



Town of Underhill

Development Review Board

Sketch Plan Findings & Decision

Application of Bingham for a 3-Lot Subdivision

Peter M. Bingham
51 Lakeside Avenue
Burlington, VT 05401

August 21, 2018

During the August 6, 2018 meeting, the Development Review Board reviewed and accepted your sketch plan application for a 3-lot subdivision of property located at 59 Lower English Settlement Road (LE059) 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. However, you and your consultant(s) should ensure that all subdivision review standards in Article VIII are addressed and satisfied, as well as all applicable preliminary subdivision requirements in Section 7.5 and all final subdivision requirements in Section 7.6.

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. All surface waters, including streams and brooks, wetlands and floodplains shall be identified and delineated on the submitted site plan;
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 applicant should prepare and submit a draft Shared Road Maintenance Agreement if access between the two lots will be shared;
4. The applicant shall identify the well shield and isolation distances on the submitted site plans and how those distances will impact the adjacent property owners;
5. 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;
6. The site plan shall depict any proposed building envelopes, which should incorporate setback requirements and exclude steep slopes where feasible;
7. 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.
8. A Final Subdivision Application shall be submitted in accordance with the criteria listed in Section 7.5 "Preliminary Subdivision Review" and Section 7.6 "Final Subdivision Review" of the *Underhill Unified Land Use & Development Regulations*.
9. The applicant and/or representative(s) shall inquire with the MacDonalds (record landowner of 49 Lower English Settlement Road) regarding the potential for contamination of a spring on their property serving as a replacement well. The Board desires clarification regarding the location of the spring referred to in the MacDonald's communication and any construction or improvements related to this sub-division that may impact it.
10. The scheduling of a site visit prior to the final subdivision review hearing.

Other preliminary/final subdivision review requirements are outlined in the accompanying Preliminary and Final Subdivision checklists and in the Unified Land Use & Development Regulations. The Board expects that all the requirements of both the preliminary subdivision review application and final subdivision review application be satisfied.

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.

The following documentation is to be submitted to the Zoning Administrator:

- Two full-size copies of the plat 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).
- Information addressing the items under "Review Criteria & Issues To Be Addressed" (see above).
- Completed application form for the Final Subdivision Hearing.

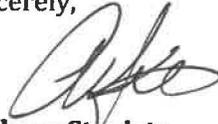
- Information or materials required by the checklists included with this letter. The checklists will assist you in preparation for your hearing submission and will also aid the Board in reviewing the required documents.

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: Brad Holden, 60 Covey Road, Underhill, VT 05489
Willis Design Associates, P.O. Box 1001, Jericho, VT 05465
James D. & Elizabeth A. MacDonald, 49 Lower English Settlement Road, Underhill, VT 05489
John Pedrin, P.O. Box 62, Underhill, VT 05489
Katerine Lesser & Ian Roos, 68 Lower English Settlement Road, Underhill, VT 05489

encl: Application for Subdivision: Final
Subdivision Checklists: Preliminary Hearing & Final Hearing
Article VIII. Subdivision Standards. Findings Checklist