

Town of Underhill
Development Review Board

P.O. Box 120, Underhill, VT 05489
www.underhillvt.gov

Phone: (802) 899-4434, x106
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MEMORANDUM

To: DRB
From: Underhill Planning and Zoning
Date: September 7, 2016
Re: Agenda and Information for 10/17/2016

Development Review Board
NOTICE OF PUBLIC MEETING
AGENDA

Monday, October 17, 2016 - 6:35 Public Hearing
Underhill Town Hall, 12 Pleasant Valley Rd. Underhill, VT

6:30 PM Open Meeting, Public Comment Period

6:35 PM Subdivision Amendment
Applicant: Marcy Gibson
Docket #: DRB 16-09
Location: 50 New Road (NR050)

7:15 PM Other Business

Review minutes from 10/3/2016
Update from Planning Coordinator
Building Envelopes

8:45 PM Adjourn

Subdivision Revision of Marcy Gibson to Relocate the Building Envelope

Applicant(s):	Marcy Gibson
Consultant:	McCain Consulting, Inc.
Property Location:	50 New Road (NR050)
Acreage:	± 4.0 Acres
Zoning District:	Rural Resident
Minimum Lot Size:	3 Acres
Minimum Frontage:	250 Feet
Setbacks (Principal Structure):	
Front:	30 Feet
Side:	50 Feet
Rear:	50 Feet
Max. Building Coverage:	25%
Max. Lot Coverage:	50%
Maximum Height:	35 Feet

2014 Underhill Unified Land Use & Development Regulations Relevant Regulations:

- Article II, Table 2.3 – Rural Residential District (pg. 12)
 - Article III, Section 3.2 – Access (pg. 27)
 - Article III, Section 3.7 – Lot, Yard & Setback Requirements (pg. 35)
 - Article III, Section 3.17 – Source Protection Areas (pg. 52)
 - Article III, Section 3.18 – Steep Slopes (pg. 53)
 - Article III, Section 3.19 – Surface Waters & Wetlands (pg. 60)
 - Article III, Section 3.22 – Water Supply & Wastewater Systems (pg. 65)
 - Article VII, Section 7.2 – Applicability (pg. 132)
 - Article VII, Section 7.8 – Revisions to an Approved Subdivision (pg. 141)
 - Article VIII – All (pg. 143)
-

Contents:

- a. Exhibit A - Application for Final Subdivision Review
 - b. Exhibit B - Final Subdivision Checklist
 - c. Exhibit C - Final Subdivision Findings of Fact
 - d. Exhibit D - Burlington Free Press Hearing Notice
 - e. Exhibit E - List of Abutting Property Owners
 - f. Exhibit F - Letter to Abutting Neighbors
 - g. Exhibit G - Project Request Cover Memo
 - h. Exhibit H - Previously Approved Plan
 - i. Exhibit I - Wastewater Permit - WW-4-2964 (2008)
 - j. Exhibit J- DRB-07-16 Findings and Decision (Final Subdivision)
 - k. Exhibit K - SUB-08-01 Subdivision Permit
 - l. Exhibit L - DRB-11-05 Findings and Decision (Subdivision Revision)
 - m. Exhibit M - Site Plan with Building Envelopes Highlighted
 - n. Exhibit N - Well Shield Envelope Highlighted
 - o. Exhibit O - Wastewater Water Permit Amendment Memorandum
 - p. Exhibit P – ANR Map – Steep Slopes
 - q. Exhibit Q – McClellan Email Regarding Concerns
 - r. Exhibit R – This Staff Memorandum
-

REVIEW OF RELEVANT SECTIONS

Article II, Table 2.3 – Rural Resident (pg. 12)

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, and where soil cover is thicker than on the hillside.

The proposed development meets all applicable dimensional standards. The building envelope as proposed meets the 30 feet front setback requirements, as well as the 50 feet side and rear setback requirements.

Section 3.2 – Access (pg. 27)

Access to this subdivision was approved as part of the 2007 subdivision application. Subsequently, an application was submitted to revise the access drive in 2011. The Development Review Board heard the application on July 18, 2012 and approved the relocation of the driveway as presented, which was then approved by the Selectboard on July 22, 2011.

As a result of moving the building envelope, the access drive will need to be extended to the new dwelling location. As a result, the applicant will likely need to get an amended access permit.

Section 3.7 – Lot, Yard & Setback Requirements (pg. 35)

The development as proposed meets all lot, yard and setback requirements.

Section 3.17 – Source Protection Areas (pg. 52)

Section 3.17.A.1 states that “no development shall be allowed within a 200-foot radius of a well or spring that serves a public water supply, except for activities, structures and uses that directly relate to the water system.”

The proposed development is located within the groundwater source protection area. The proposed drilled well is to be located twenty-two feet from the proposed driveway location, and the proposed dwelling is to be located one hundred-thirty-eight feet from the proposed drilled well. Since the dwelling is a single-family dwelling, it is exempt under § 3.17.B from requiring conditional use review.

Section 3.18 – Steep Slopes (pg. 53)

The approved subdivision contains steep slopes. Specifically, the previous building envelope appeared to contain areas of steep slope. The relocation of the building envelope appears to lessen the impact on steep slopes, as the new building envelope appears to contain less slopes (see Exhibit P).

Section 3.19 – Surface Waters & Wetlands (pg. 60)

According the Vermont Significant Wetlands Inventory, the observed parcel of land does not contain any wetlands.

Section 3.22 – Water Supply & Wastewater Systems (pg. 65)

The applicant has submitted an application to amend the current wastewater/water permit to relocate the leach field and drilled well (see Exhibit O). One set of neighbors have expressed concerns regarding the new drilled well, and the impact it will have their land (See Exhibit Q).

Section 7.8 – Revisions to an Approved Subdivision (pg. 141)

The Development Review Board approved the subdivision on March 1st, 2008 (see Exhibit J), and then approved a modification for the curb cut and access drive on August 11th, 2011 (see Exhibit L).

Modifications or revisions to an already approved subdivision plan require a subdivision amendment by the Development Review Board if the proposed amendment is not listed under § 7.8.B, Administrative Amendments. The Zoning Administrator has not been given the authority to issue an administrative amendment for the relocation of a building envelope under § 7.8.B.

The purpose of reviewing modifications to an approved subdivision is to determine that those modifications conform with the municipal plan, the ULUDR and other municipal ordinances. If the modification is approved, the applicant must record the plat with the Town. The amended subdivision plat must meet the requirements of Section 7.7. The amended subdivision plan as approved by the DRB shall also be submitted on Mylar with the subdivision plat, per Section 7.7(D)

Article VIII – §§ 8.1 – 8.8 – Subdivision Standards (pg. 143-163)

The Development Review Board approved the subdivision on March 1st, 2008 (see Exhibit J), and then approved a modification for the curb cut and access drive on August 11th, 2011 (see Exhibit L), determining that all standards had been met.

COMMENTS/QUESTIONS

1. The Development Review Board should condition approval on obtaining an access permit amendment from the Selectboard.
2. No conditions from previous Development Review Board decisions and findings were discovered inhibiting the relocation of the building envelope.
3. One set of neighbors (McClellan – see Exhibit Q) have expressed concern regarding the drilled well, and how it will affect their land.

**UNDERHILL DRB RULES OF PROCEDURE
HEARING CHECKLIST
SUBDIVISION REVISION HEARING
Request of Marcy Gibson
October 17, 2016**

State the following:

- 1) “This is a subdivision revision hearing on the application of Marcy Gibson for the relocation of the building envelope within an already approved subdivision located at 50 New Road in Underhill, VT. The purpose of a subdivision revision 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.

This subdivision is subject to review under the Unified Land Use and Development Regulations and the 2015 Road, Driveway and Trail Ordinance, and was previously classified as a **minor subdivision**.

- 2) Copies of the Rules of Procedure that the Board follows are available for review from the Planning & Zoning Administrator.
- 3) The order of speakers tonight will be:
 - a. We will hear from and ask questions of Marcy Gibson and her consultant(s);
 - b. Then we will hear and ask questions of Andrew Strniste, Planning Director & 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 Applicants and/or their consultant(s) will have an opportunity to respond; then;
 - e. Final comments will be solicited from all parties.
 - f. All speakers should address their comments to the Board, not to other parties present at the hearing.
 - g. 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 has been provided to all attendees. 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, 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:
 - a. Exhibit A - Application for Final Subdivision Review
 - b. Exhibit B - Final Subdivision Checklist
 - c. Exhibit C - Final Subdivision Findings of Fact
 - d. Exhibit D - Burlington Free Press Hearing Notice
 - e. Exhibit E - List of Abutting Property Owners
 - f. Exhibit F - Letter to Abutting Neighbors

- g. Exhibit G - Project Request Cover Memo
- h. Exhibit H - Previously Approved Plan
- i. Exhibit I - Wastewater Permit - WW-4-2964 (2008)
- j. Exhibit J- DRB-07-16 Findings and Decision (Final Subdivision)
- k. Exhibit K - SUB-08-01 Subdivision Permit
- l. Exhibit L - DRB-11-05 Findings and Decision (Subdivision Revision)
- m. Exhibit M - Site Plan with Building Envelopes Highlighted
- n. Exhibit N - Well Shield Envelope Highlighted
- o. Exhibit O - Wastewater Water Permit Amendment Memorandum
- p. Exhibit P – ANR Map – Steep Slopes
- q. Exhibit Q – McClellan Email Regarding Concerns
- r. Exhibit R – This Staff Memorandum

- 10) We'll begin testimony, and hear from the Applicants and/or their consultant(s).
- 11) Next we will hear from the Planning Director.
- 12) Are there members of the public who would like to speak?
- 13) Any final comments from anyone?
- 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, announce that the evidentiary portion of the hearing is closed.*
- 15) Does the Board wish to discuss the application in open or deliberative session? (After the ruling, continue with the info below.)

“Within 45 days from this hearing, the Planning & Zoning Administrator, on behalf of the DRB, will send a copy of the preliminary decision and letter to the Applicant, their consultant, 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

P.O. Box 32
Underhill Center, VT 05490

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

Email: underhillzoning@comcast.net

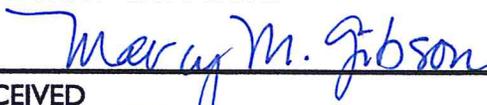
APPLICATION FOR SUBDIVISION: FINAL

ZONING DISTRICT(S):

PROPERTY CODE: NR050

FEES: \$300 hearing fee + \$100 per lot + costs + recording fees

Residential Rural Residential Water Conservation Scenic Preservation Soil & Water Conservation

RECORD OWNER OF PROPERTY: Marcy Gibson	MAILING ADDRESS: 50 New Road Underhill VT 05489
PHONE: 802-373-1740	E-MAIL: agibsonk@gmail.com
ACREAGE IN ORIGINAL PARCEL: 4.0	PROPOSED NUMBER OF LOTS: 1
DESCRIPTION OF PROJECT: This application is to revise the building envelope on Lot 2 from a previously approved subdivision.	
DEVELOPER:	CONTACT INFORMATION:
DESIGNER / ENGINEER: McCain Consulting, Inc.	ADDRESS: 93 South Main St, Waterbury VT 05676
PHONE: 802-244-5093	E-MAIL: britney@mccainconsulting.com
SURVEYOR: McCain Consulting, Inc.	ADDRESS: 93 South Main St, Waterbury VT 05676
PHONE: 802-244-5093	EMAIL: britney@mccainconsulting.com
APPLICANT SIGNATURE 	DATE Sept. 11, 2016
RECEIVED 	DATE September 20, 2016

Please submit a complete application with the attached checklist and final plans to the Zoning Administrator. A Final Hearing before the Development Review Board will be scheduled upon receipt of a complete application. For questions, please contact the Zoning Administrator at 899-4434, x106 or underhillzoning@comcast.net.

TOWN OF UNDERHILL, VERMONT

Subdivision Checklist: Final Hearing

Docket #: _____ Property ID: NR050 Meeting Date: _____

Applicant/Consultant: Marcy Gibson / McCain Consulting, Inc.

of Lots: 1 Zoning District(s): Rural Residential

Is this a Planned Residential Development? Yes No

Is this a Planned Unit Development? Yes No

Is this part of a previously-approved subdivision? Yes No

Submission Requirements

The following are required prior to scheduling a hearing.

<u>Required</u>	<u>Submitted</u>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	One large and twelve 11" x 17" copies of the final subdivision plan.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Engineering drawings (see attached checklist).
<input type="checkbox"/>	<input type="checkbox"/>	State and/or Federal Permits/Approvals.
<input type="checkbox"/>	<input type="checkbox"/>	Draft legal documents (deeds, easements, Homeowners Associations, maintenance agreements, etc.).
<input type="checkbox"/>	<input type="checkbox"/>	Fees.
<input type="checkbox"/>	<input type="checkbox"/>	Master Plan. See Section 8.1(B)(1)(a) for specific requirements.
<input type="checkbox"/>	<input type="checkbox"/>	Finalized Findings of Fact (see attached checklist).
<input type="checkbox"/>	<input type="checkbox"/>	Written requests for modifications or waivers, including justifications for such requests.

TOWN OF UNDERHILL, VERMONT

Subdivision Checklist: Final Hearing



<u>Required</u>	<u>Submitted</u>	<u>SURVEY</u>
<input type="checkbox"/>	<input type="checkbox"/>	The name and address of the record owner and designer of plat. Survey must be done by a licensed land surveyor.
<input type="checkbox"/>	<input type="checkbox"/>	Date, north orientation used and basis, scale, and legend.
<input type="checkbox"/>	<input type="checkbox"/>	The property codes and names of owners of record of adjacent acreage, including those directly across any road adjoining proposed subdivision. Also include the names of all subdivisions immediately adjacent to the proposed subdivision.
<input type="checkbox"/>	<input type="checkbox"/>	Zoning district(s) applicable to the area to be subdivided.
<input type="checkbox"/>	<input type="checkbox"/>	Existing and proposed easements, rights-of-way, roads, driveways, pedestrian walkways, and utility corridors. Proposed utility easements will be centered on as-built utility lines.
<input type="checkbox"/>	<input type="checkbox"/>	Surface waters, wetlands, vernal pools, and associated buffers.
<input type="checkbox"/>	<input type="checkbox"/>	Mapped floodplains.
<input type="checkbox"/>	<input type="checkbox"/>	Open space areas.
<input type="checkbox"/>	<input type="checkbox"/>	Proposed lot lines with dimensions.
<input type="checkbox"/>	<input type="checkbox"/>	Building envelopes for all structures, parking areas, and associated site improvements.
<input type="checkbox"/>	<input type="checkbox"/>	A vicinity map drawn to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. Show all of the area within two thousand (2,000) feet of any property line of the proposed subdivision.

