection Areas, or wetlands or buffer zones near the proposed building envelope or wastewater disposal area.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.3 Natural & Cultural Resources Cont'd



(C) Rock Outcrops, Steep Slopes, Hillides & Ridgelines

Explain how the proposed subdivision boundaries, lot lines and building envelopes have been located and configured to minimize the adverse impacts of development on steep slopes (15% or more); to avoid site disturbance on very steep slopes (>25%); and to avoid the placement of structures on exposed rock outcrops and ledges and visually prominent hilltops and ridgelines.

The proposed house site is in an area with low slope and avoids a nearby area of forested steep slope. The site is not near bedrock outcrops, hilltops, or ridgelines.

Indicate which of the recommended measures in Section 8.3 (C) have been incorporated into the overall plans.

The proposed building envelope has been located to avoid steep slopes and preserve forested areas.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.3 Natural & Cultural Resources Cont'd



(D) Natural Areas & Wildlife Habitat

Address how the proposed subdivision boundaries, lot lines, and building envelopes have been located and configured to avoid the subdivision and fragmentation of, and adverse impacts to natural areas and significant wildlife habitat identified in the town plan and associated maps and inventories, by the Vermont Department of Fish & Wildlife, or through site investigation. Refer to Section 8.3 (D) for specific requirements.

The overall property is part of a contiguous forested area between Pleasant Valley and Irish Settlement Roads. The proposed building envelope is outside of a mapped deer wintering area and near the edge of a mapped habitat block. Locating the proposed new house near the existing house and driveway minimizes impact on wildlife habitat.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.3 Natural & Cultural Resources Cont'd

(E) Historic & Cultural Resources

Have historic and archaeological site(s) and/or resource(s) have been identified in the area to be developed? Yes No *[If no, skip to (F) on the next page.]*

If site(s) and/or resource(s) have been identified, address how the proposed subdivision boundaries, lot lines, and building envelopes have been located and configured to minimize adverse impacts to historic and archaeological sites and resources identified in the town plan, by the Vermont Division for Historic Preservation (on state or national registers), or through site investigation. Refer to Section 8.3 (E) for specific requirements.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.3 Natural & Cultural Resources Cont'd



(F) Farmland

Do areas of primary agricultural soils, open fields, orchards, or maple sugar stands exist in the area to be developed? Yes No *[If no, skip to (G) on the next page.]*

If such areas have been identified, address how the proposed subdivision boundaries, lot lines, and building envelopes have been located and configured to avoid the fragmentation of and adverse impacts to those areas. Include responses to the provisions under Section 8.3 (F).

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.3 Natural & Cultural Resources Cont'd</u>
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(G) Forestland

Does the area to be developed include forestland? Yes No
[If no, skip to Section 8.4 (A) on the next page.]

If forestland exists, address the standards under Section 8.3(G).

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.4 Open Space & Common Land

(A) Open Space

Explain how the proposed development incorporates the provisions under Section 8.4 (A).

The proposal does not include an open space lot.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.4 Open Space & Common Land Cont'd</u>
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<input type="checkbox"/>	<input type="checkbox"/>	(B) Common Land
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Does the area to be developed include land held in common for the preservation and maintenance of open space or the management and maintenance of shared facilities (e.g., community wastewater systems, community water supplies, recreation or community facilities, road and trail rights-of-way)? Yes No *[If no, skip to Section 8.5 below.]*

If the proposed development includes common land, will the land be held under separate ownership from the contiguous parcels? Yes No

<u>Required</u>	<u>Submitted</u>	<u>Section 8.5 Stormwater Management & Erosion Control</u>
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<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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Provide an explanation of and details for the temporary and permanent stormwater management and erosion control measures that will be used during all phases of subdivision development as necessary to limit surface runoff and erosion, protect water quality and to avoid damage to downstream properties in conformance with Section 8.5.

The proposed site grading has been designed to transmit water principally by sheet flow. The woodland on the steep slope to the north and east of the proposed house site will be protected from clearing of trees. Temporary erosion control measures to be used during construction are shown on the plan.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.5 Stormwater Management & Erosion Control Cont'd

Provide the existing and anticipated runoff, anticipated flows from storm events, and total runoff generated at build-out.

The proposed project involves less than 10,000 sq ft of new impervious surface and will constitute a minimal increase in stormwater runoff.

Demonstrate that existing downstream drainage facilities will be able to accommodate any additional runoff from the subdivision at build-out.

Runoff will be dispersed largely as sheet flow and is unlikely to measurably increase runoff to receiving waters.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.6 Transportation Facilities</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(A) Access & Driveways

Address how the proposed access to the subdivision and to individual lots within the subdivision meets the requirements of Section 3.2 (Access Management), the Underhill Highway Ordinance, adopted state or municipal access management plans and capital or transportation improvement plans, and the provisions of Section 8.6 (A).

Access to the proposed lot will be provided by sharing the existing driveway and constructing a new private drive from the shared drive to the house. No new curb cut from a Town road is required. The new lot will hold a permanent easement to the shared portion of the driveway from Pleasant Valley Road to its property line.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.6 Transportation Facilities Cont'd



Will the proposed subdivision require access to VT Route 15? Yes No
[If no, skip to the next page.]

If the proposed access will be off of VT Route 15, address how the access meets the Vermont Agency of Transportation requirements for subdivision access onto state highways.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.6 Transportation Facilities Cont'd



(B) Development Roads

Will the proposed development require the construction or upgrade of a private development road? Yes No *[If no, skip to (C) on the next page.]*

If a new or upgraded road is proposed, explain how the proposed development conforms to the Underhill Highway Ordinance, and the specific road standards under Section 8.6 (B).

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.6 Transportation Facilities Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(C) Parking Facilities

Will the proposed development include common or shared parking areas?

- Yes No

If such areas are proposed, explain how the proposed development has been designed in accordance with Section 3.13.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.7 Public Facilities & Utilities



(A) Public Facilities

Demonstrate how the proposed subdivision will not create an undue burden on existing and planned public facilities.

The new lot is not anticipated to be a burden on existing facilities.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.7 Public Facilities & Utilities Cont'd



(B) Fire Protection

Does the proposed development incorporate water storage and distribution facilities for fire protection in accordance with fire department specifications? Yes No

Address the proposed access to developed lots as it relates to emergency response vehicles.

Access to the proposed house is provided by a 12-ft wide driveway with less than 8% grades. Turnarounds are provided at the intersection of the shared and the new driveway, as well as near the new house.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.7 Public Facilities & Utilities Cont'd



(C) Water Systems

Demonstrate that adequate potable water supplies exist on- or off-site to serve the subdivision. Include the requirements and considerations under Section 8.7 (C).

The proposed house will be served by an on-site drilled bedrock well. The nearest drilled wells depicted on the ANR Atlas have yields ranging from 2.5 to 80 gallons per minutes. It is anticipated the aquifer will yield potable water of sufficient quantity and quality.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.7 Public Facilities & Utilities Cont'd



(D) Wastewater Systems

Demonstrate that adequate wastewater system capacities exist on- or off-site to serve the proposed subdivision. Include the requirements and considerations under Section 8.7 (D).

A site evaluation and test pits performed in April 2014 with the State Assistant Regional Engineer identified soils suitable for mound systems. This will accommodate one mound system for the new house and a mound system replacement area for the existing house, as required by State regulations.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.7 Public Facilities & Utilities Cont'd



(E) Utilities

Will all proposed utilities be buried? Yes No

If any utilities are proposed above-ground, demonstrate that burial is not reasonable given physical site constraints (e.g., ledge or shallow depth to bedrock).

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required

Submitted

Section 8.7 Public Facilities & Utilities Cont'd



(E) Utilities Cont'd

Address the provisions of Section 8.7 (E).

Utilities will consist of underground electric and cable service.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



<u>Required</u>	<u>Submitted</u>	<u>Section 8.8 Legal Requirements</u>
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Provide documentation and assurances that all required improvements, associated rights-of-way and easements, and other common lands or facilities will be adequately maintained in accordance with an approved management plan, either by the applicant, an owners' association, or through other legal means acceptable to the DRB. Draft management plans and documentation must be submitted with the application for final subdivision review for approval by the DRB.

Easements will be granted for the following:

- 1) Easement from Lot 1 to Lot 2 for ingress, egress, and utilities along the shared portion of the existing driveway.
- 2) Management agreement between Lot 1 and Lot 2 for maintenance of the shared driveway.
- 3) Easement from Lot 1 to Lot 2 for ingress, egress, and utilities along the first 140 ft of Lot 2's driveway.
- 4) Easement from Lot 2 to Lot 1 for Lot 1's wastewater replacement area.

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 September 29, 2007
Chapter 21, Water Supply Rules, Effective December 1, 2010

**Landowner(s): Arnold & Paula Baizley
623 Pleasant Valley Road
Underhill VT 05489**

Permit Number: WW-4-4377

This permit affects property identified as Town Tax Parcel ID # Underhill: PV623 referenced in a deed recorded in Book 62 Pages 480-483 of the Land Records in Underhill, Vermont.

This project, to create Lot 1 (56.0 +/- acres) with an existing three bedroom single family residence and Lot 2 (28.3 +/- acres) for a proposed four bedroom single family residence, located on Pleasant Valley Road in Underhill, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

- 1.1 The project shall be completed as shown on the plans and/or documents prepared by Brian Tremback from Lamoureux & Dickinson Consulting Engineers, Inc., with the stamped plans listed as follows:

Sheet Number	Title	Plan Date	Plan Revision Date
S1	Overall Site Plan	10/03/2014	12/12/2014
S2	Site Plan for Proposed Improvements	10/03/2014	12/12/2014
D1	Water and Wastewater System Details and Specifications	10/03/2014	1/06/2015

- 1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from the Act 250 Environmental Commission; the Drinking Water and Groundwater Protection Division; the Watershed Management Division; the Division of Fire Safety; the Vermont Department of Health; the Family Services Division; or other State departments and local officials.
- 1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the Underhill Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.4 The landowner shall record and index all required installation certifications and other documents that are required to be filed under these Rules or under a specific permit condition in the Underhill Land Records and ensure that copies of all certifications are sent to the Secretary.
- 1.5 No permit issued by the Secretary shall be valid for a substantially completed potable water supply and wastewater system (for Lot 2) until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) that states:

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

or which otherwise satisfies the requirements of §1-308 and §1-911 of the referenced rules.



- 1.6 Lot 1 is approved with the existing three bedroom single family residence and Lot 2 is approved for the construction of a four bedroom single family residence. Construction of additional nonexempt buildings, including commercial and residential buildings, is not allowed without prior review and approval by the Drinking Water and Groundwater Protection Division and such approval will not be granted unless the proposal conforms to the applicable laws and regulations. No construction is allowed that will cause non-compliance with an existing permit.
- 1.7 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plans prior to conveyance of any portion of the project to that purchaser.
- 1.8 By acceptance of this permit, the landowner 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.
- 1.9 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.

2. WATER SUPPLY

- 2.1 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.2 Lot 2 is approved for a potable water supply using a drilled or percussion bedrock well for a maximum of 490 gallons of water per day provided the supply is located as shown on the stamped plans and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 2.3 The water source location as shown on the stamped plans shall be staked out and flagged by a qualified Vermont Licensed Designer prior to any construction on this project with the flagging being maintained until construction is complete.
- 2.4 Lot 1 is approved with an existing onsite shallow water supply system having a maximum design flow of 420 gallons of water per day provided the water supply meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. 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".

3. WASTEWATER DISPOSAL

- 3.1 The components of the sanitary wastewater system herein approved shall be routinely and reliably inspected during construction by a Vermont Licensed Designer who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 3.2 Lot 2 is approved for the disposal of wastewater in accordance with the design depicted on the stamped plans for a maximum of 490 gallons of wastewater per day. The system shall be operated at all times in a manner that will not permit the discharge of effluent onto the surface of the ground or into the waters of the State. Should the system fail and not qualify for the minor repair or replacement exemption, the current landowner shall engage a qualified Vermont Licensed Designer to evaluate the cause of the failure and to submit an application to this office and receive written approval prior to correcting the failure.
- 3.3 Lot 2 is approved for the mound wastewater disposal system provided the mound is constructed in strict accordance with the following conditions:
 - a. The mound system is to be located and constructed as depicted on the plans that have been stamped by the Drinking Water and Groundwater Protection Division.

