



Town of Underhill

Development Review Board

Sketch Plan Findings & Decision

Application of Keith & Tara Carter for a 2-Lot Subdivision

Keith & Tara Carter
39 Hobart Hill Road
Underhill, VT 05489

September 03, 2019

During the August 19, 2019 meeting, the Development Review Board reviewed and accepted your sketch plan application for a 2-lot subdivision of property you own located at 39 Hobart Hill Road (HB039) in Underhill, VT. This letter is provided per Section 7.3.D of the *Unified Land Use and Development Regulations* and is valid for one year. If a preliminary/final subdivision application is not filed within a year of the date this letter was issued, another sketch plan review meeting shall be required [Section 7.3.E].

SUBDIVISION CLASSIFICATION

This application was reviewed under the *Unified Land Use & Development Regulations* adopted March 2011, as amended through March 6, 2018. The subdivision process must distinguish between major and minor classifications. Due to the nature of your submitted proposal, the DRB has classified this as a "minor subdivision" [Section 7.2.E]. Also, as you know, the Board voted to waive preliminary subdivision review, and therefore, only a final subdivision hearing will be required [Section 7.5.B].

REGULATION CONFORMANCE

Based upon the information submitted at the sketch plan hearing, the proposed subdivision appears to have the potential to conform to the regulations. In a standard subdivision hearing(s), the applicant is required to address the subdivision review standards in Article VIII and to ensure the applicable preliminary subdivision requirements in Section 7.5 and the final subdivision requirements in Section 7.6 are met. However, because you are dividing your property without the intent for development at this time, the subdivision review criteria you will be responsible for will be reduced in scope. The issues enumerated below indicate the review criteria you or your consultant should address in your subsequent application.

REVIEW CRITERIA & ISSUES TO BE ADDRESSED

This sketch plan letter outlines "specific areas of concern to address" per Section 7.3.D, and is meant to provide recommendations and guidance to the applicant. During the sketch review meeting, the Board felt that the following items and concerns should be addressed in your application for final subdivision approval:

1. The Board acknowledges your desire to separate and subdivide your existing 60 acre parcel into two 30 acre parcels. As no development for the new lot is proposed at this time, we can defer our review for conformance with the UULDR until such time development is proposed. Please note the Board will retain continuing jurisdiction over the new lot and

will require conformance to the regulations in effect at the time of proposed development, and there is no guarantee that the proposed development may be approved by a subsequent Board.

2. The survey plat prepared by a licensed surveyor shall depict all easements and/or rights-of-way that are located on the existing parcel of land to be subdivided, including easements for potential utilities;
3. The Board will retain jurisdiction over the new lot and shall require the applicant or lot owner of lot #2 to submit engineering drawings for the Board to review and approve prior to the issuance of any building permit. The engineering drawings shall be in conformance with the application requirements in the *Underhill Unified Land Use & Development Regulations* in effect at the time of proposed development, including but not limited to the following:
 - a. A Preliminary Subdivision Findings Checklist and a Final Subdivision Findings Checklist shall be submitted in accordance with the criteria listed in § 7.5 & § 7.6 of the *Underhill Unified Land Use & Development Regulations*
 - b. Areas of steep slopes, flood hazards, stream water setbacks, septic setbacks, and well shields, isolation distances;
4. Should you pursue engineering drawings as part of this review process, the Board requests that those drawings be submitted as part of final subdivision review application, and meet the requirements under condition 3 above.
5. The applicant shall consider all components of the Article VIII Subdivision Standards, and submit a project narrative outlining the property's history, references to book and page numbers, as well as provide comments on any related issues pertaining to the aforementioned Article VIII Subdivision Standards. This narrative shall substitute for the previously distributed Preliminary Subdivision Findings Checklist per § 7.5 of the *Underhill Unified Land Use & Development Regulations* that used to be required (see enclosed example);
6. A Final Subdivision Application shall be submitted in accordance with the criteria listed above and on the accompanying checklist.
7. Draft deeds referencing any applicable easements or road maintenance agreements;
8. A draft road maintenance agreement;
9. An access permit application for the proposed curb cut to access the "wood lot;" and
10. The scheduling of a site visit prior to the final subdivision review hearing.

FINAL SUBDIVISION APPLICATION/HEARING – PROCESS

Per Section 7.5.B and at your request, the Board has waived the preliminary subdivision review hearing, and therefore, only a final subdivision review hearing is required - the next step in the subdivision process. The application requirements for this step are detailed in Section 7.6 "Final Subdivision Review" and Article VIII "Subdivision Standards" of the *Unified Land Use & Development Regulations*. However, please note that requirements under Section 7.5 "Preliminary Subdivision Review" still apply to your application, despite the waiver of the preliminary hearing.

Directly below is a general overview of the Final Subdivision Application/Hearing process.

Submit required documentation to the Zoning Administrator:

- Two full-size copies of the plat and engineering plans to scale, seven 11" x 17" reduced copies of the plat and the engineering drawings, seven copies of draft legal documents, as well as the associated pdf digital files (which can be submitted by email).
- Should you pursue engineering drawings (e.g. for the siting of water & wastewater facilities), the Board asks for you to submit two full-size copies, seven 11" x 17" reduced copies of the plat, and the associated pdf digital files.
- Information addressing the Items under "Review Criteria & Issues To Be Addressed" (see above).
- Completed application form for the Final Subdivision Hearing.
- Information or materials required by the checklists included with this letter. The checklists will assist you in preparation for your hearing submission and will also aid the Board in reviewing the required documents.

Once the completed final application package is received, the site visit and final hearing will be scheduled and warned. You will be asked to post a red "Z" sign on the lot no later than 15 days prior to the scheduled hearing. Planning staff will take care of the notice requirements, which includes certified mail to your neighbors and publication in a newspaper. The cost for notice and the newspaper fee is borne by you and will be included in the invoice with your final decision.

After the Final Subdivision Hearing, the Board will have 45 days to issue a written decision. You will receive a copy of the signed decision via certified mail. Any interested parties who participated in the hearing will also receive a copy of the decision. A 30-day appeal period will begin from the date of the signed decision.

If you have any questions or need assistance with the required submissions, please feel free to contact me by phone: (802) 899-4434, ext. 106; or by email: astrniste@underhillvt.gov.

Sincerely,



Andrew Strniste
Planning Director & Zoning Administrator

cc: None

encl: Application for Subdivision
Project Narrative Example
Final Sketch Plan Review Meeting Invoice (x2)