TOWN OF UNDERHILL, VERMONT

Subdivision Checklist: Final Hearing



<u>Required</u>	<u>Submitted</u>	<u>ENGINEERING DRAWINGS</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Name and address of record owner(s) and designer of engineering plans.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Date, north orientation used and basis, scale, and legend.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Abutting neighbors identified by name and property code.
<input type="checkbox"/>	<input type="checkbox"/>	Zoning district(s) applicable to the area to be subdivided.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Natural topography (surface contours, grades) and drainage patterns.
<input type="checkbox"/>	<input type="checkbox"/>	Outcrops, ledges, visually prominent ridgelines and peaks, or other unique topographical and geographical features. (Include tree canopy height for proposed development down-slope of ridges and hilltops).
<input type="checkbox"/>	<input type="checkbox"/>	Areas of steep or very steep slopes.
<input type="checkbox"/>	<input type="checkbox"/>	Surface waters, wetlands, vernal pools, and associated buffers.
<input type="checkbox"/>	<input type="checkbox"/>	Mapped floodplains.
<input type="checkbox"/>	<input type="checkbox"/>	Natural vegetative cover (timber and orchard stands, witness and shade trees, copses, hedgerows, etc.).
<input type="checkbox"/>	<input type="checkbox"/>	Areas of forestland.
<input type="checkbox"/>	<input type="checkbox"/>	Significant wildlife habitat areas and corridors, and rare, threatened, and endangered plant and animal communities and associated buffers.
<input type="checkbox"/>	<input type="checkbox"/>	Primary agricultural soils.
<input type="checkbox"/>	<input type="checkbox"/>	Historic sites and structures.
<input type="checkbox"/>	<input type="checkbox"/>	Designated Source Protection Areas.
<input type="checkbox"/>	<input type="checkbox"/>	Preserved open space areas, forestland, natural, cultural, and historic features.
<input type="checkbox"/>	<input type="checkbox"/>	Existing easements, rights-of-way, pedestrian walkways, curb cuts, driveways, roads (including Class IV), parking areas, and utility corridors.
<input type="checkbox"/>	<input type="checkbox"/>	Proposed easements, rights-of-way, pedestrian walkways, curb cuts, driveways, roads and upgrades, parking areas and designs for each (include cuts, fills, grades, drainage, culverts, travel lane widths, shoulder widths, surfacing, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Proposed utility corridors.
<input type="checkbox"/>	<input type="checkbox"/>	Existing buildings and grades.
<input type="checkbox"/>	<input type="checkbox"/>	Proposed new lot lines (dimensions to the nearest foot, no bearings) and acreages.
<input type="checkbox"/>	<input type="checkbox"/>	Building envelopes for all structures, parking areas, and associated site improvements.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Docket #: _____ Property ID: NR050 Hearing Date: _____

Applicant/Consultant: Marcy Gibson / Gunner McCain, McCain Consulting, Inc.

The following standards are excerpted from Article VIII of the Unified Land Use and Development Regulations. For full standards, refer to the complete regulations document.

Applicant(s) shall submit proposed findings of fact for each of the relevant subdivision standards below as part of the application for final subdivision review. Proposed findings shall address how the proposed development relates to each portion of the standard.

<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards</u>
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(A) Development Suitability

Indicate how the proposed subdivision will not result in undue adverse impacts to public health and safety, the natural environment, neighboring properties and uses, or the character of the area in which it is located.

No new subdivision is proposed. This application is to revise the building envelope for Lot 2 from a previously approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required Submitted **Section 8.2 General Standards Cont'd**

(B) Development Density

Provide the density calculations for each zoning district in the proposed project.

Zoning District:

a. Total land area in the proposed subdivision within this zoning district		ft ²
b. Area of land within existing road rights-of-way	ft ²	
c. Area of land within proposed road rights-of-way	ft ²	
d. Add lines b & c	ft ²	
e. Subtract line d from line a		ft ²
f. Minimum lot size for this district	ft ²	
i. Divide line e by line h		LOTS

Required Submitted

(C) Existing Site Conditions

Indicate how the proposed subdivision will integrate and conserve existing site features and natural amenities (topography, drainage patterns, surface waters, wetlands, vernal pools, floodplains, vegetative cover, outcrops, ledges, ridgelines, peaks, primary agricultural soils, historic sites and structures, etc.).

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.2 General Standards Cont'd



(D) Underhill Town Plan & Regulations

How will the proposed subdivision conform to the stated policies and objectives in the Underhill Town Plan as most recently amended, other provisions of these regulations, adopted capital or transportation improvement programs, and other municipal bylaws, ordinances and regulations?

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards Cont'd</u>
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(E) District Settlement Patterns

Identify the district(s) in which the proposed subdivision will occur.



Underhill Flats Village Center



Rural Residential



Water Conservation



Scenic Preservation



Soil & Water Conservation

Address the provisions in the applicable district(s) as stated in Section 8.2 (E).

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.2 General Standards Cont'd



(F) Lot Layout

Explain how the proposed lots and lot layouts:

1. are suitable for their intended use, for subsequent development (building lots) or for resource or open space protection (conserved lots).

No changes to this standard are proposed from the original approved subdivision.

2. conform to desired district settlement patterns, as required under Subsection E.

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required Submitted Section 8.2 General Standards Cont'd



(F) Lot Layout Cont'd.

Explain how the proposed lots and lot layouts:

3. meet minimum lot size and density requirements under Article II, except as modified for planned residential or planned unit developments under Article IX.

No changes to this standard are proposed from the original approved subdivision.

4. conform to lot and yard requirements under Section 3.7.

The revised building envelope adjustment conforms to the lot and yard requirements.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.2 General Standards Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(F) Lot Layout Cont'd.

If irregularly shaped lots (e.g., with curves, jogs, dog-legs, etc.) are proposed, provide an explanation for their necessity.

<u>Required</u>	<u>Submitted</u>	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(G) Building Envelopes

See application checklist.

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(H) Survey Monuments
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See application checklist.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.2 General Standards Cont'd



(I) Landscaping & Screening

1. How does the proposal preserve existing trees, tree lines, wooded areas of particular natural or aesthetic value to the site, and significant wildlife habitat areas?

No changes to this standard are proposed from the original approved subdivision.

2. How does the proposal comply with the requirement to provide an undisturbed vegetated buffer between developed and undeveloped portions of the subdivision, as necessary to minimize adverse impacts to surface waters and wetlands (See Section 3.19), or other natural or scenic resources under Section 8.3?

The revised building envelope on Lot 2 does not have any undue adverse impact on buffer zones.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.2 General Standards Cont'd



(I) Landscaping & Screening Cont'd

3. How does the proposal provide for physical separation and visual screening as necessary to provide privacy, reduce noise or glare, or to establish a buffer between potentially incompatible land uses?

There are no incompatible land uses in the vicinity.

4. How does the proposal comply with the requirement to establish a tree canopy along roads or pedestrian walkways?

There are no changes to this standard proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.2 General Standards Cont'd



(J) Energy Conservation

Explain how the proposed subdivision design and layout, to the extent physically feasible, incorporates energy efficient design. See Section 8.2 (J) for recommended measures.

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.3 Natural & Cultural Resources</u>
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(A) Resource Identification & Protection

Identify any significant cultural and natural features in the area of the proposed development, and indicate how they will be conserved.

There are no known significant cultural or natural features on the tract impacted by revising the Lot 2 building envelope.

<u>Required</u>	<u>Submitted</u>	
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(B) Surface Waters, Wetlands & Floodplains

Explain how the proposed subdivision boundaries, lot lines and building envelopes are located and configured to avoid adverse impacts to surface waters, wetlands, special flood hazard areas (SFHAs), and designated Source Protection Areas (SPAs), and meet the specific requirements under Section 8.3 (B).

There are no stream or wetland impacts as a result of revising the Lot 2 building envelope.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.3 Natural & Cultural Resources Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(C) Rock Outcrops, Steep Slopes, Hillside & Ridgelines

Explain how the proposed subdivision boundaries, lot lines and building envelopes have been located and configured to minimize the adverse impacts of development on steep slopes (15% or more); to avoid site disturbance on very steep slopes (>25%); and to avoid the placement of structures on exposed rock outcrops and ledges and visually prominent hilltops and ridgelines.

The building envelope has been configured so that no structures will be located on exposed rock outcrops, ledges, or visually prominent hilltops and ridgelines. Some areas of the building envelope contain slopes slightly in excess of 25%, however they are not natural slopes and are the result of a prior gravel extraction operation on the parcel.

Indicate which of the recommended measures in Section 8.3 (C) have been incorporated into the overall plans.

The building envelope has been configured to avoid natural very steep slopes. There are no structures proposed for exposed rock outcrops, ledges, or ridgelines.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.3 Natural & Cultural Resources Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(D) Natural Areas & Wildlife Habitat

Address how the proposed subdivision boundaries, lot lines, and building envelopes have been located and configured to avoid the subdivision and fragmentation of, and adverse impacts to natural areas and significant wildlife habitat identified in the town plan and associated maps and inventories, by the Vermont Department of Fish & Wildlife, or through site investigation. Refer to Section 8.3 (D) for specific requirements.

There are no significant wildlife habitat or natural areas on the tract.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.3 Natural & Cultural Resources</u> <u>Cont'd</u>
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(E) Historic & Cultural Resources

Have historic and archaeological site(s) and/or resource(s) have been identified in the area to be developed? Yes No *[If no, skip to (F) on the next page.]*

If site(s) and/or resource(s) have been identified, address how the proposed subdivision boundaries, lot lines, and building envelopes have been located and configured to minimize adverse impacts to historic and archaeological sites and resources identified in the town plan, by the Vermont Division for Historic Preservation (on state or national registers), or through site investigation. Refer to Section 8.3 (E) for specific requirements.

No known historic or cultural resources exist on the tract.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.3 Natural & Cultural Resources Cont'd</u>
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(F) Farmland

Do areas of primary agricultural soils, open fields, orchards, or maple sugar stands exist in the area to be developed? Yes No *[If no, skip to (G) on the next page.]*

If such areas have been identified, address how the proposed subdivision boundaries, lot lines, and building envelopes have been located and configured to avoid the fragmentation of and adverse impacts to those areas. Include responses to the provisions under Section 8.3 (F).

No farmland exists on Lot 2.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

**Section 8.3 Natural & Cultural Resources
Cont'd**



(G) Forestland

Does the area to be developed include forestland? Yes No
[If no, skip to Section 8.4 (A) on the next page.]

If forestland exists, address the standards under Section 8.3(G).

Forestland is not present on Lot 2.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.4 Open Space & Common Land</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(A) Open Space

Explain how the proposed development incorporates the provisions under Section 8.4 (A).

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.4 Open Space & Common Land Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(B) Common Land

Does the area to be developed include land held in common for the preservation and maintenance of open space or the management and maintenance of shared facilities (e.g., community wastewater systems, community water supplies, recreation or community facilities, road and trail rights-of-way)? Yes No *[If no, skip to Section 8.5 below.]*

If the proposed development includes common land, will the land be held under separate ownership from the contiguous parcels? Yes No

<u>Required</u>	<u>Submitted</u>	<u>Section 8.5 Stormwater Management & Erosion Control</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

Provide an explanation of and details for the temporary and permanent stormwater management and erosion control measures that will be used during all phases of subdivision development as necessary to limit surface runoff and erosion, protect water quality and to avoid damage to downstream properties in conformance with Section 8.5.

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.5 Stormwater Management & Erosion Control Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

Provide the existing and anticipated runoff, anticipated flows from storm events, and total runoff generated at build-out.

No changes to this standard are proposed from the original approved subdivision.

Demonstrate that existing downstream drainage facilities will be able to accommodate any additional runoff from the subdivision at build-out.

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.6 Transportation Facilities</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(A) Access & Driveways

Address how the proposed access to the subdivision and to individual lots within the subdivision meets the requirements of Section 3.2 (Access Management), the Underhill Highway Ordinance, adopted state or municipal access management plans and capital or transportation improvement plans, and the provisions of Section 8.6 (A).

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.6 Transportation Facilities Cont'd</u>
-----------------	------------------	-----------------------------------------------------



Will the proposed subdivision require access to VT Route 15? Yes No
[If no, skip to the next page.]

If the proposed access will be off of VT Route 15, address how the access meets the Vermont Agency of Transportation requirements for subdivision access onto state highways.

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.6 Transportation Facilities Cont'd</u>
-----------------	------------------	-----------------------------------------------------



(B) Development Roads

Will the proposed development require the construction or upgrade of a private development road? Yes No *[If no, skip to (C) on the next page.]*

If a new or upgraded road is proposed, explain how the proposed development conforms to the Underhill Highway Ordinance, and the specific road standards under Section 8.6 (B).

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist



Required Submitted Section 8.6 Transportation Facilities Cont'd



(C) Parking Facilities

Will the proposed development include common or shared parking areas?



Yes



No

If such areas are proposed, explain how the proposed development has been designed in accordance with Section 3.13.

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.7 Public Facilities & Utilities



(A) Public Facilities

Demonstrate how the proposed subdivision will not create an undue burden on existing and planned public facilities.

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 8.7 Public Facilities & Utilities Cont'd</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	(B) Fire Protection

Does the proposed development incorporate water storage and distribution facilities for fire protection in accordance with fire department specifications? Yes No

Address the proposed access to developed lots as it relates to emergency response vehicles.

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.7 Public Facilities & Utilities
Cont'd



(C) Water Systems

Demonstrate that adequate potable water supplies exist on- or off-site to serve the subdivision. Include the requirements and considerations under Section 8.7 (C).

A Wastewater/Potable Water Supply Application is currently pending at the State at the time of application.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.7 Public Facilities & Utilities

Cont'd



(D) Wastewater Systems

Demonstrate that adequate wastewater system capacities exist on- or off-site to serve the proposed subdivision. Include the requirements and considerations under Section 8.7 (D).

A Wastewater/Potable Water Supply Application is currently pending at the State at the time of application.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.7 Public Facilities & Utilities
Cont'd



(E) Utilities

Will all proposed utilities be buried? Yes No

If any utilities are proposed above-ground, demonstrate that burial is not reasonable given physical site constraints (e.g., ledge or shallow depth to bedrock).

No changes to this standard are proposed from the original approved subdivision.

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

**Section 8.7 Public Facilities & Utilities
Cont'd**



(E) Utilities Cont'd

Address the provisions of Section 8.7 (E).

N/A

TOWN OF UNDERHILL, VERMONT

Article VIII. Subdivision Standards Findings Checklist

Required

Submitted

Section 8.8 Legal Requirements



Provide documentation and assurances that all required improvements, associated rights-of-way and easements, and other common lands or facilities will be adequately maintained in accordance with an approved management plan, either by the applicant, an owners' association, or through other legal means acceptable to the DRB. Draft management plans and documentation must be submitted with the application for final subdivision review for approval by the DRB.

No changes to this standard are proposed from the original approved subdivision.

