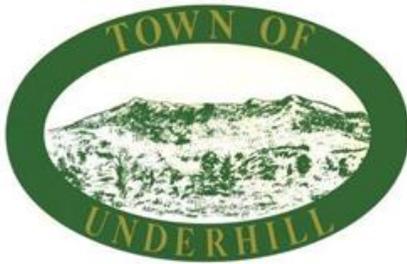


**APPLICATION OVERVIEW**  
**SKETCH PLAN REVIEW**  
**ARTICLE 7, SECTION 7.3**

<b>DRB DOCKET #:</b>	DRB-20-01
<b>APPLICANT(S):</b>	Timothy & Theresa Potvin
<b>CONSULTANT(S):</b>	Unknown
<b>PROPERTY ADDRESS (PARCEL ID CODE):</b>	145 Moose Run (MO145) (Formerly 27 Moose Run – MO027)
<b>ZONING DISTRICT(S):</b>	Mt. Mansfield Scenic Preservation District Soil & Water Conservation District
<b>INITIAL FILING DATE:</b>	Tuesday, December 31, 2019
<b>APPLICATION COMPLETION DATE:</b>	Tuesday, December 31, 2019
<b>SCHEDULED MEETING DATE:</b>	Monday, January 20, 2020
<b>PROJECT DESCRIPTION:</b>	The Applicants are seeking a 2-Lot subdivision of their land at 145 Moose Run (MO145).
<b>MOST RELEVANT ULUDR SECTIONS:</b>	§ 3.2 (Access); § 3.7 (Lot, Yard & Setback Requirements); § 7.2 (Sketch Plan Review).
<b>REASON FOR CONDITIONAL USE REVIEW:</b>	Proposed subdivisions are required to be reviewed by the Development Review Board per Article VII. The Sketch Plan Review Meeting is meant to be an informal process to identify potential issues prior to the Applicant(s) expending a lot of resources on a project.
<b>APPLICABILITY OF ROAD ORDINANCE:</b>	The 2015 Road Ordinance, as amended thru December 18, 2018 may <b>APPLY</b> .
<b>STATE PERMIT INFORMATION:</b>	<ul style="list-style-type: none"> <li>Each proposed lot will contain a primary dwelling upon subdividing, which have both been permitted under WW Permit #: WW-4-3810-1 (Exhibit G)</li> </ul>
<b>COMMENTS/NOTABLE ISSUES:</b>	<ul style="list-style-type: none"> <li>The accessory dwelling (MO137), which currently exists on the proposed Lot 1, will revert to a primary use upon subdividing, and therefore, will become a single-family dwelling.</li> <li>The driveway serving the accessory dwelling is already constructed (see Exhibit F; Access Permit #: A-18-12).</li> </ul>



# TOWN OF UNDERHILL

## Development Review Board

TIMOTHY & THERESA POTVIN  
SKETCH PLAN REVIEW  
Docket #: DRB-20-01

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<b>Applicant(s):</b>	Timothy & Theresa Potvin
<b>Consultant(s):</b>	Unknown
<b>Property Location:</b>	145 Moose Run (MO145) (Formerly 27 Moose Run)
<b>Acreage:</b>	±105.6 Acres
<b>Zoning District(s):</b>	Mt. Mansfield Scenic Preservation and Soil & Water Conservation

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**Project Proposal:** Sketch Plan Review of Timothy & Theresa Potvin for a proposed 2-Lot Subdivision of property located at the aforementioned address.

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### 2018 UNDERHILL UNIFIED LAND USE & DEVELOPMENT REGULATIONS RELEVANT REGULATIONS:

- Article II, Table 2.4 – Rural Residential (pg. 15)
  - Article II, Table 2.7 – Soil & Water Conservation District (pexhig. 24)
  - Article III, Section 3.2 – Access (pg. 30)
  - Article III, Section 3.7 – Lot, Yard & Setback Requirements (pg. 38)
  - Article III, Section 3.9 – Nonconforming Structures (pg. 40)
  - Article III, Section 3.13 – Parking, Loading & Service Areas (pg. 44)
  - Article III, Section 3.17 – Source Protection Areas (pg. 55)
  - Article III, Section 3.18 – Steep Slopes (pg. 56)
  - Article III, Section 3.19 – Surface Waters & Wetlands (pg. 63)
  - Article III, Section 3.23 – Water Supply & Wastewater Systems (pg. 68)
  - Article VI – Flood Hazard Area Review (pg. 127)
  - Article VII, Section 7.2 – Applicability (pg. 139)
  - Article VII, Section 7.3 – Sketch Plan Review (pg. 141)
  - Article VIII – Subdivision Standards (pg. 150)
  - Appendix A – Underhill Road, Driveway & Trail Ordinance
- 

### CONTENTS:

- a. Exhibit A - Potvin Sketch Plan Review Staff Report
  - b. Exhibit B - Potvin (MO145) Sketch Plan Review Meeting Procedures
  - c. Exhibit C - Subdivision Review Application
  - d. Exhibit D – *[Reserved]*
  - e. Exhibit E - Certificate of Service
  - f. Exhibit F - Access Permit No A-18-12
  - g. Exhibit G - WW Permit No WW-4-3810-1
-

- h. Exhibit H - Proposed Subdivision
- i. Exhibit I - Steams Waterbodies & Wetlands
- j. Exhibit J - Originally Submitted Proposed Subdivision

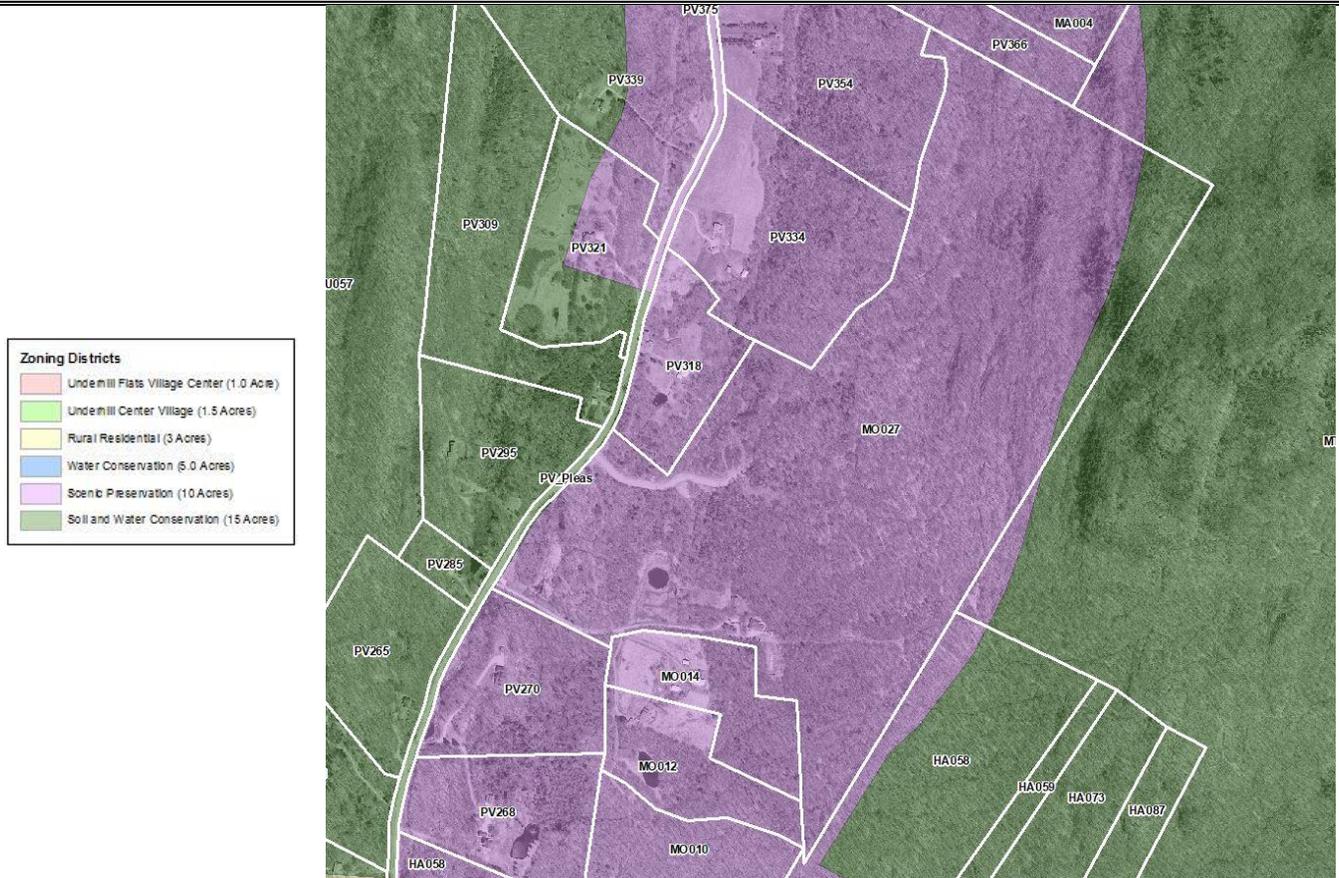
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## COMMENTS/QUESTIONS

