

APPLICATION OVERVIEW

***REVISIONS TO AN APPROVED
SUBDIVISION (§ 7.8)***

DRB DOCKET #:	DRB-19-06
APPLICANT(S):	Michael & Eliza Kramer
CONSULTANT(S):	N/A
PROPERTY ADDRESS (PARCEL ID CODE):	3 Acer Ridge (AR003)
ZONING DISTRICT(S):	Water Conservation
INITIAL FILING DATE:	June 19, 2019
APPLICATION COMPLETION DATE:	June 19, 2019
SCHEDULED HEARING DATE:	July 15, 2019

PROJECT DESCRIPTION:	The applicants are seeking to amend their previously approved subdivision (see DRB-10-17) – a Planned Residential Development, and are specifically seeking a waiver to reduce the road/driveway width from Acer Ridge to the driveway serving 1 Acer Ridge.
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MOST RELEVANT ULUDR SECTIONS:	§ 7.8 (Revisions to An Approved Subdivision); Appendix A (Road & Driveway Standards)
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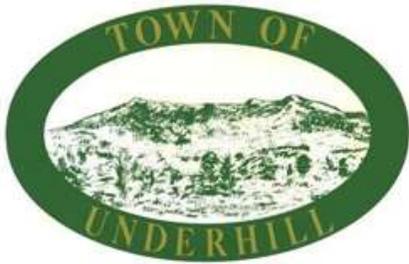
REASON FOR SUBDIVISION AMENDMENT:	The portion of the driveway subject to review (between Acer Ridge and the accessory dwelling – 1 Acer Ridge, which is approximately 100 ft. in distance) is approximately 14 ft. in width. Accessways serving 3 residences are required to have a 20 ft. width. After reviewing the anticipated impacts that would result from widening the driveway/road, specifically the elimination of several trees, the Applicants have asked for a road/driveway width waiver in an effort to keep the trees.
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REASON FOR SUBDIVISION AMENDMENT:	In accordance with 8.E of the Underhill Road, Driveway & Trail Ordinance, road ordinance-related standards proposed to be waived can only be done by the Selectboard or the Development Review Board, and therefore, the Zoning Administrator’s authority to reduce the road width from 20 ft. to 14 ft. is nonexistent.
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APPLICABILITY OF ROAD ORDINANCE:	The 2015 Road Ordinance, as amended December 18, 2018 <u>APPLIES.</u>
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STATE PERMIT INFORMATION:	N/A
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COMMENTS/NOTABLE ISSUES:	<ul style="list-style-type: none"> • Waivers under the Road Ordinance may be approved for unique physical circumstances or conditions on good cause. The Board is to consider the variance standards set forth in 24 V.S.A. § 4469. • The subdivision at issue is a Planned Residential Development, which allows for the relaxation of Town standards and regulations – in this case, two of the three lots were approved to be undersized.
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TOWN OF UNDERHILL

Development Review Board

MICHAEL & ELIZA KRAMER
Subdivision Amendment Review
Docket #: DRB-19-06

Subdivision Amendment Application of Michael & Eliza Krama to Request a Road/Driveway Width Waiver (Pertaining to the Acer Ridge Subdivision – A Planned Residential Development)

Applicant(s):	Michael & Eliza Kramer
Consultant:	N/A
Property Location:	3 Acer Ridge (AR003)
Acreage:	± 9.9 Acres
Zoning District(s):	Water Conservation

Project Background: In September 2017, Michael and Eliza Kramer submitted an application to amend the previously approved Acer Ridge Subdivision, a Planned Residential Development, to allow for the construction of a detached accessory dwelling. The Development Review Board approved the Kramer’s request, deferring all road and driveway oversight to the Selectboard (see condition #2 of DRB-17-13, Exhibit H), who at the time, handled review of those project aspects in accordance with the 2015 *Underhill Road, Driveway and Trail Ordinance*.

The Applicants subsequently submitted an access permit application with the Selectboard in accordance with DRB Decision #: DRB-17-13 (See Exhibit H). As part of a condition of approval, the Applicants were required to widen the shared portion of the driveway from Acer Ridge to the detached accessory dwelling (AR001 – 1 Acer Ridge), as required under § 5.A.3.a of the 2015 *Underhill Road, Driveway and Trail Ordinance*. The portion of the shared driveway that is to be widened is approximately 100 ft. in length. At the time, the Applicants did not contest the condition of approval.

As the Applicants were completing their project (the detached accessory dwelling) they discovered that they were required make the road and driveway improvements, as well as submit documentation that the road and driveway improvements have been completed in accordance with the approved access permit (see Exhibit I) – a standard requirement for Applicants seeking to obtain the Certificate of Occupancy Permit. As a result, when examining the impacts that are expected to result from the widening of any of the

shared portion of the driveway, the Applicants discovered that they would have to remove several trees to accommodate a 20 ft. wide accessway.

Contending that the removal of the trees would alter the character of the area, specifically the Acer Ridge subdivision, the Applicants submitted a request in writing to the Selectboard (see Exhibit I) asking them to waive the 20 ft. width requirement, and permit them to keep the existing width – 14 ft. With the implementation of the amended Road, Driveway & Trail Ordinance, the Selectboard informed the Applicants that the more appropriate venue for the application would be before the Development Review Board. As a result, the access permit amendment application was dismissed by the Selectboard and referred to the Development Review Board.

Project Proposed:

The Applicants are requesting a road width waiver request for the shared portion of the driveway between Acer Ridge and the accessory dwelling at 1 Acer Ridge. Specifically, the road width waiver request would permit the shared driveway width to be 14 ft. rather than 20 ft. for a distance of approximately 100 ft. as required under § 5.A.3.a of the *Underhill Road, Driveway and Trail Ordinance*.

While access-related waivers are to consider the variance criteria under 24 V.S.A. § 4469 (see § 8.E of the *Underhill Road, Driveway and Trail Ordinance*), the subject shared driveway is part of a Planned Residential Development, a type of subdivision that permits a relaxation of Town standards and regulations. Therefore, should a waiver be granted, the proper venue, as alluded to by the Selectboard, is likely to be the Development Review Board, as the Board has the ability to consider the already approved subdivision as a whole and evaluate if the waiver would conform with what has already been approved. To note, this specific Planned Residential Development contains two lots that are smaller than 5.0 acre requirement, and in exchange, open space was designated on the lands currently owned by the Applicants – 3 Acer Ridge.

2018 UNDERHILL UNIFIED LAND USE & DEVELOPMENT REGULATIONS RELEVANT REGULATIONS:

- Article II, Table 2.5 – Water Conservation District (pg. 18)
- Article III, Section 3.2 – Access (pg. 30)
- Article III, Section 3.7 – Lot, Yard & Setback Requirements (pg. 38)
- Article III, Section 3.8 – Nonconforming Lots (pg. 39)
- Article III, Section 3.11 – Outdoor Lighting (pg. 41)
- 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 VI – Flood Hazard Area Review (pg. 127)
- Article VII, Section 7.8 – Revisions to an Approved Subdivision

- Article VIII, Section 8.6 – Transportation Facilities
 - Article IX – Planned Unit Development
 - Appendix A – Road & Driveway Standards
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CONTENTS:

- a. Exhibit A - AR003 Kramer Subdivision Amendment Staff Report
 - b. Exhibit B - AR003 Subdivision Amendment Review Hearing Procedures
 - c. Exhibit C - Subdivision Review Application
 - d. Exhibit D - Waiver Request Narrative
 - e. Exhibit E - BFP Notice
 - f. Exhibit F - Certificate of Service
 - g. Exhibit G - DRB Decision # DRB-10-17
 - h. Exhibit H - DRB Decision # DRB-17-13
 - i. Exhibit I - Access Permit # A-18-18
 - j. Exhibit J - 3 Acer Ridge Site Plan
 - k. Exhibit K - Site Plan Depicting Area in Review
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COMMENTS/QUESTIONS

1. **SEE BACKGROUND INFORMATION ABOVE**
 2. **SECTION 3.2 – ACCESS:** In accordance with § 3.2.C, should the Board grant approval of the Applicants’ proposal, the Board will be amending the Selectboard’s previously approved Access Permit #: A-18-18. Should the Board reject the Applicants’ proposal, the driveway would have to be widened to 20 ft (from 14 ft.).
 3. **SECTION 3.11 – OUTDOOR LIGHTING:** The Board should inquire if there is any outdoor lighting proposed.
 4. **SECTION 8.6.A – ACCESS & DRIVEWAY:** Should the Board approve the waiver request, the driveway will be required to satisfy the other requirements of the Underhill Road, Driveway & Trail Ordinance, as well as the conditions, as amended, in the following permits and approvals:
 - a. Access Permit #: A-12-03 and A-18-18
 - b. Building Permit #: B-13-31 and B-18-26
 - c. Development Review Board Decision #: DRB-10-17 & DRB-17-13
 5. **SECTION 8.6.B – DEVELOPMENT ROADS:** According to § 8.6.B of the Unified Land Use & Development Regulations, while an access way is considered a development road when it serves four or more lots, under § 5.B.4.a of the Underhill Road, Driveway & Trail Ordinance should an accessory dwelling be added to 5 Acer Ridge the shared portion of the driveway under review would be considered a Development Road since that specific section of the Road Ordinance refers to residences and lots.
 6. **APPENDIX A:**
 - a. **SECTION 4.E – WAIVERS:** The Standards of the Road Ordinance may be waived for a project because of unique physical circumstances or conditions on good cause
 - b. **SECTION 4.E – WAIVERS:** The Board shall consider the standards set forth in 24 V.S.A. § 4469 when reviewing waivers.
 - c. **SEE OTHER ROAD ORDINANCE-RELATED COMMENTS**
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STAFF FINDINGS OF RELEVANT SECTIONS

ARTICLE II – ZONING DISTRICTS

Water Conservation		
Lot Size:	5.0 Acres	
Frontage:	300 ft.	
Setbacks:		
• Front North	30 ft.	
• Side 1 West	50 ft.	N/A
• Side 2 East	50 ft.	
• Rear South	50 ft.	
Max. Building Coverage:	20%	
Max. Lot Coverage:	30%	
Driveway Setback:	12 ft.	

TABLE 2.5 – WATER CONSERVATION DISTRICT

PG. 18

Purpose Statement: The purpose of the Water Conservation District is to protect the important gravel aquifer recharge area in Underhill Center.

- The proposed road width reduction is not anticipated to adversely affect the gravel aquifer recharge area in Underhill Center.

ARTICLE III – GENERAL REGULATIONS

SECTION 3.2 – ACCESS

PG. 30

- The subject lot accesses Acer Ridge, a private road, which accesses Beartown Road, a Class III Town Highway.
- The shared driveway subject to review currently serves two lots (3 & 5 Acer Ridge) and three residences (1, 3 & 5 Acer Ridge).
- The Selectboard approved Access Permit #: A-18-18 (see Exhibit I) with a condition of widening the shared driveway from 14 ft. to 20 ft. from the end of Acer Ridge to 1 Acer Ridge.
- In accordance with § 3.2.C, should the Board grant approval of the Applicants' proposal, the Board will be amending the Selectboard's previously approved Access Permit #: A-18-18.
- The current driveway is 14 ft., and should the Board reject the Applicants' proposal, the driveway would have to be widened to 20 ft.
 - Should the driveway be widened to 20 ft., the driveway will be ~100 ft. from the south, front property line – the nearest property line to the portion of the driveway under review.
- See Appendix A for more info as it relates to the *Underhill Road, Driveway & Trail Ordinance*.

SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS

PG. 38

- District dimensional requirements may be reduced by the Board as part of an approved master plan for a Planned Residential Development.

SECTION 3.8 – NONCONFORMING LOTS

PG. 39

- Two of the three Acer Ridge lots (4 & 5 Acer Ridge) are undersized, but were approved under DRB

Decision #: DRB-10-17 – a Planned Residential Development.

SECTION 3.11 – OUTDOOR LIGHTING **PG. 41**

- The Board should inquire if there is any outdoor lighting proposed.

SECTION 3.17 – SOURCE PROTECTION AREAS **PG. 55**

- The subject subdivision is in a Groundwater Source Protection Area; however, approval of the detached accessory dwelling under DRB Decision #: DRB-17-13 implicitly approved associated impacts caused by the detached accessory dwelling, such as the widening of the shared driveway.

SECTION 3.18 – STEEP SLOPES **PG. 56**

- No steep slopes (15-25%) or very steep slopes (>25%) are located in the area subject to review.

SECTION 3.19 – SURFACE WATERS & WETLANDS **PG. 63**

- No surface waters & wetlands are located in the area subject to review.

ARTICLE VI – FLOOD HAZARD AREA REVIEW

- No floodplains are located within the Acer Ridge Subdivision.

ARTICLE VII – SUBDIVISION REVIEW

SECTION 7.8 – REVISIONS TO AN APPROVED SUBDIVISION **PG. 148**

- In accordance of 8.E of the *Underhill Road, Driveway & Trail Ordinance*, road ordinance-related standards proposed to be waived can only be done by the Selectboard or the Development Review Board, and therefore, the Zoning Administrator’s authority to reduce the road width from 20 ft. to 14 ft. is nonexistent.
- As explained in the project background above, the Applicants’ project proposal was referred to the Development Review Board by the Selectboard.