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: UNDERHILL, TOWN OF
Address: PO BOX 120
UNDERHILL VT 05489
USA

Ad No.: 0001624836
Pymt Method Invoice
Net Amt: \$174.00

Run Times: 1

No. of Affidavits: 0

Run Dates: 10/01/16

Text of Ad:

NOTICE OF PUBLIC MEETING
Town of Underhill Development
Review Board (DRB) Hearing
Monday, October 17, 2016 at 6:30 PM
At the Underhill Town Hall,
12 Pleasant Valley Rd. Underhill, VT

The DRB will hold a hearing on the application of Marcy Gibson for a subdivision amendment for the previously approved subdivision at 50 New Road (NR050). This property is located in the Rural Residential zoning district. The hearing will be held at Town Hall at 6:35 PM.

Additional information for this hearing may be obtained at the Underhill Town Hall. The hearing is 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 hearings, 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

October 1, 2016

Abutting Property Owners:

57 New Road

Town of Underhill
P.O. Box 120
Underhill, VT
05489

77 New Road

Town of Underhill – Garage
P.O. Box 120
Underhill, VT 05489

139 Pleasant Valley Road

Richard J. & Barbara A. Albertini
P.O. Box 168
Underhill Center, VT 05490

165 Pleasant Valley Road

P.O. Box 152
Underhill Center, VT 05490

175 Pleasant Valley Road

William R. Bartoli
James Taylor
175 Pleasant Valley Road
Underhill, VT 05489

191 Pleasant Valley

Michael F. Oman
P.O. Box 216
Underhill Center, VT 05490



Town of Underhill

P.O Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

Marcy Gibson
50 New Road
Underhill, VT 05489

Dear Applicant:

This letter is to notify you of your final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on your property located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

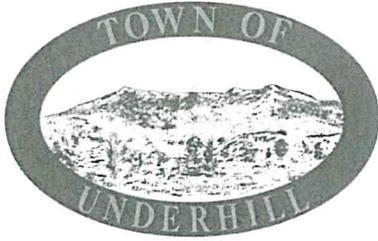
The hearing is open to the public and abutting neighbors have the right to provide comments. Additional information related to this application is available at the Town Hall. Pursuant to 24 VSA §§4464(a) (1) (C) and 4471(a), participation in this local proceeding by written or oral comment is a prerequisite to the right to take any subsequent appeal.

If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

McCain Consulting, Inc.
93 South Main St
Waterbury, VT 05676

Dear Applicant:

This letter is to notify you of your final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on your property located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

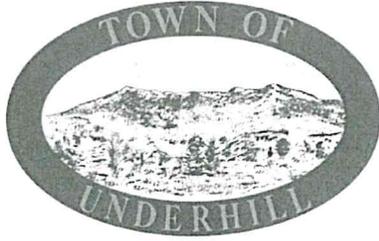
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If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

Town Garage
77 New Road
Underhill, VT 05489

Dear Neighbor:

This letter is to notify you of a final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on a property abutting yours, located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

The hearing is open to the public, and as an abutting neighbor, you have the right to be heard at the hearing. Additional information is available at the Planning and Zoning Office in the Town Hall. If you cannot attend the hearing, but would still like to exercise your right to be heard, comments may be made in writing prior to the hearing and mailed to the address above or emailed to me at astrniste@underhillvt.gov.

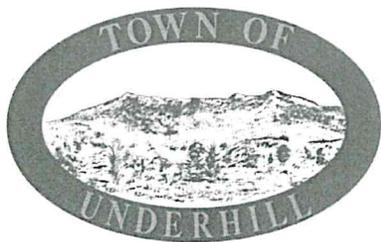
Pursuant to 24 VSA §§ 4464(a)(1)(C) and 4471(a), participation in this local proceeding is a prerequisite to the right to take any subsequent appeal.

If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

Town of Underhill
523 VT Route 15
Underhill, VT 05489

Dear Neighbor:

This letter is to notify you of a final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on a property abutting yours, located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

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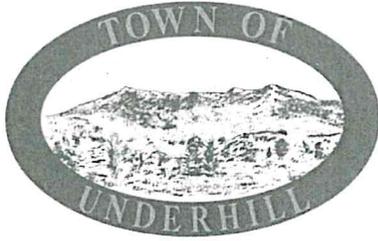
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If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O. Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

Richard J. & Barbara A. Albertini
P.O. Box 168
Underhill Center, VT 05490

Dear Richard & Barbara Albertini:

This letter is to notify you of a final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on a property abutting yours, located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

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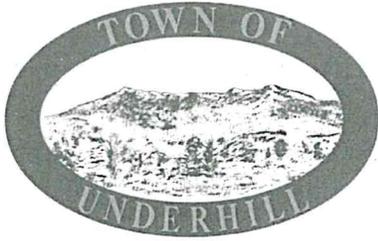
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Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O. Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

Michael & Kimberly McClellan
P.O. Box 152
Underhill Center, VT 05490

Dear Michael & Kimberly McClellan:

This letter is to notify you of a final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on a property abutting yours, located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

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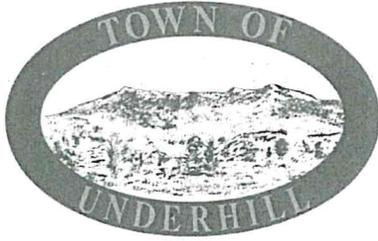
Pursuant to 24 VSA §§ 4464(a)(1)(C) and 4471(a), participation in this local proceeding is a prerequisite to the right to take any subsequent appeal.

If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

William R. Bartoli
James Taylor
175 Pleasant Valley Road
Underhill, VT 05489

Dear William Bartoli and James Taylor:

This letter is to notify you of a final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on a property abutting yours, located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

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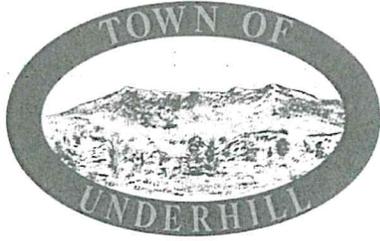
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If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant



Town of Underhill

P.O. Box 120, Underhill, VT 05489

www.underhillvt.gov

Phone: (802) 899-4434, x106

Fax: (802) 899-2137

September 28, 2016

Michael F. Oman
P.O. Box 216
Underhill Center, VT 05490

Dear Mr. Oman:

This letter is to notify you of a final subdivision review hearing before the Underhill Development Review Board on **Monday, October 17, 2016** for a proposed building envelope modification on a property abutting yours, located at **50 New Road (NR050)**. The property is located in the Rural Residential zoning district. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:35 PM.

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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 have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,

Andrew Strniste
Planning Director
Zoning Administrator

cc: File
Applicant

September 19, 2016

Andrew Strniste
Interim Zoning Administrator
PO Box 120
Underhill, VT 05489

RE: Building Envelope Adjustment Application
Lot 2 of the Gibson Property, New Road, Underhill
McCain Project No. 27071A

Dear Andrew,

Enclosed please find the following for the above referenced project:

- Fee check in the amount of \$300.00;
- Final Subdivision Application;
- Final Hearing Subdivision Checklist;
- Subdivision Standards Findings Checklist;
- Two (2) 24" x 36" copies and twelve (12) 11" x 17" copies of the Site Plans Sheet 1 of 2 (dated August 29, 2016).

This project involves a revision to the Building Envelope on Lot 2 from a previously approved subdivision.

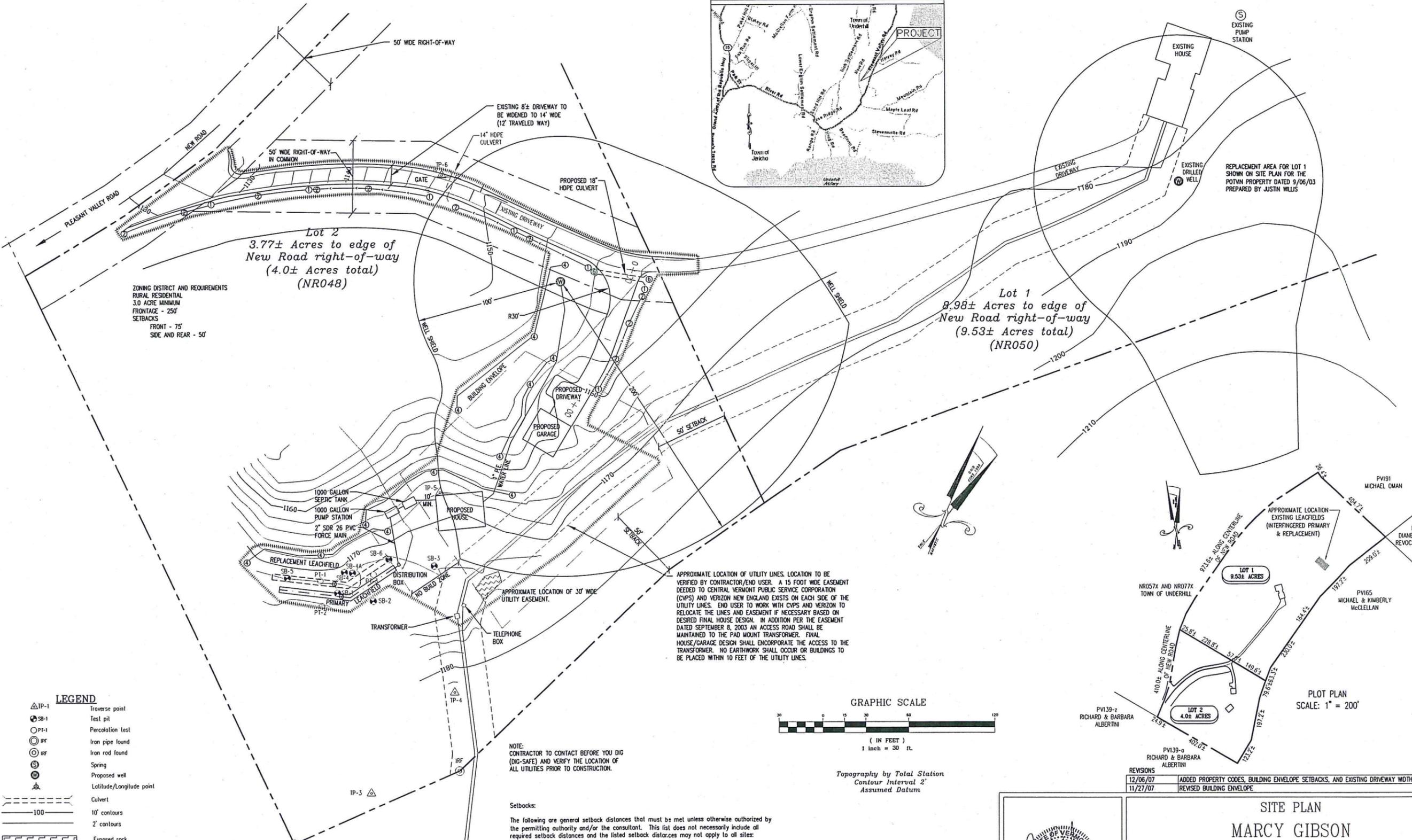
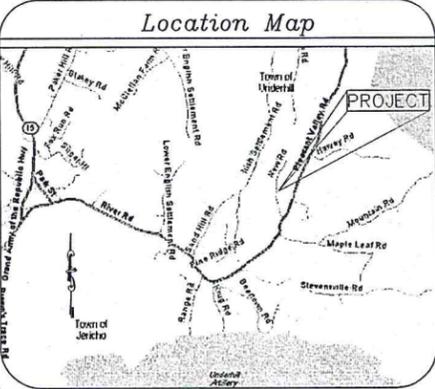
Please feel free to call with any questions you may have or if you need any additional information.

Sincerely,
McCain Consulting, Inc.



Gunner McCain

Enc.



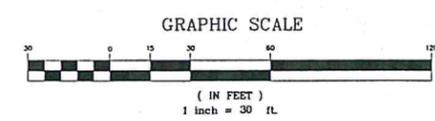
- LEGEND**
- △ TP-1 Traverse point
 - ⊙ SB-1 Test pit
 - PF-1 Perculation test
 - ⊙ IP Iron pipe found
 - ⊙ IRF Iron rod found
 - ⊙ S Spring
 - ⊙ PW Proposed well
 - ⊙ L/L Latitude/Longitude point
 - Culvert
 - 10' contours
 - 2' contours
 - Exposed rock
 - Property line
 - Property line adjointer
 - Property line tie
 - ① Stone lined ditch
 - ② Stone check dam
 - ③ Silt fence
 - ④ Culvert headwall
 - ⑤ Diversion swale
 - Limit of disturbance

NOTE: CONTRACTOR TO CONTACT BEFORE YOU DIG (DIG-SAFE) AND VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

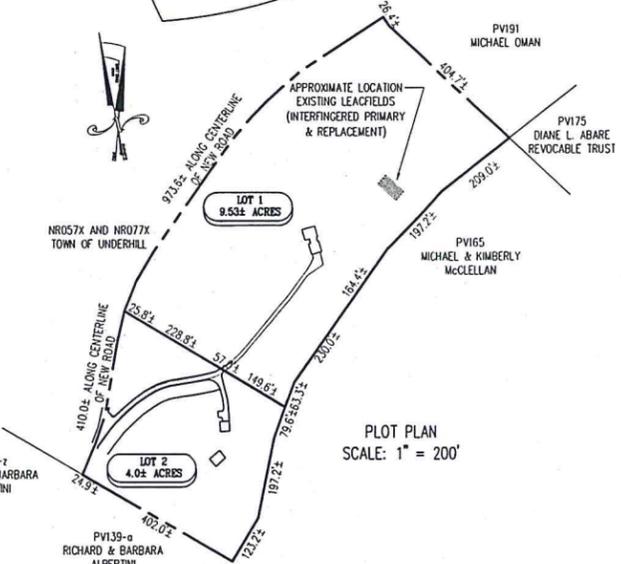
Setbacks:
The following are general setback distances that must be met unless otherwise authorized by the permitting authority and/or the consultant. This list does not necessarily include all required setback distances and the listed setback distances may not apply to all sites:

ITEM	LEACHFIELD	SEPTIC TANK	SEWER
DRILLED WELL	SEE PLAN	50	50
SPRING	SEE PLAN	75	75
LAKES, PONDS, IMPOUNDMENTS	50	25	25
RIVERS, STREAMS	50	25	10
PROPERTY LINE	25	10	10
ROADWAY, DRIVEWAY, PARKING LOTS	5	5	SEE PLAN
TREES	10	10	SEE PLAN
SERVICE WATER LINE	25	25	SEE PLAN

APPROXIMATE LOCATION OF UTILITY LINES. LOCATION TO BE VERIFIED BY CONTRACTOR/END USER. A 15 FOOT WIDE EASEMENT DEED TO CENTRAL VERMONT PUBLIC SERVICE CORPORATION (CVPS) AND VERIZON NEW ENGLAND EXISTS ON EACH SIDE OF THE UTILITY LINES. END USER TO WORK WITH CVPS AND VERIZON TO RELOCATE THE LINES AND EASEMENT IF NECESSARY BASED ON DESIRED FINAL HOUSE DESIGN. IN ADDITION PER THE EASEMENT DATED SEPTEMBER 8, 2003 AN ACCESS ROAD SHALL BE MAINTAINED TO THE PAD MOUNT TRANSFORMER. FINAL HOUSE/GARAGE DESIGN SHALL INCORPORATE THE ACCESS TO THE TRANSFORMER. NO EARTHWORK SHALL OCCUR OR BUILDINGS TO BE PLACED WITHIN 10 FEET OF THE UTILITY LINES.