1. **SECTION 3.2 – ACCESS:** The frontage for the proposed lots will need to be verified upon the submission of engineered plans during the preliminary subdivision review process
  2. **SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS:** The accessory dwelling, which currently exists on the proposed Lot 1 will be revert to the primary use upon subdividing, and therefore, will become a single-family dwelling.
  3. **SECTION 3.19 – SURFACE WATERS & WETLANDS:**
    - a. An unnamed stream will exist on the proposed Lot 1, and should be identified on the engineer plans that will be submitted as part of the preliminary subdivision review application.
    - b. Since wetland delineations are only valid for three to five years, the Applicants should confirm if these Wetlands still exist or if any new wetlands have emerged since the previous subdivision.
  4. **SECTION 8.8 – LEGAL REQUIREMENTS:** The Board should determine if the Applicants require a draft Road Maintenance Agreement prior to the Preliminary/Final Subdivision Review hearing.
  5. **APPENDIX A – ROAD & DRIVEWAY STANDARDS:** The Applicants should provide information relating to the access way at the time of the preliminary subdivision review hearing, at which time Staff will provide a more detailed assessment.
-

# STAFF FINDINGS OF RELEVANT SECTIONS

## ARTICLE II – ZONING DISTRICTS



	Mt. Mansfield Scenic Preservation	Soil & Water Conservation	Proposed Lot 1 (Accessory Dwelling) ~10.0 Acres	Proposed Lot 2 (Single-Family Dwelling) ~95.6 Acres
<b>Lot Size:</b>	10.0 Acres	15.0 Acres	TBD	TBD
<b>Frontage:</b>	400 ft.	400 ft.	TBD	TBD
<b>Setbacks:</b>				
• Front West	30 ft.	30 ft.	TBD	TBD
• Side 1 North	75 ft.	75 ft.	TBD	TBD
• Side 2 South	75 ft.	75 ft.	TBD	TBD
• Rear West	75 ft.	75 ft.	TBD	TBD
<b>Max. Building Coverage:</b>	10%	7%	TBD	TBD
<b>Max. Lot Coverage:</b>	15%	10%	TBD	TBD
<b>Maximum Height:</b>	35 ft.	35 ft.	TBD	TBD

\* Exhibit H illustrates Lot 1 (Orange) and Lot 2 (Yellow) more clearly. The colors and numbering were assigned by Staff to better convey the information within this report.

TABLE 2.6 – MT. MANSFIELD SCENIC PRESERVATION DISTRICT

**Purpose Statement:** To protect the scenic vistas along Pleasant Valley Road. This district includes upland areas with access and/or development constraints, and valley areas with access onto Pleasant Valley Road. The goal of this is achieved by allowing compatible lower densities of development or clustered development that maintains Underhill’s rural character while protecting the views along Pleasant Valley Road.

- The proposed subdivision involves the division of an ~105 Acre lot into two lots: a ten (10) acre lot and an ~95 acre lot.
  - Both lots will contain dwellings (the accessory dwelling on the proposed Lot 1, which will become a primary dwelling; and the single-family dwelling on the proposed Lot 2).
- Both lots already contain dwelling units, and therefore, at this time, no new development is proposed.
- Both lots will access Moose Run, a private road that connects to Pleasant Valley Road, a Class II Town Highway.

**TABLE 2.7 – SOIL & WATER CONSERVATION**

**PG. 24**

**Purpose Statement:** This district includes significant headwater and aquifer recharge areas, unique and fragile natural areas, critical wildlife habitat, and mountainsides and ridges characterized by steep slopes and shallow soils. The purpose of this district is to protect Underhill’s more remote and inaccessible forested upland areas from fragmentation, development, and undue environmental disturbance, while allowing for the continuation of traditional uses such as forestry, outdoor recreation, and compatible development.

- The proposed subdivision will subdivide an ~105 Acre lot into two lots.
- The Applicants are not proposing any new development, and therefore, the area designated as the Soil & Water Conservation District would therefore not be impacted at this time.

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**ARTICLE III – GENERAL REGULATIONS**

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**SECTION 3.2 – ACCESS**

**PG. 30**

- The driveway serving 145 Moose Run (formerly 27 Moose Run; proposed Lot 2 and contains the single-family dwelling) already exists and was assumedly is permitted during the creation of the Moose Run Subdivision.
- The driveway serving 137 Moose Run (the accessory dwelling; proposed Lot 1) also already exists and was permitted under Access Permit #: A-18-12 (see Exhibit F).
- Since no additional dwellings/residences are being added as part of this subdivision, no modifications to Moose Run are required.
- The frontage for the proposed lots will need to be verified upon the submission of engineered plans during the preliminary subdivision review process.
  - Since the driveways are not shared, the frontage waiver under Section 8.6.A is not applicable.

**SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS**

**PG. 38**

- Both lots will contain one principal use/structure:
  - Proposed Lot 1 (MO135): a single-family dwelling;
    - *NOTE:* the accessory dwelling, which currently exists on the proposed Lot 1 will be revert to the primary use upon subdividing, and therefore, will become a single-family dwelling; and
  - Proposed Lot 2 (MO145): a single-family dwelling.
- Since the driveways are not shared, the frontage waiver under Section 8.6.A is not applicable.

**SECTION 3.13 – PARKING, LOADING & SERVICE AREAS**

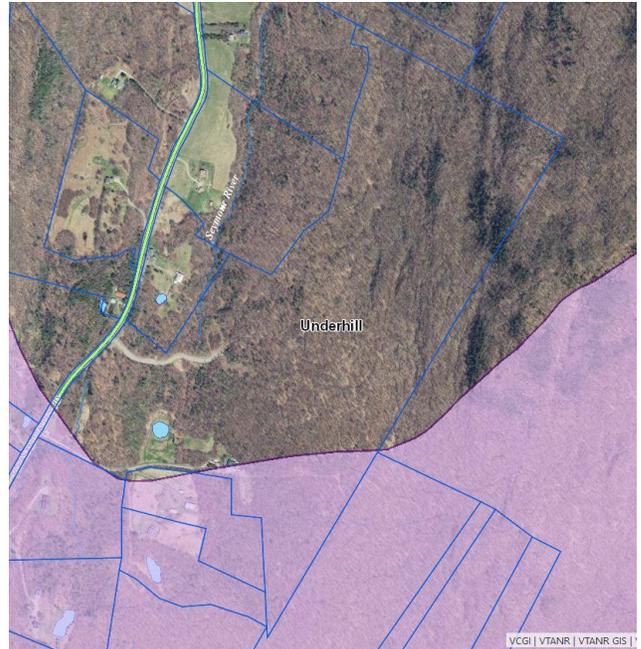
**PG. 44**

- Both lots, which will retaining a primary dwelling, assumedly satisfies the parking requirement for a single-family dwelling – 2 parking spaces per dwelling.

**SECTION 3.17 – SOURCE PROTECTION AREAS**

**PG. 55**

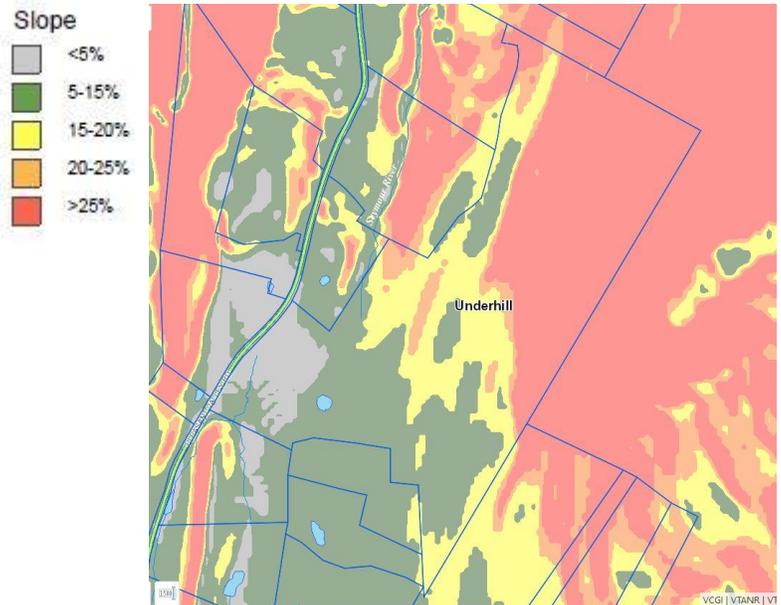
- Both proposed lots will contains areas designated as a Groundwater Source Protection Area; however, since the development already exists, and no new development is being proposed as a direct result of this subdivision application, review under this section is not required.