ARTICLE VIII – SUBDIVISION STANDARDS

SECTION 8.1 – APPLICABILITY

SECTION 8.1.B – REQUEST FOR MORE INFORMATION **PG. 150**

- Technical review does not appear to be necessary, though can be required.

SECTION 8.1.C – FINDINGS OF FACT **PG. 150**

- A project narrative has been submitted for review (see Exhibit D).

SECTION 8.1.D – MODIFICATIONS & WAIVERS **PG. 150**

- The Applicants seek a road/shared driveway width waiver – 14 ft. instead of 20 ft.
- The waiver is requested in accordance with Section 8.E of the *Underhill Road, Driveway & Trail Ordinance*.

SECTION 8.6 – TRANSPORTATION FACILITIES

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

- Should the Board approve the waiver request, the Board will be effectively amending the Selectboard’s previously approved access permit: Access Permit #: A-18-18.

- Staff will be soliciting comments from the Underhill Road Foreman and the Underhill-Jericho Fire Department prior to the hearing.
- Should the Board approve the waiver request, the driveway will be required to satisfy the other requirements of the *Underhill Road, Driveway & Trail Ordinance*, as well as the conditions, as amended, in the following permits and approvals:
 - Access Permit #: A-12-03 and A-18-18
 - Building Permit #: B-13-31 and B-18-26
 - Development Review Board Decision #: DRB-10-17 & DRB-17-13
- See Section 3.2 for more info as it relates to the *Underhill Land Use & Development Regulations*.
- See Appendix A for more info as it relates to the *Underhill Road, Driveway & Trail Ordinance*.

SECTION 8.6.B – DEVELOPMENT ROADS

PG. 164

- According to § 8.6.B of the *Unified Land Use & Development Regulations*, while an access way is considered a development road when it serves four or more lots, under § 5.B.4.a of the *Underhill Road, Driveway & Trail Ordinance* should an accessory dwelling be added to 5 Acer Ridge the shared portion of the driveway under review would be considered a Development Road since that specific section of the Road Ordinance refers to residences and lots.

ARTICLE IX – PLANNED UNIT DEVELOPMENT

SECTION 9.1 – PURPOSE

PG. 172

- The Acer Ridge Subdivision was approved as a Planned Residential Development under DRB Decision #: DRB-10-17.
- The waiver request conforms with the following policies outlined under Section 9.1.A:
 - Master planning for comprehensive, environmentally-sensitive, integrated subdivision and development. [Emphasis Added]
 - Efficient and economical use of land, resources, facilities, utilities and services. [Emphasis Added]
- The Board may modify density and dimensional requirements of the applicable zoning provisions under the *Unified Land Use & Development Regulations*, concurrently with the approval of subdivision review:
 - The Board is reviewing this application as a subdivision amendment; and
 - Various provisions of the *Unified Land Use & Development Regulations* reference the highway ordinance: §§ 3.2.D.1, 8.6.A.3.a, 8.6.A.9 & 8.6.B.
 - The Selectboard has delegated review of *Road Ordinance*-related waivers to Development Review Board when applications involve road-related components.

SECTION 9.2 - APPLICABILITY

PG. 172

- The subject lot is part of a Planned Residential Development under DRB-10-17 (see Exhibit G).

SECTION 9.3 – APPLICATION REQUIREMENTS

PG. 173

- The Applicants have submitted a written statement outlining their waiver request (see Exhibit D).

SECTION 9.4 – REVIEW PROCESS

PG. 174

- The proposed waiver request does not appear to substantially alter any of the findings made under this section or in the Board’s previous decisions: DRB-10-17 & DRB-17-13.

SECTION 9.5 – GENERAL STANDARDS

PG. 175

- The proposed waiver request appears to be consistent with the goals and policies of the *Underhill*

Town Plan currently in effect, as well as the purpose statement of the Water Conservation zoning district.

- The proposed waiver request is consistent with § 9.5.A.2, which states:
“The PRD shall present an environmentally sensitive, effective and unified treatment of the site(s), that: (e) minimizes site disturbance and infrastructure development costs, and through lot layout, orientation, and site design maximizes opportunities for energy efficient design and access to and the sustainable use of renewable energy resources.” [Emphasis Added]
- The Planned Residential Development is an allowed use under this Section, and the subject lot is only being used for residential purposes.
- The Applicants’ proposed amendment does not affect the current density of the Acer Ridge Subdivision.

APPENDIX A – ROAD & DRIVEWAY STANDARDS

- Waivers that are requested by an Applicant are required to be reviewed by the Selectboard or the Development Review Board in accordance with Section 8.E of the *Underhill Road, Driveway & Trail Ordinance*.
- This application was referred to the Development Review Board by the Selectboard (see Project Background outlined above).

SECTION 8 – ADMINISTRATION & PERMITTING

SECTION 4.E – WAIVERS

PG. 22

- The Standards of the Road Ordinance may be waived for a project because of unique physical circumstances or conditions on good cause shown by the party seeking the waiver.
- The Board shall *consider* the standards set forth in 24 V.S.A. § 4469 when reviewing waivers:
 - There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not circumstances or conditions generally created by the provisions of the bylaw in the neighborhood or district in which the property is located.
 - Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with provisions of the bylaw, and that the authorization of a variance is therefore necessary to enable the reasonable uses of the property.
 - Unnecessary hardship has not been created by the appellant.
 - The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair and appropriate use or development or adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.
 - The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan.
- Any waivers approved shall be minor and not conflict with the stated purposes of the Road Ordinance or state laws or rules.
- Fiscal reasons are not a basis for granting a waiver.

SECTION 5 – SPECIFIC PROVISIONS: DRIVEWAYS & DEVELOPMENT ROADS

SECTION 5.A - DRIVEWAYS

PG. 11

3. *WIDTHS*

- Shared driveways serving 2 residences must be

- built to B-71 Standards, and be at a minimum 14 ft.
- Shared driveways serving 3 residences must be built to B-71 Standards, and be at a minimum 20 ft.
- The Applicants seek a waiver of the 20 ft. road width, which would be a length of approximately 100 ft.
- Should the waiver be approved, and the landowners of 5 Acer Ridge add another dwelling to their lot, the 5 Acer Ridge landowners will be responsible for widening the road to 20 ft. up to the driveway serving 5 Acer Ridge, unless the Board finds that the driveway would not need to be widened in that circumstance as well (see below for more details).

SECTION 5.B – DEVELOPMENT ROADS

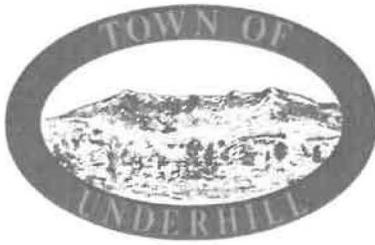
PG. 13

4. WIDTHS

- Should a residence (an accessory dwelling) be added to 5 Acer Ridge, the access way will need to be upgraded at A-76 Standards, as well as widened to 20 ft. in accordance with this subsection, as the accessway will be considered a Development Road according to the Road Ordinance.
 - A Development Road is defined as “any direct or indirect access from a Town or state highway serving four or more lots or **dwelling**s, and any road designated as a “private road” as of the date of adoption of this ordinance.
 - Since this is a subdivision amendment, the Board could consider waiving the width requirement in the abovementioned scenario should the Road Foreman and Underhill-Jericho Fire Department provide positive feedback, as a waiver would apply to the entire subdivision.

OTHER ROAD ORDINANCE-RELATED COMMENTS

- Other *Road Ordinance*-related provisions were not found to necessitate review.
 - All other aspects relating to the shared driveway shall conform to all other provisions of the *Road Ordinance*, and all other conditions of approval in the listed permits provided under Section 8.6 above.
- The Board should consider that the subject lot under review is a Planned Residential Development.
 - Planned Residential Developments allow for the relaxation of regulations – the subject PRD contains properties that are less than 5.0 Acres (in the Water Conservation District), “in exchange” for the preservation of open space.
 - As stated in DRB Decision #: DRB-10-17, lots within the Acer Ridge Subdivision are prohibited from being subdivided further (see Condition D of DRB Decision #: DRB-10-17, Page 11, Exhibit G). Therefore, only one more residence can be added to the shared driveway under review – a dwelling to 5 Acer Ridge.



UNDERHILL DEVELOPMENT REVIEW BOARD

SUBDIVISION AMENDMENT REVIEW

HEARING PROCEDURES

July 15, 2019

Applicant(s): Michael & Eliza Kramer

Docket #: DRB-19-06

State the following:

1. This is a subdivision amendment review hearing on the application of Michael & Eliza Kramer to amend a previously approved subdivision (DRB Docket #s: DRB-10-17 & DRB-17-13) to allow for a road/driveway width reduction pertaining to the Acer Ridge Subdivision. The subject portion of the driveway under review is on land owned by the Kramers at 3 Acer Ridge (AR003) 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, and was previously classified as a major subdivision – Planned Residential Development, under DRB Decision #: DRB-10-17.

The purpose of a subdivision amendment review is to determine if the proposed changes conform with the municipal plan, the Regulations, and other municipal ordinances in effect at the time of application.

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. The order of speakers tonight will be:
 - a. We will hear from, and ask questions of, the applicant(s) and his or her representative(s);
 - b. Then we will hear and ask questions of the Planning & Zoning Administrator;
 - 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 extended upon request to the Board and majority consent of the Board; then
 - d. The applicant(s) and/or their representative(s) will have an opportunity to respond; then;
 - e. Final comments will be solicited from all parties.

All speakers should address their comments to the Board, not to other parties present at the hearing. Board Members may feel free to ask questions of any speaker.

4. Are any state or municipal representatives present, and acting in their representative capacities?
5. An Interested Parties Info Sheet is available to all attendees at the front counter or from the Planning & Zoning Administrator. 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.

6. If you are an applicant, representative(s) of the applicant(s), 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.
7. 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?"***
8. Are there any conflicts of interest or have there been any ex parte communications on the part of the Board Members?
9. 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:

Exhibit A - AR003 Kramer Subdivision Amendment Staff Report
Exhibit B - AR003 Subdivision Amendment Review Hearing Procedures
Exhibit C - Subdivision Review Application
Exhibit D - Waiver Request Narrative
Exhibit E - BFP Notice
Exhibit F - Certificate of Service
Exhibit G - DRB Decision # DRB-10-17
Exhibit H - DRB Decision # DRB-17-13
Exhibit I - Access Permit # A-18-18
Exhibit J - 3 Acer Ridge Site Plan
Exhibit K - Site Plan Depicting Area in Review

These exhibits are available in the Kramer subdivision amendment review file (DRB-19-06 / AR003) at the Underhill Zoning & Planning Office and on the Town's website.

10. We'll begin testimony, and hear from the applicant(s) and/or their representative(s).
11. Next we will hear from the Planning & Zoning Administrator.
12. Are there members of the public who would like to speak?
13. Any final comments from the Board or applicant(s) and/or their representative(s)?
14. 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, continue the hearing to a date and time certain, and outline for the Applicant(s) what is required at that continued hearing; or*
 - b. *If, by consensus, enough information has been presented to make a decision on the application, ask for a motion to close the evidentiary portion of the hearing.*
15. Ask for a motion to approve or deny the application, as well as asking the Board if they wish to discuss the application in open deliberative or closed deliberative session? (After the ruling, continue with the info below.)

“Within 45 days from this hearing, the Planning & Zoning Administrator, on behalf of the Board, will send a copy of the decision to the Applicant(s), their representative(s), 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.”



TOWN OF UNDERHILL

APPLICATION FOR SUBDIVISION

<p>OFFICE USE ONLY</p> <p>PROPERTY CODE: <u>AR003</u></p> <p>DRB DOCKET #: <u>DRB-19-06</u></p> <p>MEETING DATE: <u>07/15/2019</u></p>	<p>ZONING DISTRICT(S):</p> <p><input type="checkbox"/> Underhill Flats Village Center</p> <p><input type="checkbox"/> Underhill Center Village</p> <p><input type="checkbox"/> Rural Residential</p> <p><input checked="" type="checkbox"/> Water Conservation</p> <p><input type="checkbox"/> Mt. Mansfield Scenic Preservation</p> <p><input type="checkbox"/> Soil & Water Conservation</p>	<p>APPLICATION TYPE:</p> <p><input type="checkbox"/> Sketch Plan Review</p> <p><input type="checkbox"/> Preliminary Subdivision Review</p> <p><input type="checkbox"/> Final Subdivision Review</p> <p><input type="checkbox"/> Preliminary & Final Subdivision Review</p> <p><input checked="" type="checkbox"/> Subdivision Amendment</p>
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PROPERTY OWNER INFORMATION:	Project Information
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RECORD OWNER OF PROPERTY:
Mike + Eliza Kramer

MAILING ADDRESS:
3 Acer Ridge, Underhill

EMAIL ADDRESS:
eliza.kramer@gmail.com

PHONE NUMBER:
324-7890

Property Location: 3 Acer Ridge
Underhill, VT 05489

Acreage in Original Parcel: 9.9 acres

Proposed Number of Lots: N/A Lots

DESIGNER/ENGINEER INFORMATION:

DESIGNER/ENGINEER:

MAILING ADDRESS:

EMAIL ADDRESS:

PHONE NUMBER:

Is this a Planned Residential Development?
 Yes
 No

Is this a Planned Unit Development?
 Yes
 No

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

SURVEYOR INFORMATION:

SURVEYOR:

MAILING ADDRESS:

EMAIL ADDRESS:

PHONE NUMBER:

If so, when was the previous subdivision approved? ^(original)
Year: May 1, 2012

If known, what was the application number:
Application Number: DRB-10-17
DRB-17-13

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?
Road width reduction: from 20ft. to 14ft.



