

TOWN OF WATERBURY ZONING PERMIT APPLICATION

EXHIBIT A1

Date:	<u>1/18/2021</u>	Application #:	<u>001-21</u>
Fees Paid:	<u>\$ 150</u>	+ \$15 recording fee =	<u>\$ 165</u>
Parcel ID #:	<u>535-0541</u>		
Tax Map #:	<u>14-065.120</u>		

Please provide all of the information requested in this application.

Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process of this application. Based upon the nature of the project you may need to submit additional information. For instructions on how to fill out this form please refer to the *Zoning Permit Application Instructions & Fee Schedule* available on the municipal website or at the municipal offices. Submit one copy of the completed application and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

CONTACT INFORMATION

APPLICANT

Name: Justin & Nusi Brown
 Mailing Address: 60 Winooski Falls Way, #1110
Winooski, VT 05404
 Home Phone : _____
 Work/Cell Phone: 802-345-0397
 Email: justinbro@gmail.com

PROPERTY OWNER (if different from Applicant)

Name: _____
 Mailing Address: _____
 Home Phone : _____
 Work/Cell Phone: _____
 Email: _____

PROJECT DESCRIPTION

Physical location of project (E911 address): 561 Bear Creek Lane

Lot size: 10.2± Acres Zoning District: Conservation / RHS

Existing Use: Residential Proposed Use: Residential

Brief description of project: _____
Building envelope revisions and renewal of previously approved thinning envelope per 67-16-T and 125-18 in the RHS Minor District.

Cost of project: \$ _____ Estimated start date: Summer 2021

Water system: on-site Waste water system: on-site

EXISTING

Square footage: _____ Height: _____
 Number of bedrooms/baths: _____
 # of parking spaces: _____
 Setbacks: *front*: _____
sides: _____ / _____ *rear*: _____

PROPOSED

Square footage: _____ Height: _____
 Number of bedrooms/bath: _____
 # of parking spaces: _____
 Setbacks: *front*: _____
sides: _____ / _____ *rear*: _____

ADDITIONAL MUNICIPAL PERMITS REQUIRED:

- Curb Cut / Access permit E911 Address Request
 Water & Sewer Allocation none of the above

[Additional State Permits may also be required]

CHECK ALL THAT APPLY:

NEW CONSTRUCTION

- Single-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Commercial / Industrial Building
- Residential Building Addition
- Comm./ Industrial Building Addition
- Accessory Structure (garage, shed)
- Accessory Apartment
- Porch / Deck / Fence / Pool / Ramp
- Development in SFHA (including repairs and renovation)
- Other _____

USE

- Establish new use
- Change existing use
- Expand existing use
- Establish home occupation

OTHER

- Subdivision (# of Lots: _____)
- Boundary Line Adjustment (BLA)
- Planned Unit Development (PUD)
- Parking Lot
- Soil/sand/gravel/mineral extraction
- Other Revisions in RHS

SKETCH PLAN

#001-21
BROWN

Please include a sketch of your project, drawn to scale, with all required measurements - see *Zoning Permit Application Instructions*. You may use the space below or attach separate sheets. For plans larger than 11"x17" please provide a digital copy (pdf. file format) in addition to a paper copy.

EXHIBIT A2

**SEE ATTACHED
SITE PLAN**

SIGNATURES

The undersigned hereby applies for a Zoning Permit for the use described in this application to be issued on the basis of the representations made herein all of which the applicant swears to be complete and true.

Justin Brown Wesley P. Brown 1/15/21
Applicant Signature date

Property Owner Signature date

CONTACT

Zoning Administrator Phone: (802) 244-1018
Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Suite 1, Waterbury, VT 05676
Municipal Website: www.waterburyvt.com

OFFICE USE ONLY

Zoning District/Overlay: Conservation (CNS) Ridgeline (RHS)

Review type: Administrative DRB Public Warning Required: Yes No

DRB Referral Issued (effective 15-days later): 1/25/2021

DRB Mtg Date: 2/17/21 Decision Date: _____

Date Permit issued (effective 16-days later): _____

Final Plat due (for Subdivision only): _____

Remarks & Conditions: _____

Authorized signature: _____ Date: _____

REVIEW/APPLICATIONS:

- Conditional Use Waiver
- Site Plan
- Variance
- Subdivision:
 - Subdv. BLA PUD
- Overlay:
 - DDR SFHA RHS CMP
- Sign (minor)
- Other _____
- n/a

EXHIBIT A3

TOWN OF WATERBURY CONDITIONAL USE INFORMATION

This Conditional Use (and Setback Waiver) information sheet supplements the Zoning Permit application. Please provide all of the information requested on each form. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process. Submit one copy of the completed forms and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process, please contact the Zoning Administrator at 802-244-1018.

Date:	<u>1/18/2021</u>	Application #:	<u>001-21</u>
Fees Paid:	<u>(\$15 recording fee already paid)</u>		
Parcel ID #:	_____		
Tax Map #:	<u>14-065.120</u>		

Brown, 561 Bear Creek Lane

PROJECT DESCRIPTION

Brief description of project: Building envelope revisions and renewal of previously approved thinning envelope per 67-16-T and 125-18 in the RHS Minor District.

CONDITIONAL USE CRITERIA

Please respond to the following; you may answer on a separate sheet and attach additional pages and supporting materials:

- Describe how the proposed use will not have an undue adverse impact on the capacity of existing or planned community facilities to accommodate it (including roads and highways, municipal water or sewer systems, school system, fire protection services):
Temporary construction traffic will be generated during the proposed site work, with no effect on municipal facilities.
- Describe how the proposed use will not have an undue adverse impact on the character of the area affected as defined by the Municipal Plan and the zoning district in which the proposed project is located:
The project location is in a developed residential area on Bear Creek Lane.
- Describe how the proposed use will not violate any municipal bylaws and ordinances in effect:
Building and thinning envelopes were previously approved by the DRB, the enclosed application includes minor revisions to the building envelope and renewal of the thinning envelopes for site work.
- Describe any devices or methods to prevent or control fumes, gas, dust, smoke, odor, noise, or vibration:
Noise associated with the proposed site work will be temporary and limited to daylight hours. The work is not anticipated to produce gas, dust, smoke, or vibrations what would have an undue adverse impact to the area.
- For removal of earth or mineral products which is not incidental to a construction, landscaping, or agricultural operation, a removal project must meet specific conditions outlined within Section 302 of the Waterbury Zoning Regulations. Are the conditions included within the Application Submittals?
N/A, none proposed.