- b. A qualified Vermont Licensed Designer shall inspect the mound system during critical stages of construction. This shall include the staking of the location of the mound, ensuring the site has been properly plowed prior to placement of the appropriate sand fill, the installation and testing of the distribution piping, final grading of the mound including side slopes, and pump station installation.
 - c. The construction of the mound shall adhere to the guidelines set forth in Section 1-913(f) of the above referenced rules.
- 3.4 The corners of the proposed primary wastewater disposal area shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
 - 3.5 Lot 1 is approved with an existing wastewater disposal system with a maximum design flow of 420 gallons of wastewater per day. No changes shall be made to the existing wastewater system unless prior approval is obtained from the Drinking Water and Groundwater Protection Division. Should the system fail and not qualify for the minor repair or replacement exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and to submit an application to Drinking Water and Groundwater Protection Division prior to correcting the failure.
 - 3.6 A future replacement wastewater disposal area for Lot 1 has been identified on the stamped plans. There shall be no construction or other activities that would impact the suitability of this replacement area for wastewater disposal.
 - 3.7 The wastewater disposal system which is to serve Lot 1 is located on Lot 2. The land deeds that establish and transfer ownership of these parcels shall contain a legal easement which grants the purchaser(s) and any future owner(s) the right to enter upon the property for the construction, repair, maintenance and other such reasonable purposes as may arise regarding the wastewater disposal system. Failure to properly execute the easement renders this permit null and void for any lot conveyed without the proper easement.
 - 3.8 The wastewater system for this project is approved for domestic type wastewater only except as allowed for water treatment discharges. No discharge of other type process wastewater is permitted unless prior written approval is obtained from the Drinking Water and Groundwater Protection Division.
 - 3.9 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater disposal system are allowed on or near the site-specific wastewater disposal system or replacement area depicted on the stamped plans. All isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules shall be adhered to and will be incorporated into the construction and installation of the wastewater disposal field.

David K. Mears, Commissioner
Department of Environmental Conservation

By *Dolores M. Eckert*
Dolores M. Eckert, Assistant Regional Engineer
Essex Regional Office
Drinking Water and Groundwater Protection Division

Dated January 13, 2015

cc Underhill Planning Commission
Brian Tremback

Arnold & Paula Baizley, 623 Pleasant Valley Road, Underhill

Abutters

PV599 Howard & Nancy McCrae

599 Pleasant Valley Road

Underhill, VT 05489

PV613 Daniel Clayton Inc

P.O. Box 187

Underhill Center VT 05490

PV621 Carolyn Johnson

621 Pleasant Valley Road

Underhill, VT 05489

PV633T Joe & Anne Marie Tisbert

Also across from right of way

5901 Pleasant Valley Road

Cambridge, VT 05444

IS654 Timothy Frost

654 Irish Settlement Road

Underhill, VT 05489

IS662 William & Lisa Timbers

662 Irish Settlement Road

Underhill, VT 05489

IS626 Michael & Pat Weisel

P.O. Box 71

Underhill Center, VT 05490

IS586 Richard & Karen Tuthill

586 Irish Settlement Road

Underhill, VT 05489

IS560 Elliott Clarke and Jennifer Whitcomb

560 Irish Settlement Road

Underhill, VT 05489

PC032 Bryn Tynddyn LLC

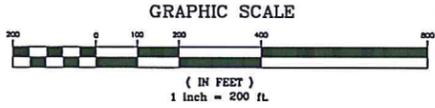
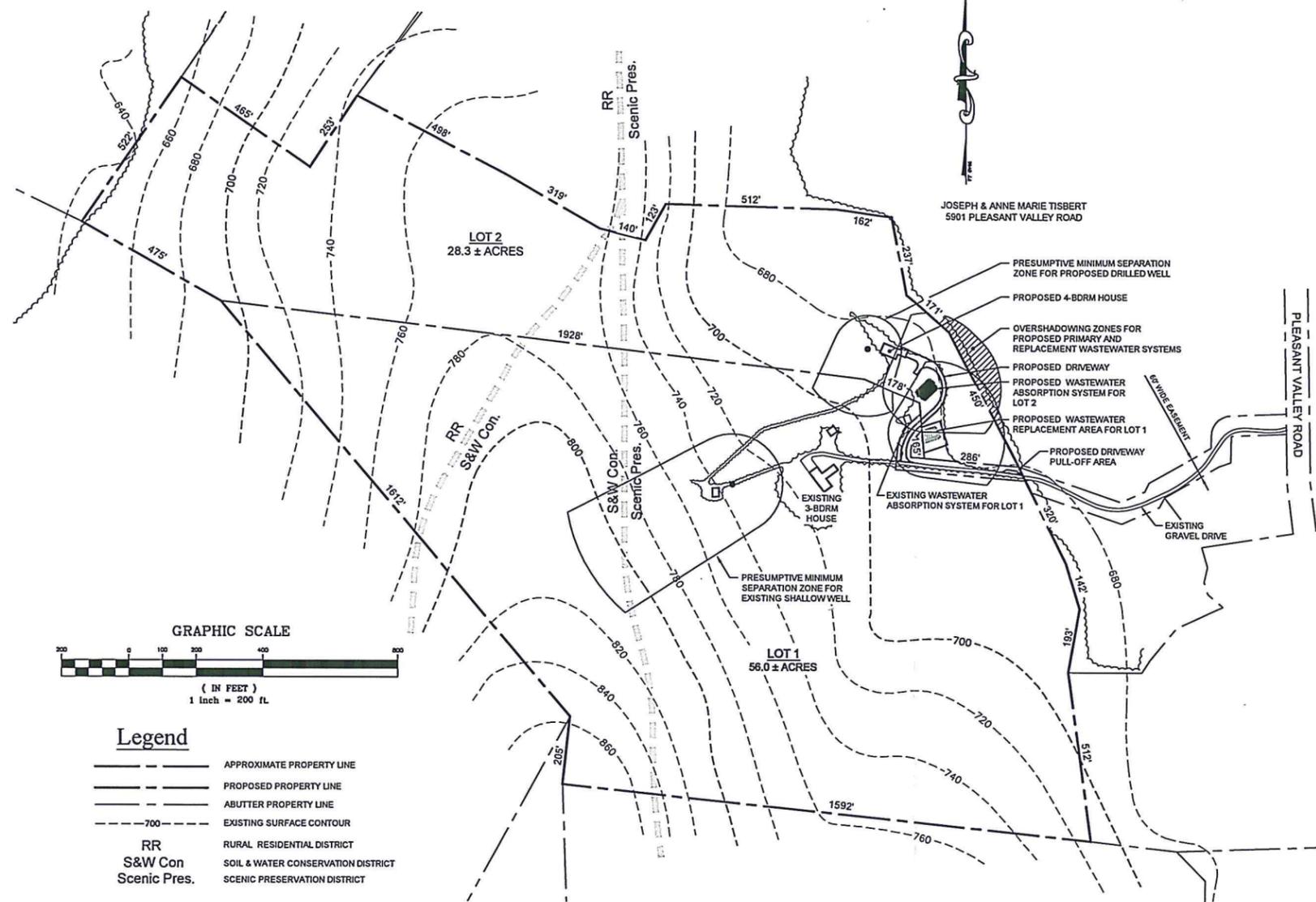
1654 Moores Hill Road

Syosset, NY 11791

PV559 Daniel Clayton and Christine Ryan

P.O. Box 187

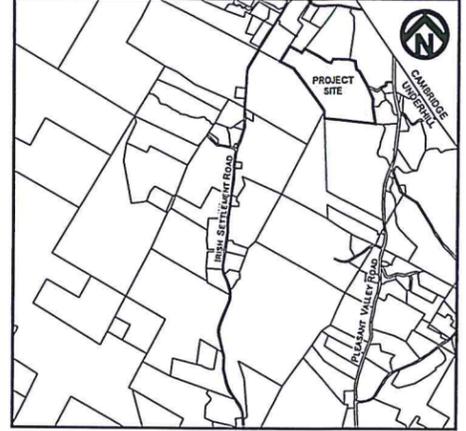
Underhill Center, VT 05490



Legend

---	APPROXIMATE PROPERTY LINE
---	PROPOSED PROPERTY LINE
---	ABUTTER PROPERTY LINE
- - - -	EXISTING SURFACE CONTOUR
RR	RURAL RESIDENTIAL DISTRICT
S&W Con	SOIL & WATER CONSERVATION DISTRICT
Scenic Pres.	SCENIC PRESERVATION DISTRICT

Overall Site Plan
SCALE: 1" = 200'



OWNER / APPLICANT

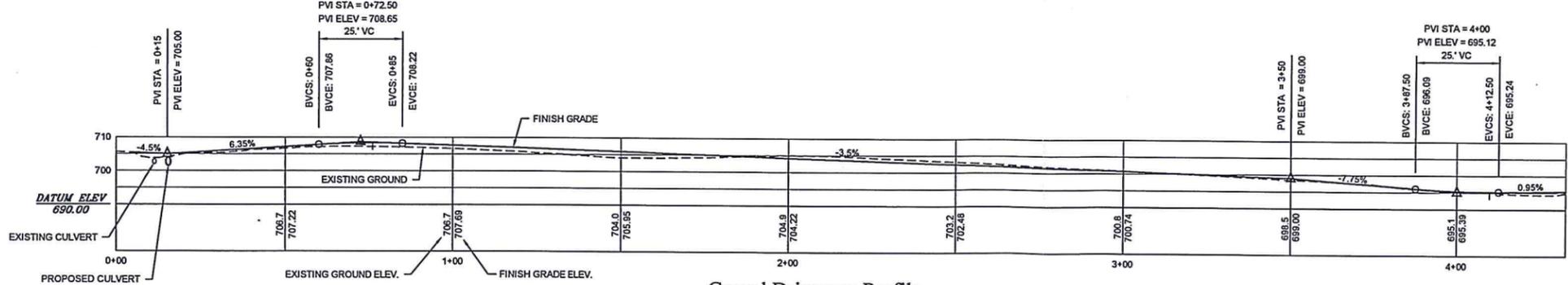
ARNOLD & PAULA BAIZLEY
623 PLEASANT VALLEY ROAD
UNDERHILL, VT 05489
PARCEL ID: PVE23
AREA = 84.3 AC.

ZONING REQUIREMENTS

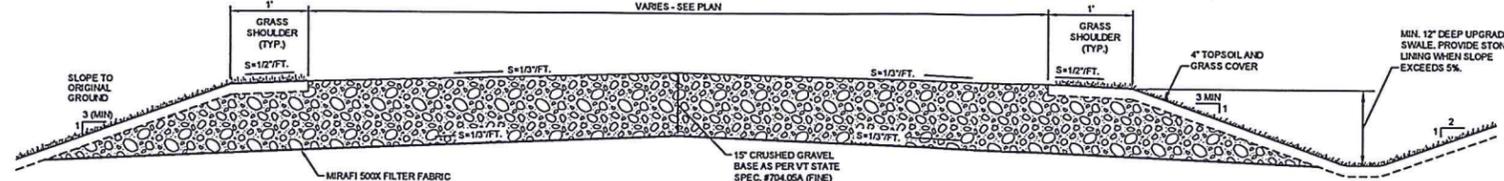
RURAL RESIDENTIAL (RR)
SOIL & WATER CONSERVATION (SWC)
SCENIC PRESERVATION (SP)

DIMENSION	RR	SWC	SP
MIN. LOT AREA	3 ac.	15 ac.	10 ac.
MIN. ROAD FRONTAGE	250'	400'	400'
FRONT SETBACK	30'	30'	30'
SIDE SETBACK	50'	75'	75'
REAR SETBACK	50'	75'	75'
MAX. BUILDING COVERAGE	25%	7%	10%
MAX. BUILDING HEIGHT	35'	35'	35'
MAX. LOT COVERAGE	50%	10%	15%

THE CONTRACTOR SHALL CALL "DIGSAFE" AT 811 PRIOR TO ANY EXCAVATION.



Gravel Driveway Profile
SCALE: 1" = 2'



Typical Gravel Driveway Cross-Section
N.T.S.

