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60 Covey Road  
Underhill VT 05489

February 25, 2019

Town of Underhill  
PO Box 120  
Underhill VT 05489  
Attn: Andrew Strmiste, Planning Director – Zoning Administrator

**RE: Findings of Fact – Bingham Subdivision 59 Lower English Settlement Road**

The 14.9 acre subject property is the site of an early farm that was occupied by the Atchinsons in the early to mid 19<sup>th</sup> century. What appear to be the original house and one barn remain. The parcel was subdivided in 1979 from a portion of the farm consisting of 112 acres, owned by Raymond and Betty Bliven, the 112 acres was located on the westerly side of Lower English Settlement Road.

The Bingham parcel is bounded on the north by the Rokke Haefen Highlands Five Lot Subdivision now known as Hedgehog Hill Road, developed by the Blivens in 1988. Bounded on the east by 1007 feet of road frontage along Lower English Settlement Road, on the south by a stonewall that demarcates the south boundary of the original farm and on the west by an unnamed stream that flows south. The stream leaves the property continuing south then turns west eventually crossing River Road and connecting into the Brown's River and is part of the greater Lamoille Basin. The land which was once nearly 100 percent open is now a mix of overgrown meadow and pasture land. A majority of the pasture land has become wooded. The open land consists of rolling moderate slopes, south and west facing. The former pasture land, now in the late pioneer stage of becoming a more mature forest, has become wet due to the lack of use, in my opinion, but now serves a different purpose for vegetative and wildlife habitat.

The property lies in the 3 acre rural residential zoning district and could theoretically be subdivided into 4 lots; however that would be more than the land could accept. The existing driveway leading to the farmhouse is approximately 3000 feet north of River Road. In traveling that distance there are 8 homes fronting the westerly side of Lower English. The lots range in size from 1 to 5 acres. Romar Drive, a small cluster development consisting of five 1-2 acre lots, also lies on the westerly side of Lower English leading to the subject property. The westerly side of Lower English, up to and including this property, is better suited for development mainly due to topography and is different from the east side where the slopes are significantly steeper.

The proposed three lot subdivision has been configured in such a way as to utilize the existing driveway, a proposed 50 feet right of way in common, as a natural divider. Lot 1 consists of 4.9 acres and the existing buildings. Most of the frontage along the unnamed

stream is included with lot 1. This will ensure the streams protection against any new development. Primary underground power from Lower English parallels the existing drive and serves lot 1. The replacement septic area for lot 1 will be located on lot 3 and benefit from an easement should the need arise to replace the existing septic system.

Lot 2 is simply all the remaining land on the south side of the existing drive and consists of 5.4 acres. The land between the proposed building envelope and Lower English is protected Class II wetland. While lot 2 meets the minimum frontage requirement the proposed access utilizes the existing drive. This will ensure the least amount of impact to the land. Lot 2 will also utilize the existing underground utilities already in place.

Lot 3 is all the remaining land north of the existing drive. The lot also meets the minimum road frontage requirement and is proposed to be 4.6 acres in size. The land between the proposed building envelope and Hedgehog Hill Road is a protected Class II wetland. To ensure the integrity of the open space it is much more practical for lot 3 to have its own curb cut and driveway, thus creating the least amount of impact to the land. Underground utilities will be installed from Lower English in the most direct least impactful route possible.

Driveway design drawings have been prepared by Krebs and Lansing Consulting Engineers for the new drives accessing lots 2 and 3 and show improvements to be made to the existing driveway/right of way in common. The designs depict proposed grades, widths, and turnarounds consistent with the Town of Underhill's 2018 Road Ordinance and are consistent with previous designs approved by the Town and the Underhill-Jericho Fire Department. A water source designated by Vermont E-911 as a hydrant exists less than a mile away on Snyder Road. A shared maintenance agreement will be drawn up between the parties.

The widening of the existing drive will not affect the mapped wetland itself but will have a minimal impact of 1250 square feet on the wetland buffer. Erosion control methods will be implemented during the construction phase to ensure protection of the land and wetland buffers.

In conclusion the proposed development utilizes the minimum amount of open space while protecting the now existing wetland, forest land and stream, creating the least amount of impact, all things consistent with Underhill's Town Plan. The proposed subdivision is consistent with the adjacent lands on the west side of Lower English Settlement Road and meets the requirements of the Rural Residential Zoning District, where in it lies.

Respectfully submitted,



Brad Holden, L.S.