CONTACT Zoning Administrator Phone: (802) 244-1018
Mailing Address: Waterbury Municipal Offices, 28 North Main Street, Waterbury, VT 05676
Municipal Website: www.waterburyvt.com

EXHIBIT A4

Date:	<u>1/18/2021</u>	Application #:	<u>001-21</u>
Fees Paid:	<u>(\$15 recording fee already paid)</u>		
Parcel ID #:	_____		
Tax Map #:	<u>14-065.120</u>		

TOWN OF WATERBURY *Brown, 561 Bear Creek Ln.* OVERLAY DISTRICT INFORMATION

This Overlay District information sheet supplements the Zoning Permit Application. Please provide all of the information requested on both forms. Read the Zoning Regulations and familiarize yourself with the requirements. Failure to provide all the required information will delay the process. Submit one copy of the completed forms and a check payable to the *Town of Waterbury* according to the zoning fee schedule. For questions about the permit process please contact the Zoning Administrator at 244-1018.

PROJECT DESCRIPTION

Brief description of project: Building envelope revisions and renewal of previously approved thinning envelope per 67-16-T and 125-18 in the RHS Minor District.

Fill out only the relevant section(s) & utilize the following checklists to ensure your plans include all the required information.

DOWNTOWN DESIGN REVIEW OVERLAY DISTRICT (DDR)

DESIGN STANDARDS:

For Historic Structures (applying to all structures listed on the National Register of Historic Places):

- Original materials or materials typical of the architectural style are preserved or replaced with like materials to the extent feasible and appropriate.
- Historic building features shall be preserved or replicated to the extent feasible and appropriate.

For projects within the Historic/Commercial Sub-District:

- New building designs shall reinforce historic streetscape patterns, including orientation and setbacks.
- New buildings shall maintain overall height, size, massing, scale, and proportions compatible with those of buildings in the vicinity.
- New additions are designed to complement and be compatible with the original structure.
- Project design reinforces a pedestrian streetscape.
- On-site utilities shall be buried and utility boxes are screened from public view if the utilities along the street serving that structure are also buried.
- Buildings, or portions thereof, having eaves heights of 20-foot or less above ground level incorporate moderately to steeply pitched roofs, unless the another roof type is appropriate.

For projects within the Mixed-Use Sub-District:

- Building sites, including road and pedestrian networks, are designed in a manner that is integrated and compatible with adjoining parcels and areas.
- A proposed project located next to or facing a historic structure incorporates similar or complementary building features.
- New buildings are oriented to front upon, and relate both functionally and visually to, primary access roads.
- On-site parking is situated to the rear or on the sides of structures, where feasible and appropriate.
- The primary facades of principal structures are clearly defined through the placement of one or more prominent entryways, pedestrian walkways, or landscaping features.
- Building facades and rooflines are designed so as to reduce the perceived mass, scale, and uniform impersonal appearance of large buildings and additions, and to provide visual interest.
- Clearly defined pedestrian walkways are provided through parking areas, between buildings, and from public sidewalks to the site.

SUBMISSION REQUIREMENTS:

- All information required under Site Plan (see Site Plan Application)
- Proposed architectural elevations (for each exterior wall) showing door and window types and placement, and other exterior details
- A description of all materials to be used on the exterior of building
- Photos of the existing building(s) on the site and adjacent and facing parcels
- For demolition of a structure listed on the National Register of Historic Places see additional requirements within the Regulations.

REVIEW STANDARDS:

- For both Minor & Major Development Projects see Conditional Use Criteria
- For Major Development Projects:
 - Screening
 - Access
 - Placement of Structures
 - Exterior Lighting
 - Clearcutting and Pre-Development Site Preparation
 - Natural Resources
 - Building Design

*Although the tract contains land above 1500', there are no building envelopes or proposed pre-development clearing within the 1500' "Major" zone.

SUBMISSION REQUIREMENTS :

- Minor Development Projects (1,200—1,499 FIE)
 - All information required under Site Plan Review (see Site Plan Review Application)
 - Completed Conditional Use Application
- Major Development Projects (1,500 & up FIE)
 - All information required under Site Plan Review (see Site Plan Review Application)
 - Completed Conditional Use Application
 - Grading Plan
 - Visibility Studies
 - Stormwater Drainage/Erosion Control Plan
 - Landscape Plan
 - Access Plan Natural Features

SPECIAL FLOOD HAZARD AREA OVERLAY DISTRICT (SFHA)

DESIGN STANDARDS:

- All development is reasonably safe from flooding All fuel storage tanks are either elevated or floodproofed.
- All substantial improvements and new construction (including fuel storage tanks) meet the following criteria:
 - Designed, operated, maintained, modified and adequately anchored to prevent flotation, collapse, release, or lateral movement of the structure
 - Constructed with materials resistant to flood damage
 - Constructed by methods and practices that minimize flood damage
 - Constructed with electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding
 - All new subdivisions and other proposed developments that are greater than 50 lots or 5 acres, whichever is the lesser shall include within such proposal base flood elevation data. See Regulations for additional subdivision standards.
 - The fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access, or storage in an area other than a basement are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
 - A non-residential, appurtenant structure of 500 sf or less need not be elevated to or above the base flood elevation in this area, provided the structure is placed on the building site so as to offer the minimum resistance to the flow of floodwaters
 - In Zones AE, A, and A1 – A30 where base flood elevations and/or floodway limits have not been determined, new construction and substantial improvement shall not be permitted unless it demonstrates additional standards (see Regulations)
 - All new construction and substantial improvements of residential structures within Zones A1-30, and AE must have the lowest floor of all residential structures (including basement) elevated to at least one foot above the base flood level.
 - All manufactured homes are installed using methods and practices which minimize flood damage. Manufactured homes must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least one foot above base flood elevation, and they must be anchored to an adequately anchored foundation to resist flotation collapse, or lateral movement.
 - All new construction and substantial improvements of non-residential structures within Zones A1-30, and AE shall:
 - Have the lowest floor (including basement) elevated to at least two feet above the base flood level; or
 - Be designed so that below the base flood level the structure is water tight with walls substantially impermeable to the passage of water with structural components having the capability of resisting hydrostatic and hydrodynamic loads and

effects of buoyancy to a point at least two feet above the base flood level.