1-16-2015	ADD DRIVEWAY PULL-OFF PER TOWN REVIEW	BJT
1-6-2015	ADD NO. OF BORMS TO EXISTING HOUSE DESCRIPTION	BJT
12-12-2014	GENERAL REVISIONS	BJT
Date	Revision	By

These plans shall only be used for the purpose shown below:

<input type="checkbox"/> Sketch/Concept	<input type="checkbox"/> Act 250 Review
<input type="checkbox"/> Preliminary	<input type="checkbox"/> Construction
<input type="checkbox"/> Final Local/State Review	<input type="checkbox"/> Record Drawing

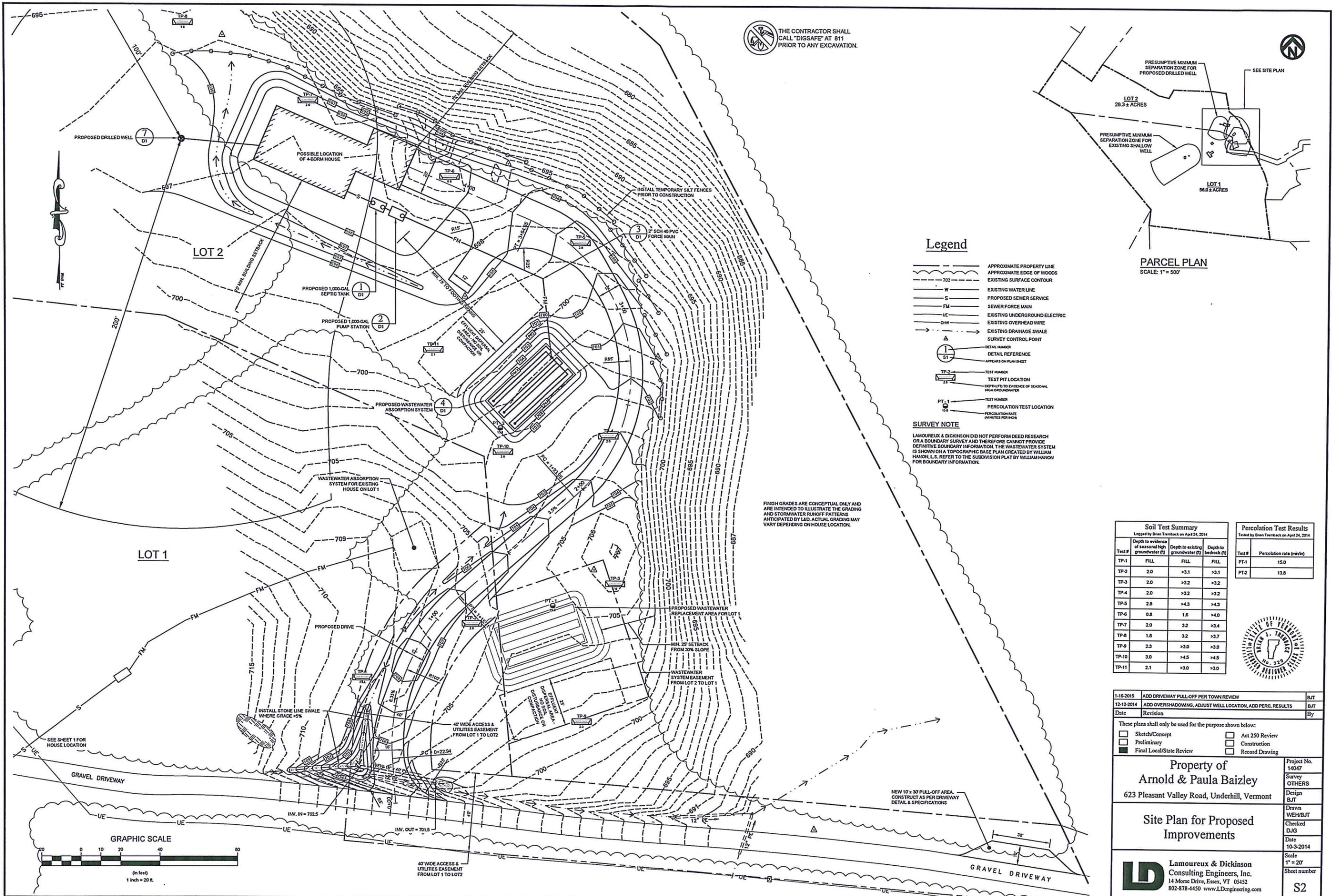
Property of
Arnold & Paula Baizley
623 Pleasant Valley Road, Underhill, Vermont

Overall Site Plan

Lamoureux & Dickinson
Consulting Engineers, Inc.
14 Morse Drive, Essex, VT 05452
802-878-4450 www.LDengineering.com

Project No. 14047
Survey OTHERS
Design BJT
Drawn WEH/BJT
Checked DJG
Date 10-3-2014
Scale 1" = 200'
Sheet number S1
3 Sheet Total

P:\2014\14047\dwg\14047-S2.dwg, 1/29/2015 5:10:14 PM, 1.2.21198



FRESH GRADES ARE CONCEPTUAL ONLY AND ARE INTENDED TO ILLUSTRATE THE GRADING AND STORMWATER RUNOFF PATTERNS ANTICIPATED BY L&D. ACTUAL GRADING MAY VARY DEPENDING ON HOUSE LOCATION.

Test #	Depth to evidence of seasonal high groundwater (ft)	Depth to existing groundwater (ft)	Depth to bedrock (ft)
TP-1	FILL	FILL	FILL
TP-2	2.0	>3.1	>3.1
TP-3	2.0	>3.2	>3.2
TP-4	2.0	>3.2	>3.2
TP-5	2.8	>4.3	>4.3
TP-6	0.8	1.6	>4.0
TP-7	2.0	3.2	>3.4
TP-8	1.8	3.2	>3.7
TP-9	2.3	>3.0	>3.0
TP-10	3.0	>4.5	>4.5
TP-11	2.1	>3.0	>3.0

Test #	Percolation rate (min/in)
PT-1	15.0
PT-2	13.8

1-16-2015	ADD DRIVEWAY PULL-OFF PER TOWN REVIEW	BJT
12-12-2014	ADD OVERSHADOWING, ADJUST WELL LOCATION, ADD PERC. RESULTS	BJT
Date	Revision	By

These plans shall only be used for the purpose shown below:

<input type="checkbox"/> Sketch/Concept	<input type="checkbox"/> Act 250 Review
<input type="checkbox"/> Preliminary	<input type="checkbox"/> Construction
<input checked="" type="checkbox"/> Final Local/State Review	<input type="checkbox"/> Record Drawing

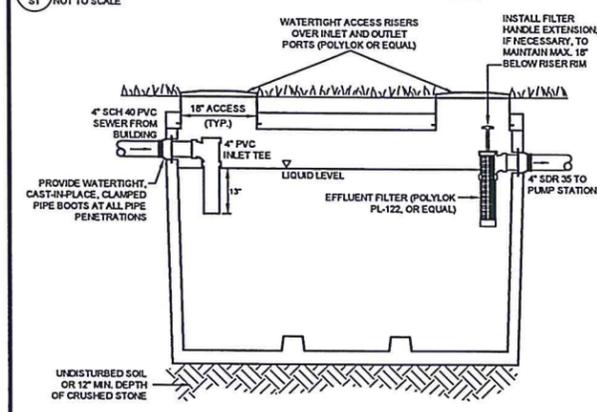
Property of
Arnold & Paula Baizley
623 Pleasant Valley Road, Underhill, Vermont

Site Plan for Proposed Improvements

Lamoureux & Dickinson
Consulting Engineers, Inc.
14 Morse Drive, Essex, VT 05452
802-878-4450 www.LDengineering.com

Project No. 14047
Survey OTHERS
Design BJT
Drawn WEH/BJT
Checked DJG
Date 10-3-2014
Scale 1" = 20'
Sheet number S2
3 Sheets Total

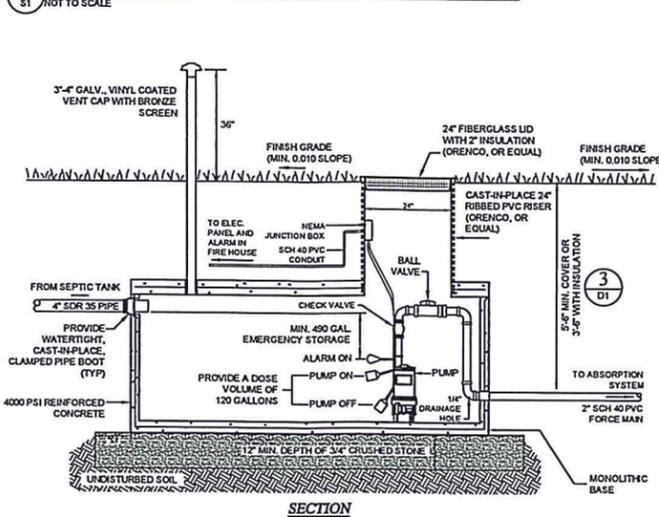
1. 1,000 GAL. PRECAST CONCRETE SEPTIC TANK
S1 NOT TO SCALE



SEPTIC TANK SPECIFICATIONS

- DESIGN DATA: DESIGN FLOW = 400 GPD -> USE A 1,000-GALLON SEPTIC TANK.
- THE SEPTIC TANKS SHALL BE WATERTIGHT AND CONSTRUCTED OF STEEL-REINFORCED, 5,000 PSI, PRE-CAST CONCRETE. DO NOT EXCEED THE MANUFACTURER'S RECOMMENDED DEPTH OF COVER. IF VEHICLE LOADS ARE ANTICIPATED OVER THE SEPTIC TANK, IT SHALL BE RATED FOR H-20 LOADING.
- THE TANK SHALL BE FITTED WITH AN EFFLUENT FILTER CAPABLE OF RETAINING 1/16" SOLIDS.
- WATERTIGHT SURFACE ACCESS RISERS SHALL BE PROVIDED OVER THE INLET AND OUTLET PORTS OF THE TANK. THE RISERS AND LID SHALL PREVENT INFILTRATION BY SURFACE OR GROUND WATER.
- THE EXCAVATION MUST BE AT LEAST 12" WIDER AND LONGER THAN THE TANK DIMENSIONS.
- EACH PIPE PENETRATION SHALL BE EQUIPPED WITH A WATERTIGHT, CAST-IN-PLACE, CLAMPED BOOT.
- IF LEDGE IS ENCOUNTERED AT A DEPTH INSUFFICIENT TO ACCOMMODATE THE SPECIFIED TANK, THE CONTRACTOR SHALL CONTACT THE ENGINEER FOR ALTERNATE STRUCTURE RECOMMENDATIONS.
- BACKFILL SIDES AND TOP OF TANK WITH SAND OR GRAVEL. ALL BACKFILL AROUND THE TANK SHALL BE THOROUGHLY COMPACTED TO NOT LESS THAN 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY THE AASHTO-T-99 STANDARD PROCTOR.

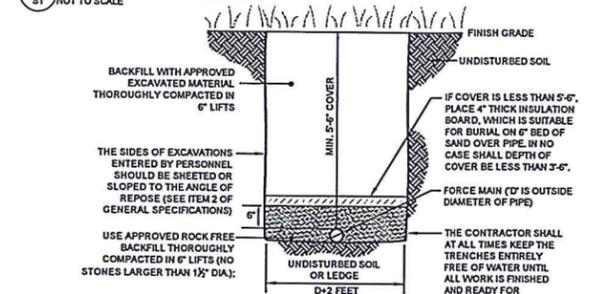
2. 1,000 GALLON PRECAST CONCRETE PUMP STATION
S1 NOT TO SCALE



PUMP STATION SPECIFICATIONS

- THE PUMP STATION TANK SHALL HAVE SUFFICIENT CAPACITY TO ACCOMMODATE THE REQUIRED PUMP, THE SPECIFIED DOSE VOLUME, AND THE NECESSARY EMERGENCY STORAGE VOLUME. MINIMUM CAPACITY OF PUMP STATION TANK SHALL BE 1,000 GALLONS.
 - USE A WATERTIGHT, STEEL-REINFORCED, 5,000 PSI, PRE-CAST CONCRETE TANK. DO NOT EXCEED THE MANUFACTURER'S RECOMMENDED DEPTH OF COVER. IF VEHICLE LOADS ARE ANTICIPATED OVER THE PUMP STATION, IT SHALL BE RATED FOR H-20 LOADING.
 - THE PUMP STATION SHALL BE CONSTRUCTED TO MINIMIZE THE RISK OF FREEZING OF EFFLUENT IN THE STRUCTURE, PIPES, OR FORCE MAIN.
 - BACKFILL SIDES AND TOP OF TANK WITH SAND OR GRAVEL. ALL BACKFILL MATERIAL AROUND THE TANK SHALL BE THOROUGHLY COMPACTED TO NOT LESS THAN 95% OF MAXIMUM DRY DENSITY AS DETERMINED BY THE AASHTO-T-99 STANDARD PROCTOR.
 - ALL ELECTRICAL WORK SHALL MEET THE REQUIREMENTS OF THE NATIONAL ELECTRIC CODE AND MATERIALS SHALL MEET U.L. APPROVAL.
- 6. PUMP SPECIFICATIONS**
- | | |
|------------------------|-----------------------------------|
| 2" SCH 40 PVC @ 21 GPM | LENGTH OF FORCE MAIN = 130 FT |
| | ABSORPTION SYSTEM ELEV = 704.0 FT |
| | PUMP ELEVATION = 692.0 FT |
| | HEAD LOSSES = 12.0 FT |
| | STATIC LIFT = 12.0 FT |
| | NETWORK LOSSES = 0.7 FT |
| | FORCE MAIN FRICTION = 1.2 FT |
| | VALVES AND FITTINGS = 3.0 FT |
| | MIN. IN-LINE PRESSURE = 2.3 FT |
| | TOTAL HEAD LOSS = 19.2 FT |
- USE ONE (1) PUMP, SINGLE PHASE, MINIMUM CAPACITY 21 GPM @ 20 FT OF HEAD. IF THE "PUMP OFF" ELEVATION IS LESS THAN 692.0 FT, THE CONTRACTOR SHALL NOTIFY THE DESIGNER TO VERIFY ADEQUACY OF THE PUMP.
 - TESTING: THE CONTRACTOR AND THE DESIGNER SHALL BE PRESENT DURING START-UP. THE CONTRACTOR SHALL PROVIDE A WATER SOURCE TO PERFORM A FULL OPERATIONAL CHECK OF THE PUMP STATION, INCLUDING START FUNCTIONS, ALARMS, AND INDICATOR LIGHTS. THE PUMP SHALL BE FIELD-TESTED TO INSURE THE PUMPING CAPACITY MEETS THE PROJECT REQUIREMENTS.