Topography by Total Station
Contour Interval 2'
Assumed Datum



REVISIONS

12/06/07	ADDED PROPERTY CODES, BUILDING ENVELOPE SETBACKS, AND EXISTING DRIVEWAY WIDTH
11/27/07	REVISED BUILDING ENVELOPE

ENGINEER
PETER C. LAZORCHAK, P.E.
VT P.E. 8930

12/11/07

SITE PLAN
MARCY GIBSON
TWO LOT SUBDIVISION

50 NEW ROAD UNDERHILL, VT

SCALE: 1" = 30'
DESIGNED BY: PCL PROJECT: #27071
DRAWN BY: RHP/WDB
CHECKED BY: PCL

McCain Consulting, Inc.
93 SOUTH MAIN STREET
WATERBURY, VERMONT 05676

DATE: NOVEMBER 20, 2007 SHEET 1 OF 2

NOTES

Septic Tank and Building Sewer (Lot 2):

- 1) Use a 1000 gallon concrete septic tank with an access riser to grade, and an effluent filter.
- 2) Place tank a minimum of 10' from the building.
- 3) Use 4" cast iron or SCH 40 PVC from building to tank with one pipe joint placed on undisturbed soil to absorb settling.
- 4) Slope pipe from building to tank at 1/4" per foot.

Pump Station (Lot 2):

- 1) Test pump on and off levels to verify dose volumes.
- 2) Test alarm level.
- 3) Test pump to verify discharge to the distribution box.

Force Main (Lot 2):

- 1) Perform a hydrostatic leakage test of the force main at 50 psi and hold pressure for two hours.

Distribution Box (Lot 2):

- 1) Use concrete distribution box. Installation is to include a riser to grade for access and maintenance as required by the Environmental Protection Rules effective January 1, 2005.
- 2) Use 4" solid PVC out of box. Slope solid PVC at 1/4" per foot for 5' minimum.
- 3) Use gravel or rubber seals to make inlet and outlets watertight.
- 4) All outlets are to be level.
 - a) Use water test to level outlets. All outlets are to be at the same elevation, or use a "tidal-flow" type device.
 - b) Add water to box to verify equal flow out of pipes. Adjust and retest as required.

Design Calculations (Lot 2):

- 1) Assume a four bedroom house. Daily Flow (DF) @ 140 gpd/br for the first three, and 70 gpd for the remaining bedroom = 490 gpd
- 2) Percolation rate = $1 = 4 \text{ minutes/foot}$
- 3) Application rate (AR) = $3/4 \text{ ft} = 3/4 \times 1.5 \text{ gal/sf/day}$
Maximum application rate for effluent in an absorption trench = 1.5 gal/sf/day
- 4) Required trench area: $DF/AR = 490/1.5 = 327 \text{ sf}$
- 5) Actual area: 1 trench @ 4' x 85' = 340 sf

Leachfield - Construction Notes (Lot 2):

- 1) Bottom of trenches to be 12" below grade.
- 2) Scarify sides and bottom of trenches prior to placing stone.
- 3) Place 12" of 1-1/2" clean hard crushed stone or washed stone.
- 4) Place 4" perforated PVC pipe in center of trench.
- 5) Cap end of all pipes 2' from trench end.
- 6) Cover distribution lateral with a minimum of 2" of stone.
- 7) Cover stone with filter fabric.
- 8) Grade surface of leachfield to direct surface water away from leachfield.
- 9) Topsoil, seed, and mulch all disturbed areas to establish vegetation.

Water Supply Basis of Design:

- a) Average day demand = 4 bedroom house @ 490 gpd
- b) Maximum day demand (gpm) = 0.68
- c) Instantaneous peak demand (gpm) = 5 gpm
- d) Source capacity = to be determined
- e) Storage capacity = not required for single family residence
- f) Pump capacities = to be determined
- g) Operating pressure ranges = 30-50 psi
- h) Reference to the floodplain = this project is not in the floodplain

Water Supply Well:

- 1) Install well in the location shown on the plan.
- 2) Provide well driller's log.
- 3) Provide well driller's certification as specified below.

Inspections and Certifications:

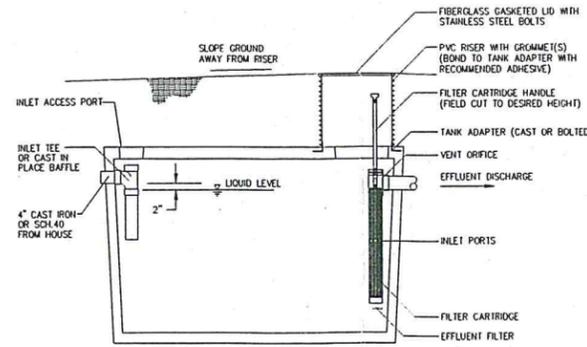
- 1) It is the owner's/ contractor's responsibility to contact the consultant and local health inspector for the following:
 - a) For stakeout of the well and leachfield locations.
 - b) For inspection of the scarification of the soil prior to placing stone.
 - c) For inspection of the pressurization of the force main to 50 psi.
 - d) To observe pump operation and to verify discharge to the distribution box.
- 2) The septic system installer will provide the consultant with a signed and dated statement as follows:

I hereby certify that the installation-related information submitted is true and correct, and that in the exercise of my reasonable professional judgment, the wastewater system has been installed in accordance with the permitted design and all permit conditions, was inspected, was properly tested, and has successfully met those performance tests.
- 3) The well driller will provide the consultant with a signed and dated statement as follows:

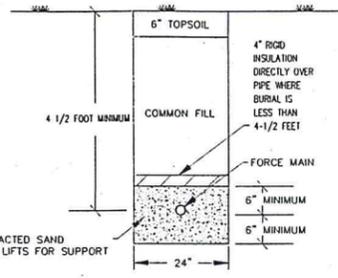
I hereby certify that the installation-related information submitted is true and correct, and that in the exercise of my reasonable professional judgment, the potable water supply has been installed in accordance with the permitted design and all permit conditions, was inspected, was properly tested, and has successfully met those performance tests.
- 4) The certification of construction as required by section 1-303(c) of the Environmental Protection Rules may not be provided by the designer if the procedures outlined herein are not followed.

Maintenance:

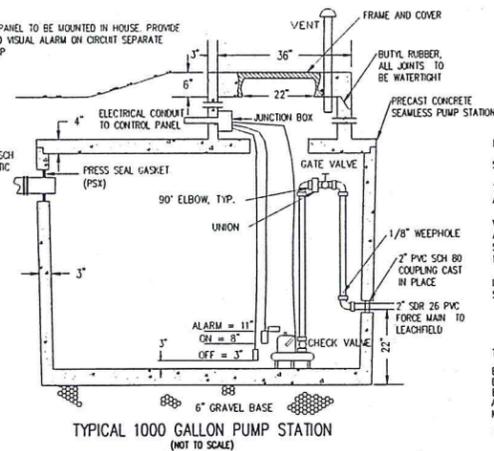
- (1) At least once a year, the depth of sludge and scum in the septic tank should be measured. The tank should be pumped if:
 - a) The sludge is closer than twelve inches to the outlet baffle, or
 - b) The scum layer is closer than three inches to the septic tank outlet baffle.
- (2) Following septic tank cleaning in units over 5,000 gallons, all interior surfaces of the tank should be inspected for leaks and cracks.
- (3) At least twice a year, the outlet filter on the septic tank should be removed and cleaned by spraying it with water under normal household pressure.
- (4) At least once a year, dosing tanks and distribution boxes should be opened and settled solids removed as necessary and the dosing tank or distribution box checked for levelness.
- (5) At least once a year, pump stations should be inspected.
 - a) Remove settled solids as necessary. Solids and scum accumulation in the pump station may be indicative of a septic tank outlet filter malfunction, septic tank overloading, or other cause that should be investigated and remedied.
 - b) On/off and alarm floats should be tripped to ensure proper operation.
 - c) Inspect delivery of effluent to the distribution box. Slow delivery may indicate impending pump failure.
- (6) Toxic or hazardous substances should in general not be disposed of in septic systems. These substances may pass through the system in an unaltered state and contaminate groundwater or remain in the septic and subsequently contaminate the soil or crops at the site of ultimate disposal.
- (7) The leachfields are not designed for the disposal of filter backwash or other byproducts of water treatment, filtration or purification systems.



TYPICAL SEPTIC TANK (NOT TO SCALE)



FORCE MAIN TRENCH DETAIL (NOT TO SCALE)



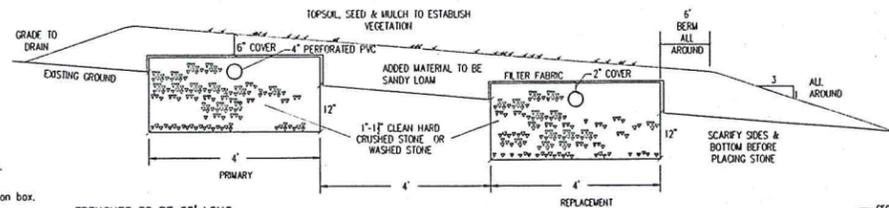
TYPICAL 1000 GALLON PUMP STATION (NOT TO SCALE)

PUMP PARAMETERS:

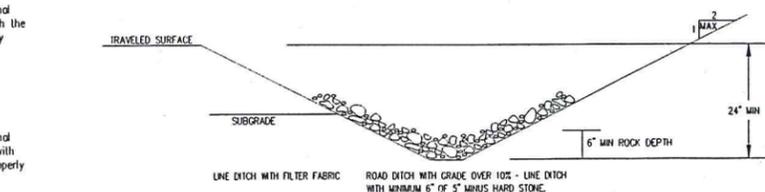
Size pump to deliver 25 GPM at 20 feet TDH
 THE PUMP IS TO BE SUPPLIED WITH STANDARD ALARM AND CONTROLS AS SUPPLIED BY THE MANUFACTURER
 VOLUMES AND FLOAT SETTINGS ARE BASED ON A 1000 GALLON PUMP STATION MANUFACTURED BY S.T. CRESWELL AND COMPANY INC., CATALOG FILE 1000 2PC PS
 INSIDE DIMENSIONS VARY WITH EACH TANK SUPPLIER

TANK VOLUMES

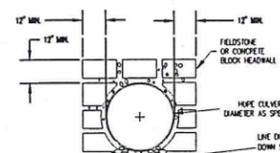
BELOW OFF FLOAT DOSE VOLUME 62 GALLONS
 BETWEEN ON AND ALARM FLOATS 62 GALLONS
 ABOVE ALARM FLOAT (EMERGENCY STORAGE) 925 GALLONS
 MINIMUM REQUIRED EMERGENCY STORAGE 490 GALLONS
 TOTAL TANK VOLUME 1152 GALLONS



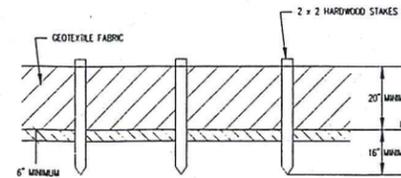
SEEPAGE TRENCH DETAIL (NOT TO SCALE)



EROSION CONTROL NUMBER 1 STONE LINED DITCH (NOT TO SCALE)



EROSION CONTROL NUMBER 6 CULVERT HEADWALL DETAIL (NOT TO SCALE)



EROSION CONTROL NUMBER 4 SILT FENCE DETAIL (NOT TO SCALE)

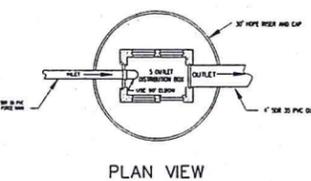
CONSTRUCTION NOTES

1. DRIVE FENCEPOSTS
2. CONSTRUCT SMALL TRENCH ON FRONT SIDE OF FENCE
3. STAPLE OR ATTACH WIRE FENCE
4. STAPLE OR ATTACH FILTER FABRIC TO WIRE FENCE ALLOWING SUFFICIENT MATERIAL FOR USE IN THE BOTTOM OF THE TRENCH
5. BURY THE FILTER CLOTH A MINIMUM OF 6"

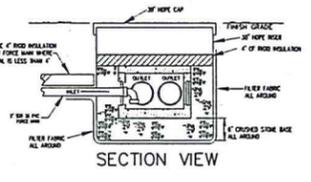
MAINTENANCE

1. INSPECT SILT FENCE PERIODICALLY FOR DAMAGE DUE TO ANIMALS, EQUIPMENT, AND WIND
2. REMOVE SILT WHEN LEVEL REACHES 1/2 HEIGHT OF FENCE

PERCOLATION TESTS
 PT-1 1 MH/IN @ 36"
 PT-2 4 MH/IN @ 36"
 PT-3 4 MH/IN @ 36"
LATITUDE/LONGITUDE
 WELL LOCATION N 46°-55'-44.8"; W 076°-06'-02.6"
 PRIMARY LEACHFIELD LOCATION N 46°-55'-43.3"; W 076°-06'-03.1"
 REPLACEMENT LEACHFIELD LOCATION N 46°-55'-43.3"; W 076°-06'-03.2"

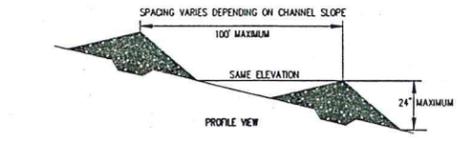


PLAN VIEW

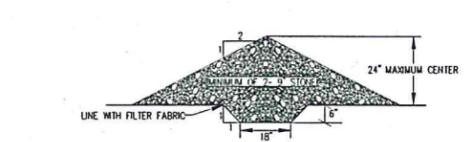


SECTION VIEW

FIVE OUTLET DISTRIBUTION BOX WITH RISER (NOT TO SCALE)

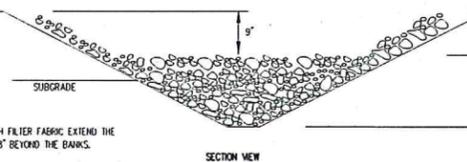


PROFILE VIEW



SECTION VIEW

STONE CHECK DAM NOTES
 1. INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
 2. COLLECTED SEDIMENT SHALL BE REMOVED WHEN IT REACHES A LEVEL HALF THE ORIGINAL DAM HEIGHT.