**SECTION 3.18 – STEEP SLOPES**

**PG. 56**

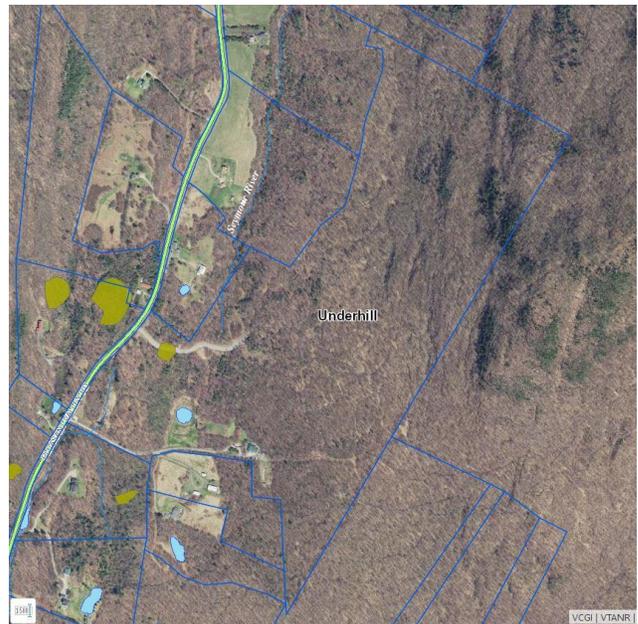
- Areas of steep slopes (15-25%) are present on the existing lot – 145 Moose Run (see directly to the right).
  - The existing development (the single-family dwelling that will remain on Lot 2 and the accessory dwelling that will remain on Lot 1) appear to be located in areas that do not contain areas of Steep Slopes (15-25%) or very steep slopes.
- Since the development already exists, and no new development is being proposed as a direct result of this subdivision application, review under this section is not required.



**SECTION 3.19 – SURFACE WATERS & WETLANDS**

**PG. 63**

- An unnamed stream will exist on the proposed Lot 1, and should be identified on the engineer plans that will be submitted as part of the preliminary subdivision review application.
- Class II and Class III Wetlands were identified on the engineers plans from when the Applicants previously subdivided land from the subject lot (see Exhibit I) (DRB Docket #: DRB-10-11 – the Lap Run Subdivision).
  - Since wetland delineations are only valid for three to five years, the Applicants should confirm if these Wetlands still exist or if any new wetlands have emerged since the previous subdivision.
- Since the development already exists, and no new development is being proposed as a direct result of this subdivision, additional review is not anticipated under this section.



**SECTION 3.23 – WATER SUPPLY & WASTEWATER SYSTEMS**

**PG. 68**

- Upon subdividing, each proposed lot will contain a single-family dwelling with approved wastewater and potable water supply systems (see Exhibit G).
  - The accessory dwelling (Lot 1 – M0137), which will revert to a single-family dwelling, is approved for two-bedrooms and is also approved for a drilled well and a mound system.
  - The single-family dwelling (Lot 2 – M0145) is approved for four bedrooms, a drilled well and on-site wastewater system.
- No new development is being proposed as a direct result of this subdivision.
- Since no new development is being proposed as a direct result of this subdivision, additional permitting from the State regarding the water supplies and wastewater systems is not anticipated.

**ARTICLE VI – FLOOD HAZARD AREA REVIEW**

- No Special Flood Hazard Areas were depicted on the existing lot according to the ANR Website; therefore, review under this section is not required.

**ARTICLE VII – SUBDIVISION REVIEW**

**SECTION 7.2 – APPLICABILITY**

**PG. 139**

- The Applicants are proposing a 2-Lot subdivision that meets the requirements of Section 7.2.E.1.a.
- Staff recommends that the project be classified as a minor subdivision.

**SECTION 7.3 – SKETCH PLAN REVIEW**

**PG. 141**

- See Exhibit D pertaining to the purpose statement for Sketch Plan Review.
- The Applicants have submitted the necessary materials for the Board to make a decision about the application.

**ARTICLE VIII – SUBDIVISION STANDARDS**

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## SECTION 8.1 – APPLICABILITY

### SECTION 8.1.B – REQUEST FOR MORE INFORMATION

PG. 150

- Technical review is not required at this time.

### SECTION 8.1.C – FINDINGS OF FACT

PG. 150

- Findings of fact are not required at this stage of the subdivision review process.

### SECTION 8.1.D – MODIFICATIONS & WAIVERS

PG. 150

- The Applicants have not requested any modifications or waivers.

## SECTION 8.2 – GENERAL STANDARDS

### SECTION 8.2.A – DEVELOPMENT SUITABILITY

PG. 151

- Since the development already exists, and no new development is being proposed as a direct result of this subdivision application, no additional unforeseen undue adverse impacts to the public health, safety or the character of the area in which the proposed development is located are anticipated.
- The Applicants have not expressed any intention of setting aside land as open space that would be excluded from subsequent development lands that periodically flood, have poor drainage, contain very steep slopes (>25%), or have other known hazards, or that is otherwise not suitable to support structures or infrastructure.

### SECTION 8.2.B – DEVELOPMENT DENSITY

PG. 151

- Upon subdividing, the existing development/subdivision will meet the density requirements of this Section.

### SECTION 8.2.C – EXISTING SITE CONDITIONS

PG. 151

- Since the development already exists, and no new development is being proposed as a direct result of this subdivision application, none of the existing site features or natural resources listed in this subsection are expected to be adversely affect.

### SECTION 8.2.D – UNDERHILL TOWN PLAN & REGULATIONS

PG. 152

- The proposed project appears to conform to the *Underhill Town Plan* and the *Underhill Unified Land Use & Development Regulations*.

### SECTION 8.2.E – DISTRICT SETTLEMENT PATTERNS

PG. 152

**Rural Districts.** Subdivisions within the Rural Residential, Water Conservation and Scenic Preservation Districts shall be designed and configured to reinforce the rural character and historic working landscape of these districts, characterized by forested hillsides and hilltops, open fields, and moderate to low densities of residential development interspersed with large contiguous tracts of undeveloped land. Lots shall be configured to maintain contiguous tracts of open land between adjoining parcels.

- The proposed project appears to conform with the Rural Districts settlement patterns outlined in Section 8.2.E.1 (see directly to the left).

**Soil & Water Conservation District.**

Subdivisions within the Soil & Water Conservation Districts shall be designed and configured to avoid undue adverse impacts to existing forest resources and environmental sensitive upland areas, including watersheds and significant wildlife habitat and travel corridors, and to maintain traditional land uses including forestry and outdoor recreation. To the extent physically feasible, fragmentation of productive forest lands and significant wildlife habitat shall be avoided, and lots shall be configured to maintain contiguous tracts to open land between adjoining parcels. Lots created for the purpose of constructing dwellings or other structures in this district shall not result in the development of environmentally sensitive areas identified in the town plan or through site investigation, as specified in Section 8.3.

- The proposed lot that will contain a small area of the Soil & Water Conservation District, and will remain vacant, and therefore, no adverse impact to land in this district is expected as a direct result from this subdivision review application- at least at this point in time.
  - Additionally, the area of land contained in the Soil & Water Conservation District is largely comprised of steep slopes (15%-25%) & very steep slopes (>25%).

SECTION 8.2.F - LAYOUT

**PG. 153**

- The proposed subdivision conforms with the requirements of this section.
- The proposed layout of the subdivision is configured in a way that would allow for the subsequent subdivision of 145 Moose Run (Lot 2) should the landowners, or their successors, choose to subdivide.

SECTION 8.2.G – BUILDING ENVELOPES

**PG. 153**

- No findings.

SECTION 8.2.H – SURVEY MONUMENTS

**PG. 153**

- No findings.

SECTION 8.2.I – LANDSCAPING & SCREENING

**PG. 153**

- No findings.

SECTION 8.2.J – ENERGY CONSERVATION

**PG. 154**

- No findings.

**SECTION 8.3 – NATURAL CULTURAL RESOURCES**

SECTION 8.3.A – RESOURCE IDENTIFICATION & PROTECTION

**PG. 154**

- No information pertaining to, nor has any identification relating to, significant cultural and natural features necessitating protection has been submitted for consideration.

SECTION 8.3.B – SURFACE WATERS, WETLANDS & FLOODPLAINS

**PG. 155**

- See Section 3.19 and Article VI above for more information.

SECTION 8.3.C – ROCK OUTCROPS, STEEP SLOPES, HILLSIDES & RIDGELINES

**PG. 155**

- See Section 3.18 above for more information.