- Where a non-residential structure is intended to be made watertight below the base flood level a registered
- professional engineer or architect shall develop and/or review structural design
- ___ Adequate drainage paths shall be required around structures on slopes to guide floodwaters around and away from proposed structures.
- ___ The flood carrying and sediment transport capacity within the altered or relocated portion of any watercourse shall be maintained, and any alteration or relocation shall not result in any decrease of stream stability.
- ___ Bridge and culverts, which by their nature must be placed in or over the stream, must obtain a stream alteration permit from the Agency of Natural Resources, if required.

SUBMISSION REQUIREMENTS:

- Plans in triplicate, drawn to scale, showing the location, dimensions, contours, and elevation of the lot; the size and location on the site of existing or proposed structures, fill or storage of materials; the location and elevations of streets, water supply, and sanitary facilities; and the relation of the above to the location of the channel, floodway, and base flood elevation
- Specifications for building construction and materials, floodproofing, mining, dredging, filling, grading, paving, excavation, or drilling, channel improvement, storage of materials, water supply, and sanitary facilities
- Base flood elevation data for all subdivisions, new construction, and substantial improvements
- The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new construction or substantial improvement of structures
- Where floodproofing is used in lieu of elevation, the elevation, in relation to mean sea level, to which any structure or substantial improvement will be floodproofed
- Where an application requires Board review the application shall include certification by a registered professional engineer or architect demonstrating that the proposed development will not increase base flood elevations more than 0.25 foot
- Certification by a registered professional engineer or architect demonstrating compliance with the elevation requirements
- A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development
- A Vermont Agency of Natural Resources Project Review Sheet for the proposal
- Proposed floodproofing must be supported by a FEMA Floodproofing Certificate

CERTIFICATE OF COMPLETION: Upon completing the project the Applicant must apply for and receive a Certificate of Completion to ensure the project conforms to the Special Flood Hazard Area Regulations. See Certificate of Completion Application for additional information.

CONTACT Zoning Administrator Phone: (802) 244-1018
 Mailing address: Waterbury Municipal Offices, 28 North Main Street, Suite 1, Waterbury, VT 05676
 Municipal Website: www.waterburyvt.com

January 18, 2021

Dina Bookmyer-Baker
Waterbury Zoning Administrator
28 North Main St, Suite 1
Waterbury, VT 05676

#001-21
BROWN
1/18/21

RE: Building Envelope Revisions and Pre-Development Clearing Renewal in RHS
Brown Property, Bear Creek Lane, Waterbury
McCain Project No. 38041B

Dear Dina,

Enclosed please find the following documents for the above referenced project:

- A fee check in the amount of \$165.00 (one hundred and sixty-five dollars)
- Zoning Permit Application;
- Conditional Use Application;
- Overlay District Application;
- A copy of the fee schedule;
- A list of adjoining landowners.
- Site Plan, Sheet C-1, dated January 15, 2021

This application is for review of a revised building envelope and renewal of the previously permitted thinning envelope that was approved for Lot 12 under #67-16-T and #125-18. The previously approved building envelope will be shifted 50' to the east to better take advantage of the shallower slopes on-site. Although the actual house and associated driveway/guest parking to be constructed are still under design with additional applications and permitting to follow, the anticipation is that the main house would be constructed within the previously approved footprint, and the expanded area would be for a garage and associated infrastructure (covered storage area, etc.). To offset moving the building envelope, the western end of the building envelope has also been shifted 50' to the east, reducing the overall building area by 4,000± square feet.