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 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 type="checkbox"/> Sketch of Proposed Subdivision <input type="checkbox"/> Project Description <input type="checkbox"/> Description of Proposed Modifications or Waivers <input type="checkbox"/> Application Fee (\$100.00)</p> <p><i>Please Checkoff All Submitted Materials</i></p>	<p>Checklist</p> <p><input checked="" 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 & New Acreages <input type="checkbox"/> Proposed Building Envelopes (including Setbacks) <input type="checkbox"/> Extent of Site Clearing & 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 & Wastewater Disposal Systems (including Isolation & 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 & Associated Buffers <input type="checkbox"/> Wetlands & Associated Buffers <input type="checkbox"/> Vernal Pools & 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 & Size of Existing Culverts and Drains <input type="checkbox"/> Location & Size of Existing Sewerage Systems & 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 & Historic Features (e.g. Sites & 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 & Management Plan</p> <p><i>Please Checkoff All Submitted Materials</i></p>
Requirements for All Other Applications		Section D (Non-Town Related Materials)
<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 & 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>
Section A (Survey Requirements)		Other Required Plans Where Applicable
<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 & Permanent Stormwater Management Plans <input type="checkbox"/> Temporary & Permanent Erosion Control Measures/Plans (including Areas Impacted by Downstream Runoff) <input type="checkbox"/> Significant Wildlife Habitat Areas & 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 8-6-19
RECEIVED	DATE 6/19/2019

Mike and Eliza Kramer
3 Acer Ridge Road
Underhill, VT 05489

Attention: Development Review Board
Underhill Town Hall
12 Pleasant Valley Road
Underhill VT, 05489

June 18, 2019

RE: Access Permit A18-18

To whom it may concern,

In 2012, a Planned Residential Development was created at 37 Beartown with an emphasis on the character of the area. The PRD was created to safeguard the character and value of the area and included areas set aside as open space. The PRD also included restrictions limiting the use of outdoor lights from dusk to dawn. The development was named Acer Ridge for the maples lining the driveway (Acer is latin for maple).

We, the Kramers, purchased the property at 3 Acer Ridge Road with a future plan to build an accessory dwelling on the property for Eliza's parents so we could help take care of them in their golden years. The accessory dwelling, now built, is affectionately known as the Granny Cottage.

Construction began on the Granny Cottage in June of 2018. Our builder, Pete Czaja, was responsible for processing all paperwork with the town prior to construction. We attended the DRB meeting where our project was reviewed and no major issues were discovered at that time. We were notified, through Mr. Czaja, in July of 2018, after construction began, that we were being requested by the town to widen our driveway for the 90 foot section between the initial driveway split and the driveway servicing the Granny cottage. We were also asked to trim all lower branches on the maple trees lining the driveway and to clear out any and all brush on the property itself so as to provide a clear line of sight to any vehicles coming or going in the bend of the driveway.

We immediately trimmed all lower branches on the maples and cleared the brush to aid in line of sight. But we felt it was best to wait until all major construction was completed before addressing the driveway width concern. Unfortunately, major construction wasn't completed until later in the fall/early winter timeframe. So we were forced to wait until spring to revisit the issue.

During construction, we discussed the driveway widening request with John and Colleen Gay, who are the neighbors that share this portion of the driveway with us. This change would impact the character of the entrance to their home as well. In our discussions, the Gays

mentioned several times that they did not wish to have one section of driveway wider than any other section of driveway. And in the five year history of sharing the same driveway, we've only ever both passed each other a handful of times. They felt that widening the driveway for the need of passing vehicles was unnecessary.

In Spring of 2019, we began researching the technical requirements for driveway widening. We obtained copies of the technical drawings and definition of the new driveway. The drawings show fairly extensive ground work to be done to build up a proper base of material 20 feet wide. In addition, they show that proper drainage must also be created on both sides of the driveway. In April of 2019, we put stakes in the ground to illustrate where exactly the edges of the 20 feet would be and were surprised to find that even before putting proper drainage in, we would likely be impinging on the root system of six to 10 maple trees that line the driveway. With the widening and drainage work, we'd certainly need to remove those trees.

We discussed possible removal of the maple trees with all neighbors in our development, including the Gays, and the Lairs (as well as Sue Kusserow) and they have all unanimously agreed that they do not wish to remove the trees as it would dramatically impact the feel and the character of the neighborhood. The trees are the essence of the subdivision.

Further subdivision is not possible. This restriction is attached to the deed and filed in the town records.

In May of 2019, we appeared before the Selectboard to ask for a waiver of the driveway widening request. The selectboard voted to send the issue to the Development Review Board for review.

We are kindly asking for a subdivision amendment so we can save the trees and maintain the character within our neighborhood.

Thank you for your consideration.

Mike and Eliza Kramer

324-7890 (Eliza)

324-0244 (Mike)



To: Burlington Free Press
Classifieds/Legals
legals@bfp.burlingtonfreepress.com
860-5329

From: Town of Underhill
Zoning & Planning
P.O. Box 120
Underhill, VT 05489

LEGAL AD

Please e-mail to confirm receipt of this ad.



Release Date: NO LATER THAN 06/29/2019



NOTICE OF PUBLIC MEETING

Town of Underhill Development Review Board (DRB)
Monday, July 15, 2019

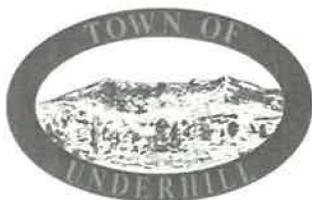
At the Underhill Town Hall, 12 Pleasant Valley Road, Underhill, VT

The DRB will hold a hearing on the Subdivision Amendment Review Application by Michael F. & Eliza R. Kramer for a proposed driveway/road width waiver pertaining to the Acer Ridge Subdivision – a Planned Residential Development (DRB) – shared driveway, which serves 1, 3 & 5 Acer Ridge (AR001, & AR003 & AR005) in Underhill, Vermont. The portion of Acer Ridge under review is located on property at 3 Acer Ridge owned by the abovementioned applicants and is located in the Water Conservation zoning district. A site visit will commence at the property’s location at 6:00 PM on Monday, July 15, 2019, and the hearing will be held at Underhill Town Hall at 6:35 PM on Monday, July 15, 2019.

Additional information may be obtained at the Underhill Town Hall. The hearing(s) are 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 hearing(s), comments may be made in writing prior to the meeting and mailed to: Andrew Strniste, Planning Director & Zoning Administrator, P.O. Box 120 Underhill, VT 05489 or to astrniste@underhillvt.gov.



Please call Andrew Strniste at the Planning & Zoning Administrator’s office at 899-4434 x106 with any questions concerning this ad and to confirm receipt. Please remit bill to: Town of Underhill, RE: 07-15-19 DRB Hearing, P.O. Box 120, Underhill, VT 05489. Thank you.



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 26 day of June, 2019, a copy of the following documents were delivered to the below recipients and corresponding addresses by United States certified mail, return receipt requested.

Documents:

Notice to abutting neighbors regarding a Subdivision Amendment Review Hearing for a proposed driveway/road width waiver pertaining to the Acer Ridge Subdivision – a Planned Residential Development (DRB) – shared driveway, which serves 1, 3 & 5 Acer Ridge (AR001, & AR003 & AR005) in Underhill, Vermont. The portion of Acer Ridge under review is located on property at 3 Acer Ridge (AR003), Underhill, Vermont, and is owned by Michael F. & Eliza R. Kramer.

Recipients and Corresponding Address: \$6.80

- | | |
|--|---|
| <p>✓ ACER RIDGE (AR003)
Michael F. & Eliza R. Kramer
3 Acer Ridge
Underhill, VT 05489</p> | <p>✓ 13 BEARTOWN ROAD (BE013)
Christopher & Melanie Poley
13 Beartown Road
Underhill, VT 05489</p> |
| <p>✓ 4 ACER RIDGE (AR004)
Suzanne K. Kusserow Trustee
P.O. Box 125
Underhill Center, VT 05490</p> | <p>✓ 20 BEARTOWN ROAD (BE020)
Walter E. & Marie A. Tedford Trustees
P.O. Box 26
Underhill Center, VT 05490</p> |
| <p>✓ 5 ACER RIDGE (AR005)
John B. & Colleen A. Gay
5 Acer Ridge
Underhill, VT 05489</p> | <p>✓ 31 BEARTOWN ROAD (BE031)
Christopher M. & Christine N. Dillon
31 Beartown Road
Underhill, VT 05489</p> |
| <p>✓ 8 ACER RIDGE (AR008)
Adrie S. Kusserow
Robert J. Lair
8 Acer Ridge
Underhill, VT 05489</p> | <p>✓ 46 BEARTOWN ROAD (BE046)
Roland A. & Rachel T. Burroughs
P.O. Box 84
Underhill Center, VT 05490</p> |

✓ **49 BEARTOWN ROAD (BE049)**

Thomas P. Fetters
49 Beartown Road
Underhill, VT 05489

✓ **20 PLEASANT VALLEY ROAD (PV020)**

Michael K. & Emily E. Diffenderffer
20 Pleasant Valley Road
Underhill, VT 05489

✓ **28 STEVENSVILLE ROAD (ST028)**

Stephen G. Shuma
28 Stevensville Road
Underhill, VT 05489



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

Date: 6/29/2019

TOWN OF UNDERHILL
APPLICATION OF SUZANNE KUSSEROW AND WILLIAM LEWIS
FOR A 3-LOT PLANNED RESIDENTIAL DEVELOPMENT AND
BOUNDARY LINE ADJUSTMENT
FINAL FINDINGS AND DECISION

In re: Suzanne Kusserow and William Lewis
37 Beartown Rd.
Underhill, VT 05489

Docket No. DRB-10-17: Kusserow and Lewis

I. INTRODUCTION AND PROCEDURAL HISTORY

This proceeding concerns Suzanne Kusserow's and William Lewis' final hearing application for a 3-lot planned residential development and boundary line adjustment of property located at 37 Beartown Rd. in Underhill, VT.

- A. On January 24, 2012, Suzanne Kusserow filed a final hearing application for subdivision for the project. A copy of the application and additional information are available at the Underhill Town Hall.
- B. On February 21, 2012, a copy of the notice of a final hearing was mailed via certified mail to the applicants, Suzanne Kusserow and William Lewis, P.O. Box 125, Underhill Center, VT 05490 and to the following owners of properties adjoining the property subject to the application:
1. Shuma, 28 Stevensville Rd., Underhill, VT 05489
 2. Burroughs, P.O. Box 84, Underhill Center, VT 05490
 3. Feters, 49 Beartown Rd., Underhill, VT 05489
 4. Litchfield/Caputo, 16 Beartown Rd., Underhill, VT 05489
 5. Scheffert, 13 Beartown Rd., Underhill, VT 05489
 6. Tedford, P.O. Box 26, Underhill Center, VT 05490
 7. Kusserow/Lair, 39 Beartown Rd., Underhill, VT 05489

A copy of the notice was also emailed to Brad Holden at bholdenvt@gmail.com and Justin Willis, Willis Design Assoc., Inc. at willisdesignvt@comcast.net.

- C. February 23, 2012, notice of the final hearing on the proposed Kusserow and Lewis subdivision and boundary line adjustment was posted at the following places:
1. The property to be developed, BE037;
 2. The Underhill Town Clerk's office;
 3. The Underhill Country Store;
 4. Wells Corner Market;

5. The Underhill Center Post Office;
6. The Underhill Flats Post Office;
7. Jacobs IGA;
8. The Town of Underhill website.

- D. On February 29, 2012, notice of a final hearing was published in *Seven Days*.
- E. The final hearing was scheduled to begin immediately following the preceding hearing on March 19, 2012.
- F. Present at the final hearing were the following members of the Development Review Board:

- Chuck Brooks
- Matt Chapek
- Penny Miller
- Will Towle
- Charles Van Winkle, Chair

Kari Papelbon, Zoning and Planning Administrator; Consultants Brad Holden and Justin Willis; Applicant Suzanne Kusserow; and Tom Fetters, neighbor, also attended the hearing.

