



# Town of Underhill

## Development Review Board

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## Development Review Board

### STAFF REPORT

To: DRB  
From: Underhill Planning and Zoning  
Date: November 14, 2017  
Re: Agenda and Information for 11/19/2017

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## AGENDA

**Sunday, November 18, 2018 – Site Visit(s)**  
**Underhill Town Hall, 12 Pleasant Valley Road, Underhill, VT**

8:30 AM Site Visit @ 4 Blakey Road, Underhill, VT (BL004)

**Monday, November 19, 2018 – Public Meeting**  
**Underhill Town Hall, 12 Pleasant Valley Road, Underhill, VT**

6:30 PM Open Meeting, Public Comment Period

6:35 PM Preliminary & Final Subdivision Review: 2-Lot Subdivision  
Applicant(s): Kenneth Hall  
Docket #: DRB-17-18  
Location: 4 Blakey Road (BL004)

7:30 PM Other Business  
• Approve Previous Meeting Minutes

8:00 PM Adjourn

# Hall Preliminary & Final Subdivision Review

## Preliminary & Final Subdivision Review of Kenneth D. Hall's Proposal for a 2-Lot Subdivision

### Docket #: DRB-17-18

Applicant(s): Kenneth D. Hall  
 Consultant: N/A  
 Property Location: 4 Blakey Lane (BL004)  
 Acreage: ± 12.40 Acres  
 Zoning District(s): Rural Residential

	<u>Rural Residential</u>	<u>Proposed Lot 1</u>	<u>Proposed Lot 2</u>
Lot Size:	3.0 Acres	± 3.23 Acres	± 9.17 Acres
Frontage:	250 Feet	~342.45 Feet	~414.25
Setbacks:			Depicted Building Envelope Satisfies Setback Requirements
• Front:	30 Feet	103 ft. (North)	
• Side 1:	50 Feet	137 ft. (West)	
• Side 2:	50 Feet	157 ft. (East)	
• Rear:	50 Feet	173 ft. (South)	
Max. Building Coverage:	25%	Most Likely Met	TBD
Max. Lot Coverage:	50%	Most Likely Met	TBD
Maximum Height:	35 Feet	Most Likely Met	TBD

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

- Article II, Table 2.3 – Rural Residential District (pg. 15)
- Article III, Section 3.2 – Access (pg. 30)
- Article III, Section 3.7 – Lot, Yard & Setback Requirements (pg. 36)
- Article III, Section 3.13 – Parking, Loading & Service Areas (pg. 42)
- Article III, Section 3.17 – Source Protection Areas (pg. 53)
- Article III, Section 3.18 – Steep Slopes (pg. 55)
- Article III, Section 3.19 – Surface Waters & Wetlands (pg. 62)
- Article III, Section 3.22 – Water Supply & Wastewater Systems (pg. 66)
- Article VI – Flood Hazard Area Review (pg. 125)
- Article VII, Section 7.2 – Applicability (pg. 137)
- Article VII, Section 7.3 – Sketch Plan Review (pg. 139)
- Article VII, Section 7.5 – Preliminary Subdivision Review (pg. 142)
- Article VII, Section 7.6 – Final Subdivision Review (pg. 144)
- Article VIII – Subdivision Standards (pg. 148)

## **CONTENTS:**

The exhibits from the Sketch Plan Review Meeting are incorporated herein and referenced

accordingly. Please note that some of the Sketch Plan Review exhibits have been amended, which are noted accordingly. Sketch Plan Review exhibits can be found by going [www.underhillvt.gov](http://www.underhillvt.gov), then clicking “Boards, Commissions, Committees and Task Forces” on the left. Afterward, click “Development Review Board,” followed by “Hearing Packets” on the right. Then select “2017 Hearing Packets,” then “December 17, 2018,” and finally, “DRB-17-18: Hall Sketch Plan Review (BL004 – 4 Blakey Road).”

Note that exhibits submitted as part of this Preliminary Subdivision Review Application will be labeled as either “Exhibit,” while exhibits submitted as part of the Sketch Plan Review Application will be labeled “Sketch Plan Exhibit.”