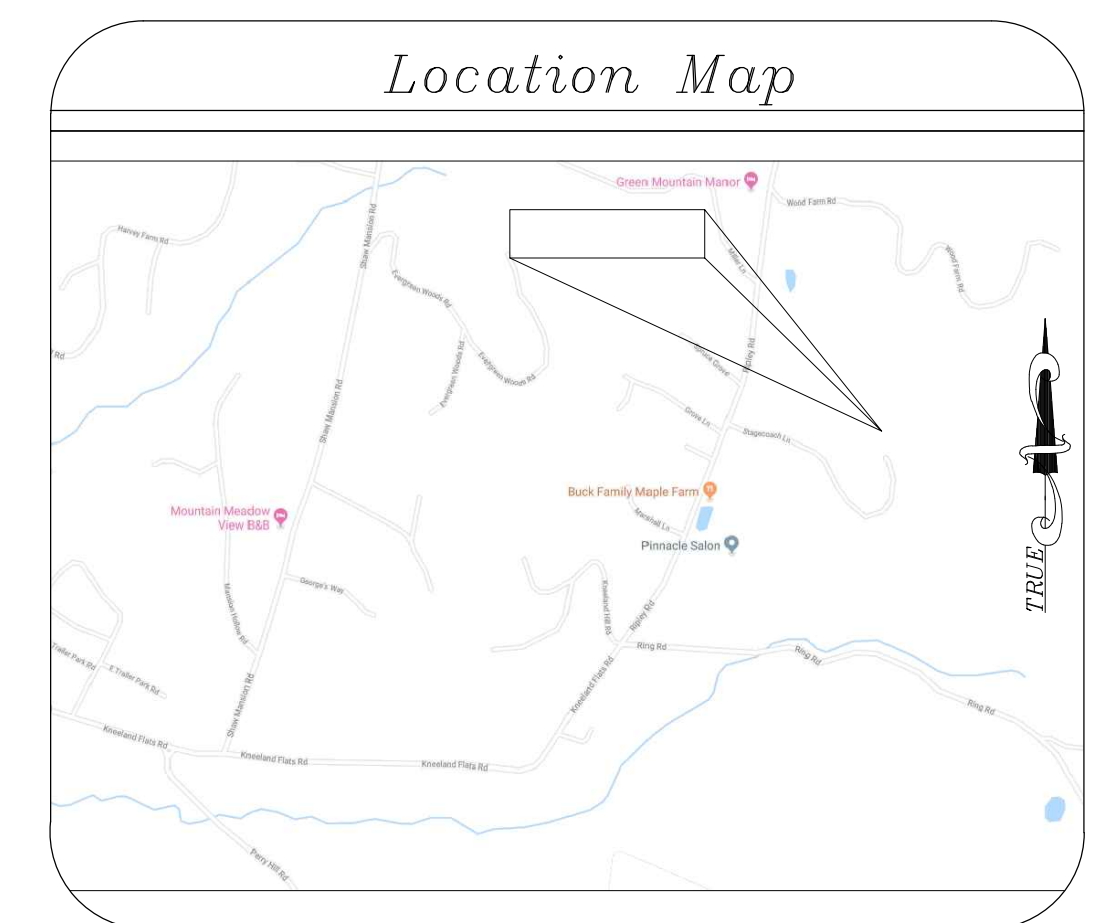
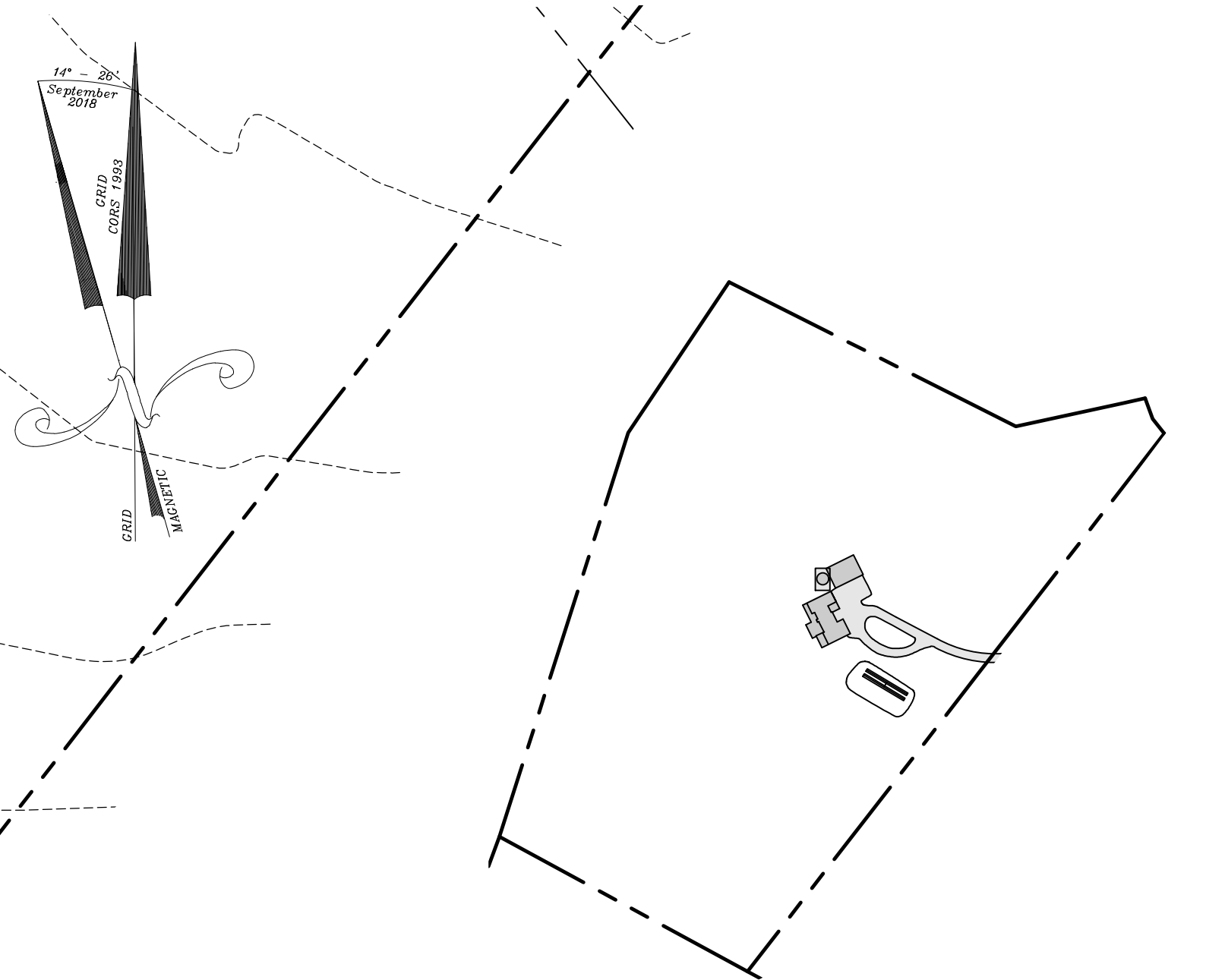
At this point the application is only for the revised building envelope and renewal of the previously approved thinning envelope per #67-16-T, as well as minimal pre-development clearing for the proposed driveway. The revised building envelope still falls below the "Major" RHS line as all development will be below 1500' in elevation.

Please let me know when the date for the hearing has been determined so that we can notify the adjoiners. Feel free to call or email with any questions or if you need any additional information.

Sincerely,
McCain Consulting, Inc.



George N. McCain Jr., P.E.
Enc.