SECTION 8.3.D – NATURAL AREAS & WILDLIFE HABITAT

- A priority level 10 habitat block is located on the existing lot (see directly to the right on the next page), and has already been impacted with the construction of the dwellings.
- Since the development already exists, and no new development is being proposed as a direct result of this subdivision application, additional impact to the habitat block is not expected to happen at this time.
- No deer wintering yards have been identified on the lot.
- The ANR Biofinder has also identified the following priority characteristics:
  - Highest Priority Community & Species (located along Pleasant Valley Road)
  - Highest Priority Landscape (located in a similar area as the identified habitat block)
  - Wetlands (see Exhibit I)
  - Highest Priority Wildlife Crossing (along Pleasant Valley Road)
  - Riparian Wildlife Connectivity (along the unnamed stream and identified pond)
  - Highest Priority Surface Water and Riparian Areas (along the unnamed stream and identified pond)



- Highest Priority Interior Forest Blocks (located in a similar area as the identified habitat block)
- Highest Priority Connectivity Blocks (located in a similar area as the identified habitat block)
- Representative and Responsibility Physical Landscapes (located in a similar area as the identified habitat block)

SECTION 8.3.E – HISTORIC & CULTURAL RESOURCES

- Staff is unaware of any historic and cultural resources located on the existing lot.

SECTION 8.3.F – FARMLAND

- Statewide Agricultural Soils were identified to be located on the existing property (see directly to the right).
- Since the development already exists, and no new development is being proposed as a direct result of this subdivision application, additional impact to prime agricultural soils is not expected to happen.

	Local
	Local (b)
	Not rated
	Prime
	Prime (b)
	Prime (f)
	Statewide
	Statewide (a)
	Statewide (b)
	Statewide (c)



SECTION 8.3.G - FORESTLAND **PG. 158**

- Since the development already exists, and no new development is being proposed as a direct result of this subdivision application, additional impact to forestland is not expected to happen at this time.

**SECTION 8.4 – OPEN SPACE & COMMON LAND**

SECTION 8.4.A – OPEN SPACE **PG. 159**

- The Applicants are not proposing to designate any land as open space.

SECTION 8.4.B – COMMON LAND **PG. 160**

- The Applicants are not proposing to designate any land as common land.

SECTION 8.4.C – LEGAL REQUIREMENTS **PG. 160**

- No findings.

**SECTION 8.5 – STORMWATER MANAGEMENT EROSION CONTROL** **PG. 160**

- No findings at this time.

**SECTION 8.6 – TRANSPORTATION FACILITIES**

SECTION 8.6.A – ACCESS & DRIVEWAY **PG. 162**

- Both lots are served by their own driveways, and therefore, only the requirements from Sections 3.2 & 8.6.A apply (see above for more information as it relates to the *Underhill Unified Land Use & Development Regulations*). See Appendix A below for more information as it relates to the *Underhill Road, Driveway & Trail Ordinance*.

SECTION 8.6.B – DEVELOPMENT ROADS **PG. 164**

- This subsection does not apply.

SECTION 8.6.C – PARKING FACILITIES **PG. 167**

- This subsection does not apply.

SECTION 8.6.D – TRANSIT FACILITIES **PG. 167**

- This subsection does not apply.

SECTION 8.6.E – PEDESTRIAN ACCESS **PG. 167**

- This subsection does not apply.

**SECTION 8.7 – PUBLIC FACILITIES & UTILITIES**

SECTION 8.7.A – PUBLIC FACILITIES **PG. 168**

- An undue burden on existing and/or planned public facilities is not anticipated.
- Comments from the Mt. Mansfield Union School District will be solicited during the Preliminary/Final Subdivision Review process.

SECTION 8.7.B – FIRE PROTECTION **PG. 168**

- An undue burden on the Underhill-Jericho Fire Department is not anticipated.
- Comments from the Underhill-Jericho Fire Department will be solicited during the Preliminary/Final Subdivision Review process.

SECTION 8.7.C – WATER SYSTEMS **PG. 168**

- See Section 3.23 Above.

SECTION 8.7.D – WASTEWATER SYSTEMS

**PG. 169**

- See Section 3.23 Above.

SECTION 8.7.D – UTILITIES

**PG. 169**

- No findings.

**SECTION 8.8 – LEGAL REQUIREMENTS**

**PG. 170**

- The Board should determine if the Applicants require a draft Road Maintenance Agreement prior to the Preliminary/Final Subdivision Review hearing.
- The Applicants should submit draft deeds prior to the Preliminary/Final Subdivision Review hearing.

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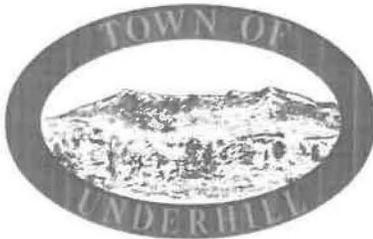
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**APPENDIX A – ROAD & DRIVEWAY STANDARDS**

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- The Applicants should provide information relating to the access way at the time of the preliminary subdivision review hearing, at which time Staff will provide a more detailed assessment.
- If required by the Board, an access permit application shall be submitted at the time of the final subdivision review hearing.



## UNDERHILL DEVELOPMENT REVIEW BOARD

### SKETCH PLAN REVIEW MEETING PROCEDURES

6:35 PM, Monday, January 20, 2020

**Applicant(s):** Timothy & Theresa Potvin  
**Docket #:** DRB-20-01

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State the following:

1. This is a sketch plan review meeting on the application of Timothy & Theresa Potvin for a proposed 2-Lot subdivision of land they own at 145 Moose Run (MO145) in Underhill, Vermont.

This application is subject to review under the 2011 *Unified Land Use & Development Regulations*, as amended March 6, 2018 and the 2015 *Road, Driveway and Trail Ordinance*, as amended December 18, 2018.

Sketch plan review is an informal, pre-application review process intended to acquaint the DRB with a proposed subdivision during the conceptual stage of the design process before the applicant incurs significant expense in preparing a formal application. This informal review and discussion at the regular meeting of the DRB helps identify the type of subdivision and subdivision layout that will best meet the needs of the subdivider and the requirements of these regulations.

The sketch plan review is not a hearing, and the requirements for interested party status do not apply. This means that we do not swear speakers in, but we will ask that you identify yourself and give your address to the Board before you comment so that we can keep an accurate record of this meeting in the Minutes.

The exhibits submitted as part of this application are available in the Potvin sketch plan review file (Docket #: DRB-20-01 / MO145) at the Underhill Zoning & Planning Office and on the Town's website.

2. Copies of the Rules of Procedure that the Board follows are available for review at the front counter, and can be obtained from the Planning & Zoning Administrator.
3. At this point we'll begin review and hear from the applicant(s) and/or their representative(s).
4. Next we will hear from the Planning & Zoning Administrator.
5. Are there members of the public who would like to speak?
6. Any final comments from the Board, the Planning & Zoning Administrator, applicant(s) and/or their representative(s)?

7. Does the Board feel that they have enough information to decide whether the proposed sketch plan has fulfilled the application requirements?
8. Does the Board classify the proposed subdivision as Major or Minor? (If the subdivision is classified as minor, the applicant(s) may request a waiver of the Preliminary Hearing requirement. If such is requested, the Board should rule on the waiver request in open session).
9. Ask for a motion to accept or deny the application, as well as asking the Board if they wish to discuss the application in open deliberation or closed deliberation? (After the ruling, continue with the info below.)

“Within 15 days from this meeting, the Planning & Zoning Administrator, on behalf of the Development Review Board, will send a letter to the applicant(s) that:

- a. Indicates whether the subdivision as proposed will be reviewed as a minor or major subdivision, or planned unit development, and outlines the associated review process.
- b. Indicates whether the proposed subdivision generally conforms to these regulations, or will require modifications to conform to the regulations.
- c. Identifies specific areas of concern to be addressed in subdivision application, including potential impacts to adjoining property owners, significant natural or scenic resources, municipal roads and infrastructure, and community facilities and services.
- d. Recommends additional information, studies or supporting documentation to be submitted with the application for subdivision review.

All abutting neighbors will receive notice of the next public meeting via Certified Mail. If there are no other comments or questions we will close this portion of the meeting.”