- G. At the outset of the hearing, Chairman 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:

- Suzanne Kusserow, P.O. Box 125 (37 Beartown Rd.), Underhill Center, VT 05490
- Tom Fetters, 49 Beartown Rd., Underhill, VT 05489

Consultants who spoke on behalf of the Applicants:

- Brad Holden, 60 Covey Rd., Underhill, VT 05489
- Justin Willis, Willis Design Assoc., Inc., P.O. Box 98, Richmond, VT 05477

- H. During the course of the hearing the following exhibits were submitted to the Development Review Board:
1. A staff report sent by Zoning Administrator Kari Papelbon to the Development Review Board, Suzanne Kusserow and William Lewis, Brad Holden, Justin Willis, the Underhill Selectboard, the Underhill Conservation Commission Chair, and the Underhill-Jericho Fire Department;
 2. Suzanne Kusserow's and William Lewis' Application for Subdivision: Final (dated 1-24-12);
 3. A copy of the completed Subdivision Checklist: Final;
 4. A copy of the plans prepared by Justin Willis of Willis Design Associates, Inc. (Sheets S-1, D1, and D2 dated 2-10-12);

5. A copy of the road plans prepared by Civil Engineering Associates, Inc. (Sheets C1.0, C2.0, and C2.1 dated Feb. 2012);
6. A copy of the survey prepared by Brad Holden (dated Feb. 2012);
7. A copy of the waiver request list;
8. A copy of the Sample Warranty Deed;
9. A copy of the Sample Road Maintenance Agreement;
10. A copy of the letter from Justin Willis with responses to the Evaluation Considerations (dated 2-10-12);
11. A copy of Preliminary Decision (dated 9-11-11);
12. A copy of the minutes from the 9-11-11 Preliminary Hearing;
13. A copy of the hearing notice (published in *Seven Days* on 2-29-12)
14. A copy of the email from Brigid Scheffert (dated March 18, 2012);
15. A copy of the subdivision survey by Walter L. Urie for Suzanne Kusserow showing the Fetters lot (Sheet 1 of 3 revised February 2001).

These exhibits are available in the Kusserow/Lewis, BE037, subdivision/boundary line adjustment file at the Underhill Zoning Office.

II. FINDINGS

Background

The Minutes of the meetings written by Kari Papelbon 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 and to adjust a common boundary line. The subject properties are a ± 16 -acre parcel and a ± 5.4 -acre parcel located at 37 Beartown Road in Underhill, VT (BE037).
- B. The properties are located in the Water Conservation zoning district as defined in §VII of the 2003 Underhill Zoning Regulations.
- C. Subdivision approval is requested for the project pursuant to review under the following sections of the 2002 Town of Underhill Subdivision Regulations:
 - Final Plat Submission Requirements, pages 9-10, "Final Plat for Subdivisions"
 - Planning Standards, pages 11-12, "Evaluation Considerations"
- D. Planned Residential Development approval is requested for the project pursuant to review under the following section of the 2003 Town of Underhill Zoning Regulations:
 - §III(R), "Planned Residential Development"

- E. Road and driveway approvals are requested for the project pursuant to review under the 2002 Underhill Road Policy. The Board recognizes that final approval of the road and any waivers of the Road Policy will be made by the Selectboard, and that DRB recommendations will be submitted for consideration.

- F. Final Application Submission Requirements, "Final Plat for Subdivisions" – The final plat for a subdivision shall conform in all respects to the preliminary plat as approved by the [DRB]...The final plat shall be drawn to a scale of not more than two hundred (200) feet to the inch, and shall show:
 - 1. Proposed subdivision name or identifying title, the parcel code of the original lot, the name of the municipality, the name and address of the record owner and subdivider, the name, license number and seal of the licensed land surveyor and/or professional engineer, the boundaries of the subdivision and its general location in relation to existing roads or other landmarks and scale, date, true north point, and legend.
 - 2. Road names and lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.
 - 3. Sufficient data acceptable to the [DRB] to determine readily the location, bearing and length of every road line, lot line, boundary line and to reproduce such lines upon the ground. When practicable these should be tied to reference points previously established by a public authority.
 - 4. The length of all straight lines, the deflection angles, radii, length of curves, tangent distances and bearings for each road.
 - 5. By proper designation on such Plat, all public open space for which offers of dedication are made by the subdivider and those spaces title to which is reserved by the subdivider.
 - 6. Lots within the subdivision numbered in numerical order within blocks, and blocks lettered in alphabetical order.
 - 7. The location of all of the improvements...and in addition thereto the location of all utility poles, sewage disposal systems, and rough grading and other devices and methods of draining the area within the subdivision.
 - 8. The location and results of all percolation tests for each lot of the subdivision, the location of all proposed sanitary sewage systems, and a statement that all such systems will be designed and constructed in conformance with the Sewage Ordinance for the Town of Underhill, as well as to applicable state regulations and standards.
 - 9. The location of all existing and proposed sources of potable water, along with evidence that such will not be contaminated by the proposed sewage systems.

10. Monuments – Reinforced concrete monuments of 3,000 p.s.i. concrete containing four (4) number three reinforcing rods set one (1) in each corner. The monuments shall be four (4) inches square at the top, and three (3) feet long or any approved equal. Monuments shall be set at all R.O.W. intersections, and at all points of curvance (P.C.), points of tangency (P.T.), on both sides of the right-of-way and any other critical points in the road lines as will enable a land surveyor to correctly stake out any lot in the subdivision. In addition, monuments will be set on all corners of the boundary. Each monument shall have identification on the top, so that the marked center shall be the point of reference. The tops of such monuments shall project above the surrounding ground surface at least four (4) inches. The monuments shall be set in place after all other road improvements are completed.

11. There shall be submitted to the [DRB] with the final plat the following supporting documents:

- a. A certificate from an engineer or other consultant approved by the Town as to the satisfactory completion of all improvements required by the [DRB], or, in lieu thereof, a performance bond to secure completion of such improvements and their maintenance for a period of two years, with a certificate from the Board of Selectmen that it is satisfied either with the bonding or surety company, or with security furnished by the subdivider.
- b. The subdivider shall provide letters from the Chittenden East School District Superintendent and the Underhill-Jericho Fire Department, addressing the impact of the proposed subdivision...
- c. For lots less than 10 acres in size, the applicant must provide a subdivision permit from the Vermont Agency of Environmental Conservation, Department of Water Resources.
- d. The subdivider shall provide written acknowledgement from the Selectmen that all plans for road construction have been reviewed by the Selectmen and are in compliance with the road policy for the Town of Underhill.
- e. Any other documents required by the [DRB] as a result of preliminary plat approval.

G. Planning Standards, "Evaluation Considerations"

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.
- H. Section III (R) of the 2003 Underhill Zoning Regulations applies to this application. This section states: In accordance with the provisions of 24 VSA, Planned Residential Development may be permitted. The purpose is to enable and encourage flexibility of design and development of land based on the unique characteristics of a particular site. The advantage to the community is that the goal of promoting the most appropriate use of land consistent with the Underhill Town Plan and the Underhill Capital plan can better be met. It will help to preserve and maintain agricultural and forest land, wetlands or scenic views and to facilitate the adequate and the economical provision of roads and utility. Accordingly, the [DRB] may modify the area and dimensional requirements of the applicable zoning regulations simultaneously with the approval of a

subdivision plat. Planned Residential Development proposals will be reviewed as subdivisions under the Underhill Subdivision Regulations.

1. Application requirements – An application for a planned residential development approval shall include a site plan showing the location, height and spacing of buildings, open spaces and their landscaping, roads, driveways and off-road parking, and all other physical features of the proposed design. In addition, the application shall be accompanied by a statement setting forth the nature of all proposed modifications, changes or supplementation of the area and dimensional requirements of the existing zoning regulations.
2. Design standards – All planned residential development proposals shall be evaluated according to the following standards:
 - a. The permitted number of dwellings shall in no case exceed the number which would be permitted, in the [DRB]’s judgment, if the land were subdivided into lots in conformance with the zoning regulations applicable to the designated district. One-family, two-family, three-family or four-family construction may be permitted in the area serviced by the Underhill Jericho water district and located in the residential district at the discretion of the [DRB], while one family construction is permitted in the other districts.
 - b. The proposed Planned Residential Development must be an effective and unified treatment of the development possibilities on the project site, and the proposed development plan must make appropriate provisions for the preservation of streams and streambanks, steep slopes, wet areas, soils unsuitable for development, forested areas and unique natural and man-made features.
 - c. The proposed Planned Residential Development must be consistent with the Town’s Comprehensive Plan and all applicable by-laws.
 - d. The proposed Planned Residential Development must be consistent with all of the evaluation standards set forth in the Town’s Subdivision Regulations.
 - e. The proposed Planned Residential Development must provide for the preservation of open space.
 - f. Undeveloped land will be in a location or locations, size and shape approved by the [DRB], and will be protected by appropriate legal devices to insure the continued use of such lands for the purposes of agriculture, forestry, recreation, park or conservation. Such mechanisms may include, but will not be limited to, dedication of restrictive covenants or other appropriate grants or restrictions approved by the [DRB] after consultation with the Town Attorney.
 - g. The proposed Residential Development will provide for safe and efficient pedestrian and vehicular circulation, parking and service areas.

- h. The proposed Planned Residential Development will safeguard the value and appropriate use of adjacent properties.
 - i. The proposed Planned Residential Development will include access from existing public highways and will not cause undue congestion or interference with normal traffic flow.
 - j. The applicant must submit to the legislative body a complete list of all waivers from the Zoning and Subdivision Regulations for review and comment before a final plat approval is granted. Waivers shall include any modifications to the requirements of any by-law, regulation or town policy, excluding modifications made to lot area or dimensional requirements.
 - k. All lots created under these rules may not be subdivided further in the future. This restriction will be attached to the deed and filed in the town records.
- I. The Upgrade of Driveway or Road section of the 2002 Underhill Road Policy applies to this application. The relevant portion states: "When a driveway or existing road is extended to accommodate a second or third dwelling on a lot formed after 2002, the shared traveled way must be constructed or upgraded to the standards of this Road Policy."
- J. The following waivers have been requested:
- 1. Lot 3
 - a. Front setback – 25 feet from building envelope to front lot line (required – 75' setback, 50' setback requested).
 - b. Rear setback – 20 feet from building envelope to rear lot line (required – 50' setback, 30' setback shown).
 - 2. A waiver of the bonding requirement in Section II(F)(11)(a) above.
 - 3. The waiver requests for Lot 3 were amended at the final hearing. The new requests are for 35' from the building envelope to the right-of-way and 10' from the building envelope to the rear lot line. The building envelope is proposed to be 40' from both the right-of-way and the rear lot line. The Board considers the front yard to be the northern side of the property along the right-of-way to the adjacent yard, and considers the shared lot line with BE049 as the rear lot line.

III. CONCLUSIONS

Applicable Regulation Standards

Application Submission Requirements, "Final Plat for Subdivisions" [as noted above in Section II (F)] – The Board finds that the application fulfills requirements (3) through (9).

- A. Requirement #1 - The Board finds that the application does not include the new parcel codes (see Section IV).
- B. Requirement #2 – The Board finds that a proposed name for the private road is not on the plans. The Board recognizes that the Selectboard has approved the name Acer Ridge (see Section IV).
- C. Requirement #10 – The Board finds that the requirement for reinforced concrete monuments is out of date. The Board accepts the proposal for iron pins as presented on the survey.
- D. Requirement #1, bonding – The Board finds that a waiver of this requirement has been requested. Recommendations for approval will be submitted to the Selectboard.
- E. Requirement #2, letters – The Board finds that letters from Chittenden East Supervisory Union and the Underhill-Jericho Fire Department have been received and indicate their ability to provide services for the subdivision.
- F. Requirement #3, ANR permit – The Board finds that state permitting requirements with regard to subdivisions have changed since 2002.
- G. Requirement #4, Selectboard road approval – The Board finds that this will occur after their decision has been issued. Recommendations for approval will be submitted to the Selectboard.
- H. Requirement #5, other – See Section IV.

Planning Standards, "Evaluation Considerations"

The Applicant's consultant provided Findings of Fact in response to the Evaluation Considerations. The Board accepts these responses and makes supplemental findings where applicable.

- A. Consideration #5 – The Board finds that where the application does not meet minimum standards in the zoning regulations, waivers have been requested under the Planned Residential Development regulations [see Section II(J) and Section IV].
- B. Consideration #8 – The Board finds that a conventional subdivision concept was submitted for density calculation purposes. The Board finds that the site is suitable for the proposed density.

Section III (R), "Planned Residential Development" – Final Conclusions

- A. Application requirements – The Board finds that the application includes a site plan showing the location, spacing of buildings, open spaces, the location of the proposed private road, and driveway locations. The Board finds that a list of waiver requests has also been submitted [see Section II(J) and Section IV].
- B. Design standards – The Board makes the following findings:
 - 1. The permitted number of dwellings does not exceed the number which would be permitted, in the Board's judgment, if the land were subdivided into lots in conformance with the zoning regulations applicable to the Water Conservation zoning district.