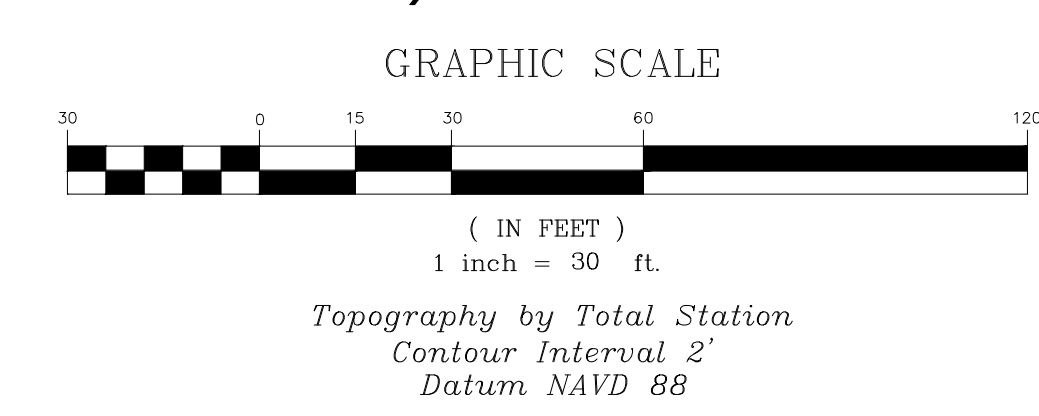
LEGEND

- △ TP-1 Traverse point
- SB-1 Test pit
- IRF Iron rod found
- ⊙ Proposed well
- Culvert
- Tree line
- Proposed tree line
- 100' 10' Contours
- 2' Contours
- Property line
- Right of way line
- Ditch/drainage swale
- Stream
- Building envelope

ALL CONSTRUCTION SHALL ADHERE TO THE STANDARDS SET FORTH IN THE VERMONT LOW RISK HANDBOOK



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 FOR TOWN REVIEW

ENGINEER:
GEORGE N. MCCAIN Jr., P.E.
VT P.E. 92506

SITE PLAN
JUSTIN & NUSI BROWN
BUILDING ENVELOPE REVISIONS - RHS MINOR
BEAR CREEK LANE - LOT 12 WATERBURY, VT

SCALE : 1" = 30'
DESIGNED BY: GMJr PROJECT #38041B
DRAWN BY: WDB
CHECKED BY: GMJr

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

DATE: JANUARY 15, 2021 SHEET C-1

EXHIBIT C
#001-21
BROWN
1/18/21

EXHIBIT D

**NOTICE OF PUBLIC HEARING
WATERBURY DEVELOPMENT REVIEW BOARD
Wednesday, February 17, 2021**

#001-21
BROWN

Date mailed certified: January 29, 2021

FROM: Justin & Nusi Brown
60 Winooski Falls Way, #1110
Winooski, VT 05404

TO: Adjoining Landowners

Adjoining landowners are hereby notified: The Waterbury Development Review Board will convene a Public Hearing at **6:30 p.m. on Wednesday, February 17, 2021, via ZOOM and conference call. Connection details will be provided on the DRB agenda published on www.waterburyvt.com prior to the meeting.** The Board will act on the following:

#001-21: Justin & Nusi Brown (owner/applicant)
Ridgeline/Hillside/Steep Slope review to revise the building zone and renew the previously-approved clearing/thinning envelope at 561 Bear Creek Lane, located in the Conservation (CNS) and Ridgelines/Hillsides/Steep Slopes (RHS) zoning and overlay districts.

This notice is being sent to you as an adjacent property owner to the project described above. You should receive this notice not less than 15 days prior to the date of the public hearing above.

Although you are not required to attend this hearing, your participation in the local regulatory proceeding is a prerequisite to the right to appeal any resulting decision or action of the Development Review Board, as set forth in 24 V.S.A. § 4471. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

This application and all supporting materials are on file at the Waterbury Municipal Offices. Please call or email the Zoning Administrator, Dina Bookmyer-Baker, at 802-244-1018 or dbookmyerbaker@waterburyvt.com to make arrangements to review the file. The municipal offices are currently closed to the public except by appointment only.

7019 0700 0000 2854 6672

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

Total F
 \$

Sent To
 \$

Street
 City, Sta

Bradley & Susan Waterman
 7715 Greenbrier Circle
 Port St. Lucie, FL 34986

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0700 0000 2854 6702

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

Total
 \$

Sent To
 \$

Street
 City, Sta

Duane & Laura Peterson
 678 Bear Creek Lane
 Waterbury Center, VT 05677

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

#001-21
BROWN

7019 0700 0000 2854 6658

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

Total Pos
 \$

Sent To
 \$

Street
 City, Sta

Micah Einstein Sloat
 6412 Alcove Avenue
 Studio City, CA 91604

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0700 0000 2854 6696

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

Total Pos
 \$

Sent To
 \$

Street
 City, Sta

George & Virginia Pierce
 PO Box 239
 Waterbury Center, VT 05677

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0700 0000 2854 6641

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

Total Pos
 \$

Sent To
 \$

Street
 City, Sta

Schindler Development Corporation
 PO Box 382
 Stowe, VT 05672

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 0700 0000 2854 6689

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
 \$

Total Pos
 \$

Sent To
 \$

Street
 City, Sta

John & Belva Hayden
 6607 Tina Lane
 McLean, VA 22101

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

(page 2 of 3)

#001-21
BROWN

019 0700 0000 2854 6665

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Pk	\$
Sent To	
Street #	

Daniel Fuller & Elysa Walk
715 Bay Road
Shelburne VT 05487

RECEIVED
JAN 29 2021
Postmark Here



561 Bear Creek Lane, Brown [ESRI]

Waterbury, VT

1 inch = 300 Feet

EXHIBIT E1

#001-21 (Staff)