- a. Exhibit A - Hall Preliminary & Final Subdivision Review Staff Report
- b. Exhibit B – BL004 Hall Preliminary & Final Subdivision Hearing Procedures
- c. Exhibit C - Application for Preliminary Subdivision Review
- d. Exhibit D - Application for Final Subdivision Review
- e. Exhibit E - Preliminary Subdivision Checklist
- f. Exhibit F - Final Subdivision Checklist
- g. Exhibit G - Preliminary Subdivision Findings Checklist
- h. Exhibit H - Project Narrative
- i. Exhibit I - Burlington Free Press Notice
- j. Exhibit J - Certificate of Service
- k. Exhibit K - Correspondence from Kim Spaulding
- l. Exhibit L - Preliminary Access Permit # A-18-22
- m. Exhibit M - ANR Project Review Sheet
- n. Exhibit N - WW Permit # WW-4-5108
- o. Exhibit O - Site Plan
- p. Exhibit P - Sewage Disposal Plan & Details
- q. Exhibit Q - Driveway Profile & Water Supply Details
- r. Exhibit R – Survey

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## COMMENTS/QUESTIONS

1. **SECTION 3.18 – STEEP SLOPES/SECTION 3.19 – SURFACE WATERS & WETLANDS:** To note, as currently configured, only the proposed Lot 2 will be able to be subsequently subdivided. The steep slopes and Roaring Brook will complicate the design of any proposed driveway accessing the rear part of Lot 2, which would be the location of the hypothetical lot(s).
2. **SECTION 7.2 – APPLICABILITY:** The Board will need to vote at the beginning of the hearing on whether they wish to combine the two applications, or whether to proceed as originally intended – two separate hearings: one preliminary subdivision review hearing and one final subdivision review hearing
3. **SECTION 7.3 – SKETCH PLAN REVIEW:** the applicant has submitted a site plan depicting Roaring Brook; however, has not depicted the associated Special Flood Hazard Area encompassing Roaring Brook. No wetlands were depicted, presumably because none were found.
4. **SECTION 8.8 – LEGAL REQUIREMENTS:** Typically, draft deeds are submitted as part of the subdivision review process. At this time, the applicant has not submitted draft deeds; however, given the simplicity of the application, draft deeds are likely unnecessary unless the Board determines that there is an aspect needed to review.

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## REVIEW OF RELEVANT SECTIONS

## **ARTICLE II – ZONING DISTRICTS**

### **ARTICLE II, TABLE 2.3 – RURAL RESIDENTIAL (PG. 15)**

The purpose of this district is to accommodate medium density development on land that has access to public roads where traditional development has taken place, where soil cover is thicker than on the hillside. This district allows for the continuation of existing commercial, residential, and public uses and to encourage future development, particularly along Route 15, Poker Hill Road and Irish Settlement Road that is compatible with these historic uses.

Staff finds that the applicant's proposal meets the purpose statement of the rural residential district. The currently proposed building will satisfy the dimensional requirements of the proposed subdivision meet the district's minimum acreage and frontage requirements. In addition, since the applicant is proposing to contain the building envelop to the front area of the lot (near Poker Hill Road), any structure constructed will not encroach upon Roaring Brook's setback. Additionally, the Special Flood Hazard Area will not be impacted for the same reason as Roaring Brook's setback area. Until a building permit application is submitted, Staff will be unable to confirm that the maximum building and lot coverage requirements will be satisfied; however, Staff does not believe the applicant will exceed those thresholds.

## **ARTICLE III – GENERAL REGULATIONS**

### **SECTION 3.2 – ACCESS (PG. 30)**

The applicant has obtained a preliminary access permit (Access Permit #: A-18-22) from the Underhill Selectboard on Tuesday, November 6, 2018 (see Exhibit L). The Selectboard approved the preliminary access permit with the standard conditions, in addition to the adding the conditions of installing a 15 ft. by 37.5 ft turnaround on Lot 2, as well as ensuring that all turning radii satisfy the 35-ft. requirement.

For review purposes, the proposed Lot 2 will be accessed off of Poker Hill Road. Staff finds that the applicant has proposed a driveway that satisfies the requirements of this section, as the driveway will be located more than 12 feet from the side and rear lot lines, as well as not impacting steep slopes, primary agricultural soils, surface waters, wetlands and associated buffer areas, and not containing any stream crossings.

### **SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS (PG. 36)**

That applicant is proposing to retain the proposed Lot 1 as a single-family dwelling, and constructing a single-family dwelling on the proposed Lot 2, thereby conforming to the requirement of having one principal use/structure on a single lot (see Exhibit O). The proposed lots satisfy the dimensional standards for the underlying zoning district – the Rural Residential District. The applicant has not proposed any waivers related to lot, yard or setback requirements.