SECTION VIEW

EROSION CONTROL NUMBER 2 STONE EROSION CHECK DAM (NOT TO SCALE)



DRIVEWAY DETAIL (NOT TO SCALE)

- NOTES**
1. DISTRIBUTION BOX IS TO BE SET ON A 6" BASE OF CRUSHED STONE. APPLY FILTER FABRIC ALL AROUND BEFORE SETTING CRUSHED STONE IN PLACE.
 2. AFTER ALL PIPING CONNECTIONS ARE COMPLETED ADD STONE ALL AROUND DISTRIBUTION BOX UP TO TOP OF THE BOX.
 3. PLACE RISER ON TOP OF STONE. RISER TO EXTEND TO GROUND SURFACE.
 4. PLACE 4" OF RIGID INSULATION ON TOP OF BOX, CUT INSULATION AS REQUIRED TO FIT SNUGLY INSIDE RISER.

TEST PIT LOGS BY JUSTIN WILLIS, C.S.T.
 DATE: 3/29/02
 METHOD: BACKHOE (POTVIN)
 PRESENT: J. WILLIS, C.S.T.
 C. GREGSON, TOWN OF UNDERHILL

SB-1 (WILLIS TP-1)
 0' TO 3': BROWN GRAVELLY FINE SANDY LOAM, VERY FRIABLE.
 3' TO 18': LIGHT BROWN VERY GRAVELLY FINE SAND, VERY FRIABLE.
 18' TO 62': GRAYISH-BROWN EXTREMELY COBBLELY VERY COARSE SAND AND GRAVEL, LOOSE.
 62' TO 74': GRAY VERY GRAVELLY FINE SANDY LOAM, FIRM, FEW FINE RED-BROWN MOTTLES. THIS HORIZON EXISTS AT 18' T 074' ON EAST SIDE OF PIT.

SHWT: 62', 18" ON EAST SIDE
 LEDGE: N/A

SB-2 (WILLIS TP-2)
 0' TO 8': BROWN GRAVELLY FINE SANDY LOAM, VERY FRIABLE.
 8' TO 34': LIGHT GRAYISH-BROWN EXTREMELY COBBLELY SAND AND GRAVEL, LOOSE.
 34' TO 52': VERY LIGHT BROWN FINE SAND, LOOSE.
 52' TO 84': GRAYISH-BROWN GRAVELLY VERY COARSE SAND, LOOSE.

SHWT: N/A TO 84'
 LEDGE: N/A

SB-3 (WILLIS TP-3)
 0' TO 28': BROWN GRAVELLY FINE SANDY LOAM.
 28' TO 62': OLIVE-BROWN VERY FINE SANDY LOAM, FIRM, FEW MOTTLES.

SHWT: 28'
 LEDGE: N/A

SB-4 (WILLIS TP-4)
 0' TO 4': BROWN GRAVELLY FINE SANDY LOAM, VERY FRIABLE.
 4' TO 84': DARK GRAYISH-BROWN VERY COBBLELY COARSE SAND AND GRAVEL, VERY LOOSE.

SHWT: N/A TO 84'
 LEDGE: N/A

SB-5 (WILLIS TP-5)
 0' TO 3': BROWN GRAVELLY FINE SANDY LOAM, VERY FRIABLE.
 3' TO 51': LIGHT BROWN GRAVELLY FINE SAND, LOOSE.
 51' TO 64': GRAYISH-BROWN LOAMY FINE SAND AND GRAVEL, FRIABLE, STAINS (BLOTCHES).

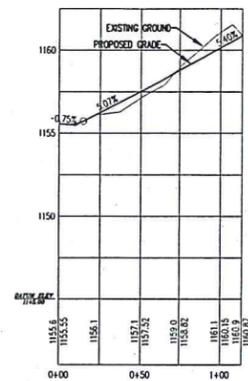
SHWT: SUSPECT AT 51'
 LEDGE: N/A

SB-6 (WILLIS TP-6)
 0' TO 6': BROWN GRAVELLY FINE SANDY LOAM, VERY FRIABLE, FEW COBBLE.
 6' TO 30': LIGHT GRAYISH-BROWN FINE SANDY GRAVEL, LOOSE, FEW COBBLE.
 30' TO 51': LIGHT GRAYISH-BROWN GRAVELLY FINE SAND, VERY FRIABLE.
 51' TO 78': LIGHT GRAYISH-BROWN GRAVELLY FINE SAND AND SILTY VERY FINE SAND, FRIABLE TO FIRM.

SHWT: (DENSE AT 51')
 LEDGE: N/A

HAND AUGER TAKEN ON 11/13/07

SB-1A
 0' TO 36" BROWN VERY COBBLELY MEDIUM-COARSE SAND AND GRAVEL



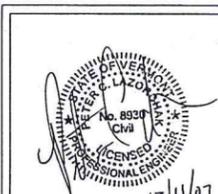
DRIVEWAY PROFILE - LOT 2
 HORIZONTAL SCALE 1" = 50'
 VERTICAL SCALE 1" = 5'

DRIVEWAY EXPANSION TO MATCH EXISTING SUBBASE/DEPTH TO SUBGRADE

NEW DRIVEWAY
 W = 5'
 S = 1'
 SHARED DRIVEWAY
 W = 6'
 S = 1'

DRIVEWAY DETAIL (NOT TO SCALE)

REVISIONS
 12/06/07 ADDED ROAD SECTION DETAIL



DETAILS
 MARCY GIBSON
 TWO LOT SUBDIVISION

50 NEW ROAD UNDERHILL, VT

SCALE: NTS
 DESIGNED BY: PCL PROJECT: #27071
 DRAWN BY: WDB
 CHECKED BY: PCL

McCain Consulting, Inc.
 93 SOUTH MAIN STREET
 WATERBURY, VERMONT 05676

DATE: NOVEMBER 20, 2007

SHEET 2 OF 2

THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION ACTIVITIES, COMPONENT LOCATIONS, SPECIFICATIONS, AND DETAILS PRIOR TO COMMENCEMENT OF SITE WORK AND SHALL NOTIFY MCCAIN CONSULTING OF ANY ISSUES OR DISCREPANCIES THAT ARISE FROM THAT REVIEW.

ENGINEER:
 PETER C. LAZORCHAK P.E.
 VT P.E. 8930



State of Vermont

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

Environmental Protection Rules

Chapter 1, Wastewater System and Potable Water Supply Rules, Effective September 29, 2007

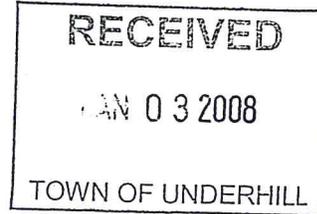
Chapter 21, Water Supply Rules, Effective April 25, 2005

Case Number: WW-4-2964

PIN: EJ07-0490

Landowner: Marcy Gibson

Address: 50 New Road
Underhill, VT 05489



This permit affects property identified as Town Tax Parcel ID # NR050 and referenced in the deed recorded in Book 132 Pages 279-280 of the Land Records in Underhill, Vermont.

This project, consisting of a two lot, single family residence subdivision, Lot # 1, 9.53 +/- acres with an existing four bedroom single family residence utilizing an existing, individual on-site drilled well water supply and existing, individual on-site wastewater disposal system and Lot # 2, 3.77 +/- acres for proposed four bedroom single family residence utilizing an individual, on-site drilled well water supply and individual, on-site wastewater disposal system, located off New Road in the Town of Underhill, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

GENERAL

- 1. This permit does not relieve the landowner from obtaining all other approvals and permits as may be required from the Act 250 District Environmental Commission, the Department of Environmental Conservation, Water Supply Division – telephone (802) 241-3400, Water Quality Division – telephone (802) 241-3770, the Department Public Safety, Division of Fire Safety– telephone Williston Regional Office (802) 879-2300, the Department of Health – telephone (802) 863-7221, and local officials prior to proceeding with this project.
- 2. The project shall be completed as shown on the following plans that have been stamped “approved” by the Wastewater Management Division:

Project: “Marcy Gibson Two Lot Subdivision”.

Plans: Site Plan; Sheet 1 of 2; Dated November 20, 2007; Last revised 11/27/07; Details; Sheet 2 of 2; Dated November 20, 2007; prepared by McCain Consulting, Inc.

Project: “Potvin Property – Wastewater System Design”.

Plans: Site Plan; Sheet 1 of 2; Dated 9/06/03; Details & Specifications; Sheet 2 of 2; Dated 9/06/03; prepared by Willis Design Assoc., Inc.

The project shall not deviate from the approved plans in a manner that would change or affect the exterior water supply or wastewater disposal system, building location or the approved use of the building without prior written approval from the Wastewater Management Division.

3. The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall be responsible for the recording of this permit in the Town of Underhill Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
4. Each prospective purchaser of each lot shall be shown copies of the Wastewater System And Potable Water Supply Permit and the approved plans prior to conveyance of the lot.
5. This project has been reviewed and approved for the existing (Lot #1) / construction of (Lot #2), one, single family residence on each of the approved lots. The landowner shall not construct any other type of structure requiring plumbing, including public buildings, duplexes, condominium units, or commercial buildings, without prior review and approval by the Wastewater Management Division. Such approvals will not be granted unless the proposal conforms to the applicable laws and regulations.
6. This permit shall in no way relieve you of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.
7. A copy of the approved plans and this permit shall remain on the project during all phases of construction and, upon request, shall be made available for inspection by State or local personnel.

WATER SUPPLY & WASTEWATER DISPOSAL

8. No permit issued by the Secretary shall remain valid after substantial completion of a potable water supply or wastewater system until the Secretary receives a signed and dated certification from a designer or an installer, as specified in the permit, that states:

“I hereby certify that in the exercise of my reasonable professional judgment the installation-related information submitted is true and correct and that the potable water supply and wastewater system: were installed in accordance with the permitted design and all permit conditions or record drawings and such record drawings are in compliance with the applicable rules, were filed with the Secretary, and are in accordance with all other permit conditions; were inspected; were properly tested; and have successfully met those performance tests.”

This shall include the water supply system, wastewater disposal system, water service line and sanitary sewer lines to the structure on Lot #2.

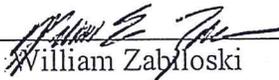
9. Each lot is approved for an on-site water supply system from a drilled well provided that the well is located as shown on the approved plan. The Wastewater Management Division shall allow no other method, or location of obtaining potable water without prior review and approval.

10. Lot #1 is authorized to utilize the existing on-site water supply system. No other means of obtaining potable water shall be allowed without prior review and approval by the Wastewater Management Division. If the water supply system fails to function properly and becomes a "failed supply" the permittee shall immediately notify the Division.
11. The well locations shall meet all minimum separation distances required by the Environmental Protection Rules, Chapter 21, Water Supply Rule, Appendix A, Part 11 – Small Scale Water Systems, Section 11.4. The well shall be constructed in accordance with the Appendix A, Part 12.
12. Lot #2 lot is approved for wastewater disposal by construction and utilization of the site-specific wastewater disposal system depicted on the approved plans. The Wastewater Management Division is to be notified, if at any time this system fails to function properly and/or creates a health hazard. The Wastewater Management Division shall allow no other method, or location of wastewater disposal without prior review and approval.
13. The soil-based, wastewater treatment and disposal system for Lot #2 approved for this project shall be routinely and reliably inspected during construction by a qualified consultant who has been determined acceptable by the Wastewater Management Division, who shall, upon completion and prior to occupancy, report in writing to the Division that the installation was accomplished in accordance with the approved plans and permit conditions.
14. No buildings, roads, water lines, earthwork, re-grading, excavation or other construction that might interfere with the installation or operation of the wastewater disposal systems are allowed on or near the site-specific wastewater disposal system or replacement area depicted on the approved plans. All isolation distances, which are set forth in the Wastewater System and Potable Water Supply Rules will be incorporated into the construction and installation of the wastewater disposal field. Compliance with these isolation distances is required.
15. The future wastewater disposal "replacement areas" designated on the approved plans shall be held in reserve for the eventual construction of a replacement wastewater disposal system in the event of the failure of the primary wastewater disposal system. Prior to construction of the replacement wastewater disposal system, the landowner shall submit an application, fee and engineering plans for review and approval by the Wastewater Management Division.
16. The approved wastewater disposal system for Lot #2 has been designed to serve a four bedroom, single family residence. Prior to any increase in bedrooms, the landowner shall submit an application, fee, and engineering plans for review and approval by the Wastewater Management Division.

17. Lot #1 is authorized to utilize the existing on-site wastewater disposal system provided it is operated at all times in a manner that will not discharge wastewater/effluent onto the ground surface or into the waters of the State. If at any time this system fails to function properly and/or creates a health hazard, the Division is to be immediately notified. Prior to construction of a replacement system, a permit amendment will be needed for the final wastewater system design.

Dated at Essex Junction, Vermont on January 2, 2008.

Laura Q. Pelosi, Commissioner
Department of Environmental Conservation

By  _____
William Zabloski
Assistant Regional Engineer

C For the Record
Underhill Planning Commission
McCain Consulting, Inc.
Willis Design Assoc., Inc.

TOWN OF UNDERHILL
APPLICATION OF MARCY GIBSON FOR SUBDIVISION
FINAL HEARING FINDINGS AND DECISION

In re: Marcy Gibson
50 New Road
Underhill, VT 05489

Docket No. DRB-07-16: Marcy Gibson

I. INTRODUCTION AND PROCEDURAL HISTORY

This proceeding concerns Marcy Gibson's final hearing application for a 2-Lot subdivision permit for property located at 50 New Road in Underhill, VT.

1. On December 13, 2007, Marcy Gibson filed a final application for subdivision for the project, which included engineering drawings, a survey, a proposed Shared Driveway Maintenance Agreement, proposed easement deed language, and Proposed Findings of Fact. Also received prior to the hearing were copies of the Act 250 Amendment application, a copy of State wastewater and potable water supply permit # WW-4-2964, and a copy of the State of Vermont Land Use Permit Amendment # 4C0563-3.
2. On December 20, 2007, a copy of the notice of a final hearing was mailed to the applicant, Marcy Gibson, 50 New Road, Underhill, VT, 05489. A copy of the notice of final hearing was mailed via certified mail to the following owners of properties adjoining the property subject to the application:
 - a. McClellan, P.O. Box 152, Underhill Center, VT 05490
 - b. Oman, P.O. Box 216, Underhill Center, VT 05490
 - c. Albertini, P.O. Box 168, Underhill Center, VT 05490
3. On December 27, 2007, notice of the final hearing was published in the Burlington Free Press. Additional notice of the final hearing was published in the Mountain Gazette on January 17, 2008.
4. By December 31, 2007, notice of the final hearing on the proposed Gibson subdivision was posted at the following places:
 - a. The Underhill Town Clerk's office;
 - b. The Underhill Center Post Office;
 - c. The Underhill Flats Post Office;
 - d. The Underhill/Jericho Deborah Rawson Memorial Library;
5. The final hearing was scheduled for 6:30 PM on January 21, 2008.