2. The proposed Planned Residential Development, as discussed at the final hearing, is an effective and unified treatment of the development possibilities on the project site. There are no streams, wetlands, flood hazard areas, forested areas, or steep slopes on the property to be developed.
3. The proposed Planned Residential Development's is consistent with the goals of the 2010 Town Plan. Where the plan deviates from the minimum requirements in the zoning regulations, waivers have been requested [see Section II(J) and Section IV].
4. The proposed Planned Residential Development's is consistent with the applicable evaluation standards set forth in the Town's Subdivision Regulations.
5. The proposed Planned Residential Development provides for the preservation of open space. An additional 1.3 acres of open space (a total of ±5.3 acres) was added to Lot 1 between the preliminary and final hearings.
6. The proposed shapes and locations of the open space on Lot 1 are sensible treatments of the land. A sample Warranty Deed has been submitted which prohibits development of the open space areas identified on the plat.
7. The proposed Residential Development provides for safe and efficient pedestrian and vehicular circulation.
8. The proposed Planned Residential Development will safeguard the value and appropriate use of adjacent properties. Testimony was provided at the hearing by Mr. Fetters which indicates his acceptance of the proposed Lot 3 building envelope setback to the shared lot line with his property.
9. The proposed Planned Residential Development will utilize an existing curb cut access on Beartown Road and will not cause undue congestion or interference with normal traffic flow as two additional single-family house sites are proposed. The revised location for the curb cut on the Lewis lot appears to have better sight distances than the previously-approved curb cut location.
10. Waiver requests have been submitted [see Sections II(J) and Section IV].
11. This requirement will be a condition of final approval for the development.

Underhill Road Policy, "Upgrade of Driveway or Road"

- A. The Board finds that the designs for the private road and driveways were submitted with the final hearing application package. The Board recognizes that approval of roads and driveways are the jurisdiction of the Selectboard, and recommendations for their approval will be submitted to the Selectboard.

IV. DECISION AND CONDITIONS

Based upon the findings above, and subject to the conditions below, the Development Review Board grants approval for the 3-lot Planned Residential Development and Boundary Line Adjustment as presented at the final hearing.

- A. Per the Underhill Subdivision Regulations, final approval of the subdivision is granted upon filing of the final subdivision plat in the Underhill Land Records. No transfer or sale of property may occur prior to recording the final plat and all applicable permits in the Town of Underhill Land Records.
- B. All parcel codes and the private road name (Acer Ridge) shall appear on the final Mylars.
- C. The following waivers are approved:
 - 1. Lot 3 – 10 feet for the building envelope to the rear lot line (shared line with BE049). The approved setback is 40 feet.
 - 2. Lot 3 – 35 feet for the building envelope to the right-of-way. The approved setback is 40 feet.
- D. No lot in this subdivision shall be further subdivided. This language shall appear in any deed to the lots in this subdivision.
- E. The Road Maintenance Agreement shall be recorded in the Land Records. A reference to this agreement shall appear in the deeds to all lots.
- F. All required State and local permits shall be recorded in the Land Records.
- G. All building envelopes and septic areas shall be staked out by the surveyor/engineer prior to any construction, and off-set stakes shall be held in place until completion of construction.
- H. A copy of the engineer's letter to the State certifying that the septic systems for Lots 2 and 3 have been installed per the approved plans shall be filed with the Zoning Administrator prior to issuance of a building permit. The certification letter shall be recorded in the Land Records.
- I. Prior to recording the final Mylars, the applicant shall submit a copy of the plat and Sheet 1 in digital format. The format of the digital information shall require approval of the Zoning Administrator.
- J. All lots shall have their 911 codes posted prior to issuance of any building permit (Lot 1: AR003, Lot 2: AR005, Lot 3: AR004). The lot at 39 Beartown Road will become 6 Acer Ridge (AR006). The apartment at 39 Beartown Road will have an address of 8 Acer Ridget (AR008). The Lewis lot will become 31 Beartown Road (BE031).
- K. All subdivision fees shall be paid in full to the Zoning Administrator prior to filing of the final plat.

- L. Applicant shall obtain approval of the road and driveway design, underground utilities, and waiver request for the bonding requirement from the Selectboard prior to filing the final plat.

The Board also approved the recommendation to the Selectboard for approval of the road and driveway design, the underground utilities, and the waiver request of the bonding requirement with the following standard condition:

Upon completion of construction of the road, the designer/engineer must certify by letter to the Zoning Administrator that the road has been constructed as designed (per B-71 Standards and the Underhill Road Policy).

Dated at Underhill, Vermont this 1st day of May, 2012.



Charles Van Winkle, Chairperson, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environmental Division of Superior 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 24 V.S.A. §4471. Appeal period ends 31 May 2012.



Town of Underhill Development Review Board Final Findings and Decision

SUBDIVISION AMENDMENT REVIEW AND CONDITIONAL USE REVIEW APPLICATION OF MICHAEL & ELIZA KRAMER; PETE CZAJA TO AMEND A PREVIOUSLY APPROVED PLANNED RESIDENTIAL DEVELOPMENT TO ALLOW FOR THE CONSTRUCTION OF A DETACHED ACCESSORY DWELLING

In re: Michael & Eliza Kramer; Pete Czaja
3 Acer Ridge (AR003)
Underhill, VT 05489

Docket No. DRB-17-13

Decision: Approved with conditions (see Section V – Decisions and Conditions of Approval)

I. INTRODUCTION AND PROCEDURAL HISTORY

This proceeding concerns a joint subdivision amendment review and a conditional use review application submitted by Michael & Eliza Kramer; Pete Czaja regarding an amendment to a previously approved planned residential development to allow for the construction of a detached accessory dwelling on land the Kramer's own located at 3 Acer Ridge in Underhill, Vermont. Since the detached accessory dwelling requires the construction of an accessory structure, a conditional use permit is required per Section 4.2.B.1 of the Underhill Unified Land Use & Development Regulations (ULUDR).

- A. On August 25, 2017, Pete Czaja and Michael & Eliza Kramer filed a joint application for a subdivision amendment review and conditional use review for the abovementioned project. Shortly thereafter, Planning Director & Zoning Administrator, Andrew Strniste, received the application and determined that it was complete. A site visit was scheduled for 6:00 PM on September 18, 2017, at 3 Acer Ridge, and a hearing date was scheduled for 6:35 PM at Underhill Town Hall on September 18, 2017.
- B. On August 31, 2017, a copy of the notice of the joint subdivision amendment review and conditional use review hearing was mailed via certified mail to the following property owners adjoining the property subject to the application:
 - A. AR004 – Suzanne K. Kusserow Trustee, P.O. Box 125, Underhill Center, VT 05490
 - B. AR005 – John B. & Colleen A. Gay, 5 Acer Ridge, Underhill, VT 05489
 - C. AR008 – Adrie S. Kusserow & Robert J. Lair, 8 Acer Ridge, Underhill, VT 05489
 - D. BE013 – Bridget Scheffert Nease, 13 Beartown Road, Underhill, VT 05489
 - E. BE020 – Walter E. & Marie A. Tedford Trustees, P.O. Box 26, Underhill Center, VT 05490
 - F. BE031 – Christopher M. & Christine N. Dillon, 31 Beartown Road, Underhill, VT 05489
 - G. BE046 – Roland A. & Rachel T. Burroughs, P.O. Box 84, Underhill Center, VT 05490
 - H. BE049 – Thomas P. Feters, 49 Beartown Road, Underhill, VT 05489
 - I. PV020 – Michael K. & Emily E. Diffenderffer, 20 Pleasant Valley Road, Underhill, VT 05489

- J. ST028 – Stephen G. Shuma, 28 Stevensville Road, Underhill, VT 05489
 - K. Applicant: Michael F. & Eliza R. Kramer, 3 Acer Ridge, Underhill, VT 05489
 - L. Consultant: Pete Czaja, 86 Deane Road, Underhill, VT 05489
- C. During the week of August 27, 2017, notice of the public hearing for the Kramer Subdivision Amendment & Conditional Use Review application was posted at the following places:
- A. The Underhill Town Clerk's office;
 - B. The Underhill Center Post Office; and
 - C. The Underhill Flats Post Office.
- D. On Saturday, September 2, 2017, the notice of public hearing was published in the *Burlington Free Press*.
- E. The site visit commenced at 6:00 pm on September 18, 2017 at 3 Acer Ridge, Underhill, Vermont.
- F. Present at the site visit were the following members of the Development Review Board, and members of the public:
- A. Board Member, Charles Van Winkle, Chairperson
 - B. Board Member, Matt Chapek
 - C. Board Member, Daniel Lee
 - D. Board Member, Karen McKnight
 - E. Board Member, Penny Miller
 - F. Board Member, Stacey Turkos

Also in attendance was Staff Member, Andrew Strniste, Planning Director & Zoning Administrator.

Others present at the site visit were:

- G. Consultant, Pete Czaja
 - H. Applicant, Michael Kramer
 - I. Abutting Neighbor, Suzanne Kusserow
 - J. Abutting Neighbor, Thomas Fetters
- G. The joint subdivision amendment review and conditional use review hearing commenced at 6:35 pm on September 18, 2017 at the Town of Underhill Town Hall.
- H. Present at the final subdivision review and conditional use review hearing were the following members of the Development Review Board:
- A. Board Member, Charles Van Winkle, Chairperson
 - B. Board Member, Matt Chapek
 - C. Board Member, Daniel Lee
 - D. Board Member, Karen McKnight
 - E. Board Member, Penny Miller
 - F. Board Member, Stacey Turkos

Also in attendance was Staff Member, Andrew Strniste, Planning Director & Zoning Administrator.

Others present at the hearing were:

1. Suzanne Kusserow, Abutting Neighbor (4 Acer Ridge, Underhill, VT 05489)
 2. Michael Kramer, Applicant (3 Acer Ridge, Underhill, VT 05489)
 3. Pete Czaja, Consultant/Applicant (86 Deane Road, Underhill, VT 05489)
- I. At the outset of the hearing, Chair 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:
1. Suzanne Kusserow
 2. Michael Kramer
 3. Pete Czaja
- J. In support of the joint subdivision amendment review and conditional use review application, and as part of the staff report, the following exhibits were submitted to the Development Review Board:

Exhibit A – AR003 Kramer Staff Report - Subdivision Amendment Review
Exhibit B – AR003 Rules of Procedure - Subdivision Amendment & Conditional Use Review
Exhibit C – Subdivision Amendment Application Form
Exhibit D - Conditional Use Hearing Request Form
Exhibit E - Site Plan Hearing Request Form
Exhibit F - Conditional Use Review Standards Checklist
Exhibit G - Site Plan Review Standards Checklist
Exhibit H – Certificate of Service
Exhibit I - Floor Area of Existing Single-Family Dwelling
Exhibit J - DRB-10-17 Findings & Decision
Exhibit K - DRB-10-17 Subdivision Plat
Exhibit L - DRB-10-17 Site Plan
Exhibit M - Proposed Site Plan
Exhibit N - Water & Wastewater Details
Exhibit O - ANR Source Protection Areas Map
Exhibit P - ANR Slopes Map

No exhibits were submitted prior to the start of the hearing.

The following exhibits were submitted during the hearing:

Exhibit Q – Proposed Building Floor Plan & Preliminary Elevations

All exhibits are available for public review in the AR003 Subdivision Amendment Review & Conditional Use Review file (DRB 17-13) at the Underhill Zoning & Planning office.

II. FINDINGS

The Minutes of September 18, 2017 meeting, written by Andrew Strniste, are incorporated by reference into this decision. Please refer to the Minutes for a summary of the testimony.

Based on the submitted application, testimony, exhibits, and evidence, the Development Review Board makes the following findings under the requirements of the Underhill Unified Land Use and Development Regulations (ULUDR):

FACTUAL FINDINGS

The applicants, Michael & Eliza Kramer, record owner of the property located at 3 Acer Ridge in Underhill, Vermont, and Pete Czaja, are seeking a subdivision amendment and conditional use review permit to amend a previously approved planned residential development to allow for the construction of a detached accessory dwelling. Since the detached accessory dwelling requires the construction of an accessory structure, a conditional use permit is required per Section 4.2.B.1 of the Underhill Unified Land Use & Development Regulations (ULUDR).

The property is located in the Water Conservation zoning districts as defined in Article II, Table 2.4 of the 2014 Underhill Unified Land Use & Development Regulations.

ARTICLE II – ZONING DISTRICTS

A. ARTICLE II, TABLE 2.4 – WATER CONSERVATION DISTRICT

The Board finds that the proposed development and subdivision amendment is consistent with the purpose of the Water Conservation District.

ARTICLE III – GENERAL REGULATIONS

A. SECTION 3.2 – ACCESS

The Board finds that 3 Acer Ridge was originally permitted under Access Permit #: A-12-03, which was approved by the Selectboard in February 2012. The applicants shall apply for an Access Permit for the detached accessory dwelling driveway.

B. SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS

The Board finds that 3 Acer Ridge was reviewed as part of the DRB-10-17 application, and thus, the lot, yard & setback requirements were reviewed and explicitly approved. The lot was part of a planned residential development, which set aside 5.3 Acres as open space. The proposed detached accessory dwelling is located outside of the designated open space areas and meets the setback requirements of the Water Conservation District.

C. SECTION 3.13 – PARKING, LOADING & SERVICE AREAS

The Board finds that the applicants have identified a carport to accommodate the additional parking space as required under Table 3.1 & Section 4.2.A.5.