February 12, 2021



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



561 Bear Creek Ln, Brown (CNS/RHS)

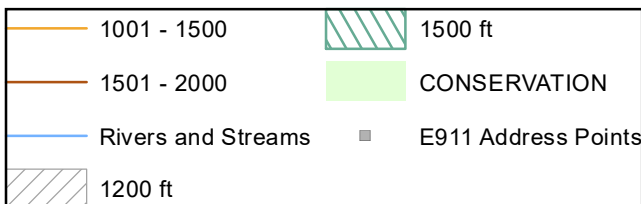
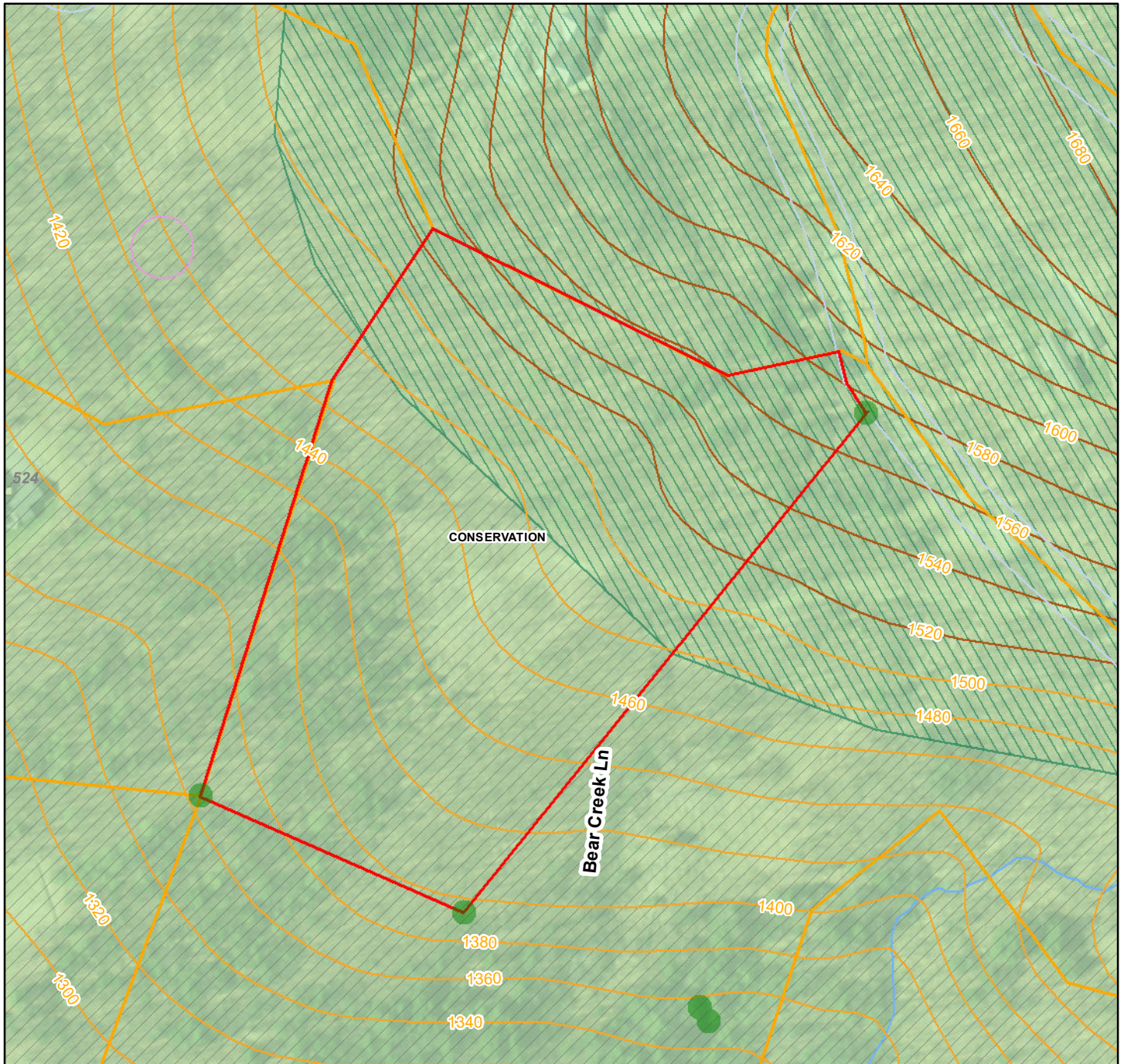
EXHIBIT E2

Waterbury, VT

1 inch = 200 Feet

#001-21 (Staff)

February 12, 2021



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

#001-21

Brown, 561 Bear Creek Lane

Prior Approvals & Materials

Exhibits F & G

**Town & Village of Waterbury
Development Review Board**

Prior Approval, ref: #001-21

Decision #125-18 ■ December 19, 2018/January 16, 2019

In Attendance: (12/19/18) Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary). Alyssa Johnson (Economic Development Director) was also present.

(1/16/19) Board members present: David Frothingham (Chair), Dave Rogers, Mike Bard, Bud Wilson, and Andrew Strniste. Staff present: Dina Bookmyer-Baker (ZA), Steve Lotspeich (Community Planner), and Patti Spence (Secretary). Alyssa Johnson (Economic Development Director) was also present.

Owner/Applicant:	Schindler Development Corporation	
Address/Location:	Undeveloped property off of Bear Creek Lane, Waterbury Center, VT	
Zones:	Conservation (CNS) and Ridgelines/Hillsides/Steep Slopes (RHS) overlay district	
Application #	125-18	Tax Map # 14-065.990

Applicant Request

The applicant seeks approval for a four-lot subdivision creating Lots 12, 13, 14, & 15 on Bear Creek Lane in the Conservation zoning district and Ridgelines, Hillsides, Steep Slopes overlay district.

Present and sworn in:

(12/19/18) George McCain, Consultant (McCain Consulting Inc.)
 (1/16/19) George McCain, Consultant, representing Applicant
 Tracy Sweeney Waterbury Conservation Board

Exhibits

- A: Application #125-18 (8 pp: Zoning, Subdivision, Conditional Use, Overlay District, and 2 supplemental sheets for conditional use and RHS criteria), submitted 11/16/18.
- B: Project overview, prepared by McCain Consulting, Inc., dated 11/16/18.
- C: Four-lot Subdivision Plans for Schindler Development Corp., prepared by McCain Consulting, Inc., dated 10/14/18 (C1, C3, & C4: revised 1/16/19): [C1] Overview Plan; [C2] Site Plan—Lots 12 & 13; [C3] Site Plan—Lots 14 & 15; [C4] Driveway & Road Plan; and [C5] EPSC Details.
- D: ANR Atlas Maps of (D1) wildlife habitat & (D2) steep slopes in the project vicinity (11/1/18; 12/19/18).
- E: Prior DRB decision #67-16T for pre-development activity on Lots 12 & 13 (Nov. 16, 2016 hearing).
- F: Orthophoto of parcel with tax map boundaries (Staff).
- G: Letter to adjoining landowners, mailed certified: 11/29/2018.
- H: Correspondence (email) from Fire Chief Gary Dillon, 1/16/19.
- I: Municipal Plan Wildlife Resources Map 2013.