### **SECTION 3.13 – PARKING, LOADING & SERVICE AREAS (PG. 42)**

Staff makes no findings regarding parking, loading and service areas, as satisfaction with this requirement is more likely to be ascertained during the building permitting process once design plans are more definitive. However, as proposed, Staff finds that the applicant has the area needed to satisfy to the parking requirement of two parking spaces per dwelling unit (single-family dwelling) and one parking space per dwelling unit (accessory dwelling).

**SECTION 3.17 – SOURCE PROTECTION AREAS (PG. 53)**

Staff finds that the property to be subdivided is not within any source protection areas.

**SECTION 3.18 – STEEP SLOPES (PG. 55)**

Staff finds that there are areas of steep slopes (15-25%) and areas of very steep slopes (>25%) that exist on the existing lot (see Sketch Plan Exhibit K). The areas of steep slopes and very steep slopes will be located on the proposed Lot 2, in the vicinity of Roaring Brook; however, the proposed building envelope is located towards the front of the lot (towards Poker Hill Road), out of the areas of steep slopes and very steep slopes.

To note, as currently configured, only the proposed Lot 2 will be able to be subsequently subdivided. The steep slopes and Roaring Brook will complicate the design of any proposed driveway accessing the rear part of Lot 2, which would be the location of the hypothetical lot(s).

**SECTION 3.19 – SURFACE WATERS & WETLANDS (PG. 62)**

Staff finds that Roaring Brook traverses the parent lot (see Sketch Plan Exhibit L). The applicant has proposed a building envelope that is not in the vicinity of Roaring Brook or its setback – since a floodplain encompasses Roaring Brook, a setback requirement of 100 ft. from the “top of bank” is required. While the applicant has illustrated a 50 ft. buffer from Roaring Brook, the applicant’s building envelope is approximately 340 ft. from Roaring Brook, thus exceeding the 100 ft. setbacks requirements (see Exhibit O).

As noted above, as currently configured, only the proposed Lot 2 will be able to be subsequently subdivided. The steep slopes and Roaring Brook will complicate the design of any proposed driveway accessing the rear part of Lot 2, which would be the location of the hypothetical lot(s).

Staff notes that there were no wetlands identified on the property according the ANR Atlas Website.

**SECTION 3.22 – WATER SUPPLY & WASTEWATER SYSTEMS (PG. 66)**

Staff finds that applicant has obtained a Wastewater System & Potable Water Supply Permit (Permit #: WW-4-5108) (see Exhibit N) from the Agency of Natural Resources, Department of Environmental Conservation, on October 4, 2018. The permit allows for a three-bedroom, single-family residence on Lot 1, and a proposed three-bedroom, single-family residence on Lot 2. Lot 2 has been approved for a drilled or percussion bedrock well as well, as a mound wastewater system.

**ARTICLE VI – FLOOD HAZARD AREA REVIEW**

**ARTICLE VI – FLOOD HAZARD AREA REVIEW (PGS. 125-136)**

Staff finds that there are floodplains on the existing lot, and that they are be entirely located on the proposed Lot 2. The applicant is proposing a building envelope that will not encroach upon the Special Flood Hazard Area, and therefore, review under this Article of the regulations is not required at this time.

**ARTICLE VII – SUBDIVISION REVIEW**

**SECTION 7.2 – APPLICABILITY (PG. 137)**

The Board classified the proposed subdivision as a minor subdivision in the sketch plan review letter that was issued on January 4, 2017. At the time, the applicant agreed to having separate preliminary and final subdivision review hearings. The Board will need to vote at the beginning of

the hearing on whether they wish to combine the two applications, or whether to proceed as originally intended – two separate hearings: one preliminary subdivision review hearing and one final subdivision review hearing.

### **SECTION 7.3 – SKETCH PLAN REVIEW (PG. 139)**

The Board accepted the proposed subdivision plan on January 4, 2018. As part of the acceptance letter, the Board required the following items to be addressed:

1. A letter from the Jericho-Underhill Water District addressing whether they have the ability to serve the proposed lot.
2. All surface waters, including streams and brooks, wetland and floodplains shall be identified and delineated on the submitted site plan.
3. The draft survey plat shall depict all easement and/or rights-of-way that are located on the existing parcel of land to be subdivided.
4. The applicant should prepare and submit a draft Shared Road Maintenance Agreement if access between the two lots will be shared.
5. The applicant shall obtain the necessary documentation/wastewater system & potable water supply permits from the State of Vermont, Department of Environmental Conservation. The applicant shall identify the well shield and isolation distances on the submitted site plan and how those distances will impact the adjacent property owners (with notice being provided).
6. A Preliminary Subdivision Findings Checklist shall be submitted in accordance with the criteria listed in § 7.5 of the Underhill Unified Land Use & Development Regulations.
7. The draft survey plat shall be prepared by a licensed surveyor.
8. The applicant shall submit engineering drawings in conformance with the application requirements in the Underhill Unified Land Use & Development Regulations, specifically:
  - a. Areas of steep slopes, flood hazards, stream water setbacks, septic setbacks and well shields, isolation distances; and
  - b. The requisite size culverts shall also be illustrated on the plans.
9. The scheduling of a site visit prior to the preliminary subdivision review hearing.
10. Note: A preliminary access permit shall be obtained from the Selectboard prior to final subdivision review. The Selectboard encourages applicants to submit information showing that the access way will not exceed a slope of 10% (typically shown by submitting a road profile); a 15-foot by 37.5-foot turnaround to accommodate emergency vehicles, which also includes a 35-foot radius, as well as satisfying any other conditions of the Road Ordinance.

In response to condition 1, Staff sought comment from the Underhill-Jericho Fire Department during the preliminary access permit review application; however, no comment was submitted. Staff finds that the Underhill-Jericho Fire Department will have another opportunity to provide comment prior to the applicant obtaining the final access permit.

In response to condition 2, the applicant has submitted a site plan depicting Roaring Brook; however, has not depicted the associated Special Flood Hazard Area encompassing Roaring Brook. No wetlands were depicted, presumably because none were found (see Exhibit O).

In response to condition 3, a survey plat has been submitted – completed by Joseph Flynn. No easements have been depicted (see Exhibit R).

In response to condition 4, a draft shared road maintenance agreement has not been submitted because the applicant is not proposing to have a shared access way.

In response to condition 5, the applicant has submitted a Wastewater System & Potable Water Supply Permit (Permit #: WW-4-5108) issued by the State of Vermont, Department of Environmental Conservation (see Exhibit N).

In response to condition 6, the applicant has submitted the findings checklists associated with preliminary and final subdivision review (see Exhibit G).

In response to condition 7, a survey plat has been submitted – completed by Joseph Flynn (see Exhibit R).

In response to condition 8, the applicant has submitted a site plan depicting the requested features except for the Special Flood Hazard Areas (see Exhibit O).

In response to condition 9, a site visit has been scheduled for 8:30 AM on Sunday, November 18, 2018.

In response to condition 10, a preliminary access permit has been obtained from the Selectboard (Access Permit #: A-18-22) (see Exhibit L). Staff notes that the applicant did not depict a driveway layout containing a 15 ft. by 37.5 ft turnaround around. As a result, the Selectboard, as a condition of approval, required this feature, as well as ensuring that all curvatures satisfy the 35 ft. radius.

#### **SECTION 7.5 – PRELIMINARY SUBDIVISION REVIEW (PG. 142)**

The purpose of preliminary subdivision review is to review a draft subdivision plat and supporting documentation to determine preliminary conformance with the municipal plan, these regulations and other municipal ordinances in effect at the time of application; to identify particular issues or concerns associated with a proposed subdivision; to recommend modifications necessary to achieve conformance; and to identify any additional information required for submission for final subdivision review prior to the preparation of a final survey plat, engineering plans and legal documents for the subdivision and related site improvements.

Staff finds that the Board will need to vote on whether preliminary subdivision review will be waived at the beginning of the hearing. During the sketch plan review meeting, the Board voted to hold separate preliminary & final subdivision review hearings. The applicant has submitted the findings checklist, which is required regardless of the Boards decision.

#### **SECTION 7.6 – FINAL SUBDIVISION REVIEW (PG. 144)**

Final Subdivision Review and approval is required prior to recording a subdivision plat in the land records of the town Under Section 7.7. The purpose of final subdivision review is to determine final project conformance with the municipal plan, these regulations, and other municipal ordinances in effect at the time of application. The application for final subdivision review shall be submitted within one year of the date of preliminary approval by the DRB, but not before the initial 30-day appeal period has expired. If an application has not been filed within one year, the applicant will be required to submit a new application for preliminary review under Section 7.5.

Staff finds that if additional information is required to satisfy the requirements of final subdivision review, the Board has the ability to continue the hearing to allow for the submission of the additional information.