D. SECTION 3.17 – SOURCE PROTECTION AREAS

The Board finds that the obtainment of a Wastewater System and Potable Water Supply Permit implicitly confirms that the proposed development will not adversely affect the groundwater source protection area.

E. SECTION 3.18 – STEEP SLOPES

The Board finds that the existing lot contains areas of steep slopes (15-25%) and very steep slopes (>25%); however, the proposed development is generally located on areas of non-steep slopes, and therefore, there will be a *de minimis* impact on the areas of steep slopes.

F. SECTION 3.19 – SURFACE WATERS & WETLANDS

The Board finds that no surface waters or wetlands were identified on the property, and therefore, review under this Section is not required.

G. SECTION 3.22 – WATER SUPPLY & WASTEWATER SYSTEMS

The Board finds that the applicants are required to submit a copy of the Wastewater System & Potable Water Supply Permit prior to the issuance of a Certificate of Occupancy as required per Section 10.4.A.2.b. A finalized Wastewater System & Potable Water Supply Permit will validate the presumption that the wastewater system will not pollute or contaminate the soils, surface waters, or groundwater in the project’s vicinity. The applicants have proposed a separate drilled well and separate wastewater system for the detached accessory dwelling, which are to be located in close proximity to the structure, along the shared driveway.

ARTICLE IV – SPECIFIC USE STANDARDS

A. SECTION 4.2 – ACCESSORY DWELLING

The Board finds that the construction of a new structure to accommodate an accessory dwelling (i.e. a detached accessory dwelling) requires both subdivision amendment approval and conditional use approval. Since the structure was not identified during the original planned residential development application (DRB-10-17), a subdivision amendment is required. In addition, Section 4.2.B.1 requires conditional use review when the construction of a new accessory structure is required to accommodate the accessory dwelling.

The Board finds that the proposed detached accessory dwelling meets the requirements of Section 4.2, specifically:

- Only one accessory dwelling is proposed;
- The accessory dwelling will be located in an accessory structure;
- The accessory dwelling will not exceed 50% of the existing total habitable floor area of the single family dwelling, excluding unfinished attics and basements:

Primary Dwelling Living Space (According to Listers Card): 3,094 sq. ft.

Accessory Dwelling Living Space (According to Application): 940 sq. ft.

$$940 \text{ sq. ft.} / 3,094 \text{ sq. ft.} = .3038 \times 100 = 30.4\%$$

- The accessory dwelling will meet the setbacks, building coverage, and lot coverage requirements of the Water Conservation District;
- The applicants are in the process of obtaining the water/wastewater permits for the detached accessory building;
- A shared driveway access will be utilized
- One additional onsite parking space has been provided.

ARTICLE V – DEVELOPMENT REVIEW

A. SECTION 5.1 – APPLICABILITY

Staff finds that conditional use review is required per Sections 4.2.B.1.

B. SECTION 5.3 – SITE PLAN REVIEW

SECTION 5.3.A – PURPOSE

The Board finds site plan review is required as part of conditional use review per Section 5.4.C.

SECTION 5.3.B – STANDARDS

The Board finds the following regarding each subsection:

Section 5.3.B.1 – Existing Site Features: The Board finds that the applicants have submitted a site plan illustrating that the proposed development will not have an undue adverse impact on natural, historic and scenic resources that are listed in Subsection 5.3.B.1.a.

Section 5.3.B.2 – Site Layout & Design: The Board finds that the site design and layout reinforces the traditional, compact village settlement pattern of the Water Conservation District as described in Section 5.3.B.2.b. In addition, the site design reinforces the rural character and traditional working landscape of the district, as well as minimize encroachments to open fields and prominent ridgelines or hilltops. The building is also oriented and designed in a manner that is compatible with the residential character and scale of adjoining development.

Section 5.3.B.3 – Vehicle Access: The Board finds that the detached accessory dwelling will be served by a shared driveway that currently serves 3 Acer Ridge (AR003) and 5 Acer Ridge (AR005). The applicants shall obtain an access permit from the Selectboard per Section 3.B(iii) of the Underhill Road Ordinance.

Section 5.3.B.4 – Parking, Loading & Service Areas: The Board finds that the applicants are proposing on-site parking for the detached accessory dwelling – a carport, which satisfies the parking requirements under Sections 3.13 and 4.2.A.5.

Section 5.3.B.5 – Site Circulation: The Board finds that the proposed development and driveway will provide site circulation that is consistent with a single-family dwelling.

Section 5.3.B.6 – Landscaping and Screening: The Board finds that the applicants are proposing a design that is consistent with other residential lots along Beartown Road.

Section 5.3.B.7 – Outdoor Lighting: The Board finds that the applicants are proposing modest, outdoor lighting, which is consistent with other residential lots along Beartown Road. Any exterior residential lighting that is installed shall conform to the General Standards outlined in section 3.11 B of the UULUDR.

Section 5.3.B.8 – Stormwater Management and Erosion Control: The Board finds that the applicants shall utilize the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control during the construction of the detached accessory dwelling.

C. SECTION 5.4 – CONDITIONAL USE REVIEW

SECTION 5.4.A – PURPOSE

The Board finds that Conditional Use Review is required per Sections 4.2.B.1.

SECTION 5.4.B – GENERAL STANDARDS

The Board finds that the proposed development will not result in an undue adverse effect on any of the following subsections:

Section 5.4.B.1 – The Capacity of Existing or Planned Community Services or Facilities: The Board finds that the detached accessory dwelling will result in little to no impact on community services and facilities. The Board notes that the applicants are in the process of obtaining a Wastewater System and Potable Water Supply Permit.

Section 5.4.B.2 – The Character of the Area Affected: The Board finds that the proposed detached accessory dwelling will be consistent with the Town Plan.

Section 5.4.B.3 – Traffic on Roads and Highways in the Vicinity: The Board finds that the proposed detached accessory dwelling will result in minimal impact on the road network, if any.

Section 5.4.B.4 – Bylaws in Effect: The Board makes no finding regarding this subsection.

Section 5.4.B.5 – The Utilization of Renewable Energy Resources: The Board makes no finding regarding this subsection.

SECTION 5.4.C – SITE PLAN REVIEW STANDARDS

The Board finds that site plan review is required per this section. Analysis can be found directly above under Section 5.3 – Site Plan Review.

SECTION 5.4.D – SPECIFIC STANDARDS

The Board has not identified any conditions that need to be imposed to reduce or mitigate any identified adverse impacts of the proposed development.

Section 5.4.D.1 – Conformance with the Town Plan: The Board finds that the proposed project complies with the Town Plan.

Section 5.4.D.2 – Zoning District & Use Standards: The Board finds that the proposed project conforms with the use standards and zoning district requirements.

Section 5.4.D.3 – Performance Standards: The Board finds that the proposed project will comply with the performance standards set forth in Section 3.14.

Section 5.4.D.4 – Legal Documentation: The Board finds that the applicants are not required to submit any legal documents as part of this application process.

ARTICLE VI – FLOOD HAZARD AREA REVIEW

The Board finds that there are no Flood Hazard Areas located on the lot, and therefore, review under this Article is not required.

ARTICLE VII – SUBDIVISION REVIEW

A. SECTION 7.8 – REVISIONS TO AN APPROVED SUBDIVISION

The Board finds that the Zoning Administrator has not been granted the authority to issue an administrative amendment to amend the planned residential development to allow for the construction of an accessory dwelling, as a modification to a planned residential development must be made by the Board unless explicitly stated under Section 10.7.F.5. The Underhill Unified Land Use & Development Regulations does not specifically require that the applicants record an updated Mylar showing the revised subdivision plat, although it may be implied under Section 7.7. The Board finds that the applicant is not required to record another Mylar as

a result of this decision. Therefore, although the recorded site plan (recorded as Map Slide 278B) was to depict all existing and future building footprints/envelopes, this decision effectively supersedes the original site plan to update and add the depiction of the detached accessory dwelling building envelope only.

ARTICLE VIII – SUBDIVISION STANDARDS

A. SECTION 8.2 – GENERAL STANDARDS

SECTION 8.2.G – BUILDING ENVELOPE

The Board finds that no building envelope for 3 Acer Ridge (Lot 1) was depicted during the original subdivision application (see DRB-10-17), and therefore, the current building envelope is least restrictive as permitted per the Regulations in effect at the time of a proposed project. The Board clarifies that this least restrictive building envelope is for the principal dwelling and any associated accessory structures only. The Board accepts and approves the building envelope for the detached accessory dwelling as presented at the hearing (Plan Sheet S1; Titled: Site Plan, Proposed Accessory Dwelling; Dated 08/23/2017). The Board notes that any associated accessory or ancillary structures for the detached accessory dwelling will have to be within that detached accessory dwelling building envelope.

ARTICLE IX – PLANNED UNIT DEVELOPMENT

The Board finds that analysis under Article IX is required as a result of the applicants proposing an amendment to an already approved (DRB Decision #: DRB-10-17) planned residential development.

A. SECTION 9.2 – APPLICABILITY

The Board finds that planned residential developments are permitted in all zoning districts.

B. SECTION 9.3 – APPLICATION REQUIREMENTS

SECTION 9.3.A.1 – UNTITLED

The Board finds that the applicants have submitted a survey plat as part of their original Planned Residential Development application (DRB Decision #: DRB-10-17), and are not proposing any modifications to the original survey plat.

SECTION 9.3.A.2 – UNTITLED

The Board finds that a master plan is not required.

SECTION 9.3.A.3 – UNTITLED

The Board finds that the applicants satisfied this requirement (pertaining to explicitly requesting modification changes or supplementations to the zoning provisions) during the original application process.

SECTION 9.3.A.4 – UNTITLED

The Board finds that the applicants submitted a proposed site plan, preliminary elevations and floor plan for the single-story, 940sf Accessory Dwelling, which satisfies the requirement of this section. The Board makes no findings on the submitted building design and gives the Zoning Administrator the authority to review the elevations and floor plan as part of the building permit process.

SECTION 9.3.A.5 – UNTITLED

The Board finds that the applicants have satisfied the density requirements, as the lot was approved as part of original planned residential development application (DRB Decision #: DRB-10-17). The Board notes that the addition of the detached accessory dwelling is not increasing density per Table 2.4 and Section 3.7 since the dwelling is accessory and not contained to its own lot.

SECTION 9.3.A.6 – UNTITLED

The Board finds that the management plans for the designated open space area were approved as part of the original planned residential development application (DRB Decision #: DRB-10-17).

SECTION 9.3.A.7 – UNTITLED

The Board finds that this subsection does not apply.

SECTION 9.3.A.8 – UNTITLED

The Board finds that this subsection does not apply.

C. SECTION 9.4 – REVIEW PROCESS

SECTION 9.4.A.1 – UNTITLED

The Board has specifically identified the approved modifications and other conditions of approval in this approval and its previous findings & decision (see DRB Decision #: DRB-10-17). The condition of its previous findings & decision (DRB Decision #: DRB-10-17) remain in effect, unless explicitly amended as part of this decision.

SECTION 9.4.A.2 – UNTITLED

The Board finds that the management plans for the designated open space area were approved as part of the original planned residential development application (DRB Decision #: DRB-10-17).

SECTION 9.4.A.3 – UNTITLED

The Board finds that this subsection does not apply

SECTION 9.4.A.4 – UNTITLED

The Board finds that this subsection does not apply.

D. SECTION 9.5 – GENERAL STANDARDS

SECTION 9.5.A – UNTITLED

The Board finds that the amendment to the planned residential development is consistent with the goals and policies of the Underhill Town Plan currently in effect, as well as the purpose of the Water Conservation zoning district.

SECTION 9.5.B – ALLOWED USES

The Board finds that the proposed planned residential development is an allowed use under this subsection, and is only being used for residential purposes.

SECTION 9.5.C – DENSITY CALCULATIONS

The Board finds that the applicants' proposed amendment is consistent with the density

requirements of the Water Conservation District.

SECTION 9.6 – DENSITY BONUSES

The Board finds that this section does not apply.

III. CONCLUSION

The Board is satisfied with the level of investigation, engineering and evaluation conducted in the application submittal and review process concerning the abovementioned project. The Board thoroughly reviewed all aspects of the proposal under the evaluation criteria in the ULUDR.

The Board concludes that based on the evidence submitted and the above findings, the proposed subdivision/development generally conforms to the Underhill Unified Land Use & Development Regulations.

IV. WAIVERS, MODIFICATIONS & SUPPLEMENTATIONS

The Board grants the following waivers/modifications:

1. Per Section 10.7.F.5, the Development Review Board may authorize administrative review by the Zoning Administrator allowing him or her to make subsequent changes or amendments to an approved project as outlined in the above referenced Section. Applicants are typically required to amend their Planned Residential Development (as part of a Subdivision Amendment Review application) or Site Plan (as part of a Conditional Use/Site Plan Review application) if they wish to construct subsequent structures not identified on the site plan. However, the Board waives this requirement in part, as the applicants are not required to amend the subdivision plans for the construction of any out buildings, ancillary buildings, or accessory buildings associated with the detached accessory dwelling, which are to be located within the detached access dwelling's building envelope. Therefore, building permits for these ancillary-type buildings can be administratively reviewed and approved. However, the abovementioned structures must conform to the Regulations in effect at the time of the proposed project(s).
2. The applicants are not required to come before the Board if they wish to relocate the detached accessory dwelling within the building envelope. The Board recognizes that the identified location of the accessory dwelling on the engineering plans submitted as a part of this application is for illustration purposes only, and may not reflect the final footprint/location of the detached accessory dwelling.
3. The applicants are not required to come before the Board if they wish to relocate the driveway for the detached accessory dwelling. The Board recognizes that the identified location of driveway on the engineering plans submitted as a part of this application is for illustration purposes only and could potentially changes during the access permitting process.