Findings of Fact

1. Existing conditions: Schindler Development Corporation owns a 42.3± acre parcel on Ring Road and Bear Creek Lane. The parcel was approved for pre-development site preparation for future Lots 12 & 13 in 2016 (zoning permit #67-16T). The parcel remains undeveloped. The parcel is in the Conservation

(CNS) zoning district and the Ridgelines/Hillsides/Steep Slopes (RHS) overlay district.

2. Proposal: To create four new residential lots as follows:

- Lot 12: 10.3 acres, with some Bear Creek Lane frontage; $\geq 300'$ lot width; portions above 1500 FIE; shared driveway access with Lot 13; proposed for a single-family dwelling.
- Lot 13: 10.8 acres, with Bear Creek Lane frontage $\geq 300'$; portions above 1500 FIE; shared driveway access with Lot 12; proposed for a single-family dwelling.
- Lot 14: 10.6 acres, with Bear Creek Lane frontage $\geq 300'$; RHS minor (<1500 FIE); driveway access to Bear Creek Lane; proposed for a single-family dwelling.
- Lot 15: 10.6 acres, with frontage on Ring Road and Bear Creek Lane; portions RHS minor (<1500 FIE); driveway access to Bear Creek Lane; proposed for a single-family dwelling.

All four lots are proposed to be served by on-site water and wastewater. This application is for review of the subdivision, not the dwelling units at this time.

3. CNS Dimensional Requirements, Table 5.2: Minimum lot area; 10 acres, minimum frontage: 300', minimum setbacks: 100' front-sides-rear. The proposed lots meet the dimensional requirements.

4. Section 1201 Authority and Review of Subdivisions: All applications for land division shall be reviewed by the DRB under Section 1202, unless exempted under Section 1203. This application is not exempted from Board review, as the project involves lands within the RHS overlay district.

Section 1202 Subdivision Review Criteria: Prior to granting approval, the Board must find that the proposed subdivision conforms to the standards in Section 1202 (a)–(d).

a. The Board must find that the proposal will not have an undue adverse impact on the following:

- (1) The capacity of community facilities: The dwelling will not be connected to municipal water or sewer systems. The proposal to create four residential lots will not exceed the school system's capacity, or cause an undue adverse impact to traffic volumes, or create an unmanageable burden on fire protection services.
- (2) The character of the area: Each lot is proposed to contain a single-family dwelling. The existing uses on Bear Creek Lane and the surrounding area are residential.
- (3) Water quality: Applicant might be required to obtain a VT stormwater discharge permit.
- (4) Aesthetics and scenic or natural beauty: The building zones are relatively small, leaving much of the existing forested land undisturbed. (Exhibit C1, F) Thinning, clearing and pre-development preparation was approved for Lots 12 & 13 in 2016.
- (5) Significant natural resources: Significant Natural Resources are defined in the Regulations as: "Areas that include streams; Class I & II wetlands; prime agricultural soils; wildlife resources, including the Natural Heritage sites, as shown on the Waterbury Wildlife Resources Map in the Municipal Plan; and rare, threatened or endangered species." The Wildlife Resources Map is included as Exhibit I, which shows that the project is located in a mapped bear habitat. Applicant's Exhibit D1 (ANR Atlas) shows wildlife habitat and significant natural communities

in the project vicinity.

(Prior Approval, ref: #001-21)

- b. The project is *not* in the RT100 zoning district. This provision does not apply.
- c. The project is in the RHS overlay district. The project has obtained prior approval for site preparation. This application is for subdivision approval, not for building construction at this time.
- d. The Board may attach reasonable conditions and safeguards with respect to the subdivision attributes identified in Section 1202(d)(1-4). The proposal does not include excessive curb-cuts. The Board finds that conditions and safeguards regarding these attributes are not needed.

Conclusion: Based upon these findings, and subject to the conditions set forth below, the Board concludes that the proposal by Schindler Development Corporation to subdivide and create Lots 12, 13, 14, and 15 on Ring Road and Bear Creek Lane, in the CNS zoning district and the RHS overlay, as presented in application #125-18 and supporting materials, meets the Ridgeline/Hillside/Steep Slope and Subdivision criteria as set forth in Sections 1004 and 1202.

Motion: On behalf of the Waterbury Development Review Board, Mike Bard moved and Dave Rogers seconded the motion to approve application #125-18 with the following conditions:

- (1) The Applicant shall complete the project in accordance with the Board’s findings and conclusions and the approved plans and exhibits;
- (2) Future development is subject to review by the Board for compliance with the RHS criteria.
- (3) Except as amended herein, this approval incorporates all Findings of Fact, Conclusions of Law, and Conditions in zoning permit approval #67-16T.
- (4) Within 180 days from this approval, the Applicant shall submit the final plat, prepared in accordance with 27 V.S.A. § 1403 and signed by the DRB Chair (or Acting Chair), to be recorded in the office of the Clerk of the Town of Waterbury, in accordance with 24 V.S.A. § 4463.

Vote: The motion was approved 5-0.



 (Chair) (Vice-Chair) (Acting Chair)

Approved: 2-6-19

 (date)

Additional state permits may be required for this project. The landowner/applicant is advised to contact Peter Kopsco, DEC Permit Specialist, at 802-505-5367 or pete.kopsco@vermont.gov, and the appropriate state agencies to determine permits that must be obtained.