6. Present at the final hearing were the following members of the Development Review Board:

- Scott Tobin, Chair
- Chuck Brooks
- Stan Hamlet
- Matt Chapek
- Deb Shannon

Zoning Administrator Kari Papelbon also attended the meeting.

7. At the outset of the hearing, Chairperson Scott Tobin explained the criteria under 24 V.S.A. § 4465 (b) for being considered an “interested party.” Interested parties who spoke at the hearing were:

- Marcy Gibson, 50 New Road, Underhill, VT 05489
- Gunner McCain, McCain Consulting, 93 South Main Street, Waterbury, VT 05676

8. During the course of the hearing the following exhibits were submitted to the Development Review Board:

1. A staff report sent by Zoning Administrator Papelbon to the Development Review Board;
2. Plans prepared by Peter Lazorchak of McCain Consulting for Marcy Gibson (dated 12-6-07);
3. A copy of the survey prepared by Carroll Peters for Marcy Gibson (dated 12-3-07);
4. A copy of the wastewater system and potable water supply permit from the State of Vermont, WW-4-2964 (dated 1-2-08);
5. A copy of the State of Vermont Land Use Permit Amendment, 4C0563-3 (dated 1-7-08);
6. A copy of the proposed Shared Driveway Maintenance Agreement;
7. A copy of the proposed easement language to be included in the deed to the new lot;
8. A copy of the Winter Stabilization chapter of the Low Risk Site Handbook for Erosion Prevention and Sediment Control (referenced in #17 of the Act 250 permit);
9. A copy of the parcel map showing the mapped deer yard (referenced in #21 of the Act 250 permit);
10. A copy of the Proposed Findings of Fact;
11. A copy of the completed Subdivision Checklist: Final Hearing.

These exhibits and preliminary hearing decision are available in the Marcy Gibson, NR050 Subdivision 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:

1. The engineering drawing and survey are now tied to each other.
2. The width of the proposed driveway to Lot 2 shall be 14 feet wide, with a 12-foot traveled way, per the Town of Underhill Road Policy.
3. Lots 1 and 2 will share a driveway. Applicant has submitted a proposed Shared Driveway Maintenance Agreement.
4. There is an existing utility easement on the property. The location of the transformer and telephone box is on the southern part of Lot 2. The driveway as depicted in the plans shall not cross the utility easement.
5. The well on Lot 2 has been relocated to prevent the well shield from encroaching onto the adjacent parcel.
6. A wastewater permit, WW-4-2964, has been obtained.
7. An Act 250 Permit Amendment, 4C0563-3, has been obtained.
8. The Applicant's Act 250 Permit Amendment referenced the "Winter Stabilization" chapter of the Vermont Department of Environmental Conservation Water Quality Division – Stormwater Section's publication, *The Low Risk Site Handbook for Erosion Prevention and Sediment Control*.
9. The Applicant's Act 250 Permit Amendment application referenced a deer wintering area on the parcel. This parcel is the site of a previous gravel pit. An Act 250 Permit and Amendment have been issued for this parcel.
10. The Act 250 Permit Amendment requires that the Applicant include deed language stating that the parcel is in the immediate vicinity of a deer wintering area.
11. The Board finds that the following conditions apply to this subdivision:
 - a. Final approval of this subdivision is conditioned upon approval of the driveway design by the Selectboard.

- b. Final approval of this subdivision is granted upon filing of the final subdivision survey 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.
- c. The proposed driveway to Lot 2 and the shared driveway improvements shall be constructed per the approved plan. The designer/engineer must perform an inspection during and upon completion of construction of these improvements to make sure that all the design elements, including but not limited to the drainage plan, have been constructed as designed. Before a building permit would issue to any lot, the designer/engineer must certify by letter to the Zoning Administrator that the driveway to Lot 2 and the shared driveway improvements have been constructed as designed, with the letter filed in the zoning records of the Town of Underhill.
- d. A driveway maintenance agreement for maintenance of any shared traveled portion of the proposed driveway must be submitted to the Zoning Administrator for approval before filing of the final Mylar. The driveway agreement must include a provision that it runs with the land and this language must be included in the deeds to the lots in the subdivision.
- e. The Mylars shall include the new property code for Lot 2 (NR048).
- f. The building envelope, septic areas, and driveway must be staked out by the designer/surveyor/engineer prior to any construction, and off-set stakes must be held in place until completion of construction and inspection by the Zoning Administrator or her agent for conformance with the approved plans.
- g. Prior to recording the final plan, the applicant shall submit a copy of the site plan in digital format. The format of the digital information shall require approval of the Zoning Administrator.
- h. The 911 code for Lot 2 shall be posted prior to issuance of any building permit.
- i. All subdivision fees must be paid in full to the Zoning Administrator before filing of the final survey with the Town Clerk.

III. DECISION AND CONDITIONS

Based upon the findings above, and subject to any of the conditions set forth below, the Development Review Board grants final approval for the subdivision as presented at the final hearing.

Conditions for Subdivision

1. Per the Underhill Subdivision Regulations, final approval of the subdivision is granted upon filing of the final subdivision survey and any other documents as required herein in the Underhill Land Records.
2. The proposed driveway to Lot 2 and the shared driveway improvements shall be constructed per the approved plan. The designer/engineer must perform an inspection during and upon completion of construction of these improvements to make sure that all the design elements, including but not limited to the drainage plan, have been constructed as designed. Before a building permit would issue to any lot, the designer/engineer must certify by letter to the Zoning Administrator that the driveway to Lot 2 and the shared driveway improvements have been constructed as designed, with the letter filed in the zoning records of the Town of Underhill.
3. A driveway agreement for the maintenance of any shared traveled portion of the proposed driveway shall be submitted to the Zoning Administrator for approval prior to filing of the final Mylar. The driveway agreement shall include a provision that it runs with the land and this language must be included in any deeds to lots in the subdivision.
4. The Board recommends that the Selectboard grant approval for the proposed shared driveway. The Selectboard granted approval on January 24, 2008.
5. The Mylars shall include the new property code for Lot 2 (NR048).
6. The building envelope, septic areas, and driveway shall be staked out by an engineer, surveyor, and/or licensed designer prior to any construction, and off-set stakes shall be held in place until completion of construction and inspection by the Zoning Administrator or her agent for conformance with the approved plans.
7. All state permit requirements, including, but not limited to, wastewater and Act 250 must be adhered to.
8. The Requirements for Winter Construction as laid out in *The Low Risk Site Handbook for Erosion Prevention and Sediment Control* shall be followed for construction between October 15 and April 15 as per the Act 250 Permit Amendment. The requirements for construction activities involving earth disturbance beyond October 15 or that begin prior to April 15 are as follows:

- a. Enlarged access points, stabilized to provide for snow stockpiling.
 - b. Limits of disturbance moved or replaced to reflect boundary of winter work.
 - c. A snow management plan prepared with adequate storage and control of meltwater, requiring cleared snow to be stored down slope of all areas of disturbance and out of stormwater treatment structures.
 - d. A minimum 25 foot buffer shall be maintained from perimeter controls such as silt fence.
 - e. In areas of disturbance that drain to a water body within 100 feet, two rows of silt fence must be installed along the contour.
 - f. Drainage structures must be kept open and free of snow and ice dams.
 - g. Silt fence and other practices requiring earth disturbance must be installed ahead of frozen ground.
 - h. Mulch used for temporary stabilization must be applied at double the standard rate, or a minimum of 3 inches with an 80-90% cover.
 - i. To ensure cover of disturbed soil in advance of a melt event, areas of disturbed soil must be stabilized at the end of each work day, with the following exceptions:
 - i. If no precipitation within 24 hours is forecast and work will resume in the same disturbed area within 24 hours, daily stabilization is not necessary.
 - ii. Disturbed areas that collect and retain runoff, such as house foundations or open utility trenches.
 - j. Prior to stabilization, snow or ice must be removed to less than 1 inch thickness.
 - k. Use stone to stabilize areas such as the perimeter of buildings under construction or where construction vehicle traffic is anticipated. Stone paths should be 10-20 feet wide to accommodate vehicular traffic.
9. The 911 code for Lot 2 shall be posted before issuance of any building permit.
10. Prior to recording the final Mylars, the applicant shall submit a copy of the engineering plan in digital format. The format of the digital information shall require approval of the Zoning Administrator.
11. All subdivision fees shall be paid in full to the Zoning Administrator prior to filing the final survey and engineering plan with the Town Clerk.

The subdivision as depicted on the final plans with the above stated conditions is approved.

Gibson Final Decision
22 January 2008

Dated at Underhill, Vermont this 31ST day of January, 2008.

Scott Tobin

Scott Tobin, Chair, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environmental 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. No documents shall be recorded until MARCH 1, 2008, when the 30-day appeal period has expired.

UNDERHILL TOWN CLERK'S OFFICE
Received For Record 3-03 A.D., 20 08
At 8 O'clock — minutes 1 M. & Recorded
In Book 1104 Page 339-345 of Underhill Records
Attest [Signature]
Town Clerk

TOWN OF UNDERHILL

P.O. Box 32
Underhill Center, VT 05490

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

Email: underhillzoning@comcast.net

SUBDIVISION PERMIT

THIS PERMIT IS VALID UPON FULFILLMENT OF SUBDIVISION CONDITIONS
AND SIGNATURE OF THE ZONING ADMINISTRATOR.

Permit #: SUB-08-01

Date Effective: 3-1-08

Applicant: MARCY GIBSON

Property Code: NR050

Property Location: 50 NEW ROAD

DRB Docket # DRB-07-16

Number of Lots Permitted: 2

Date of Final Hearing: 1-21-08

Zoning District(s): RURAL RESIDENTIAL

Date of Decision: 1-31-08

PERMIT CONDITIONS:

1. Per the Underhill Subdivision Regulations, final approval of the subdivision is granted upon filing of the final subdivision survey and any other documents as required herein in the Underhill Land Records .
2. The proposed driveway to Lot 2 and the shared driveway improvements shall be constructed per the approved plan. The designer/engineer must perform an inspection during and upon completion of construction of these improvements to make sure that all the design elements, including but not limited to the drainage plan, have been constructed as designed. Before a building permit would issue to any lot, the designer/engineer must certify by letter to the Zoning Administrator that the driveway to Lot 2 and the shared driveway improvements have been constructed as designed, with the letter filed in the zoning records of the Town of Underhill.
3. A driveway agreement for the maintenance of any shared traveled portion of the proposed driveway shall be submitted to the Zoning Administrator for approval prior to filing of the final Mylar. The driveway agreement shall include a provision that it runs with the land and this language must be included in any deeds to lots in the subdivision.
4. The Mylars shall include the new property code for Lot 2 (NR048).
5. The building envelope, septic areas, and driveway shall be staked out by an engineer, surveyor, and/or licensed designer prior to any construction, and off-set stakes shall be held in place until completion of construction and inspection by the Zoning Administrator or her agent for conformance with the approved plans.
6. All state permit requirements, including, but not limited to, wastewater and Act 250 must be adhered to.
7. The Requirements for Winter Construction as laid out in The Low Risk Site Handbook for Erosion Prevention and Sediment Control shall be followed for construction between October 15 and April 15 as per the Act 250 Permit Amendment. The requirements for construction activities involving earth disturbance beyond October 15 or that begin prior to April 15 are as follows:
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 - b. Limits of disturbance moved or replaced to reflect boundary of winter work.
 - c. A snow management plan prepared with adequate storage and control of meltwater, requiring cleared snow to be stored down slope of all areas of disturbance and out of stormwater treatment structures
 - d. A minimum 25 foot buffer shall be maintained from perimeter controls such as silt fence.
 - e. In areas of disturbance that drain to a water body within 100 feet, two rows of silt fence must be installed along the contour.

CONTINUED ON NEXT PAGE

TOWN OF UNDERHILL

P.O. Box 32
Underhill Center, VT 05490

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

Email: underhillzoning@comcast.net

SUBDIVISION PERMIT

THIS PERMIT IS VALID UPON FULFILLMENT OF SUBDIVISION CONDITIONS
AND SIGNATURE OF THE ZONING ADMINISTRATOR.

Permit #: SUB-08-01

Date Effective: 3-1-08

Applicant: MARCY GIBSON

Property Code: NR050

Property Location: 50 NEW ROAD

DRB Docket # DRB-07-16

Number of Lots Permitted: 2

Date of Final Hearing: 1-21-08

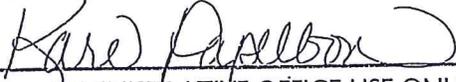
Zoning District(s): RURAL RESIDENTIAL

Date of Decision: 1-31-08

PERMIT CONDITIONS (CONTINUED):

- f. Drainage structures must be kept open and free of snow and ice dams.
 - g. Silt fence and other practices requiring earth disturbance must be installed ahead of frozen ground.
 - h. Mulch used for temporary stabilization must be applied at double the standard rate, or a minimum of 3 inches with an 80-90% cover.
 - i. To ensure cover of disturbed soil in advance of a melt event, areas of disturbed soil must be stabilized at the end of each work day, with the following exceptions:
 - i. If no precipitation within 24 hours is forecast and work will resume in the same disturbed area within 24 hours, daily stabilization is not necessary.
 - ii. Disturbed areas that collect and retain runoff, such as house foundations or open utility trenches.
 - j. Prior to stabilization, snow or ice must be removed to less than 1 inch thickness.
 - k. Use stone to stabilize areas such as the perimeter of buildings under construction or where construction vehicle traffic is anticipated. Stone paths should be 10-20 feet wide to accommodate vehicular traffic.
8. The 911 code for Lot 2 shall be posted before issuance of any building permit.
9. Prior to recording the final Mylars, the applicant shall submit a copy of the engineering plan in digital format. The format of the digital information shall require approval of the Administrator.
10. All subdivision fees shall be paid in full to the Administrator prior to filing the final survey and engineering plan with the Town Clerk.

ZONING ADMINISTRATOR SIGNATURE



ADMINISTRATIVE OFFICE USE ONLY.

TOWN CLERK RECORDING

TOWN OF UNDERHILL
APPLICATION OF MARCY GIBSON
FOR A SUBDIVISION REVISION
FINDINGS AND DECISION

In re: Marcy Gibson
50 New Rd.
Underhill, VT 05489

UNDERHILL TOWN CLERK'S OFFICE
Received For Record 08-16 A.D., 2011
At 11 O'clock 45 minutes A M. & Recorded
In Book 190 Page 215-219 of Underhill Records
Attest TC Gibson
TC Gibson Town Clerk

Docket No. DRB-11-03: Gibson

Typo, should be DRB-11-05

I. INTRODUCTION AND PROCEDURAL HISTORY

This proceeding concerns Marcy Gibson's combined sketch plan review and preliminary hearing application for a revision to the 2008 approval of the subdivision of property she owns located at 50 New Rd. in Underhill, VT.