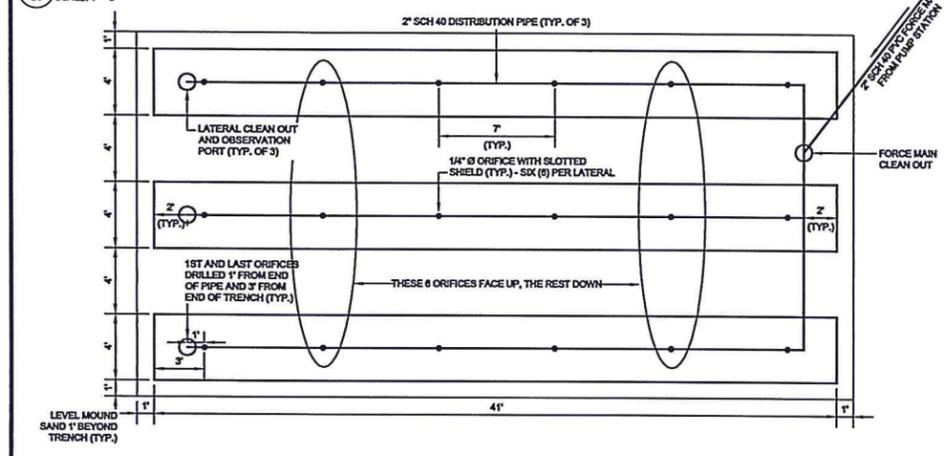
3. FORCE MAIN TRENCH
S1 NOT TO SCALE



FORCE MAIN SPECIFICATIONS

- USE 2" SCH 40 PVC FORCE MAIN PIPE WITH THRUST BLOCKS AT ALL FORCE MAIN BENDS.
- FORCE MAIN TESTING:** THE CONTRACTOR SHALL FURNISH ALL FACILITIES AND PERSONNEL FOR CONDUCTING THE FOLLOWING TEST. THE PVC FORCE MAIN SHALL BE FILLED WITH WATER AND TESTED BY THE CONTRACTOR TO A MINIMUM PRESSURE OF 50 PSI AT THE HIGHEST POINT ALONG THE FORCE MAIN FOR TWO HOURS AND THE PRESSURE SHALL NOT VARY MORE THAN 5 PSI. THE NEW LINES SHALL NOT BE ACCEPTED IF THE LEAKAGE DURING THE TWO-HOUR TEST IS GREATER THAN THAT DETERMINED BY THE FOLLOWING FORMULA:
 $L = \frac{HD^3P}{7,400}$
WHERE L = THE ALLOWABLE LEAKAGE IN GALLONS PER HOUR
N = THE NUMBER OF JOINTS IN THE LENGTH OF PIPELINE TESTED
D = THE NOMINAL DIAMETER OF THE PIPE IN INCHES
P = THE AVERAGE TEST PRESSURE MEASURED IN LBS/SQ IN
LEAKAGE IS DEFINED AS THE QUANTITY OF WATER THAT MUST BE SUPPLIED INTO THE NEWLY LAID PIPE TO MAINTAIN THE PRESSURE OF 50 PSI. THE CONTRACTOR SHALL AT ONCE LOCATE ANY LEAKS AND ACHIEVE THE ACCEPTABLE LIMIT AT NO EXTRA CHARGE TO THE OWNER.

4. WASTEWATER ABSORPTION SYSTEM (PLAN VIEW)
SCALE: 1" = 5'



WASTEWATER SYSTEM DESIGN DATA

- IT IS THE OPINION OF THE DESIGNER THAT THE SOIL CONDITIONS WITHIN THE PROPOSED WASTEWATER SYSTEM AREA MEET THE REQUIREMENTS OF THE VERMONT ENVIRONMENTAL PROTECTION RULES-CHAPTER 1 FOR A PRESCRIBED WASTEWATER SYSTEM.
- BASIS OF DESIGN - LOT 1**
EXISTING HOUSE (4 BDRMS) = 400 GPD
PERCOLATION RATE = 15.0 M/MIN
APPLICATION RATE = 1.0 GPM/SQ FT
ABSORPTION AREA REQUIRED = 400 SQ FT
SYSTEM DESIGN: USE THREE (3) 41" LONG BY 4" WIDE TRENCHES. ABSORPTION AREA PROVIDED IS 492 SQ FT.
- BASIS OF DESIGN - LOT 2**
PROPOSED HOUSE (4 BDRMS) = 400 GPD
PERCOLATION RATE = 15.0 M/MIN
APPLICATION RATE = 1.0 GPM/SQ FT
ABSORPTION AREA REQUIRED = 400 SQ FT
SYSTEM DESIGN: USE THREE (3) 41" LONG BY 4" WIDE TRENCHES. ABSORPTION AREA PROVIDED IS 492 SQ FT.

- THE PRESSURE DISTRIBUTION PIPE SHALL BE PLACED ON SIX (6) INCHES OF 3/4 TO 1 1/2 INCH CLEAN, WASHED, CRUSHED STONE. LIMESTONE SHALL NOT BE USED. AFTER TESTING OF THE PUMP AND PRESSURE NETWORK, THE DISTRIBUTION PIPES SHALL BE COVERED WITH AN ADDITIONAL 2" OF CRUSHED STONE AND THE STONE COVERED WITH NONWOVEN GEOTEXTILE (MIRAFI 140N FABRIC, OR EQUAL).
- AFTER COMPLETION AND TESTING OF THE MOUND SYSTEM, THE AREA SHALL BE BROUGHT TO THE GRADE SPECIFIED ON THE PLANS WITH LOAMY FILL MATERIAL, THE UPPER FOUR (4) INCHES OF WHICH SHALL BE TOP SOIL. THE AREA OVER AND AROUND THE WASTEWATER ABSORPTION SYSTEM SHALL BE GRADED WITH SUFFICIENT SLOPE TO ENSURE DRAINAGE AND PREVENT PONDING OF WATER.

- APPLY CALCIUM CHLORIDE, OR SWEEP THE ROADWAY WITH A POWER BROOM AS DUST CONTROL.
- ALL DISTURBED AREAS SHALL RECEIVE A MINIMUM OF 4 INCHES OF TOP SOIL AND SHALL BE IMMEDIATELY SEEDED AND MULCHED/MATTED AFTER COMPLETION OF GRADING. ANY WORK PERFORMED AFTER OCTOBER 1 OF EACH YEAR SHALL BE STABILIZED WITH MULCH OR MATTING SUFFICIENT TO PREVENT EROSION AND SHALL BE IMMEDIATELY SEEDED AND REMULCHED OR REMATTED AS SOON AS WEATHER PERMITS IN THE SPRING.
- ALL SLOPES, DITCHES, AND DISTURBED AREAS SHALL BE GRADED SMOOTH AND BE FREE OF POCKETS WITH SUFFICIENT SLOPE TO ENSURE DRAINAGE.
- ALL BACKFILL AROUND STRUCTURES SHALL BE PLACED IN 6 INCH LIFTS AND THOROUGHLY COMPACTED TO 95% OF MAXIMUM DENSITY OF OPTIMUM MOISTURE CONTENT AS DETERMINED BY ASTM D698 STANDARD PROCTOR.

INSPECTION

- THE WORK MUST BE INSPECTED BY LAMOUREUX & DICKINSON CONSULTING ENGINEERS, INC., ESSEX JUNCTION, VERMONT TO ENSURE COMPLIANCE WITH THESE PLANS. LAMOUREUX & DICKINSON WAIVES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS THAT ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS, AND THE DESIGN INTENT THAT THE PLANS CONVEY, AND FROM FAILURE TO HAVE BEEN NOTIFIED BY THE CONTRACTOR TO INSPECT THE WORKS AND TESTS IN PROGRESS.
- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR NOTIFYING THE DESIGNER AND THE TOWN FOR INSPECTION OF THE WASTEWATER SYSTEM AT APPROPRIATE STAGES OF CONSTRUCTION. THE REQUIREMENTS FOR CONTACTING THE DESIGNER ARE LISTED BELOW. THE CONTRACTOR SHALL ALSO DETERMINE THE TOWN'S REQUIREMENTS FOR INSPECTION.
- THE CONTRACTOR SHALL NOTIFY THE DESIGNER A MINIMUM OF 24 HOURS IN ADVANCE FOR INSPECTION OF EACH OF THE FOLLOWING ITEMS:
 - THE PLOVED SOIL BEFORE PLACEMENT OF MOUND SAND
 - A FULL OPERATIONAL TEST OF PUMP STATION FUNCTIONS
 - THE WASTEWATER ABSORPTION SYSTEM BEFORE COVERING
 - FINAL GRADING OVER THE WASTEWATER SYSTEM COMPONENTS

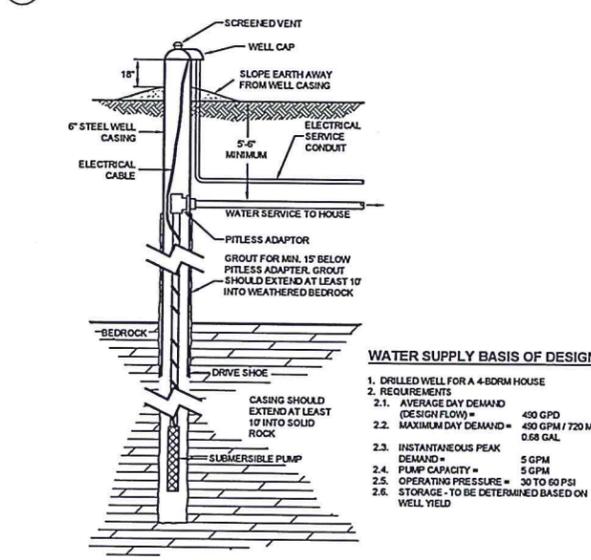
MAINTENANCE

- ONCE PER YEAR, THE SEPTIC TANK SHALL BE INSPECTED BY A QUALIFIED PERSON FOR THE ACCUMULATION OF SLUDGE AND SCUM. THE TANK SHALL BE PUMPED IF THE DEPTH OF SLUDGE IS GREATER THAN 12 INCHES OR THE DEPTH OF SCUM IS GREATER THAN 8 INCHES, OR IS LIKELY TO BE SO BEFORE THE NEXT INSPECTION.
- ONCE EVERY 6 MONTHS, OR MORE OFTEN AS NEEDED, THE SEPTIC TANK EFFLUENT FILTER SHALL BE CLEANED BY HOUSING IT OFF TO THE SEPTIC TANK.
- ONCE PER YEAR, THE PUMP STATION SHALL BE INSPECTED BY A QUALIFIED PERSON. PROPER FUNCTIONING OF THE PUMP, FLOATS, AND ALARM SHALL BE VERIFIED, AND ANY ACCUMULATED SOLIDS SHALL BE REMOVED.
- ONCE PER YEAR, THE ABSORPTION SYSTEM SHALL BE INSPECTED BY A QUALIFIED PERSON. THE PROPER FUNCTIONING OF THE SYSTEM SHALL BE VERIFIED AND ANY NECESSARY REPAIRS, OR OTHER MAINTENANCE, SHALL BE DONE PROMPTLY.

GENERAL SPECIFICATIONS

- UTILITIES INFORMATION SHOWN HEREON WERE OBTAINED FROM THE BEST AVAILABLE SOURCES AND MAY OR MAY NOT BE EITHER ACCURATE OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXACT LOCATION OF EXISTING UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ANY UTILITY, PUBLIC OR PRIVATE, SHOWN OR NOT SHOWN HEREON.
- THE CONTRACTOR SHALL NOTIFY "DIG SAFE" AT 8-1-1 PRIOR TO ANY EXCAVATION.
- LAMOUREUX & DICKINSON DOES NOT UNDERTAKE OR ASSUME ANY RESPONSIBILITY FOR SAFETY ON THE CONSTRUCTION SITE BUT DOES REMIND THE CONTRACTOR THAT THEY SHOULD WORK IN STRICT COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA) STANDARDS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEMOLITION AND REMOVAL OF ALL EXISTING VEGETATION, PAVEMENT AND STRUCTURES NECESSARY TO DEVELOP THIS PROPERTY UNLESS OTHERWISE NOTED ON THESE PLANS. CONTRACTOR SHALL REMOVE ALL TRASH FROM SITE UPON COMPLETION OF CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE AT HIS/HER OWN EXPENSE FOR ENSURING THAT THE DUST CREATED AS A RESULT OF CONSTRUCTION DOES NOT CREATE A NUISANCE OR A SAFETY HAZARD WHERE AND WHEN DEMAND NECESSARY BY THE ENGINEER, THE CONTRACTOR SHALL BE REQUIRED TO WET SECTIONS OF THE CONSTRUCTION AREA WITH WATER.