## **ARTICLE VIII – SUBDIVISION STANDARDS**

### **SECTION 8.1 – APPLICABILITY (PG. 148)**

Staff finds that no technical review is needed at this time. The applicant has not requested any waivers relating to the subdivision regulations at this time.

### **SECTION 8.2 – GENERAL STANDARDS (PG. 149)**

Section 8.2.A – Development Suitability (pg. 149): Staff notes that the applicant has performed some clearing of existing vegetation prior to the submission of the sketch plan review application, as noted during the sketch plan review meeting. Otherwise, Staff does not foresee any undue adverse impacts to the public health and safety or the character of the area in which the proposed development is located. The applicant has not expressed any intention of setting aside land as open space that would exclude periodic flooding, poor drainage, very steep slopes (>25%), or other known hazards, or that is otherwise not suitable to support structures or infrastructure.

Section 8.2.B – Development Density (pg. 149): The proposed subdivision meets the density requirements per this section.

Section 8.2.C – Existing Conditions (pg. 149): Staff finds that the existing lot has areas of prime agricultural soils (see Sketch Plan Exhibit O). The majority of the building envelope avoids areas of prime agricultural soils; however, there is an area of the building envelope located within an area designated as statewide prime agricultural soils, therefore, there is a likelihood that construction of a building could occur on these lands.

Otherwise, the proposed layout of the subdivision and development will not adversely affect any of the existing site features and/or natural amenities listed under this subsection. Additionally, the layout appears to integrate and conserve other existing site features and natural amenities listed in this subsection.

Section 8.2.D – Underhill Town Plan & Development Regulations (pg. 150): Staff finds that the proposed subdivision/development appears to conform to the *Underhill Town Plan & the Underhill Unified Land Use & Development Regulations*.

Section 8.2.E – District Settlement Patterns (pg. 150): Staff finds that the proposed subdivision/development appears to be consistent with characteristics of the rural zoning districts as described in Section 8.2.E.2.

Section 8.2.F – Lot Layout (pg. 151): Staff finds that the newly created lots conform to the requirements of this subsection (see Exhibit O). Staff notes however that the proposed Lot 2 would be the only lot that could be subsequently subdivided, and due to the configuration of the lot, the location of Roaring Brook, and the location of steep slopes & very steep slopes, the feasibility of accessing the subsequent hypothetical lot would be less feasible from Poker Hill Road, and would likely need to be accessed from Blakey Road. However, the creation of a subsequent lot on the rear portion of Lot 2 would inevitably have associated issues regardless of how the/a subdivision is configured.

Section 8.2.G – Building Envelopes (pg. 151): The applicant has illustrated a building envelope on the newly proposed Lot 2 that avoids a lot of the site's constraints, such as the special flood hazard

area, steep slopes, and the setback requirements from Roaring Brook (see Exhibit O). For those reasons, Staff recommends that the building envelope be approved as proposed. Staff also notes that the proposed Lot 1 does not contain a proposed building envelope, and therefore, the implicit building envelope would be the least restrictive envelope as determined by the setback requirements at the time of future development.

Section 8.2.H – Survey Monuments (pg. 151): Staff makes no finding regarding this subsection.

Section 8.2.I – Landscaping & Screening (pg. 151): Staff notes that the applicant has already cleared some of the area on the proposed Lot 2, as explained during the sketch plan review meeting on December 18, 2017. Currently, the lot contains a tree-line along Poker Hill Road, though not densely vegetated. Nevertheless, this landscaping and screening seem to be consistent with other residential development in the area.

Section 8.2.J – Energy Conservation (pg. 152): Staff makes no finding regarding this subsection.

### **SECTION 8.3 – NATURAL & CULTURAL RESOURCES (PG. 152)**

Section 8.3.A – Resource Identification & Protection (pg. 152): Staff is unaware of any significant cultural and natural features necessitating protection.

Section 8.3.B – Surface Waters, Wetlands & Floodplains (pg. 153): Staff finds that the proposed subdivision/development contains Roaring Brook and a Special Flood Hazard Area (see Exhibit O and Sketch Plan Exhibits L & M). The proposed lot lines and building envelope have been configured to avoid these areas, as explained above.

Section 8.3.C – Rock Outcrops, Steep Slopes, Hillsides & Ridgelines (pg. 153): The existing lot contains areas of steep slope and very steep slopes (see Exhibit O and Sketch Plan Exhibit K). The proposed lot lines and building envelope have been configured to avoid these areas.