- A. On July 5, 2011 Marcy Gibson filed a formal application for subdivision for the project. A request for review of the project was received on May 16, 2011. A copy of the formal application and additional information are available at the Underhill Town Hall.
- B. On June 29, 2011 a copy of the notice of a public site visit and combined sketch plan review and preliminary hearing was mailed via Certified Mail to the applicant, Marcy Gibson, 50 New Rd., Underhill, VT 05489, and to the following owners of properties adjoining the property subject to the application:
1. Abare, 175 Pleasant Valley Rd., Underhill, VT 05489
 2. McClellan, P.O. Box 152, Underhill Center, VT 05490
 3. Oman, P.O. Box 216, Underhill Center, VT 05490
 4. Albertini, P.O. Box 168, Underhill Center, VT 05490

A copy of the notice was also emailed on June 28, 2011 to Larry Young, Summit Engineering at lyoung@summitengvt.com.

- C. On July 1, 2011 notice of the public site visit and combined sketch plan review and preliminary hearing on the proposed Gibson subdivision revision was posted at the following places:
1. The property under review, NR050;
 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 July 1, 2011, notice of a public site visit and combined sketch plan review and preliminary hearing was published in the *Burlington Free Press*.

Gibson Decision
1 August 2011

- E. A site visit was held at the property on July 18, 2011 at 6:30 PM. Present at the site visit were:
- Chuck Brooks
 - Peter Seybolt
 - Matt Chapek
 - Penny Miller
 - Charles Van Winkle, Chairperson

Zoning Administrator Kari Papelbon and Marcy Gibson also attended the site visit.

- F. The hearing began immediately following the preceding sketch plan meeting on July 18, 2011.

- G. Present at the hearing were the following members of the Development Review Board:

- Chuck Brooks
- Peter Seybolt
- Matt Chapek
- Penny Miller
- Charles Van Winkle, Chairperson

Kari Papelbon, Zoning Administrator, and Marcy Gibson, Applicant, also attended the hearing.

- H. At the outset of the hearing, Chairperson Charles 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:

- Marcy Gibson, 50 New Rd., Underhill, VT 05489

- I. 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, Marcy Gibson, and Larry Young of Summit Engineering.
2. Marcy Gibson’s Application for Subdivision: Preliminary (dated 7-4-11).
3. A copy of the completed Subdivision Checklist: Preliminary Hearing.
4. A copy of relevant sections of the Subdivision Standards Findings Checklist.
5. A copy of the driveway design prepared by Larry Young of Summit Engineering, Inc. (Drawing No. S1 and P1 dated 6-27-11).
6. A copy of the 2008-approved site plan prepared by Peter Lazorchak of McCain Consulting, Inc. (Sheet 1 of 2 revised 12-6-07).
7. A copy of the 2008-approved survey prepared by Carroll A. Peters (revised 12-3-07).
8. A copy of the Subdivision Permit (effective date 3-1-08).
9. A copy of the tax map for NR050.
10. A copy of the hearing notice (published in the Burlington Free Press on 7-1-11).

These exhibits are available in the Gibson, NR050, subdivision revision file at the Underhill Zoning Office.

II. FINDINGS

Factual Findings

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 applicant seeks a permit amendment to subdivided land. The subject property is a ± 12.75 -acre parcel (Lot 1: ± 8.98 acres, Lot 2: ± 3.77 acres) located at 50 New Road in Underhill, VT (NR050).
- B. The property is located in the Rural Residential zoning district as defined in Section 2.3, Table 2.3 of the 2011 Unified Land Use and Development Regulations.
- C. Subdivision approval was obtained in 2008 for 2 lots utilizing the existing driveway and curb cut for access.
- D. Approval for a revision to the subdivision, specifically to change the curb cut and shared portion of the driveway, is requested for the project pursuant to review under the following sections of the 2011 Unified Land Use and Development Regulations:
 - Section 3.2 - Access
 - Section 3.17 – Source Protection Areas
 - Article VII – Section 7.8(C)
 - Article VIII – Subdivision Standards
- E. Driveway approval is requested for the project pursuant to review under the 2002 Underhill Road Policy and the 2011 Unified Land Use and Development Regulations. Final review of the driveway and any requests for waivers of the Road Policy will be made by the Selectboard. DRB recommendations will be submitted to the Selectboard for their consideration and review of the Access Permit.

III. CONCLUSIONS

Applicable Regulation Standards

Section 3.2, Access

The Board makes the following findings on the application as proposed:

- A. Access is proposed on New Road with no changes to frontage for either lot. [Section 3.2(A)].
- B. Section 3.2(B) is not applicable to the application as the proposed revision does not involve a nonconforming lot.
- C. As the revised access is proposed on a town highway (New Road), an access permit from the Selectboard is required. A copy of this application was submitted to the Selectboard

Gibson Decision
1 August 2011

along with a request to attend the site visit and hearing to expedite the process. [Section 3.2(C)].

- D. Only one access point is proposed as a shared driveway, local official input has been solicited, proposed width of the curb cut does not extend along the length of the road frontage, the access is to serve allowed uses on the land, the lots are not corner or through lots, and the proposed driveway meets driveway standards. [Section 3.2(D)(2),(4)-(9)].
- E. Section 3.2(D)(3) will be reviewed for approval by the Selectboard.
- F. No private development roads are proposed with the subdivision revision. [Section 3.2(D)(10)].
- G. No Class IV road accesses are proposed with the subdivision revision. [Section 3.2(D)(11)].

Section 3.17 – Source Protection Areas

The Board makes the following findings on the application as proposed:

- A. The revised location of the curb cut and shared driveway is not within a 200-foot radius of a well or spring that serves a public water supply, although it is within a source protection area. Previously approved aspects of the subdivision, aside from the curb cut and shared driveway relocation, are not subject to this review. [Section 3.17(A)].
- B. As the approved subdivision was for the addition of one new single-family dwelling and the revision includes the relocation of the shared curb cut and driveway, Section 3.17(B) through (D) are not applicable to this review.

Section 7.8(C), Revisions to an Approved Subdivision

The Board makes the following findings:

- A. Per recommendations by the Town Attorney, the application must be considered a revision to an approved subdivision due to language in the 2008 decision and subdivision permit.
- B. The Zoning Administrator has classified the revision application as a minor subdivision and referred it to the DRB for review.

Article VIII, Subdivision Standards

The Board makes the following findings:

- A. None of the additional information under Section 8.1(B) is requested or required for the proposed revision.
- B. The Applicant has submitted proposed findings of fact for relevant standards. The Board accepts these responses. [Section 8.1(C)].
- C. Per Section 8.1(D), the Board waives the following subdivision standards as they do not apply to the application; are not requisite in the interest of the public health, safety and

Gibson Decision
1 August 2011

general welfare for this particular application; and the waivers will not nullify the intent and purpose of the 2011 Unified Land Use and Development Bylaws, the Underhill Town Plan, or other local ordinances as the application only includes the revision of a curb cut and shared driveway location to serve two previously-approved subdivided lots:

- a. Section 8.2(B), (C), and (E) through (J).
- b. Section 8.3(B) through (G).
- c. Section 8.4.
- d. Section 8.6(B) through (E).
- e. Section 8.7.

IV. DECISION AND CONDITIONS

Based upon the findings above, the Development Review Board voted 4-1 (Board Member Will Towle – nay) to grant approval for the amended subdivision as presented at the hearing, with the following conditions:

1. No further review of the driveway relocation is necessary by the Development Review Board.
2. All conditions of the 2008 approval shall remain in effect unless specifically amended herein.
3. The DRB recommends approval for the relocation of the driveway as presented. The applicant shall obtain an Access Permit from the Underhill Selectboard. Subsequent conditions of the Selectboard approval are incorporated by reference herein.

Dated at Underhill, Vermont this 11 day of August, 2011.



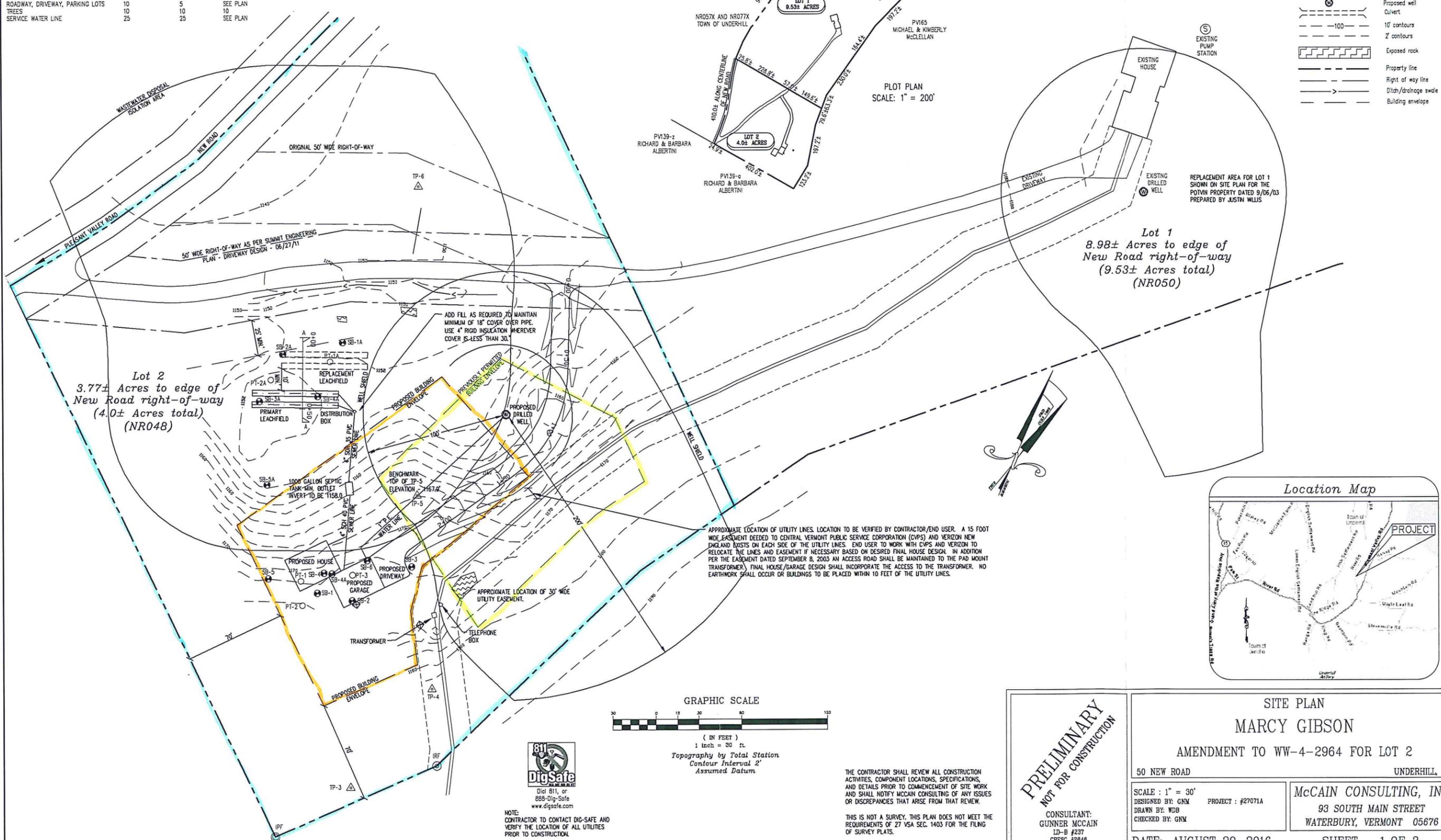
Charles Van Winkle, Chair, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environmental 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.

Setbacks:
 The following are general setback distances that must be met unless otherwise authorized by the permitting authority and/or the consultant. This list does not necessarily include all required setback distances and the listed setback distances may not apply to all sites:

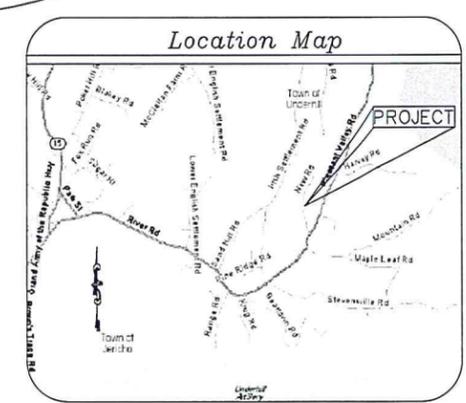
ITEM	LEACHFIELD	SEPTIC TANK	SEWER
DRILLED WELL	SEE PLAN	50	50
SPRING	SEE PLAN	75	75
LAKES, PONDS, IMPOUNDMENTS	50	25	25
RIVERS, STREAMS	50	25	10
PROPERTY LINE	25	10	10
ROADWAY, DRIVEWAY, PARKING LOTS	10	5	SEE PLAN
TREES	10	10	10
SERVICE WATER LINE	25	25	SEE PLAN

ZONING DISTRICT AND REQUIREMENTS
 RURAL RESIDENTIAL
 3.0 ACRE MINIMUM
 FRONTAGE - 250'
 FRONT SETBACK - 75'
 SIDE & REAR SETBACK - 50'



LEGEND

△ TP-1	Traverse point
⊕ SB-1	Test pit
○ PT-1	Percolation test
⊙ PF	Iron pipe found
⊙ IR	Iron rod found
⊙ S	Spring
⊙	Proposed well
⊙	Culvert
---	10' contours
---	2' contours
▤	Exposed rock
---	Property line
---	Right of way line
---	Ditch/drainage swale
---	Building envelope



APPROXIMATE LOCATION OF UTILITY LINES. LOCATION TO BE VERIFIED BY CONTRACTOR/END USER. A 15 FOOT WIDE EASEMENT DEED TO CENTRAL VERMONT PUBLIC SERVICE CORPORATION (CVPS) AND VERIZON NEW ENGLAND EXISTS ON EACH SIDE OF THE UTILITY LINES. END USER TO WORK WITH CVPS AND VERIZON TO RELOCATE THE LINES AND EASEMENT IF NECESSARY BASED ON DESIRED FINAL HOUSE DESIGN. IN ADDITION PER THE EASEMENT DATED SEPTEMBER 8, 2003 AN ACCESS ROAD SHALL BE MAINTAINED TO THE PAD MOUNT TRANSFORMER. FINAL HOUSE/GARAGE DESIGN SHALL INCORPORATE THE ACCESS TO THE TRANSFORMER. NO EARTHWORK SHALL OCCUR OR BUILDINGS TO BE PLACED WITHIN 10 FEET OF THE UTILITY LINES.