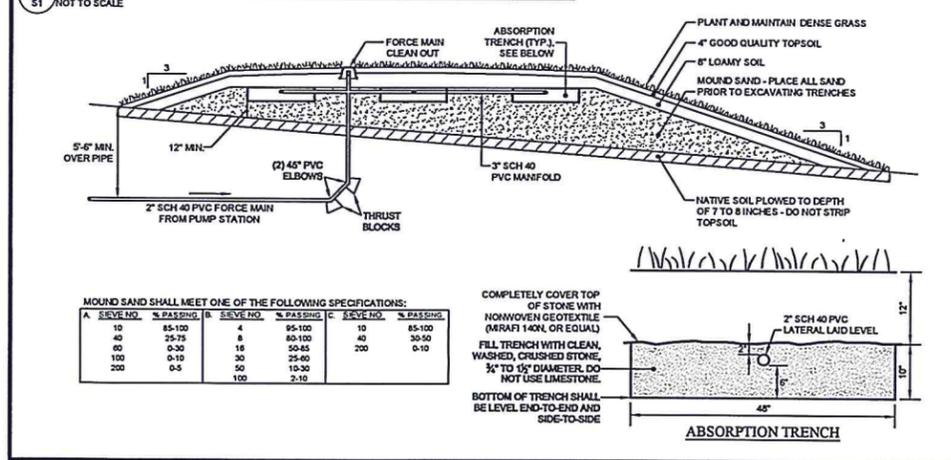
7. TYPICAL DRILLED WELL
S1 NOT TO SCALE



WATER SUPPLY BASIS OF DESIGN

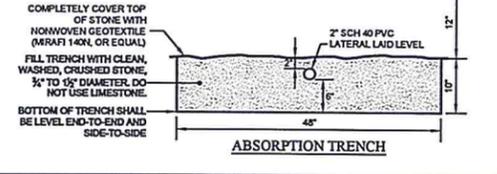
- DRILLED WELL FOR A 4-BDRM HOUSE
- REQUIREMENTS
 - AVERAGE DAY DEMAND (DESIGN FLOW) = 400 GPD
 - MAXIMUM DAY DEMAND = 400 GPM / 720 MIN = 0.68 GAL
 - INSTANTANEOUS PEAK DEMAND = 5 GPM
 - PUMP CAPACITY = 5 GPM
 - OPERATING PRESSURE = 30 TO 60 PSI
 - STORAGE - TO BE DETERMINED BASED ON WELL YIELD

5. WASTEWATER ABSORPTION SYSTEM (CROSS-SECTION)
S1 NOT TO SCALE

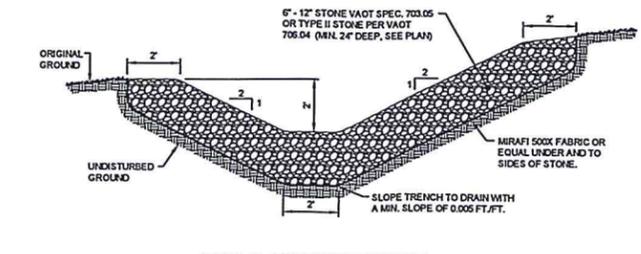
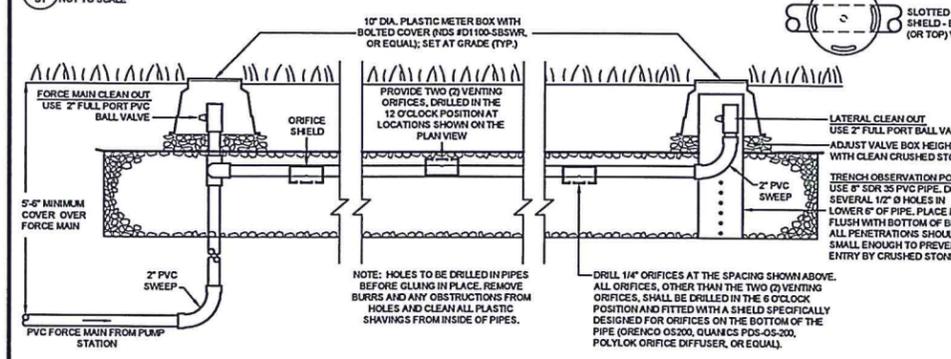


MOUND SAND SHALL MEET ONE OF THE FOLLOWING SPECIFICATIONS:

A. SIEVE NO.	% PASSING	B. SIEVE NO.	% PASSING	C. SIEVE NO.	% PASSING
10	85-100	4	95-100	10	85-100
60	25-75	8	80-100	40	30-50
100	0-20	15	50-65	200	0-10
200	0-10	30	25-40		
		50	10-30		
		100	2-10		



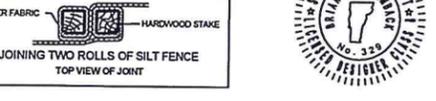
6. WASTEWATER ABSORPTION TRENCH LONGITUDINAL SECTION
S1 NOT TO SCALE



EROSION CONTROL SPECIFICATIONS

- PRIOR TO THE BEGINNING OF CONSTRUCTION OR EARTHMOVING, THE CONTRACTOR SHALL INSTALL A CONTINUOUS SILT FENCE AT THE LIMIT OF DISTURBANCE AS SHOWN ON THESE PLANS.
- TO ENSURE PROPER FUNCTION, THE SILT FENCE SHALL BE PROPERLY INSTALLED. THIS INCLUDES DRIVING THE POSTS TO A DEPTH OF 12 INCHES, KEYING THE SILT FENCE FABRIC 6 INCHES INTO THE GROUND, AND COMPACTING THE SOIL OVER THE KEYED PORTION OF THE FABRIC. USE ONLY MANUAL METHODS OF INSTALLATION WITHIN WETLANDS AND BUFFER ZONES.
- THE SILT FENCE SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THE PROJECT AND UNTIL ESTABLISHMENT OF VEGETATION SUFFICIENT TO PREVENT SOIL EROSION. AFTER WORK IS COMPLETE AND THE DISTURBED SOIL HAS BEEN STABILIZED, THE CONTRACTOR SHALL REMOVE ALL SILT FENCE FROM THE SITE.
- INSPECT EROSION CONTROL FENCE AT REGULAR INTERVALS AND AFTER EVERY HEAVY RAINFALL TO ENSURE THAT THERE ARE NO BROKEN POSTS, FABRIC TEARS, WASHOUTS OF THE BOTTOM EDGE OF THE FABRIC, OR EXCESSIVE SEDIMENT ACCUMULATION AND DAMAGE OR DEFECTS SHALL BE REPAIRED IMMEDIATELY. SEDIMENT ACCUMULATION OF MORE THAN ONE QUARTER THE HEIGHT OF THE FABRIC SHALL BE REMOVED AND PLACED IN AN APPROPRIATE AREA OUTSIDE WETLANDS AND BUFFER ZONES.
- THE CONTRACTOR SHALL INSTALL SILT FENCE AT OTHER LOCATIONS AS NEEDED.

TEMPORARY EROSION CONTROL FENCE



Date	Revision	By
1-6-2015	ADD BASIS OF DESIGN FOR LOT 1 REPLACEMENT AREA	BJT

These plans shall only be used for the purpose shown below:

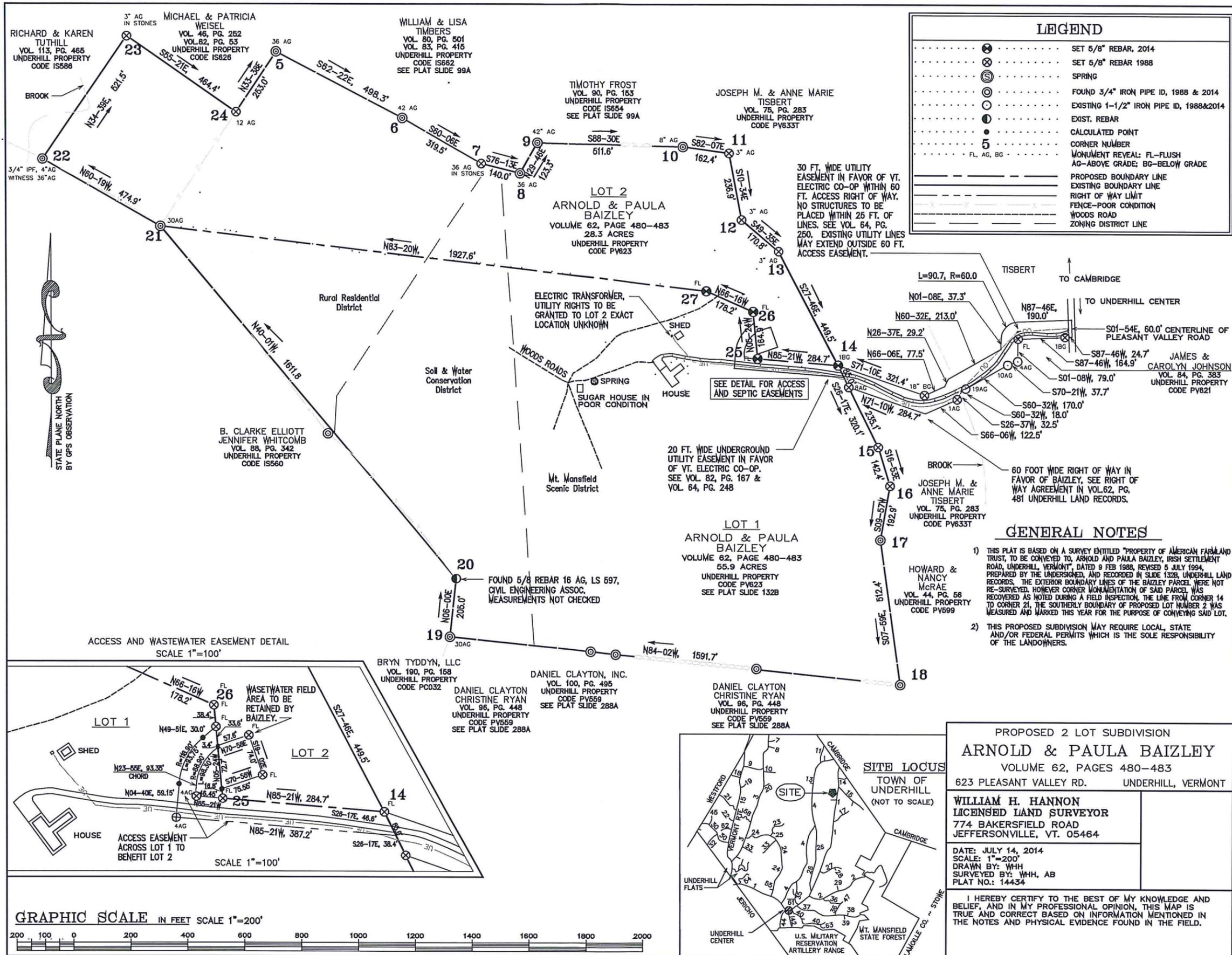
<input type="checkbox"/> Sketch/Concept	<input type="checkbox"/> Act 250 Review
<input type="checkbox"/> Preliminary	<input type="checkbox"/> Construction
<input checked="" type="checkbox"/> Final Local/State Review	<input type="checkbox"/> Record Drawing

Property of
Arnold & Paula Baizley
623 Pleasant Valley Road, Underhill, Vermont

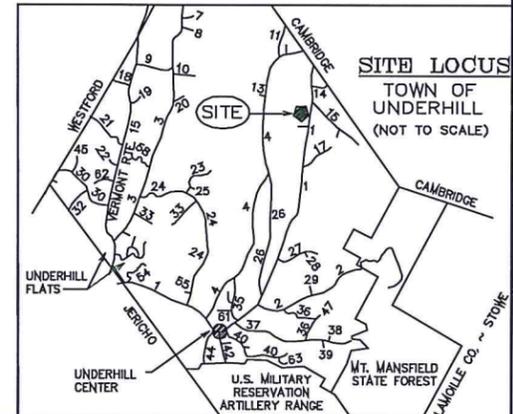
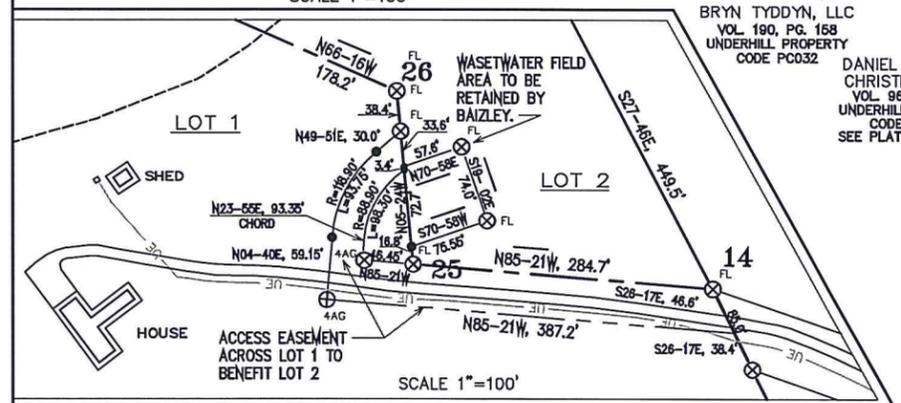
**Water and Wastewater System
Details and Specifications**