Section 8.3.D – Natural Areas & Wildlife Habitat (pg. 154): No wintering deer yards have been identified on the existing lot; however there is a priority level 6/7 habitat block located on the lot (see Sketch Plan Exhibit N). When utilizing the 2016 Vermont Agency of Natural Resources BioFinder, the following areas were identified to be located towards the rear portion of the proposed Lot 2 and/or encompassing Roaring Brook:

- Riparian Wildlife Connectivity
- Highest Priority Surface Water and Riparian Areas
- Highest Priority Interior Forest Blocks
- Highest Priority Connectivity Blocks
- Physical Landscapes

Though these areas may be located on the proposed Lot 2, based on the configuration of the building envelope, there appears to be a minimal adverse impact on these areas, especially as development is located closer towards Poker Hill Road.

Section 8.3.E – Historic & Cultural Resources (pg. 155): Staff is unaware of any historic and cultural resources located on the existing lot, and therefore, makes no finding in regards to this subsection.

Section 8.3.F – Farmland (pg. 155): Staff notes that areas of the lot contain statewide prime agricultural soils (see Sketch Plan Exhibit O). See Section 8.2.C above for more information.

Section 8.3.G – Forestland (pg. 156): Staff finds, according to aerial photography, that the lot is largely forested. The applicant has communicated that he has already cleared some of this vegetation, which is evidenced in Sketch Plan Exhibit P. If future development were to be placed in the already cleared area, which appears to be the case, there would be negligible impact to the forestland.

#### **SECTION 8.4 – OPEN SPACE & COMMON LAND (PG. 157)**

Section 8.4.A – Open Space (pg. 158): The applicant has not communicated that he intends to designate any land as open space, and therefore, Staff makes no finding at this time.

Section 8.4.B – Common Land (pg. 153): The applicant has not communicated that he intends to designate any land as common land, and therefore, Staff makes no finding at this time.

Section 8.4.C – Legal Requirements (pg. 158): Staff makes no finding regarding this subsection.

#### **Section 8.5 – Stormwater Management & Erosion Control (pg. 158)**

Staff recommends that the Board require as a condition of approval that the applicant adhere to the requirements of this Section, as well as conform to the guidelines set out in the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control.

#### **Section 8.6 – Transportation Facilities (pg. 160)**

##### Section 8.6.A – Access & Driveways (pg. 160)

The applicant is proposing to have Lot 2 serviced by its own driveway accessed off of Poker Hill Road (see Exhibit O). Since the driveway will only be serving one lot, only the standards of Sections 3.2 & 8.6.A apply.

Section 8.6.B – Development Roads (pg. 161): Since the proposed access way is only going to serve one lot, no review under this subsection is required.

Section 8.6.C – Parking Facilities (pg. 162): Staff finds that this subsection does not apply.

Section 8.6.D – Transit Facilities (pg. 163): Staff finds that this subsection does not apply.

Section 8.6.E – Pedestrian Access (pg. 163): Staff makes no finding regarding this subsection.

#### **SECTION 8.7 – PUBLIC FACILITIES & UTILITIES (PG. 162)**

Section 8.7.A – Public Facilities (pg. 162): Staff does not anticipate that the proposed subdivision and development will create an undue burden on the existing and/or planned public facilities. Staff has inquired with the Mount Mansfield Union School District, and will presumably have confirmation prior to the hearing.

Section 8.7.B – Fire Protection (pg. 163): Staff does not anticipate that the proposed subdivision and development will unduly affect the Underhill-Jericho Fire Department’s ability to serve. As stated above, Staff has inquired with the Underhill-Jericho Fire Department; however, has yet to receive

any feedback. Staff has the ability to make another inquiry during the final access permit review process with the Selectboard.

Section 8.7.C – Water Systems (pg. 163): See Section 3.22 above. Also see Exhibit N.

Section 8.7.D – Wastewater Systems (pg. 163): See Section 3.22 above. Also see Exhibit N.

Section 8.7.E – Utilities (pg. 164): Staff makes no finding regarding this subsection.

**SECTION 8.8 – LEGAL REQUIREMENTS (PG. 165)**

Typically, draft deeds are submitted as part of the subdivision review process. At this time, the applicant has not submitted draft deeds; however, given the simplicity of the application, draft deeds are likely unnecessary unless the Board determines that there is an aspect needed to review.

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