811 DigSafe
 Dial 811, or
 888-Dig-Safe
 www.digsafe.com

NOTE:
 CONTRACTOR TO CONTACT DIG-SAFE AND VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION ACTIVITIES, COMPONENT LOCATIONS, SPECIFICATIONS, AND DETAILS PRIOR TO COMMENCEMENT OF SITE WORK AND SHALL NOTIFY MCCAIN CONSULTING OF ANY ISSUES OR DISCREPANCIES THAT ARISE FROM THAT REVIEW.

THIS IS NOT A SURVEY. THIS PLAN DOES NOT MEET THE REQUIREMENTS OF 27 VSA SEC. 1403 FOR THE FILING OF SURVEY PLATS.

PRELIMINARY
 NOT FOR CONSTRUCTION

SITE PLAN
MARCY GIBSON
 AMENDMENT TO WW-4-2964 FOR LOT 2

50 NEW ROAD UNDERHILL, VT

SCALE : 1" = 30'
 DESIGNED BY: GNM PROJECT : #27071A
 DRAWN BY: WDB
 CHECKED BY: GNM

MCCAIN CONSULTING, INC.
 93 SOUTH MAIN STREET
 WATERBURY, VERMONT 05676

DATE: AUGUST 29, 2016 SHEET 1 OF 2

Setbacks:

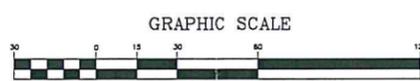
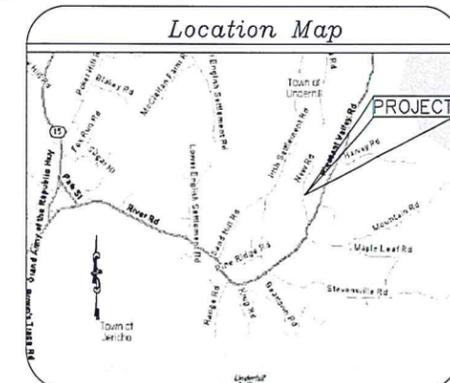
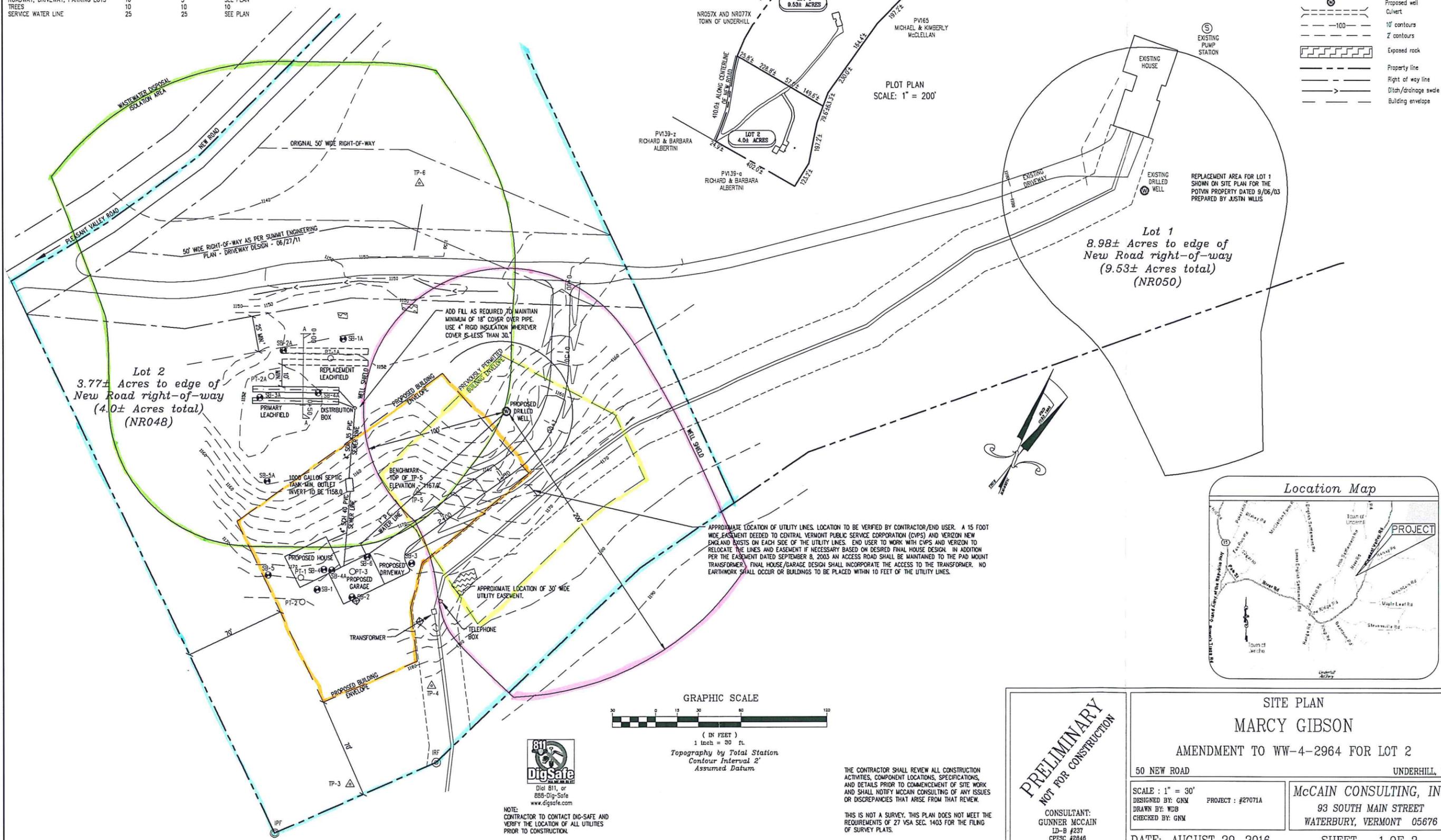
The following are general setback distances that must be met unless otherwise authorized by the permitting authority and/or the consultant. This list does not necessarily include all required setback distances and the listed setback distances may not apply to all sites:

ITEM	LEACHFIELD	SEPTIC TANK	SEWER
DRILLED WELL	SEE PLAN	50	50
SPRING	SEE PLAN	75	75
LAKES, PONDS, IMPOUNDMENTS	50	25	25
RIVERS, STREAMS	50	25	10
PROPERTY LINE	25	10	10
ROADWAY, DRIVEWAY, PARKING LOTS	10	5	SEE PLAN
TREES	10	10	10
SERVICE WATER LINE	25	25	SEE PLAN

ZONING DISTRICT AND REQUIREMENTS
 RURAL RESIDENTIAL
 3.0 ACRE MINIMUM
 FRONTAGE - 250'
 FRONT SETBACK - 75'
 SIDE & REAR SETBACK - 50'

LEGEND

- △ TP-1 Traverse point
- SB-1 Test pit
- PT-1 Percolation test
- ⊙ PF Iron pipe found
- ⊙ IR Iron rod found
- ⊙ S Spring
- ⊙ Proposed well
- Culvert
- 100' 10' contours
- Z contours
- ⊔ Exposed rock
- Property line
- Right of way line
- Ditch/drainage swale
- Building envelope



Topography by Total Station
 Contour Interval 2'
 Assumed Datum



NOTE: CONTRACTOR TO CONTACT DIG-SAFE AND VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

THE CONTRACTOR SHALL REVIEW ALL CONSTRUCTION ACTIVITIES, COMPONENT LOCATIONS, SPECIFICATIONS, AND DETAILS PRIOR TO COMMENCEMENT OF SITE WORK AND SHALL NOTIFY MCCAIN CONSULTING OF ANY ISSUES OR DISCREPANCIES THAT ARISE FROM THAT REVIEW.

THIS IS NOT A SURVEY. THIS PLAN DOES NOT MEET THE REQUIREMENTS OF 27 VSA SEC. 1403 FOR THE FILING OF SURVEY PLATS.

PRELIMINARY
 NOT FOR CONSTRUCTION

CONSULTANT:
 GUNNER MCCAIN
 LD-B #237
 CPESC #2848
 CESSWI #0177

SITE PLAN
MARCY GIBSON
 AMENDMENT TO WW-4-2964 FOR LOT 2

50 NEW ROAD UNDERHILL, VT

SCALE: 1" = 30'
 DESIGNED BY: GNM PROJECT: #27071A
 DRAWN BY: WDB
 CHECKED BY: GNM

MCCAIN CONSULTING, INC.
 93 SOUTH MAIN STREET
 WATERBURY, VERMONT 05676

DATE: AUGUST 29, 2016 SHEET 1 OF 2

October 7, 2016

Andrew Strniste
Zoning Administrator
PO Box 120
Underhill, VT 05489

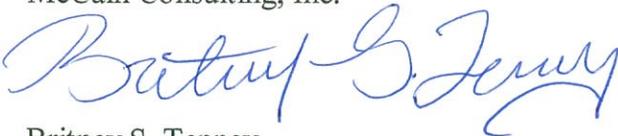
MEMO: Pending Wastewater and Act 250 Amendment Applications
Lot 2 of the Gibson Property, New Road, Underhill
McCain Project No. 27071A

On September 28, 2016, McCain Consulting, Inc. submitted a water/wastewater application to amend the leachfield locations previously approved under WW-4-2964. The primary and replacement leachfields locations on Lot 2 are being relocated due to the proposed change in the house location. A copy of the water/wastewater permit and a copy of the approved site plan will be supplied to the Underhill Zoning Administrator once they are issued from the State. The state wastewater submission # is: 2J8-Y6S9-S21B, version 1.

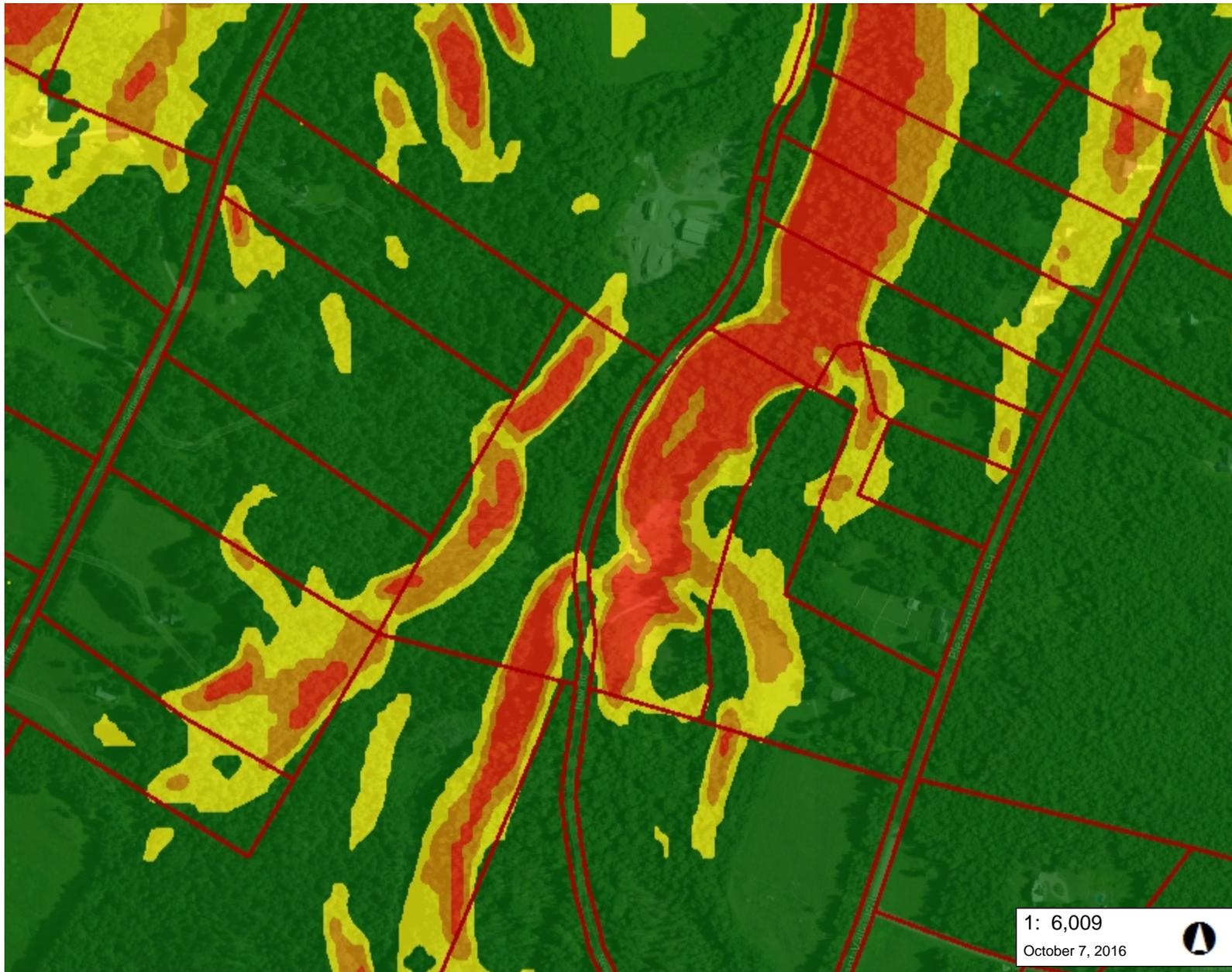
As part of the permitting process, on September 19, 2016, an Act 250 Administrative Amendment was also submitted to the State for review. The purpose of the amendment is to incorporate the proposed building envelope change and revised water/wastewater permit. A copy of the Act 250 permit will be forwarded once it has been issued from the State.

Please feel free to contact us if you have any further questions.

Sincerely,
McCain Consulting, Inc.



Britney S. Tenney
Permit Administrator



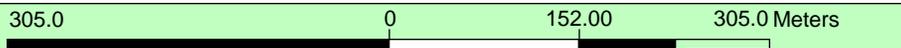
LEGEND

- Parcels (where available)
- Town Boundary
- Slope**
- <15%
- 15-20%
- 20-25%
- >25%

1: 6,009
October 7, 2016

NOTES

Map created using ANR's Natural Resources Atlas



WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 501 Ft. 1cm = 60 Meters
© Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Andrew Strniste

From: Kim McClellan <longe.mcclellan@gmail.com>
Sent: Tuesday, October 04, 2016 6:36 PM
To: Andrew Strniste
Subject: Comments on 50 New Road (NR050)

Dear Andrew,

We are unable to attend the public hearing on October 17th in regards to the permit for 50 New Road, so we emailing regarding the concerns we have. We did receive the application notice for the overshadowing of the drilled well on our land and have reached out to McCain Consulting. Our concern is the placement of the proposed drilled well with regards of our well and future use of our land . Our questions are;

1. What are the impacts that the drilled well will have on our well long term?
2. What is the impact or restrictions of our land with the overshadowing?
3. Is there a different location that the well could be placed that would not impact our property or well?

Thank you for taking the time to review these concerns and questions.

Kim and Mike McClellan
802-578-0555