Lamoureux & Dickinson
Consulting Engineers, Inc.
14 Morse Drive, Essex, VT 05452
802-878-4450 www.LDEngineering.com

Project No. 14047
Survey OTHERS
Design BJT
Drawn WEH/BJT
Checked BJT
Date 10-3-2014
Scale AS SHOWN
Sheet Number D1



ACCESS AND WASTEWATER EASEMENT DETAIL
 SCALE 1"=100'



TOWN OF UNDERHILL
APPLICATION OF ARNOLD AND PAULA BAIZLEY
FOR A 2-LOT SUBDIVISION
PRELIMINARY FINDINGS AND DECISION

In re: Arnold & Paula Baizley
623 Pleasant Valley Road
Underhill, VT 05489

Docket No. DRB-14-04: Baizley

I. INTRODUCTION AND PROCEDURAL HISTORY

This proceeding concerns Arnold & Paula Baizley's preliminary hearing application for a 2-lot subdivision of property located at 623 Pleasant Valley Road in Underhill, VT.

- A. On November 6, 2014, Arnold & Paula Baizley filed a preliminary application for subdivision. A copy of the application and additional information are available at the Underhill Town Hall. A sketch plan review of the project was held on June 11, 2014 and was accepted.
- B. On November 7, 2014, a copy of the notice of the preliminary hearing was mailed via Certified Mail to the Applicants, Arnold & Paula Baizley, 623 Pleasant Valley Road, Underhill, VT 05489, and to the following owners of properties adjoining the property subject to the application:
1. Howard and Nancy McCrae, 599 Pleasant Valley Road, Underhill, VT 05489
 2. Carolyn Johnson, 621 Pleasant Valley Road, Underhill, VT 05489
 3. Joe & Anne Marie Tisbert, 5901 Pleasant Valley Road, Cambridge, VT 05444
 4. Timothy Frost, 654 Irish Settlement Road, Underhill, VT 05489
 5. William & Lisa Timbers, 662 Irish Settlement Road, Underhill, VT 05489
 6. Michael & Pat Weisel, PO Box 71, Underhill Center, VT 05490
 7. Richard & Karen Tuthill, 586 Irish Settlement Road, Underhill, VT 05489
 8. Elliot Clarke & Jennifer Whitcomb, 560 Irish Settlement Road, Underhill, VT 05489
 9. Bryn Tynddyn LLC, 1654 Moores Hill Road, Syosset, NY 11791
 10. Daniel Clayton & Christine Ryan, PO Box 187, Underhill Center, VT 05490
- C. A notice of the public hearing for the proposed Baizley subdivision was posted at the following places:
1. The property to be developed, PV623;
 2. The Underhill Town Clerk's Office;
 3. The Underhill Center Post Office;
 4. The Underhill Flats Post Office.
- D. On November 12, 2014, notice of a public hearing was published in *The Seven Days Newspaper*.

- E. The preliminary hearing began at 7:40 PM on December 1, 2014.
- F. Present at the preliminary hearing were the following members of the Development Review Board:

- Charles Van Winkle, Chairperson
- Will Towle
- Penny Miller
- Karen McKnight
- Jim Gilmartin
- Mark Hamelin

Planning & Zoning Administrator Sarah McShane; and Applicants Arnold & Paula Baizley also attended the hearing.

- G. At the outset of the hearing, Chairperson Charles Van Winkle explained the criteria under 24 V.S.A. § 4465 (b) for being considered an “interested party.” Those who spoke at the hearing were:

- Arnold & Paula Baizley, 623 Pleasant Valley Road, Underhill, VT 05489

- H. During the course of the hearing the following exhibits were submitted to the Development Review Board:

1. A staff report sent by PZA to the Development Review Board, the Applicants, the Selectboard, the Underhill Jericho Fire Department, and the Conservation Commission Chair;
2. Application for Subdivision: Preliminary & Checklist (dated 10-22-14; received 11-6-14);
3. A copy of the plans prepared by Lamoureux & Dickenson, (Project #14047: Sheets S1, S2, and D1) dated 10-3-2014;
4. Plat of proposed 2 Lot Subdivision of Arnold & Paula Baizley, prepared by William H. Hannon, date 7-14-14, Plat #14434;
5. A copy of the Subdivision Standards Findings Checklist;
6. A copy of the tax map for PV623;
7. A copy of the minutes from the 6-2-2014 Sketch Plan meeting;
8. A copy of the letter provided to the Applicant after Sketch plan review (dated 6-11-2014);
9. A copy of the hearing notice as published in *Seven Days published on 11-12-2014*, posted in three public places, and mailed to abutting property owners;
10. A copy of the Project Review Sheet;
11. A copy of the Bridge Assessment by Michael C. Weisel, P.E. (dated 6-16-1995);
12. A copy of the List of Abutters;
13. A copy of the deed and draft shared driveway agreement;
14. Copies of ANR Natural Resource Atlas maps;
15. A copy of November 13, 2014 input from the Chittenden East Supervisory Union;

16. A copy of a procedural memo.

These exhibits are available in the Baizley, DRB 14-04, PV623, subdivision file at the Underhill Planning & Zoning Office.

II. FINDINGS

Factual Findings

The Minutes of the meetings written by Sarah McShane are incorporated by reference into this decision. Please refer to these Minutes for a summary of the testimony.

Based on the application, testimony, exhibits, and other evidence, the Development Review Board makes the following findings:

- A. The Applicants seek a permit to subdivide land. The subject property is a ±84.20 acre parcel located at 623 Pleasant Valley Road in Underhill, VT (PV623).
- B. The property is located in the Rural Residential, Scenic Preservation, and Soil & Water Conservation zoning districts as defined in Article II, Table 2.3, 2.5, and 2.6 of the 2012 Unified Land Use and Development Regulations.
- C. Preliminary subdivision approval is requested for the project pursuant to review under the 2012 Unified Land Use and Development Regulations.
- D. Access approval is requested pursuant to review under the 2002 Underhill Road Policy and the 2012 Unified Land Use and Development Regulations. Final review of the access will be made by the Selectboard.

III. CONCLUSIONS

The Development Review Board finds the application is in conformance with the following sections of the 2012 Unified Land Use and Development Regulations:

- Article II, Table 2.3 – Rural Residential District
- Article II, Table 2.5 – Mt. Mansfield Scenic Preservation District
- Article II, Table 2.6 – Soil & Water Conservation District
- Article II, Table 2.7 – Flood Hazard Overlay District
- Section 3.2 – Access
- Section 3.7 – Lot, Yard & Setback Requirements
- Section 3.13 – Parking, Loading & Service Area
- Section 3.18 – Steep Slopes
- Section 3.19 – Surface Waters & Wetlands
- Section 3.22 – Water Supply & Wastewater Systems
- Section 7.5 – Preliminary Subdivision Review
- Article VIII – Subdivision Standards

Per section 8.1(D), all Sections above considered not applicable are waived. The Board finds that waiving such requirements will not nullify the intent and purpose of the 2102 Unified Land Use and Development Regulations and the Underhill Town Plan, and such waivers are not requisite in the interest of public health, safety and general welfare. Sufficient evidence, in the form of submitted testimony and plan layout, has been submitted to justify the waiver.

IV. DECISION AND FINAL HEARING REQUIREMENTS

Based upon the findings above, and subject to the supplemental final hearing conditions below, the Development Review Board grants preliminary approval for the subdivision as presented at the preliminary hearing.

- A. An Access Permit shall be obtained from the Selectboard prior to filing an application for final subdivision review in accordance with Section 8.6(A)(3).
- B. A copy of the Wastewater System and Potable Water Supply Permit, or permit application, shall be submitted with the application for final subdivision review.
- C. Section 3.2 (D)(9)(d) of the UULUDR requires "*Driveways that exceed 500 ft in length shall include a 10 foot by 30 foot pull-off area every 500 ft and terminate in a Y turnaround.*" The board requires a pull-off. However, the board also finds strict adherence to the 500 foot interval will place the pull-off in a floodplain. The board waives the 500 foot interval requirement and requests final design show the pull off outside of the floodplain.
- D. Nothing in this decision shall be deemed to alter any existing deed restrictions.

Dated at Underhill, Vermont this 15 day of Dec, 2014.



Charles Van Winkle, Chair, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 74 V.S.A. §4471 and Rule 5 (b) of the Vermont Rules for Environmental Court Proceedings. Appeal period ends 1/16/2015.

**Town of Underhill
Development Review Board Minutes
June 2, 2014**

Board Members Present:

Charles Van Winkle, Chairperson
Penny Miller
Will Towle
Jim Gilmartin
Matt Chapek
Karen McKnight
Shanie Bartlett (Alternate)

Staff/ Municipal Representatives Present:

Sarah McShane, PZA

Others Present:

Martin Danaher (Applicant-1st hearing)
Arnold & Paula Baizley (Applicants- 2nd hearing)
Patrick Lamphere (Applicant- 3rd hearing)
Mike Weisel (Abutter- 2nd hearing)
Dan Clayton (Abutter- 2nd hearing)
Thom Hartswick (Abutter- 3rd hearing)
Karen McKnight (Abutter- 3rd hearing)

- Chairperson Van Winkle called the meeting to order at 6:45 PM.
- Board members discussed using google docs to collaboratively edit DRB documents. Jim Gilmartin will email a test document. Board members were encouraged to try editing the test document prior to the next meeting.
- Board member Will Towle asked whether or not members were still interested in him drafting a standard disclaimer for decisions indicating that the DRB cannot guarantee that all permit conditions will be met with satisfaction. Board members were interested. W.Towle draft language to be included in future decisions.
- Board members discussed the May 5, 2014 DRB minutes. Board member Shanie Bartlett, seconded by Penny Miller, made a motion to approve the minutes as submitted. The motion was passed by all Board members present.
- Chairperson Van Winkle asked for public comment. No public comments were presented.

7:00 PM- 20 Russin Drive- Final Subdivision Review for a 2 Lot subdivision

(RU020) EXHIBITS:

- a. A staff report sent by Zoning & Planning Administrator to the Development Review Board, the Applicants, the Selectboard, the Underhill Jericho Fire Department, and the Conservation Commission Chair;
- b. Martin & Betty Danaher's Application for Subdivision: Final (dated 5-1-14);
- c. Copy of the Subdivision Checklist: Final Hearing;
- d. Copy of the Findings Checklist;
- e. Written request for front setback waiver;
- f. Copy of the ANR Project Review Sheet;
- g. Copy of the Wastewater System and Potable Water Supply Permit;
- h. Copy of the plans prepared by Grover Engineering PC (Project 04009- DWG NO. 1 last revised 10/11/13, DWG NO. 2 date 11/5/04, DWG No. 3 date 11/5/04);
- i. Copy of the Property Subdivision Plat prepared by William Robenstein (Project No. 321-24; dated 10/22/2004);
- j. Copy of the tax map for RU020 indicating the locations of wetland and surface water;

DRB Meeting Minutes
June 2, 2014

- k. Copy of the ANR Natural Resource Map indicating slope;
- l. Copy of the hearing notice as published in *Seven Days* on 5/14/2014, posted in three public places, and mailed to abutting property owners;
- m. Copy of email correspondence from Everett Marshall regarding Habitat Block designation (dated April 21, 2014);
- n. Copy of the draft minutes from the 6-17-2013 Sketch Plan meeting;
- o. Copy of 5/23/2014 input from the Chittenden East Supervisory Union;
- p. A copy of the procedure checklist for this meeting;
- q. Copy of emailed comments from Pam & Shawn Martell (dated 6-2-2014);
- r. Comments from the Underhill Jericho Fire Department (dated 6-11-2014);
- s. Copy of Shred Right-of-Way and Easement Maintenance Agreement;
- t. Copy of Easement Deed.

