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TOWN OF UNDERHILL VERMONT

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March 21, 2007

Dennis and Resa Williamson
341 Irish Settlement Road
Underhill, VT 05489

I am sending this letter to outline for you what materials must be submitted to me prior to your combined preliminary and final hearing on the proposed two-lot subdivision of your property located at 6 Sand Hill Road in Underhill, VT. A site visit for this hearing is scheduled for Monday, April 16, 2007 at 5:30 PM. The hearing is scheduled for the same evening, at 6:15 PM. Combining the hearings is not a guarantee that your subdivision will be permitted at that hearing. Should any issues arise that cannot be addressed in that hearing, then the hearing will be continued.

Here are the requirements for this hearing:

1. A survey that shows the current property boundaries and the proposed new lot lines and acreages, making sure that you convey at least 5.0 acres in each lot. The survey should include:
 - Name and address of record owner and designer of preliminary plat. Survey must be done by a licensed registered surveyor;
 - The names of all subdivisions immediately adjacent to, and the property codes for, and names of owners of record of adjacent acreage, including those directly across any road adjoining proposed subdivision;
 - Existing and proposed easements;
 - Date, true north point, scale and legend;
 - Proposed lot lines with dimensions and suggested locations of buildings;
 - The survey shall be accompanied by a vicinity map drawn to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand feet of any property line of the proposed subdivision.

2. An engineering drawing that includes the following:
 - Name and address of record owner and designer of preliminary engineering plan.
 - Date, true north point, scale and legend;
 - Proposed new lot lines and acreages;
 - Abutting neighbors identified by name and property code;
 - Existing and proposed easements;

- Existing buildings, watercourses, and other essential existing physical features, natural features, and resources;
- Proposed site dimensions and locations of buildings reflected as building envelopes;
- The provisions of the zoning regulations applicable to the area to be subdivided (in this instance, the Water Conservation zoning district);
- The proposed set-backs for any proposed building or sewage disposal system from property lines and streambanks;
- The location and size of any existing sewerage systems and water supplies, culverts and drains or underground cables on the property to be subdivided;
- Contour lines at intervals of 10 feet of existing grade and of proposed finished grades where change of existing ground elevation will be five feet or more;
- Typical cross section of proposed grading and driveways. All traveled ways in the subdivision must comply with the Underhill Road Policy (enclosed);
- Means of providing water to the proposed subdivision;
- Means of on-site disposal of septic wastes including location and results of tests to ascertain subsurface soil, rock, and ground water conditions, depth to ground water unless pits are dry at depth of seven feet, and location and results of preliminary percolation tests; and
- A drainage plan for collection and discharge of stormwater and an erosion control plan.

In addition to these two plans, you must also submit to me a list of any waivers from the requirements of the subdivision regulations.

The engineering plans that are submitted must be tied to the survey, meaning that the engineering drawing must be based on the survey points. Please be sure to give your engineer/site designer a copy of the survey, or have him working closely with your surveyor so that both drawings line up.

In addition to these requirements you must also provide me the following information to meet the requirements for the final hearing:

1. Letters from the UJFD and the Chittenden East School District Superintendent addressing the proposed impact of the subdivision on their ability to provide services;
2. A copy of the state wastewater permit for this subdivision (received by this office on Feb. 15, 2007);
3. Approval of your driveway design by the Selectboard (I will ask the Selectboard to attend the DRB meeting to approve the driveway design); and
4. A copy of your "Proposed Findings" that outlines how your subdivision proposal meets the 13 "Evaluation Criteria" as set forth on page 13 of the Underhill Subdivision Regulations. Let me explain:

The Underhill Subdivision Regulations contain thirteen (13) evaluation criteria that the DRB must apply when deciding whether to grant subdivision approval. As part of our procedures, the DRB must make findings of fact that explain how the criteria are met. The DRB requires that the applicant submit proposed findings of fact that states what in the proposed plan supports each criterion. The "Evaluation Considerations" from the Regulations are listed below:

1. Whether land is unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas.
2. Whether the proposal includes due regard for the preservation and protection of existing features, trees, scenic points, brooks, streams, wetlands, rock outcroppings, water bodies, deer yards and other wildlife habitat, and other natural and historical resources.
3. Whether the proposal includes sufficient open space for active and passive recreation.
4. Whether the proposal includes adequate provision for the control of runoff and erosion during and after construction.
5. Whether the proposed development is in compliance with the Comprehensive Plan, Zoning Ordinance and any other By-Laws then in effect.
6. Whether any portion of the proposed development is located in a flood plain.
7. Whether the proposed development is compatible with surrounding properties.
8. Whether the site is suitable for the proposed density.
9. Whether the proposal contains adequate provision for pedestrian traffic in terms of safety, convenience, access to points of destination and attractiveness.
10. Whether the proposed development when viewed in the context of other developments in the town, will place an unreasonable burden on the ability of local governmental units to provide municipal or governmental services and facilities.
11. Whether there is sufficient water available for the reasonably foreseeable needs of the proposed development.

12. Whether the proposed development will cause unreasonable highway congestion or unsafe conditions with respect to the use of roads and highways in the Town.
13. Whether the proposed development will cause a significant increase in visual, air, noise or water pollution.

To help you start writing your proposed findings of fact I have drafted an example of a finding you could propose for this subdivision. You may want to structure your proposed findings this way:

Proposed Findings of Fact:

1. **Suitability for Development:** That the land is suitable for development according to the submitted plans dated _____ and prepared by Nick Nowlan of McCain Consulting Inc., as evidenced by the approved state wastewater system and potable water supply permit # _____ dated _____. The land does not lie in a flood plain, and with the implementation of the erosion control plans on sheet ____ of the submitted plans, there are no steep slopes, rock formations, adverse earth formations, or other features that will impair the health, safety, and general welfare of present or future inhabitants of the subdivision or its surrounding areas.

It would be best if your required information is submitted to me no later than Monday, April 9, 2007 so that I can forward it to the DRB members so that they can review your materials before the hearing. Please send your proposed Findings of Fact electronically to me at underhillvt@comcast.net. If you have any questions, please let me know.

Sincerely,

Christine Murphy

cc: Justin Willis
Brad Holden
DRB