V. DECISIONS AND CONDITIONS OF APPROVAL

Based upon the findings above, and subject to the conditions below, the Development Review Board grants final approval for the subdivision amendment, as well as granting the conditional use permits required for detached accessory dwelling, as presented at the hearing with the following conditions:

1. The Board requires the project to be constructed in accordance with the drawing set submitted as part of the review process, and as amended accordingly to address the changes herein, which is listed as follows
 - a. Plan Sheet S1; Titled: Site Plan, Proposed Accessory Dwelling; Dated 08/23/2017).
2. The Board finds that the applicants will need to apply for an Access Permit for the detached accessory dwelling driveway per Section 3.B (iii) of the Underhill Road Ordinance. Any changes the Selectboard may impose to the currently proposed access way do not require additional Board review.
3. The Board finds that the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control shall be utilized during the construction of the detached accessory dwelling.
4. The Board finds that the applicant is not required to record a Mylar as a result of this decision.
5. The Board finds that building elevations and exterior design specifications shall be submitted to the Zoning Administrator during the building permit process.
6. The Board finds that the applicants are not required to submit any legal documents as part of this application process.
7. Any exterior residential lighting that is installed shall conform to the General Standards outlined in Section 3.11 B of the UULUDR .
8. Prior to the issuance of a Certificate of Occupancy, the applicants shall provide a certification letter from a Vermont Licensed Professional Engineer or Vermont Licensed Designer that the wastewater system and water supply have been constructed according to the approved ANR plan.
9. The E-911 Codes for the dwelling shall be posted per the Underhill-Jericho Fire Department specifications prior to the issuance of a Certificate of Occupancy permit.
10. Notwithstanding the conditions above, prior to issuing a building permit, the applicant shall comply with applicable aspects of the Underhill Land Use and Development Regulations in effect at the time of the application.

Dated at Underhill, Vermont this 5 day of October, 2017.

Charles Van Winkle

Digitally signed by Charles Van Winkle
DN: cn=Charles Van Winkle, o=Northern Reliability,
Inc, ou=Chief Operations Officer,
email=charlievanwinkle@outlook.com, c=US
Date: 2017.10.04 13:29:14 -0400

Charles Van Winkle, Chair, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environment 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 24 V.S.A § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings. Appeal period ends November 4, 2017.

TOWN OF UNDERHILL
P.O. Box 120
Underhill, VT 05489

A18-18

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: A2001

FEES: \$50+ recording fees

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

NAME: <u>PETE CZAJA</u> <i>for: Michael + Eliza Kramer</i>	PROPERTY LOCATION: <u>1 ACER RIDGE</u>
MAILING ADDRESS: <u>86 DEANE RD</u>	ACREAGE: <u>9.9</u>
PHONE: <u>373 5002</u>	E-MAIL: <u>Pczaj@GMAIL.COM</u>
CONSULTANT(S): <u>SAME</u>	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	DATE <u>7-6-2018</u>
---------------------	----------------------

Received by	FOR OFFICE USE ONLY	Date: <u>7/6/2018</u>
Road Foreman Inspection		
Site Visit Date: <u>7/17/18</u>	Road Classification (if applicable): <u>Private</u>	
Speed Limit/Average Running Speed (if applicable):		
Sight Distances:	Left: <u>115</u>	Right: <u>325</u>
Culvert Required?	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes
Size: <u>18" x 30'</u>		
Comments, Restrictions, Conditions:		
To be Reviewed by the Selectboard (Date) <u>July 17, 2018</u>		

ACCESS PERMIT #A18 - 18 CONDITIONS

In regard to the Access Permit application of: Michael & Eliza Kramer for the property at: 3 Acer Ridge, Underhill, VT, submitted: July 7, 2018.

The permit is granted subject to the following conditions:

1. The driveway shall be built as shown on drawing(s) entitled Site Plan Proposed Accessory Dwelling, Dated: August 23, 2017 prepared by Willis Design Associates, Inc. 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. All erosion prevention and sedimentation control practices set out on the drawing referenced above shall be followed.
4. Driveway shall be built according to State Agency of Transportation standard B-71 and all other applicable requirements of the Road Ordinance.
5. Other conditions as identified at Selectboard meeting (if any):

- Brush and lower branches obstructing sight line to Beartown to be removed to enable clear vision to Beartown.

End of Acer Ridge to Kramer Driveway to be built to B 71 standard at 20 feet in width.

For the Underhill Selectboard:

KA Johnson

Date:

7-18-18

- Beartown Rd to end of Acer Ridge (the fork in road) to be built to A076 standard at 20 feet in width

John and Colleen Gay
5 Acer Ridge Road
Underhill, VT 05489

Attention: Underhill Selectboard
Underhill Town Hall
12 Pleasant Valley Road
Underhill VT, 05489

June 1st, 2019

RE: Acer Ridge Driveway Widening at 1 Acer Ridge Road

To whom it may concern,

We, John and Colleen Gay, share the driveway that services 1, 3, and 5 Acer Ridge Road. The Kramers brought to our attention that they are being requested to widen the driveway between the main (first) split in the driveway up to the driveway servicing dwelling #1.

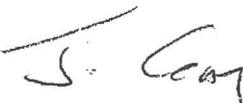
We would like to make our wishes known regarding this request.

- We do not feel that traffic on our driveway is substantial enough to require a passing lane (which we assume is the primary reason for the extra width).
 - In the six years that we've lived in our house, we've only passed each other in the driveway a few times.
- We also feel that adding width to one section of the driveway while maintaining a smaller width for the rest of the driveway would affect the look and feel of the entrance to our home.
- We most certainly do not wish to remove any of the trees that line our driveway. The maple trees on the driveway provide a spectacular entrance to our home and removing any portion of those trees would certainly impact the character of our neighborhood.
- We noticed that the Kramers trimmed trees along the driveway and cleared away brush to provide good visibility around the bend in the driveway. We appreciate this and believe it provides the necessary solution to any safety issues that may arise as a result of having an extra car share the driveway.

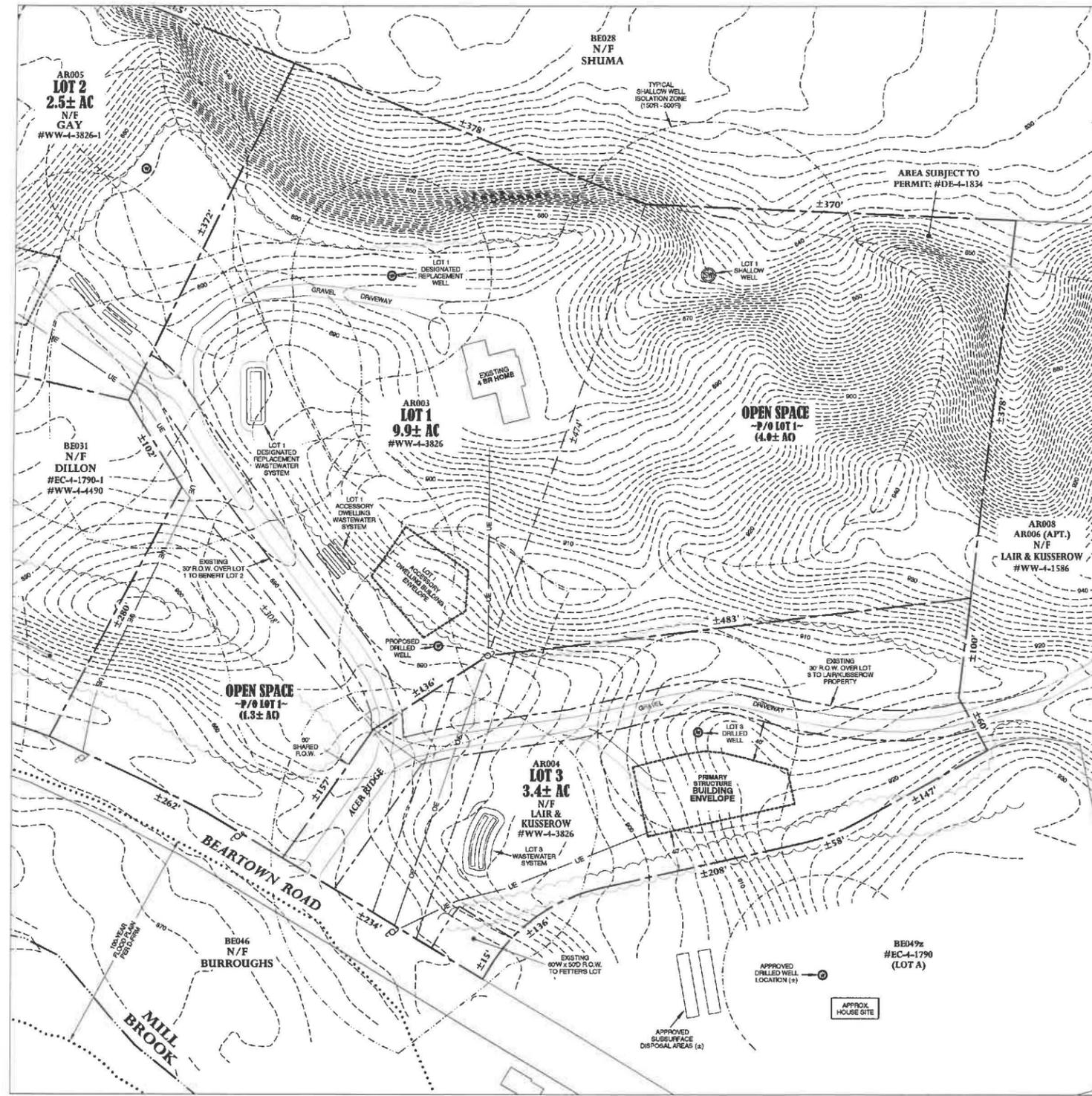
In summary, we are content with keeping the driveway in its current state and feel that any changes to it impact the aesthetic and character of our neighborhood.

Thank you for taking the time to consider our thoughts on the matter.

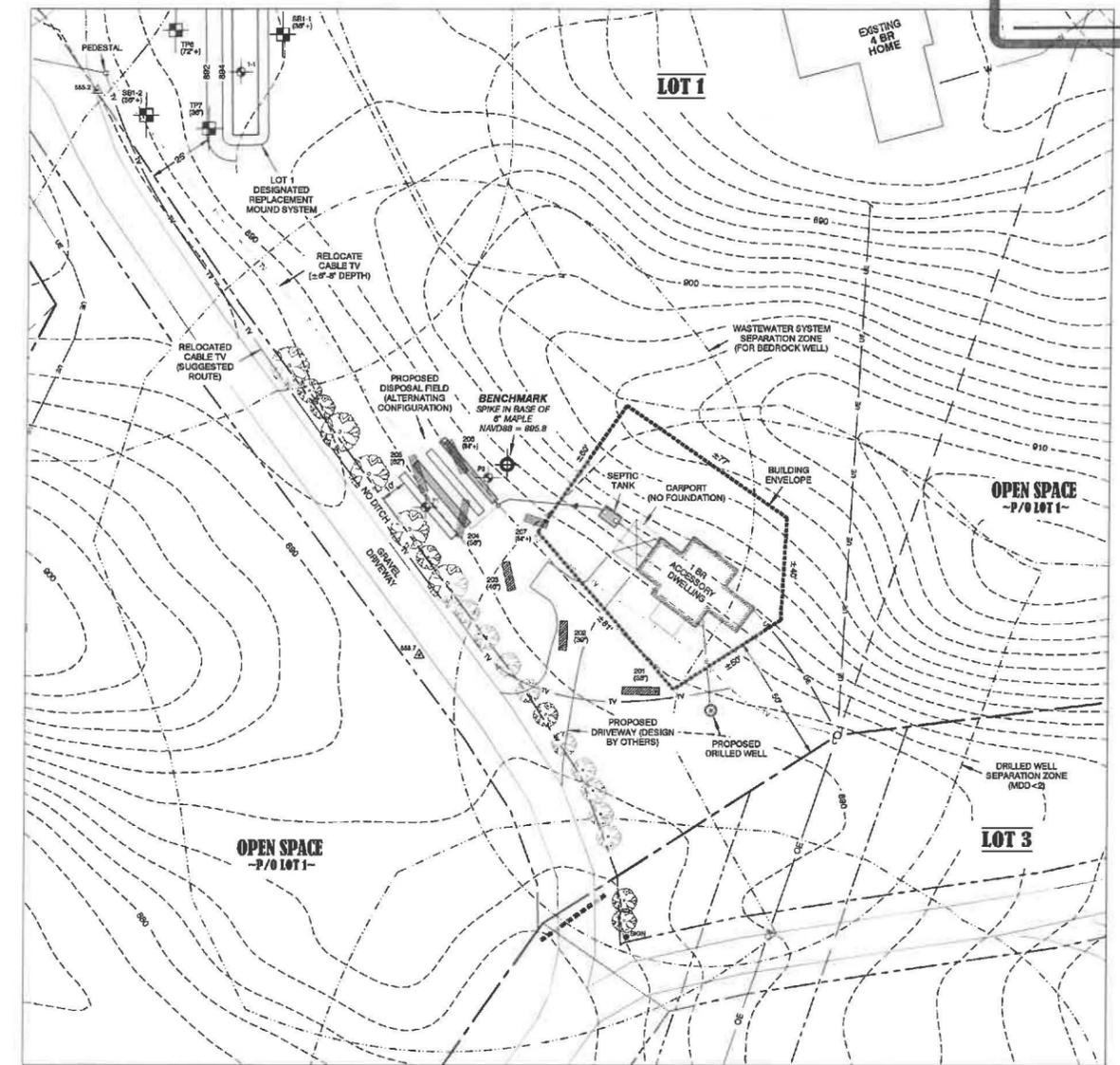
Sincerely,



John and Colleen Gay



OVERALL SITE PLAN
1" = 60'



PARTIAL SITE PLAN
1" = 30'

EROSION PREVENTION AND SEDIMENT CONTROL NOTE
THE OWNER AND EXCAVATION CONTRACTOR SHALL FOLLOW THE VERMONT DEPT. OF ENVIRONMENTAL CONSERVATION "LOW RISK SITE HANDBOOK FOR EROSION PREVENTION AND SEDIMENT CONTROL".