****Note:** A site visit at 20 Russin Drive took place at 6:00 PM; those present included Sarah McShane (staff), Martin Danaher (Applicant), and Board members Charles Van Winkle, Matt Chapek, Karen McKnight, Penny Miller, Shanie Bartlett, Will Towle, and Jim Gilmartin.**

- Chairperson Van Winkle began the hearing by explaining the procedure for final subdivision review, which comes under the 2012 Unified Land Use and Development Regulations and the definition of an interested party.
- Chairperson Van Winkle swore in all speakers and entered exhibits A-T into the record. PZA provided exhibits Q, R, S, T to DRB members earlier in the day.
- Martin Danaher, Applicant, provided an overview of the proposal, which includes creating a 2 lot subdivision on his property at 20 Russin Drive. The applicant stated that the subdivision was previously approved, however he failed to record the Mylar during the allotted time and was required to go through the subdivision process again.
- Chairperson Van Winkle stated that there were several unresolved issues the Applicant was requested to address in his final application. One issue to be addressed was updating the engineering drawings and site plan to indicate the zoning districts.
- Martin Danaher, Applicant, stated that he is requesting a setback waiver from the side property line.
- Chairperson Van Winkle stated that 250' of frontage is required and the proposal only indicates 78' of frontage along the ROW.
- Board member Will Towle asked if there is a current road maintenance agreement.
- Martin Danaher, Applicant, stated that a new road agreement has been drafted and is ready to be signed. He stated that he does not foresee any issues with the road agreement since many of his neighbors are family members and the others want the agreement.
- Chairperson Van Winkle stated that as a condition of approval Lot 1 & Lot 2 will be required to sign the road maintenance agreement.
- Board member Penny Miller stated that Section 8.6 states that the frontage requirement can be waived for lots located on cul-de-sacs and dead end roads.
- Chairperson Van Winkle stated that the applicant is requesting two waivers- one for frontage, and one for the side setback requirement.
- Board members discussed whether or not the private road is required to be brought up to development road standards since more than 4 lots will be served.
- Martin Danaher, Applicant, stated that Russin Drive is roughly 30' wide at the intersection of Rt. 15.

- Board member Will Towle stated that a permit requirement will be to bring the road up to A71 standards subject to a Certificate of Compliance. Since the Applicant has stated that the improvements have already been completed, he would just need to certify that the improvements have been made.
- In regards to the side setback waiver, Board member Penny Miller asked the Applicant if he could relocate the building envelope or property line so that he could avoid the need to request the setback waiver.
- Chairperson Van Winkle stated that there may be technical reasons for the reduced side setback, such as the location of the septic system.
- In the interest of time, Chairperson Van Winkle told the applicant that his application would be continued later in the evening.

7:45 PM- 623 Pleasant Valley Road- Sketch Plan Review for a 2 Lot subdivision

(PV623) EXHIBITS:

- A. Arnold & Paula Baizley Application for Subdivision: Sketch Plan (dated 5/4/14; received 5/6/14);
 - B. A copy of the completed Subdivision Checklist: Sketch Plan;
 - C. A copy of the proposed subdivision plan;
 - D. A copy of property abutters;
 - E. A copy of the notice sent to applicant and property abutters;
 - F. A copy of the warranty deed;
 - G. Copies of the ANR Natural Resources Atlas maps;
 - H. A copy of a zoning map of the property (PV623);
 - I. A copy of the procedure checklist for this meeting;
- Chairperson Van Winkle began the meeting by explaining the procedure for sketch plan review, which comes under the 2012 Unified Land Use and Development Regulations.
 - Arnold Baizley, Applicant, stated that he is proposing to subdivide a 27 acre lot off from his property. He has a 60' easement off from Pleasant Valley Road that he uses to access his property. There are three zoning districts on his property. He stated that he has a deed restriction limiting him to subdividing one lot.
 - Board members discussed the frontage requirement. Sarah McShane, PZA, stated that since development is being proposed in the Scenic Preservation zoning district, the frontage requirement is 400 feet.
 - Sarah McShane, PZA, stated that the property is in the current use program and as part of the preliminary application, the board may want to request correspondence indicating that it is okay to subdivide properties in the program.
 - Board member Penny Miller asked if there were any mapped deer yards on the property. Sarah McShane, PZA, will look into whether or not there are any documented deer yards on the property.
 - Chairperson Van Winkle asked for public comment.
 - Mike Weisel (PO Box 71, Underhill Center, VT 05490- Abutter) stated that he does not have any problems with the subdivision proposal. He stated that he does not foresee potential for soil erosion and that the property was unlikely a mapped deer yard.

- Dan Clayton (PO Box 187, Underhill Center, VT 05490- Abutter) stated that he wanted to attend the meeting to view the subdivision proposal. He also stated that he has no objections to the proposal and it appears to be low impact.
- Chairperson Van Winkle asked for final comments and whether or not the Board had enough information.
- Board member Will Towle stated that he felt the property met its frontage requirement from the parcel on Pleasant Valley Road (PV621). He stated that he believes the intent of the frontage requirement was to require appropriate spacing of driveways along Pleasant Valley Road.
- Board members asked the Applicant whether or not the driveway is currently shared with other property owners. The Applicant stated that he currently does not share the driveway.
- Board members discussed the issue of frontage and agreed that the DRB could waive the requirement since the lot is located at the end of a road.
- Board member Will Towle made a motion, seconded by Matt Chapek, to accept the proposal, to classify it as a minor subdivision, and that the applicant does not have to show 400 ft of frontage on subsequent subdivision plans. The motion passed by all Board members present.
- Board members discussed the pros and cons of combining the preliminary and final subdivision hearings.
- Board member Will Towle made a motion, seconded by Penny Miller, to grant the Applicant's request for a waiver to combine the preliminary and final hearings. The motion did not pass (FOR: Miller, Gilmartin, Chapek; AGAINST: McKnight, Bartlett, Towle, VanWinkle). Applicant will be required to have both a preliminary and final subdivision review hearing.
- Arnold Baizely, Applicant, asked whether or not he had to indicate a building envelope on the subdivision plans. Board members stated only if the applicant so desired.
- PZA will draft a sketch plan review letter to be mailed to the applicant within 15 days.
- The sketch plan meeting ended at 8:30 PM.

8:31 PM- 108 Beartown Road- Sketch Plan Review for a 2 Lot subdivision

(BE108) EXHIBITS:

- A. Luella Lamphere Estate (c/o Pat Lamphere) Application for Subdivision: Sketch Plan (received 5/7/14);
 - B. A copy of the completed Subdivision Checklist: Sketch Plan;
 - C. A copy of the proposed subdivision plan (Drawings 1 of 2 and 2 of 2, dated 4-2-2014);
 - D. A written project description;
 - E. A copy of the tax map;
 - F. A copy of the property deed;
 - G. A copy of the notice sent to applicant and property abutters;
 - H. Copies of the ANR Natural Resources Atlas maps;
 - I. Copy of the procedure checklist for this meeting;
- Chairperson Van Winkle began the meeting by explaining the procedure for sketch plan review, which comes under the 2012 Unified Land Use and Development Regulations.
 - Board Member Karen McKnight excused herself from the meeting.
 - Patrick Lamphere, Applicant, provided an overview of the proposal. He stated that the property is 15 acres and belongs to his mother's estate. He would like to subdivide a 10 acre lot, with the

intent of possibly further subdividing the 10 acres in the future; however this application is for a 2 lot subdivision.

- Board member Penny Miller asked about the discrepancy in acreage. Sarah McShane, PZA, stated that the town has the property listed at 10.43 acres however the Applicants' survey indicates the property is 15 acres. She stated that she checked with the Listers' Office regarding the discrepancy in acreage and the Listers' stated that it was somewhat common for such discrepancy.
- Sarah McShane, PZA, stated that an Access Permit will be required if the Applicant was proposing a curb cut to the town road. She stated that voters approved the ballot measure on Town Meeting Day that corrected the zoning district boundaries on the property. She did not see any environmental constraints that would prohibit subdivision.
- Chairperson Van Winkle asked for public comment.
- Karen McKnight (164 Beartown Road-Abutter) stated that she was concerned with the uplands project and animal crossing issues.
- Thom Hartswick (130 Beartown Road- Abutter) stated that he would be more concerned if the proposal was for two five acre lots.
- Chairperson Van Winkle asked if the Board had enough information to make a decision.
- Board member Will Towle made a motion, seconded by Penny Miller, to accept the sketch plan and to classify it as a minor subdivision. The motion passed by all board members present.
- Board member Will Towle made a motion, seconded by Matt Chapek, to allow the applicant to combine preliminary and final subdivision review if he so chooses. The motion passed by all board members present.
- PZA will draft a sketch plan review letter to be mailed to the applicant within 15 days.
- The sketch plan review meeting ended at 8:50 PM

8:51 PM- Continued: 20 Russin Drive- Final Subdivision Review for a 2 Lot subdivision

- At 8:51 PM Board members continued the review of the application of Martin Danaher for a 2 lot subdivision at 20 Russin Drive.
- Board member Penny Miller asked the Applicant about the Class 2 wetlands on the property.
- Martin Danaher, Applicant, stated that the man-made pond on the property is considered a Class 2 wetland.
- Board member Penny Miller asked about the utilities and whether or not they will be buried underground.
- Martin Danaher, Applicant, stated that the utilities will be above ground and will follow the driveway until approximately the top of the hill, at which point they will be buried up to the house.
- Board member Penny Miller stated that it is a re-subdivision of a subdivision.
- The Applicant stated that it is part of the Russin subdivision from 1996 or 1997.
- Sarah McShane, PZA, stated that she had not reviewed the conditions of the original subdivision permit.
- Chairperson Van Winkle stated that some older planned residential developments (PRD's) had restrictions that no further subdivision could take place.
- Sarah McShane, PZA, will review the zoning files and report back to the DRB regarding the conditions of approval for the original subdivision.
- Board member Penny Miller asked whether or not erosion control measures need to be indicated on the site plan.

DRB Meeting Minutes
June 2, 2014

- Chairperson Van Winkle stated that the site appeared to be dry and that the Applicant would be the receiver of any erosion impacts since he owns the downslope property.
- Penny Miller stated that it may be beneficial to have erosion control measures around the building site during construction and to have the setbacks indicated on the site plan.
- Chairperson Van Winkle stated that there are still unresolved issues to be addressed. The applicant is requesting a side setback waiver and a frontage waiver.
- Board member Will Towle stated that if the site plan indicates an area as "open space", it designates that area to be left open, restricting future development. He stated that if something is indicated on the plan, it is part of the plan. Depending on the intention of the Applicant, he should reconsider items listed on the site plan.
- Chairperson Van Winkle stated that the DRB approves the plat and the engineering drawings are often incorporated by reference in the decision.
- Chairperson Van Winkle provided an overview of the application process. The Applicant is requesting two waivers- one for frontage and one for a reduced side setback; he has an approved wastewater permit; the Applicant provided testimony that the road is constructed to be at least 24' at the intersection, and has submitted a draft easement and road maintenance agreement. One outstanding issue is for PZA to research whether or not there are any previous subdivision conditions that would restrict re-subdivision.
- Chairperson Van Winkle stated prior to occupancy, the road agreement with Lot 1 & Lot 2 must be recorded as part of the deed.
- Board member Will Towle stated that setback waivers should not just be granted when requested. The Applicant should make a strong case of why it's necessary.
- Chairperson Van Winkle stated that the Applicant is creating his own hardship and that he could redraw the property line or building envelope to meet the required setback. He stated that he needs to have a stronger technical argument supporting his waiver request.
- Board member Penny Miller made a motion, seconded by Karen McKnight, to continue the applicants hearing on June 16th at 7:00 PM. The motion passed by all members present.
- The DRB closed the hearing at 9:38 PM and will continue the hearing on 6/16/2014 at 7:00 PM.

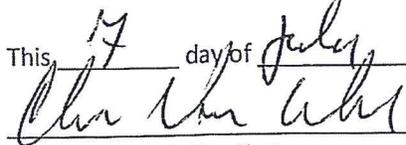
Meeting adjourned at 9:40 PM.

Submitted by:

Sarah McShane, PZA

These minutes of the 6-2-2014 meeting of the DRB were accepted

This 17 day of July, 2014.



Charles Van Winkle, Chairperson

These minutes are subject to correction by the Underhill Development Review Board. Changes, if any, will be recorded in the minutes of the meeting of the DRB.

**Town of Underhill
Development Review Board Minutes
December 1, 2014**

Board Members Present:

Charles Van Winkle
Will Towle
Karen McKnight
Penny Miller
Jim Gilmartin
Mark Hamelin

Staff/ Municipal Representatives Present:

Sarah McShane, PZA

Others Present:

Warren Palmer (Applicant- 1st hearing)
Courtney Palmer (122 Skunk Hollow, Jericho, 1st hearing)
Louis Lawton (Resident, 13 Warner Creek Rd., 1st hearing)
Bill West (Resident, 24 Sawmill Lane, Westford, 1st hearing)
Katie Robinson (Resident, 24 Sawmill Lane, Westford, 1st hearing)
Arnold Baizley (Applicant- 623 Pleasant Valley Road, 2nd hearing)
Paula Baizley (Applicant- 623 Pleasant Valley Road, 2nd hearing)

6:30 PM- 12/1/2014 DRB Public Hearing

- DRB members convened at Town Hall at 6:30 PM. Chair Van Winkle called the meeting to order at 6:30 PM.
- Chair Van Winkle asked for public comment. There were no public comments.