# TOWN OF UNDERHILL C

EXHIBIT

## APPLICATION FOR SUBDIVISION

<b>OFFICE USE ONLY</b>	<b>ZONING DISTRICT(S):</b>	<b>APPLICATION TYPE:</b>
PROPERTY CODE: <u>M0145</u>	<input type="checkbox"/> Underhill Flats Village Center	<input checked="" type="checkbox"/> Sketch Plan Review
DRB DOCKET #: <u>DRB-20-01</u>	<input type="checkbox"/> Underhill Center Village	<input type="checkbox"/> Preliminary Subdivision Review
MEETING DATE: <u>01/20/2020</u>	<input type="checkbox"/> Rural Residential	<input type="checkbox"/> Final Subdivision Review
	<input type="checkbox"/> Water Conservation	<input type="checkbox"/> Preliminary & Final Subdivision Review
	<input checked="" type="checkbox"/> Mt. Mansfield Scenic Preservation	<input type="checkbox"/> Subdivision Amendment
	<input checked="" type="checkbox"/> Soil & Water Conservation	

### PROPERTY OWNER INFORMATION:

### Project Information

**RECORD OWNER OF PROPERTY:**  
Tim & Theresa Potvin

**MAILING ADDRESS:**  
P.O. Box 135, Underhill Center

**EMAIL ADDRESS:**  
tmpp3305@gmail.com 05490

**PHONE NUMBER:**  
802-881-9071

Property Location: 145 & 137 Moose Run  
Underhill, VT 05489

Acres in Original Parcel: 103 acres

Proposed Number of Lots: 1 Lots

### DESIGNER/ENGINEER INFORMATION:

**DESIGNER/ENGINEER:**  
Green Mountain Engineering

**MAILING ADDRESS:**  
1438 So. Brownell Road, Williston

**EMAIL ADDRESS:**  
05495

**PHONE NUMBER:**

Is this a Planned Residential Development?  
 Yes  
 No Accessory Structure

Is this a Planned Unit Development?  
 Yes  
 No

Is the parent lot part of a previously approved subdivision?  
 Yes  
 No

### SURVEYOR INFORMATION:

**SURVEYOR:**  
Gove Land Surveyors

**MAILING ADDRESS:**  
430 Grimes Road, Hyde Park

**EMAIL ADDRESS:**  
VT 05655

**PHONE NUMBER:**

If so, when was the previous subdivision approved?  
Year: \_\_\_\_\_

If known, what was the application number:  
Application Number: \_\_\_\_\_

### DEVELOPER INFORMATION (IF KNOWN):

**SURVEYOR:**

**MAILING ADDRESS:**

**EMAIL ADDRESS:**

**PHONE NUMBER:**

If the proposed project is to amend a subdivision, what is the proposed amendment?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# TOWN OF UNDERHILL

## APPLICATION FOR SUBDIVISION

Sketch Plan Application Materials (Only)	Section B (Engineering Plans Requirements)	Section C (Written Materials)
<p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>The following Sketch Plan Review materials must be submitted at least 10 business days prior to a regularly scheduled Development Review Board:</i></p> <p>Checklist</p> <p><input checked="" type="checkbox"/> Sketch of Proposed Subdivision <input checked="" type="checkbox"/> Project Description <input type="checkbox"/> Description of Proposed Modifications or Waivers <input checked="" type="checkbox"/> Application Fee (\$100.00)</p> <p><i>Please Checkoff All Submitted Materials</i></p>	<p>Checklist</p> <p><input type="checkbox"/> Two Large (to Scale) Copies <input type="checkbox"/> Twelve 11" x 17" Copies <input type="checkbox"/> Prepared by a Professional Engineer <input type="checkbox"/> Date, Including Revision Date(s) <input type="checkbox"/> North Arrow, Scale, Legend <input type="checkbox"/> Proposed New Lot Lines &amp; New Acreages <input type="checkbox"/> Proposed Building Envelopes (including Setbacks) <input type="checkbox"/> Extent of Site Clearing &amp; Disturbance <input type="checkbox"/> Existing/Proposed Open Space <input type="checkbox"/> Existing/Proposed Common Land <input type="checkbox"/> Existing/Proposed Building Footprints <input type="checkbox"/> Zoning District Boundary <input type="checkbox"/> Property Codes of Adjacent Properties <input type="checkbox"/> Record Owners of Adjacent Properties <input type="checkbox"/> Existing/Proposed Easements <input type="checkbox"/> Existing/Proposed Rights-of-Ways <input type="checkbox"/> Existing/Proposed Roads <input type="checkbox"/> Existing/Proposed Utility Corridors <input type="checkbox"/> Locations/Designs of Proposed Water &amp; Wastewater Disposal Systems (including Isolation &amp; Well Shields) <input type="checkbox"/> Existing/Proposed Curb Cut, Driveways, Roads and/or Parking Areas (includes: cuts, fills, grades, drainage, culverts, travel lane widths, shoulder widths, surfacing etc.) <input type="checkbox"/> Topography Existing Surface Grades /Contours Post-Development Contours/Grades <input type="checkbox"/> Existing Outcrops, Ledges, Visually Prominent Ridgelines and Peaks <input type="checkbox"/> Surface Waters &amp; Associated Buffers <input type="checkbox"/> Wetlands &amp; Associated Buffers <input type="checkbox"/> Vernal Pools &amp; Associated Buffers <input type="checkbox"/> Mapped Floodplains <input type="checkbox"/> Drainage Patterns <input type="checkbox"/> Natural Vegetative Cover</p> <p style="text-align: center;"><i>Where Applicable:</i></p> <p><input type="checkbox"/> Location &amp; Size of Existing Culverts and Drains <input type="checkbox"/> Location &amp; Size of Existing Sewerage Systems &amp; Water Supplies <input type="checkbox"/> Existing/Proposed Pedestrian Walkways <input type="checkbox"/> Designated Source Protection Areas <input type="checkbox"/> Existing or Preserved Forestland <input type="checkbox"/> Preserved Natural, Cultural &amp; Historic Features (e.g. Sites &amp; Structures) <input type="checkbox"/> Other Unique Topographical or Geographical Features <input type="checkbox"/> Areas of Steep or Very Steep Slopes <input type="checkbox"/> Primary Agricultural Soils</p> <p><i>Please Checkoff All Submitted Materials</i></p>	<p>Checklist</p> <p><input type="checkbox"/> Written Disclosure of Intended Use of Land to be Subdivided <input type="checkbox"/> General Plans for Subsequent Development of Land to be Retained by Applicant/Landowner <input type="checkbox"/> Written Requests for Modifications or Waivers (including Justifications) <input type="checkbox"/> Draft Deeds <input type="checkbox"/> Draft Easements <input type="checkbox"/> Draft Homeowners Associations <input type="checkbox"/> Draft Maintenance Agreements <input type="checkbox"/> Snow Removal &amp; Management Plan</p> <p><i>Please Checkoff All Submitted Materials</i></p>
<p><b>Requirements for All Other Applications</b></p>		<p><b>Section D (Non-Town Related Materials)</b></p>
<p>Checklist</p> <p><input type="checkbox"/> Surveys (see Section A) <input type="checkbox"/> Engineering Plans (see Section B) <input type="checkbox"/> Written Materials (see Section C) <input type="checkbox"/> State of VT Materials (see Section D) <input type="checkbox"/> Application Fee (see Fee Schedule)</p> <p><i>Please Checkoff All Submitted Materials</i></p>		<p>Checklist</p> <p><input type="checkbox"/> Project Review Sheet <input type="checkbox"/> Wastewater System &amp; Potable Water Supply Permit (Permit #: _____) <input type="checkbox"/> Act 250 Permit (Permit #: _____) <input type="checkbox"/> Stormwater/Erosion Permit (Permit #: _____) <input type="checkbox"/> Agency of Natural Resources Wetlands Permit (Permit #: _____) <input type="checkbox"/> Army Corps of Engineers Permit (Permit #: _____)</p> <p><i>Please Checkoff All Submitted Materials</i></p>
<p><b>Section A (Survey Requirements)</b></p>		<p><b>Other Required Plans Where Applicable</b></p>
<p>Checklist</p> <p><input type="checkbox"/> Two Large (to Scale) Copies <input type="checkbox"/> Twelve 11" x 17" Copies <input type="checkbox"/> Prepared by a Licensed Surveyor <input type="checkbox"/> Date, Including Revision Date(s) <input type="checkbox"/> North Arrow <input type="checkbox"/> Scale <input type="checkbox"/> Legend <input type="checkbox"/> Property Codes of Adjacent Properties <input type="checkbox"/> Record Owners of Adjacent Properties <input type="checkbox"/> Existing/Proposed Easements <input type="checkbox"/> Existing/Proposed Rights-of-Ways <input type="checkbox"/> Existing/Proposed Roads <input type="checkbox"/> Existing/Proposed Utility Corridors Proposed Utility Easements Shall Be Centered On As-Built Utility Lines <input type="checkbox"/> Existing/Proposed Open Space Areas <input type="checkbox"/> Existing/Proposed Lot Lines with Dimensions <input type="checkbox"/> Vicinity Map To Show Area within 2,000 ft. of the Subject Lot Proposed to be Subdivided</p> <p><i>Please Checkoff All Submitted Materials</i></p>		<p>Checklist</p> <p><input type="checkbox"/> Outdoor Lighting Plan <input type="checkbox"/> Landscaping and Screening Plan <input type="checkbox"/> Temporary &amp; Permanent Stormwater Management Plans <input type="checkbox"/> Temporary &amp; Permanent Erosion Control Measures/Plans (including Areas Impacted by Downstream Runoff) <input type="checkbox"/> Significant Wildlife Habitat Areas &amp; Corridors (including Areas Impacted by Downstream Runoff) <input type="checkbox"/> Areas of Rare, Threatened and Endangered Plant and Animal Communities (and Associated Buffers) <input type="checkbox"/> Master Plan (if Applicable-see § 8.1.B.1.a)</p>

APPLICANT SIGNATURE

DATE 12/31/19

RECEIVED

DATE 12/31/2019



## Town of Underhill Development Review Board

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

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

### Certificate of Service

I hereby certify that on this 7<sup>th</sup> day of January, 2009, a copy of the following documents were delivered to the below recipients and corresponding addresses by United States first class mail.