- LOT INFORMATION -
LOT NO. 1
ACREAGE 9.9± AC
RECORDED B. 211, P. 140-142
EXISTING PERMIT #WW-4-3826
PARCEL ID AR003
SPAN 000-208-10019
ZONING DISTRICT WATER CONSERVATION

VERMONT
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Driving Under the Influence & Overweight Protection Division
THIS IS SUBJECT TO PROVISIONS OR CONDITIONS LISTED IN PERMIT
Permit #: WW-4-3826-2
Date: 9/22/2017

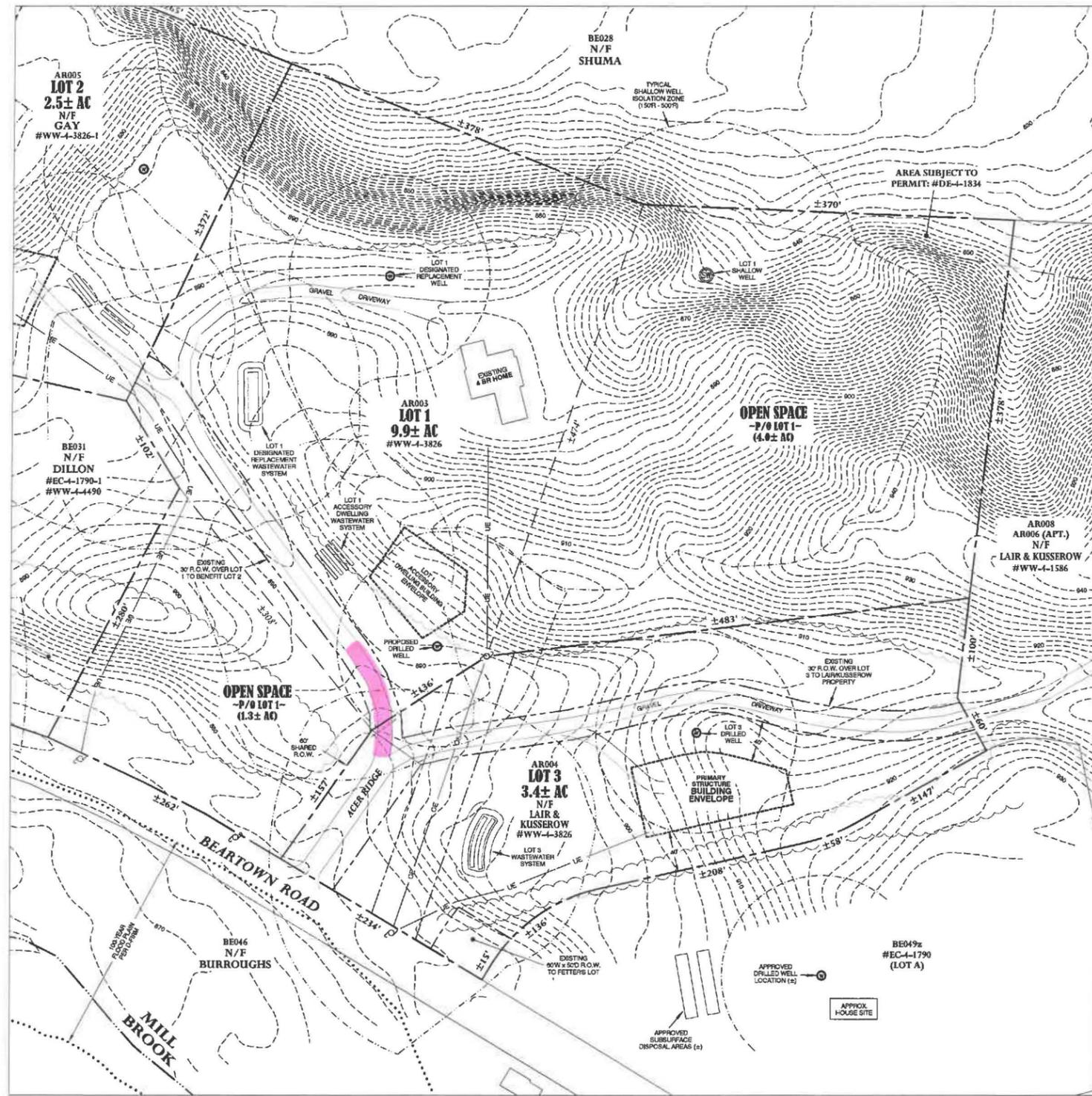
LEGEND	
	TEST PIT W/OUTLINE (DEPTH TO ESHW)
	PERCOLATION TEST
	CONTROL POINT (SPIKE IN GROUND)
	BOUNDARY CORNER (OR CALCULATED POINT)
	UTILITY POLE
	DRILLED WELL
	SHALLOW WELL
	EXISTING CONTOURS
	APPROX BOUNDARY
	EASEMENT
	BUILDING ENVELOPE
	WELL ISOLATION ZONE
	WASTEWATER SYSTEM ISOLATION ZONE
	TREE LINE
	STREAM
	WATER LINE
	OH UTILITIES
	UG UTILITIES



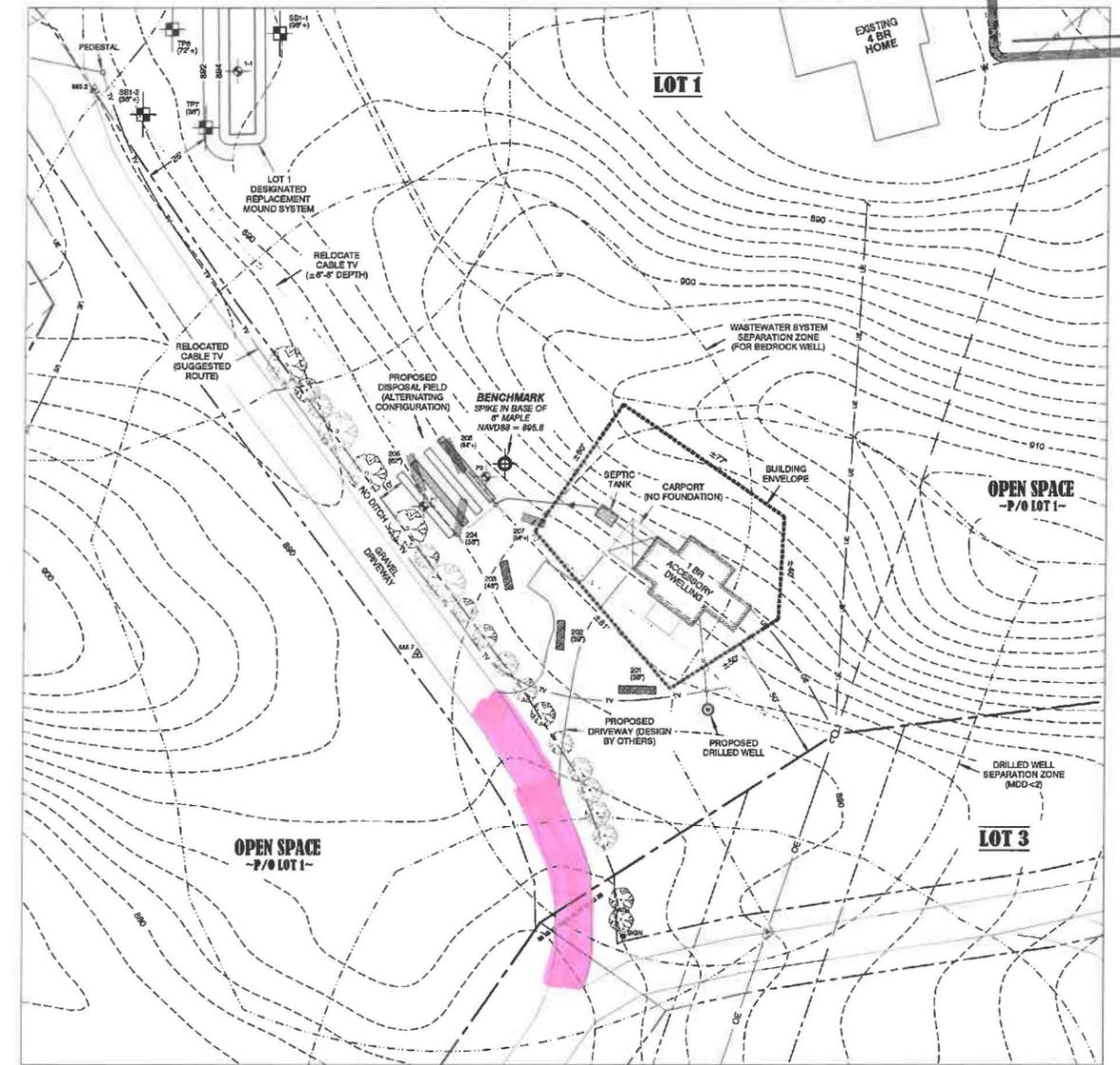
WILLIS DESIGN ASSOC., INC.
P.O. BOX 1001, JERICHO, VERMONT 05465 (802) 858-9228

SITE PLAN
PROPOSED ACCESSORY DWELLING
MICHAEL F. & ELIZA R. KRAMER
3 ACRER RIDGE
UNDERHILL - VERMONT

DRAWN: JTW	SCALE: NOTED
DESIGN: JTW	
DATE: 8/28/17	SHEET: S1
PROJECT: 18-035	
DRAWING: 18058-1	



OVERALL SITE PLAN
1" = 60'



PARTIAL SITE PLAN
1" = 30'

EROSION PREVENTION AND SEDIMENT CONTROL NOTE
THE OWNER AND EXCAVATION CONTRACTOR SHALL FOLLOW THE VERMONT DEPT. OF ENVIRONMENTAL CONSERVATION 'LOW RISK SITE HANDBOOK FOR EROSION PREVENTION AND SEDIMENT CONTROL'.

LEGEND	
	TEST PIT W/OUTLINE (DEPTH TO ESBWT)
	PERCOLATION TEST
	CONTROL POINT (SPIKE IN GROUND)
	BOUNDARY CORNER (OR CALCULATED POINT)
	UTILITY POLE
	DRILLED WELL
	SHALLOW WELL
	EXISTING CONTOURS
	APPROX. BOUNDARY
	EASEMENT
	BUILDING ENVELOPE
	WELL ISOLATION ZONE
	WASTEWATER SYSTEM ISOLATION ZONE
	TREE LINE
	STREAM
	WATER LINE
	OH UTILITIES
	LG UTILITIES

LOT INFORMATION
LOT NO. 1
ACREAGE 9.9± AC
RECORDED R. 211, P. 140-142
EXISTING PERMIT WW-4-2829
PARCEL ID AR003
SPAN 660-206-10018
ZONING DISTRICT WATER CONSERVATION

VERMONT
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Drawing Water & Groundwater Protection Division
THIS IS SUBJECT TO PROVISIONS OR CONDITIONS LISTED IN PERMIT
Permit #: WW-4-3826-2
Date: 9/22/2017

Area Under Review



SHEET REVISIONS			DRAWING INFORMATION	
NO.	DATE	REVISION	BY	DATE

WILLIS DESIGN ASSOC., INC. P.O. BOX 1001, JERICHO, VERMONT 05465 (802) 858-9228		SITE PLAN PROPOSED ACCESSORY DWELLING		DATE: 9/22/17
MICHAEL F. & ELIZA R. KRAMER 3 ACER RIDGE UNDERHILL - VERMONT		SCALE: NOTED	SHEET: S1	