6:30 PM- Subdivision Amendment (DRB 14-15) W.Palmer, 21 Warner Creek

- Chair Van Winkle began the hearing by explaining the procedure for Subdivision Review and the definition of interested party. He stated that the Applicant, Warren Palmer, is before the board for approval to revise the location of the building envelope and re-subdivide Lot 2 of the Isabel Baslow subdivision at 21 Warner Creek Road.
- Chair Van Winkle swore in hearing participants and exhibits and asked if any board members had a conflict of interest or ex parte communications. There were no conflict of interest or ex parte communications. PZA Sarah McShane added a copy of the *Declaration of Covenants, Conditions, Agreements, Easements, and Restrictions for Warner Creek* to the list of exhibits and provided a copy to Board members.
- Applicant Warren Palmer provided a brief overview of the application. He stated that he is requesting approval to revise the building envelope on Lot 2 and to re-subdivide Lot 2 to include 10.7 acres of common-land. He explained that the common-land would include Warner Creek Rd. and would be owned by the Home Owners Association. He also stated that it was probably an oversight that Lot 2 was approved in the current configuration.
- Board members reviewed the provided plans.
- PZA Sarah McShane reviewed her notes. She stated that the wetlands indicated on the plans do not specify whether or not they are Class 1, 2, or 3. She stated that they are not on the State

Wetlands Inventory and are likely a Class 3. If they are Class 3, the wetland buffer is 25 ft. The Applicant stated that the State Wetlands Officer is scheduled to visit the site later in the week.

- Applicant Warren Palmer stated that it is often seen as desirable to have sensitive areas held in common rather than in private ownership.
- Chair Van Winkle asked for public comment.
- Louis Lawton (Resident- 13 Warner Creek) stated that he was concerned that construction vehicles were crushing the culvert on Warner Creek. He stated that the culvert is close to the Rt. 15 intersection.
- Applicant Warren Palmer stated that there is a 5' galvanized steel culvert on Warner Creek Road that has a shallow amount of top material. He stated that the culvert is in likely need of maintenance.
- Board member Will Towle asked if the Home Owners Association had been created. Applicant Warren Palmer provided a copy of the *Declaration of Covenants, Conditions, Agreements, Easements, and Restrictions for Warner Creek*. Board members reviewed the document. Board member Will Towle pointed out that portions needed to be updated to reflect this particular subdivision.
- Chair Van Winkle stated that a Roadway Agreement and Home Owners Association was referenced and required in the previous DRB decision.
- Chair Van Winkle asked for additional public testimony and if the Board had enough information to make a decision.
- Discussion continued. Board members discussed whether or not they needed a site visit. Majority of Board members agreed they did not need a site visit.
- Board members reviewed the zoning district map and agreed that it appeared that more than ½ of the lot was in the Rural Residential zoning district. Applicant Warren Palmer provided testimony that more than 3 acres was in the Rural Residential zoning district.
- Board member Will Towle made a motion, seconded by Penny Miller, to close the evidentiary portion of the hearing and discuss the application in closed session. The motion passed by all Board members present.
- The evidentiary portion of the hearing closed at 7:35 PM. Chair Van Winkle stated that the Board will issue a decision within 45 days.
- The Applicant departed at 7:40 PM.

7:40 PM- Preliminary Subdivision Review (DRB 14-04) Baizley- 623 Pleasant Valley Road

- Chair Van Winkle began the hearing by explaining the procedure for Preliminary Subdivision Review and the definition of interested party. He stated that the Applicants, Arnold & Paula Baizley, are before the board for preliminary approval of a 2 Lot subdivision on property located at 623 Pleasant Valley Road.
- Chair Van Winkle swore in hearing participants and exhibits and asked if any board members had a conflict of interest or ex parte communications. There were no conflict of interest or ex parte communications. PZA Sarah McShane provided a copy of an updated draft deed to be included as part of the public record.
- Applicant Arnold Baizley provided an overview of the application. He stated that the property is in a Farmland Trust easement and they are only allowed to subdivide one additional lot. He stated that they are proposing to use the existing driveway off from Pleasant Valley Road.
- Board members discussed frontage. Board member Will Towle stated that he felt the frontage was obtained from Pleasant Valley Road and that a waiver should not be required.

- Board members discussed improvements to the driveway. PZA Sarah McShane stated that portions of the existing driveway are within the mapped floodplain (Special Flood Hazard Area). She stated that unless specifically exempted, any development within this area would likely need to be reviewed by the State Floodplain Coordinator and meet the Town's Flood Hazard Regulations. She recommended that the required driveway pull-offs be located outside of the mapped floodplain.
- Board members discussed whether or not to schedule a site visit prior to the next hearing. Majority of board members felt they did not need a site visit. The Applicants stated that if Board members would like to visit the property, they could do so on their own. Board members Karen McKnight and Penny Miller stated that they would like to visit the property.
- Chair Van Winkle asked if Board members had enough information to make a decision.
- Board member Karen McKnight made a motion, seconded by Penny Miller, to close the evidentiary portion of the hearing and discuss the application in open session. The motion passed by all Board members present.
- Chair Van Winkle reviewed the items required prior to scheduling the Final Subdivision Review; an approved Access Permit from the Selectboard, a copy of the waste water permit or application for permit, and updated plans which include the required pull-offs. The PZA will solicit input from the Fire Department and Conservation Commission.
- At 8:30 PM Board member Will Towle made a motion, seconded by Karen McKnight, to approve the application for Preliminary Subdivision Review. The motion passed by all Board members present. The Board will issue a written decision within 45 days.

8:35 PM- Old Business

- Board members reviewed the minutes from 11/17/2014. Board member Penny Miller made a motion, seconded by Jim Gilmartin to approve the DRB minutes from 11/17/14 as submitted. The motion passed by all Board members present.
- At 8:40 PM Board member Will Towle made a motion, seconded by Penny Miller, to enter executive session to discuss DRB 14-15 (Palmer- Subdivision Amendment). The motion passed by all Board members present.

Meeting adjourned at 9:45 PM.

Submitted by:
Sarah McShane, PZA

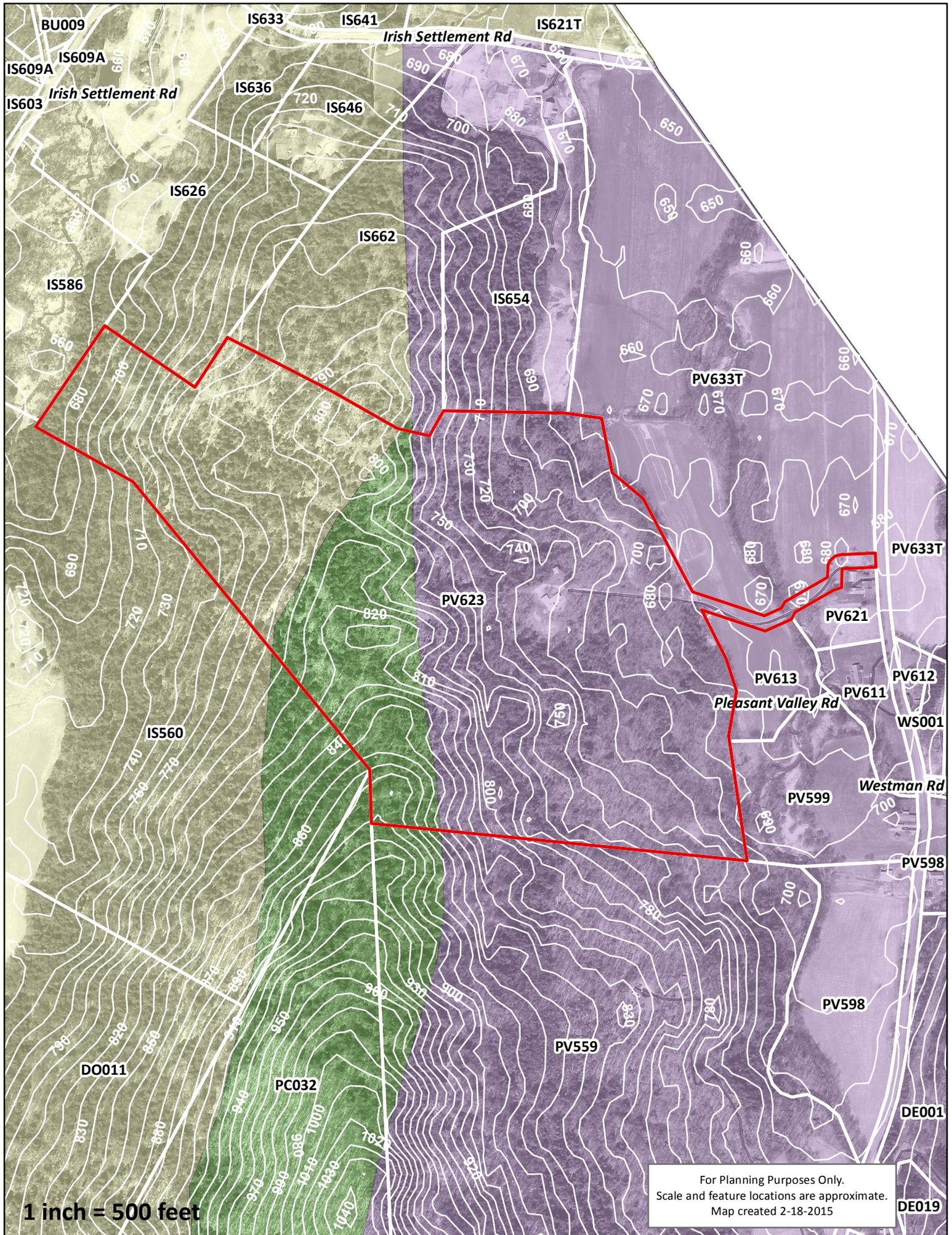
These minutes of the 12-1-2014 meeting of the DRB were accepted

This 5 day of January, 2015.



Charles Van Winkle, Chairperson

These minutes are subject to correction by the Underhill Development Review Board. Changes, if any, will be recorded in the minutes of the meeting of the DRB.



1 inch = 500 feet

For Planning Purposes Only.
Scale and feature locations are approximate.
Map created 2-18-2015

DE019

Town of Underhill, VT
PLANNING & ZONING ADMINISTRATOR

P.O. Box 120, Underhill, VT 05489
E-mail: smcshane@underhillvt.gov

Phone: (802) 899-4434 x106
Fax: (802) 899-2137

February 5, 2015

Arnold & Paula Baizley
623 Pleasant Valley Road
Underhill, VT 05489

Dear Applicant:

This letter is to notify you of your final subdivision review hearing before the Underhill Development Review Board on **Monday, March 2, 2015** for a proposed 2 Lot subdivision of your property located at **623 Pleasant Valley Road (PV623)**. The hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

The hearing is open to the public and interested parties have the right to provide comments. Property abutters will be notified (via certified mail) of the hearing and the hearing will be advertised in a local newspaper. An invoice for these costs will be sent following the hearing with the board's final decision. Pursuant to 24 VSA §§4464(a) (1) (C) and 4471(a), participation in this local proceeding by written or oral comment is a prerequisite to the right to take any subsequent appeal.

If you have any questions, I can be reached at the address or phone number listed above.

Sincerely,



Sarah C. McShane

cc: Applicant
File



Town of Underhill

P.O. Box 120, Underhill, VT 05489
www.underhillvt.gov

Phone: (802) 899-4434, x106
Fax: (802) 899-2137

NOTICE OF PUBLIC MEETING

Development Review Board (DRB)
Monday, March 2, 2015 at 6:30 PM
Underhill Town Hall, 12 Pleasant Valley Rd. Underhill, VT

The DRB will also hold a Final Subdivision Review hearing on the application of Arnold & Paula Baizley for a proposed 2-lot subdivision of property located at 623 Pleasant Valley Road (PV623). This property is located in the Rural Residential, Soil and Water Conservation, and Mt. Mansfield Scenic Preservation zoning districts. The hearing will begin at the Town Hall at approximately 6:35 PM.

Additional information for this hearing may be obtained at the Underhill Town Hall. The hearing is open to the public. Pursuant to 24 VSA §§4464(a)(1)(C) and 4471(a), participation in this local proceeding is a prerequisite to the right to take any subsequent appeal. If you cannot attend the hearings, comments may be made in writing prior to the meeting and mailed to: Planning & Zoning Administrator, P.O. Box 120, Underhill, VT 05489 or to smcshane@underhillvt.gov