Documents:

Notice of abutting neighbors regarding a Sketch Plan Review meeting for a proposed 2-lot subdivision of land located at 145 Moose Run (MO145), Underhill, Vermont, owned by Timothy & Theresa Potvin Trustees.

Recipients and Corresponding Address:

\$0.50

- |   |   |
|---|---|
| <p>✓ <b>145 MOOSE RUN (MO145)</b><br/>[Previously 27 Moose Run (MO027)]<br/>Timothy &amp; Theresa Potvin Trustees<br/>P.O. Box 135<br/>Underhill Center, VT 05490</p> | <p>✓ <b>293 MOOSE RUN (MO293)</b><br/>[Previously 10 Moose Run (MO010)]<br/>Jason L. Wyman<br/>413 Pleasant Valley Road<br/>Underhill, VT 05489</p> |
| <p>✓ <b>58 HARVEY ROAD (HA058)</b><br/>University of Vermont<br/>Linda Seavey, Director<br/>Campus Planning Services<br/>Burlington, VT 05405</p>                     | <p>✓ <b>352 MOUNTAIN ROAD (MT352X)</b><br/>State of Vermont<br/>Agency of Natural Resources<br/>103 South Main Street<br/>Waterbury, VT 05676</p>   |
| <p>✓ <b>151 MOOSE RUN (MO151)</b><br/>[Previously 14 Moose Run (MO014)]<br/>Paul &amp; Julie Dragon<br/>P.O. Box 104<br/>Underhill Center, VT 05490</p>               | <p>✓ <b>270 PLEASANT VALLEY ROAD (PV270)</b><br/>William E. &amp; Karla A. Russell<br/>P.O. Box 218<br/>Jericho, VT 05465</p>                       |
| <p>✓ <b>229 MOOSE RUN (MO229)</b><br/>[Previously 12 Moose Run (MO012)]<br/>David B. &amp; Janet R. Ely<br/>P.O. Box 235<br/>Underhill Center, VT 05490</p>           | <p>✓ <b>270 PLEASANT VALLEY ROAD (PV270)</b><br/>William E. &amp; Karla A. Russell<br/>270 Pleasant Valley Road<br/>Underhill, VT 05489</p>         |
|   | <p>✓ <b>285 PLEASANT VALLEY ROAD (PV285)</b><br/>Reginald Potvin<br/>285 Pleasant Valley Road<br/>Underhill, VT 05489</p>                           |

✓ **295 PLEASANT VALLEY ROAD (PV295)**  
David J. Hathaway & Carolyn J. Greene  
P.O. Box 211  
Underhill Center, VT 05490

✓ **309 PLEASANT VALLEY ROAD (PV309)**  
Becker Revocable Real Estate Trust  
Richard W. Becker Trustee  
309 Pleasant Valley Road  
Underhill, VT 05489

✓ **318 PLEASANT VALLEY ROAD (PV318)**  
John & Tammy Boudah  
318 Pleasant Valley Road  
Underhill, VT 05489

✓ **334 PLEASANT VALLEY ROAD (PV334)**  
John M. & Lise Wursthorn  
334 Pleasant Valley Road  
Underhill, VT 05489

✓ **354 PLEASANT VALLEY ROAD (PV354)**  
Lee Kirby  
354 Pleasant Valley Road  
Underhill, VT 05489

✓ **366 PLEASANT VALLEY ROAD (PV366)**  
Eric Howard & Regina Macarelli  
366 Pleasant Valley Road  
Underhill, VT 05489

✓ **14 LAP RUN (LR014)**  
Mary Fuller  
P.O. Box 135  
Underhill, VT 05489



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Andrew Striliste  
Planning Director & Zoning Administrator  
12 Pleasant Valley Road  
Underhill, VT 05489

Date: 1/7/2020

EXHIBIT  
F

**TOWN OF UNDERHILL**  
 P.O. Box 32  
 Underhill Center, VT 05490

A18-12

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

### ACCESS PERMIT APPLICATION

All access permit applications require review by the Selectboard and Road Foreman.

ZONING DISTRICT(S):

PROPERTY CODE: M0027

FEES: \$50+ recording fees

- UFVC  
  Rural Residential  
  Water Conservation  
 Scenic Preservation  
 Soil & Water Conservation

NAME: <u>Timothy &amp; Theresa Potvin</u>	PROPERTY LOCATION: <u>27 Moose Run</u>
MAILING ADDRESS: <u>P.O. Box 135, Underhill Center, VT 05490</u>	ACREAGE: <u>103</u>
PHONE: <u>802-881-9071</u>	E-MAIL: <u>tmpp3305@gmail.com</u>
CONSULTANT(S):	CONSULTANT CONTACT INFORMATION:

**PLAN REQUIREMENTS (Attach plan to application)**

All driveways and private roads must conform to the standards in the Underhill Road Policy. Waiver requests must be submitted at time of application. The plan must include accurate measurements of the following requirements:

- Proposed access on public or private road
- Property boundaries with measurements to proposed curb cut
- Landmarks sufficient to determine access point and path of traveled way
- Distance from all waterways
- All easements, covenants, and abutting property owners

APPLICANT SIGNATURE: Theresa Potvin DATE: 5-14-18

FOR OFFICE USE ONLY

Received by: [Signature] Date: 5/14/18

Road Foreman Inspection

Site Visit Date: 5/16/18 Road Classification (if applicable): Private

Speed Limit/Average Running Speed (if applicable): None

Sight Distances: Left 374' Right 167'

Culvert Required?  No  Yes Size 18" x 30'

Comments, Restrictions, Conditions:

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To be Reviewed by the Selectboard (Date) 22 May 2018 Approved

## ACCESS PERMIT #A18 - 12 CONDITIONS

In regard to the Access Permit application of: Timothy & Theresa Potvin for the property at: 27 Moose Run, Underhill, VT, submitted: May 14, 2018.

The permit is granted subject to the following conditions:

1. The driveway shall be built as shown on drawing(s) entitled Proposed Site Plan Trust, Revised date May 4, 2018 prepared by Green Mountain Engineering and attached to this permit.
2. Any change in alignment, grade, drainage, use or other features will require either administrative amendment or application to the Selectboard pursuant to the Underhill Road, Driveway and Trail Ordinance adopted February 3, 2015 (the "Road Ordinance").
3. The erosion prevention and sedimentation control practices set out on the drawing referenced above shall be followed.
4. ~~Culverts placed in the town right of way shall be placed and paid for as provided in the Underhill Road, Driveway and Trail Ordinance adopted February 3, 2015. N/A~~
5. Driveway shall be built according to State Agency of Transportation standard B-71 and all other applicable requirements of the Road Ordinance.
6. Other conditions:
  - Installation of Hidden Driveway Sign IAW B-71
  - Installation of minimum 18" x 30' Culvert

For the Underhill Selectboard:

Date:

  
5/25/2018

TOWN CLERK'S OFFICE  
 Received MAY 29, 2018 11:45 AM  
 Recorded in VOL: 237 PG: 81 - 83  
 Of Underhill Land Records  
 ATTEST: Sherri Norin, Town Clerk



**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

**Landowners:** **Timothy Potvin**  
**27 Moose Run**  
**Underhill VT 05489**

**Permit Number: WW-4-3810-1**

**Theresa Potvin**  
**27 Moose Run**  
**Underhill VT 05489**

This permit affects the following properties in the Town of Underhill, Vermont:

<b>Lot</b>	<b>Parcel</b>	<b>SPAN</b>	<b>Acres</b>	<b>Book/Page#’s</b>
<b>718</b>	<b>MO027</b>	<b>660-209-10689</b>	<b>103.00</b>	<b>Book:178 Page:8</b>

This project, consisting of a proposed two bedroom single family residence utilizing an individual, on-site drilled well water supply and individual, on-site wastewater disposal system on an existing, 103.00 acre parcel with an existing, four bedroom single family residence utilizing an existing, individual on-site drilled well water supply and existing, individual on-site wastewater disposal system located at 27 Moose Run in the Town of 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 Green Mountain Engineering (Kevin J. Camara P.E.), with the stamped plans listed as follows:

<b>Title</b>	<b>Drawing No.</b>	<b>Plan Date</b>	<b>Revision date</b>
<b>Proposed Site Plan</b>	<b>1</b>	<b>Jan. 2018</b>	<b>03/01/18</b>
<b>Details &amp; Notes</b>	<b>2</b>	<b>Jan. 2018</b>	

- 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 Town of 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 Town of 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 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 This project/lot is approved with the existing four bedroom single family residence. No alterations to the existing building other than those indicated in this permit that would change or affect the water supply or wastewater system shall be allowed without prior approval by the Drinking Water and Groundwater Protection Division. Construction of additional nonexempt buildings including commercial and residential buildings is not allowed without prior permitting by the Drinking Water and Groundwater Protection Division and such permit may 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 This project/lot is approved for the construction of one, two bedroom single family residence. No alterations to the existing building other than those indicated in this permit that would change or affect the water supply or wastewater system shall be allowed without prior approval by the Drinking Water and Groundwater Protection Division. Construction of additional nonexempt buildings including commercial and residential buildings is not allowed without prior permitting by the Drinking Water and Groundwater Protection Division and such permit may 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.
- 1.8 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 plan(s), if applicable, prior to conveyance of any portion of the project to that purchaser.
- 1.9 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.
- 1.10 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 existing four bedroom single family residence is authorized to utilize the existing on-site water supply system for **490 gallons** per day provided the potable water supply is operated at all times in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system 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".
- 2.2 The proposed two bedroom single family residence is approved for a potable water supply using a drilled or percussion bedrock well for **280 gallons** of water per day provided the supply is located as shown on the stamped plan(s) 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 components of the potable water supply herein approved for the proposed two bedroom single family residence 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.
- 2.4 The potable water source location as shown on the stamped plan(s) for the proposed two bedroom single family residence 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.

## **3. WASTEWATER DISPOSAL**

- 3.1 The existing four bedroom single family residence is approved with an existing wastewater system for **490 gallons** 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 the Drinking Water and Groundwater Protection Division and receive written approval prior to correcting the failure.

- 3.2 The proposed two bedroom single family residence is approved for the disposal of wastewater in accordance with the design depicted on the stamped plan(s) for **280 gallons** of wastewater per day. The system(s) 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 The components of the sanitary wastewater system herein approved for the proposed two bedroom single family shall be routinely and reliably inspected during construction by a 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.
- 3.4 The corners of the proposed primary wastewater area(s) for the proposed two bedroom single family shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete.
- 3.5 The proposed two bedroom single family residence is approved for the mound wastewater 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.
  - d. Upon completion of construction, and prior to occupancy of any structure being served by the mound system, the inspecting consultant shall submit to the Drinking Water and Groundwater Protection Division a written certification stating the construction has been completed in accordance with the stamped plans and the permit.
- 3.6 The wastewater systems 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.
- 3.7 No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater systems are allowed on or near the site-specific wastewater 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 system.

3.8 All conditions set forth in **Permit Number WW-4-3810** shall remain in effect except as amended or modified herein.

Emily Boedecker, Commissioner  
Department of Environmental Conservation

Dated March 27, 2018



By  
William Zabiloski  
Assistant Regional Engineer  
Essex Junction Regional Office  
Drinking Water and Groundwater Protection Division

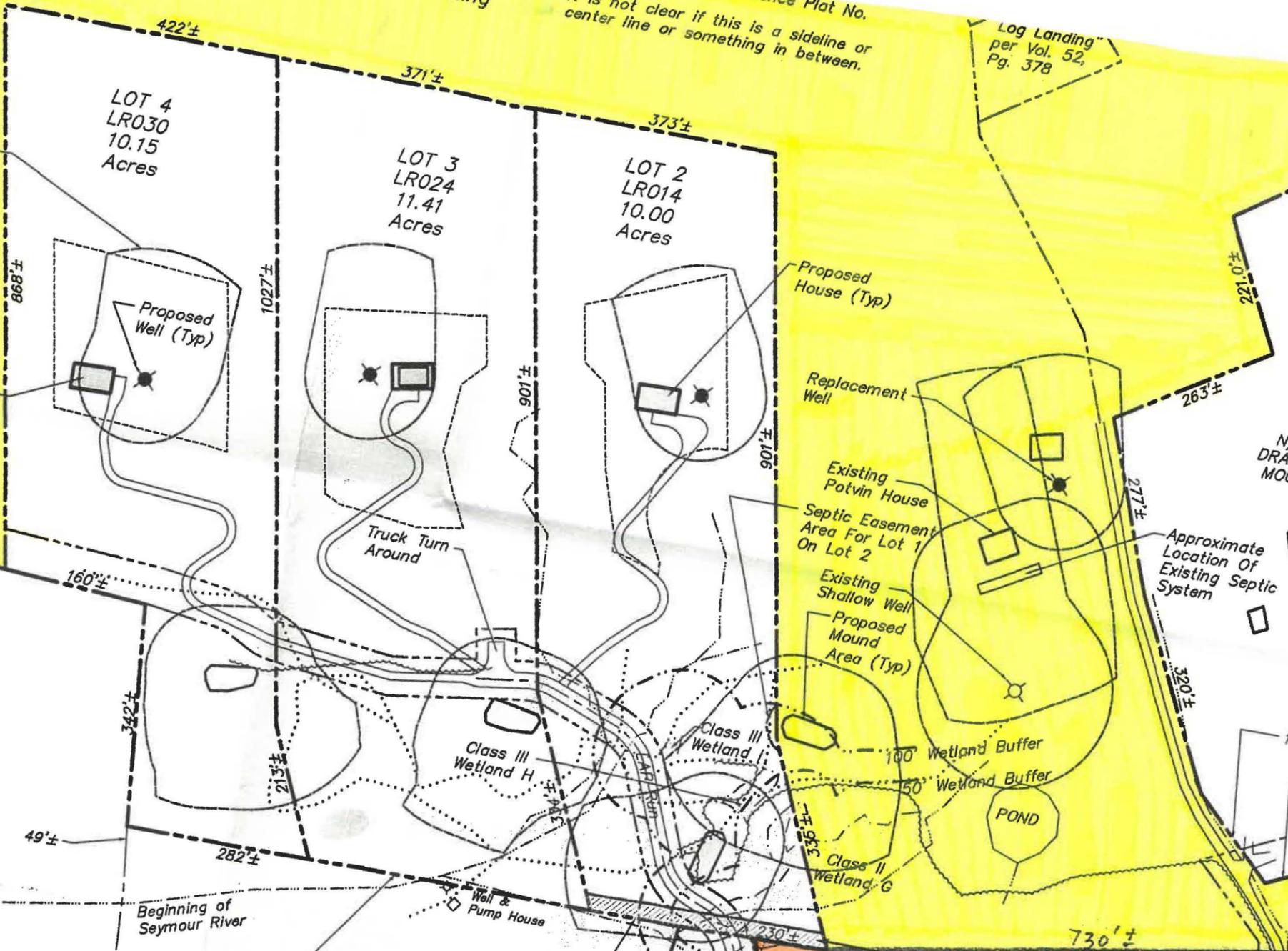
cc: Green Mountain Engineering  
Town of Underhill Planning Commission

105.81±  
Acres  
Remaining

32, pg. 378 and Reference Plat No. 11.  
It is not clear if this is a sideline or center line or something in between.

Log Landing  
per Vol. 52,  
Pg. 378

EXHIBIT  
H



822'± (To IP)

N/F  
WURSTHORN  
PV334

SCENIC PRESERVATION ZONE  
(Line Continues  
Along East  
Side Of Road)

N/F  
BOUDAH  
PV318a

N/F  
BECKER  
PV309

N/F  
DRAGON  
MO014

N/F  
RUSSELL  
PV270

ADJUSTMENT FROM LOT 2  
TO LOT 1  
0.21 ACRES

Proposed Lot # 5  
10.0 Acres ±

L=284.76'  
R=912.95'

L=291.33'  
R=1070.05'

TO LINCOLN

105.81±  
Acres  
Remaining

34, 19, 3/8 and Reference Plat No. 11.  
It is not clear if this is a sideline or center line or something in between.

Log Landing  
per Vol. 52,  
Pg. 378

EXHIBIT  
I

Well Shield  
(Typ)

LOT 4  
LR030  
10.15  
Acres

LOT 3  
LR024  
11.41  
Acres

LOT 2  
LR014  
10.00  
Acres

Proposed  
House (Typ)

Replacement  
Well

Existing  
Potvin House

Septic Easement  
Area For Lot 1  
On Lot 2

Existing  
Shallow Well

Proposed  
Mound  
Area (Typ)

Approximate  
Location Of  
Existing Septic  
System

N/F  
DRAGON  
M0014

N/F  
DAVID ELY  
M0012

822'± (To IP)

Wetland Boundary  
Wetland Buffers  
Stream, Brooks, Rivers

N/F  
WURSTHORN  
PV334

160'±

Truck Turn  
Around

Class III  
Wetland H

Class III  
Wetland I

100' Wetland Buffer

50' Wetland Buffer

POND

Class II  
Wetland G

49'±

282'±

Beginning of  
Seymour River

Well &  
Pump House

437'±

N/F  
BOUDAH  
PV318a

137'±

Class II  
Wetland F

730'±

ADJUSTMENT FROM LOT 2  
TO LOT 1  
0.21 ACRES

SCENIC PRESERVATION ZONE

(Line Continues  
Along East  
Side Of Road)

Class III  
Wetland E

1.7  
Acres

50' Wetland Buffer

100' Wetland Buffer

Proposed Lot # 5  
10.0 Acres ±

Class III  
Wetland D

675'±

N/F  
BECKER  
PV309

L=284.76'  
R=912.95'

L=291.33'  
R=1070.05'

164'±

605'±

718'±

N/F  
RUSSELL  
PV270

95'±

TO UNDERHILL

TO CAMBRIDGE

PLEASANT

VALLEY ROAD

539.2'±

221.0'±

263'±

277'±

320'±

169'±

59'±

422'±

371'±

373'±

868'±

1027'±

±1,106

±1,106

221.0'±

263'±

277'±

320'±

169'±

59'±

49'±

282'±

437'±

137'±

675'±

316'±

730'±

605'±

718'±

164'±

95'±

Well Shield  
(Typ)

Proposed  
Well (Typ)

Proposed  
House (Typ)

Proposed  
House (Typ)

Proposed  
House (Typ)

Proposed  
House (Typ)

Replacement  
Well

Existing  
Potvin House

Septic Easement  
Area For Lot 1  
On Lot 2

Existing  
Shallow Well

Proposed  
Mound  
Area (Typ)

Approximate  
Location Of  
Existing Septic  
System

N/F  
DRAGON  
M0014

N/F  
DAVID ELY  
M0012

822'± (To IP)

Wetland Boundary  
Wetland Buffers  
Stream, Brooks, Rivers

N/F  
WURSTHORN  
PV334

160'±

Truck Turn  
Around

Class III  
Wetland H

Class III  
Wetland I

100' Wetland Buffer

50' Wetland Buffer

POND

Class II  
Wetland G

49'±

282'±

Beginning of  
Seymour River

Well &  
Pump House

437'±

N/F  
BOUDAH  
PV318a

137'±

Class II  
Wetland F

730'±

ADJUSTMENT FROM LOT 2  
TO LOT 1  
0.21 ACRES

SCENIC PRESERVATION ZONE

(Line Continues  
Along East  
Side Of Road)

Class III  
Wetland E

1.7  
Acres

50' Wetland Buffer

100' Wetland Buffer

Proposed Lot # 5  
10.0 Acres ±

Class III  
Wetland D

675'±

N/F  
BECKER  
PV309

L=284.76'  
R=912.95'

L=291.33'  
R=1070.05'

164'±

605'±

718'±

N/F  
RUSSELL  
PV270

95'±

TO UNDERHILL

TO CAMBRIDGE

PLEASANT

VALLEY ROAD

105.81±  
Acres  
Remaining

34, pg. 318 and Reference Plat No. 11.  
It is not clear if this is a sideline or center line or something in between.

Log Landing  
per Vol. 52,  
Pg. 378

EXHIBIT  
J

N/F  
DAVID ELY  
M0012

N/F  
DRAGON  
M0014

N/F  
RUSSELL  
PV270

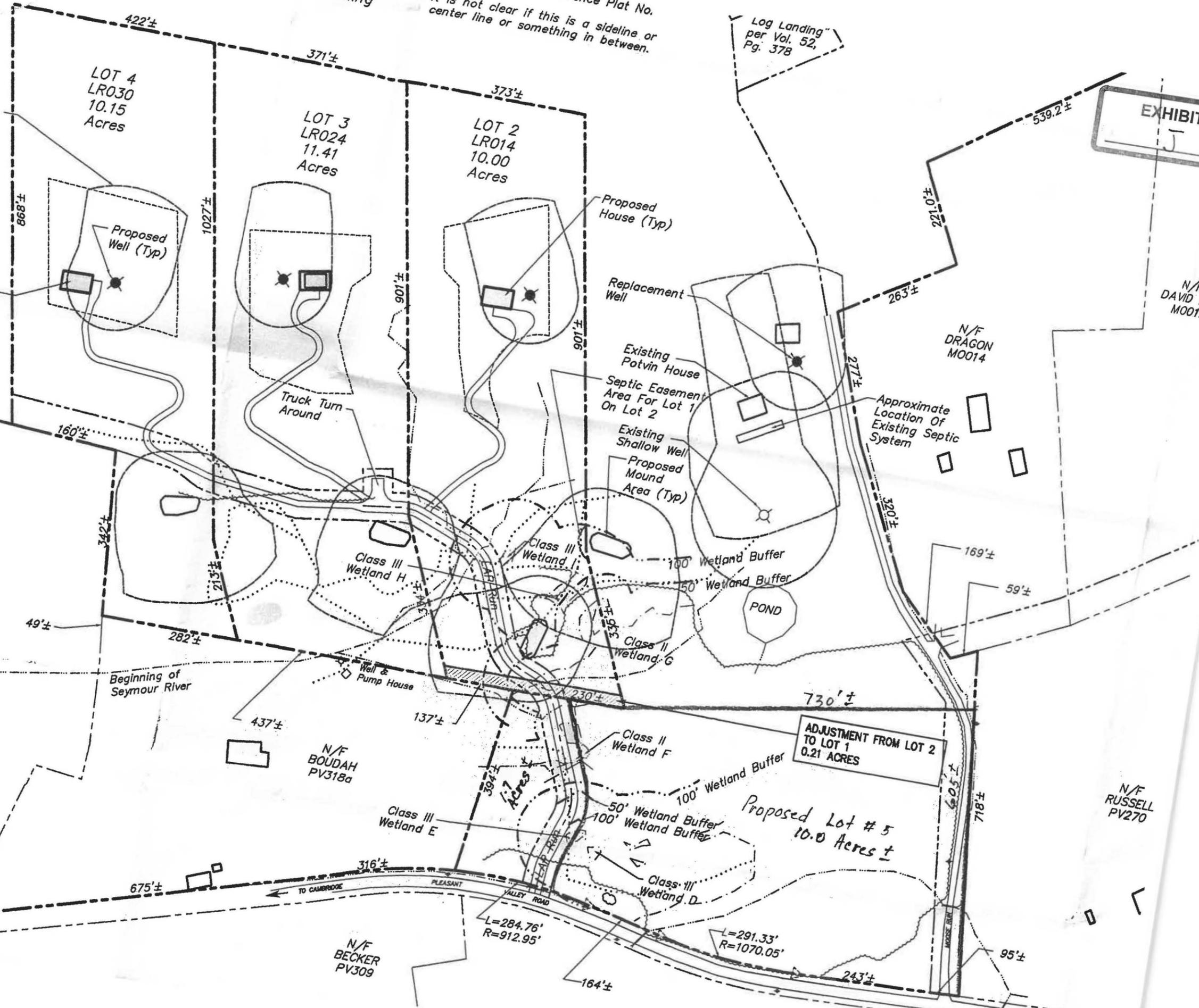
N/F  
BECKER  
PV309

N/F  
WURSTHORN  
PV334

N/F  
BOUDAH  
PV318a

ADJUSTMENT FROM LOT 2  
TO LOT 1  
0.21 ACRES

Proposed Lot # 5  
10.0 Acres ±



822'± (To IP)

Well Shield  
(Typ)

LOT 4  
LR030  
10.15  
Acres

LOT 3  
LR024  
11.41  
Acres

LOT 2  
LR014  
10.00  
Acres

Proposed  
House (Typ)

Replacement  
Well

Existing  
Potvin House

Septic Easement  
Area For Lot 1  
On Lot 2

Existing  
Shallow Well

Proposed  
Mound  
Area (Typ)

Approximate  
Location Of  
Existing Septic  
System

100' Wetland Buffer

50' Wetland Buffer

POND

Class III  
Wetland H

Class III  
Wetland I

Class II  
Wetland G

Class II  
Wetland F

Class III  
Wetland E

Class III  
Wetland D

100' Wetland Buffer

50' Wetland Buffer

100' Wetland Buffer

Well &  
Pump House

Beginning of  
Seymour River

SCENIC PRESERVATION ZONE

(Line Continues  
Along East  
Side Of Road)

TO CAMBRIDGE

PLEASANT  
VALLEY ROAD

L=284.76'  
R=912.95'

L=291.33'  
R=1070.05'

95'±

TO UNDERHILL

±868

±1027

±106

±106

±277

±320

±1012

±263

±160

±342

±213

±49

±282

±437

±137

±394

±230

±730

±1505

±781

±675

±316

±164

±243

±539.2