NOTICE: *This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An 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:

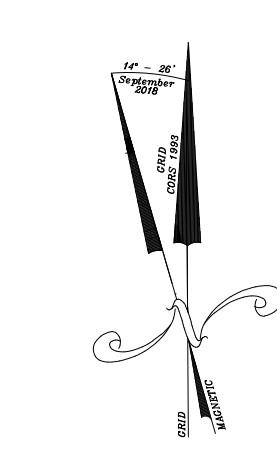
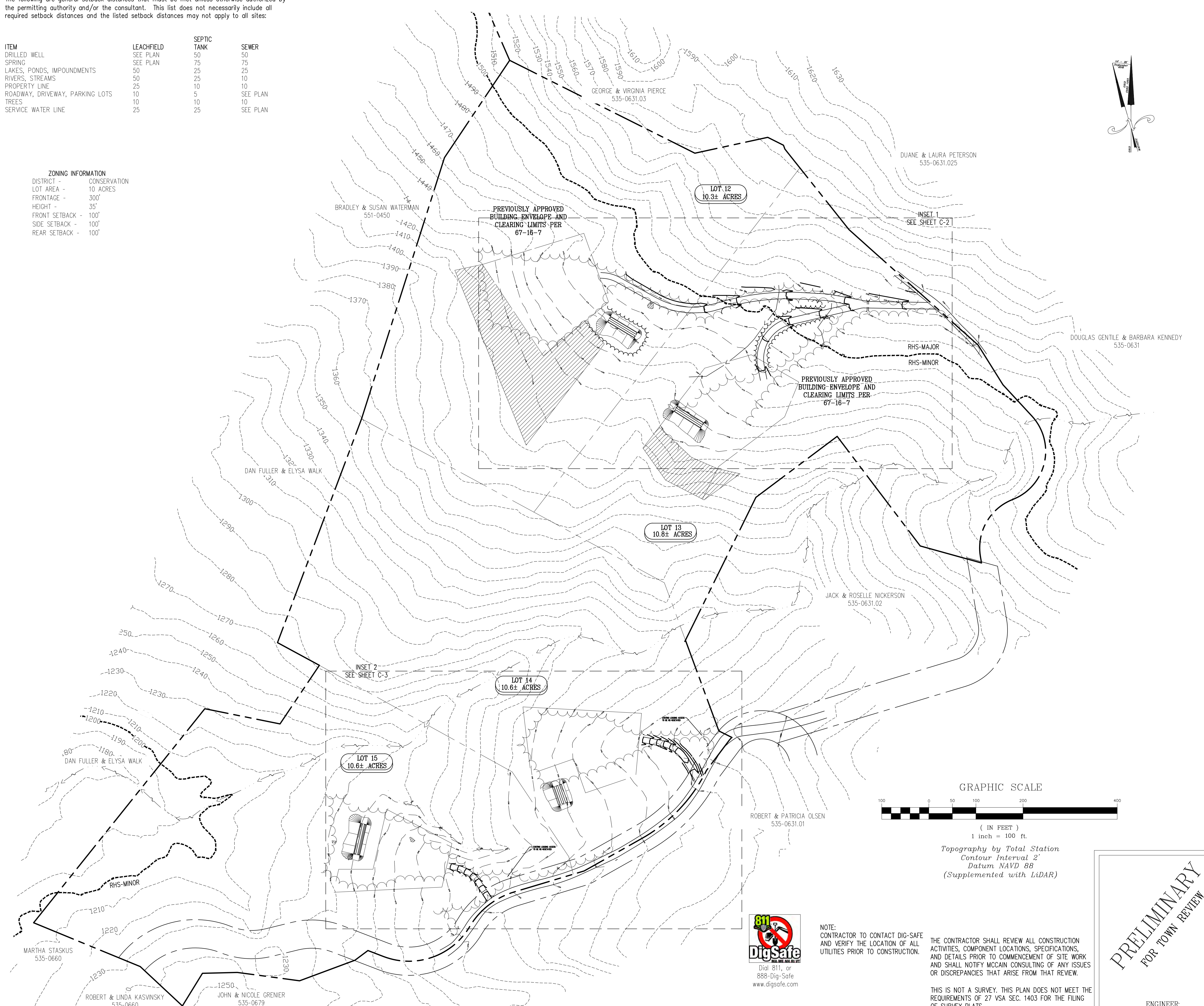
ITEM	LEACHFIELD	SEPTIC TANK	SEWER
DRILLED WELL	SEE PLAN	50	50
SPRING	SEE PLAN	75	75
LAKES, PONDS, IMPOUNDMENTS	50	25	25
RIVERS, STREAMS	50	25	10
PROPERTY LINE	25	10	10
ROADWAY, DRIVEWAY, PARKING LOTS	10	5	SEE PLAN
TREES	10	10	10
SERVICE WATER LINE	25	25	SEE PLAN

ZONING INFORMATION

DISTRICT -	CONSERVATION
LOT AREA -	10 ACRES
FRONTAGE -	300'
HEIGHT -	35'
FRONT SETBACK -	100'
SIDE SETBACK -	100'
REAR SETBACK -	100'

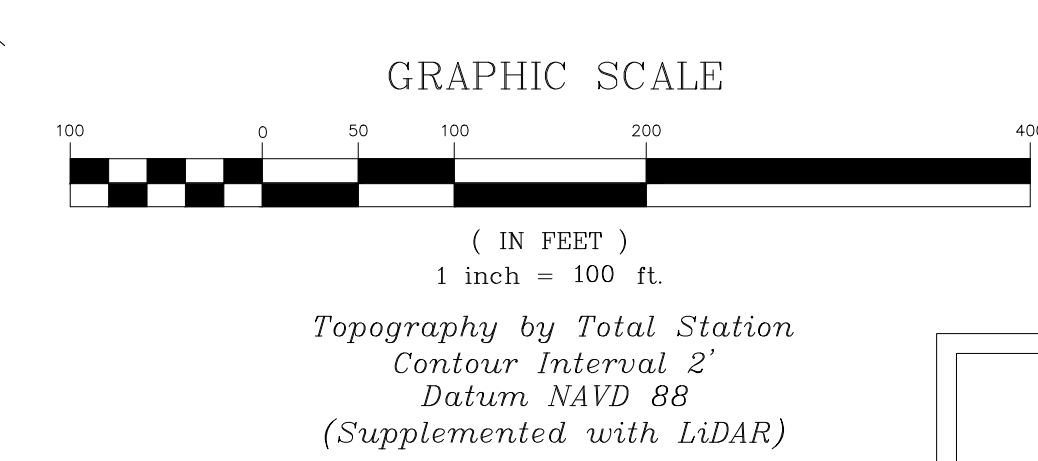
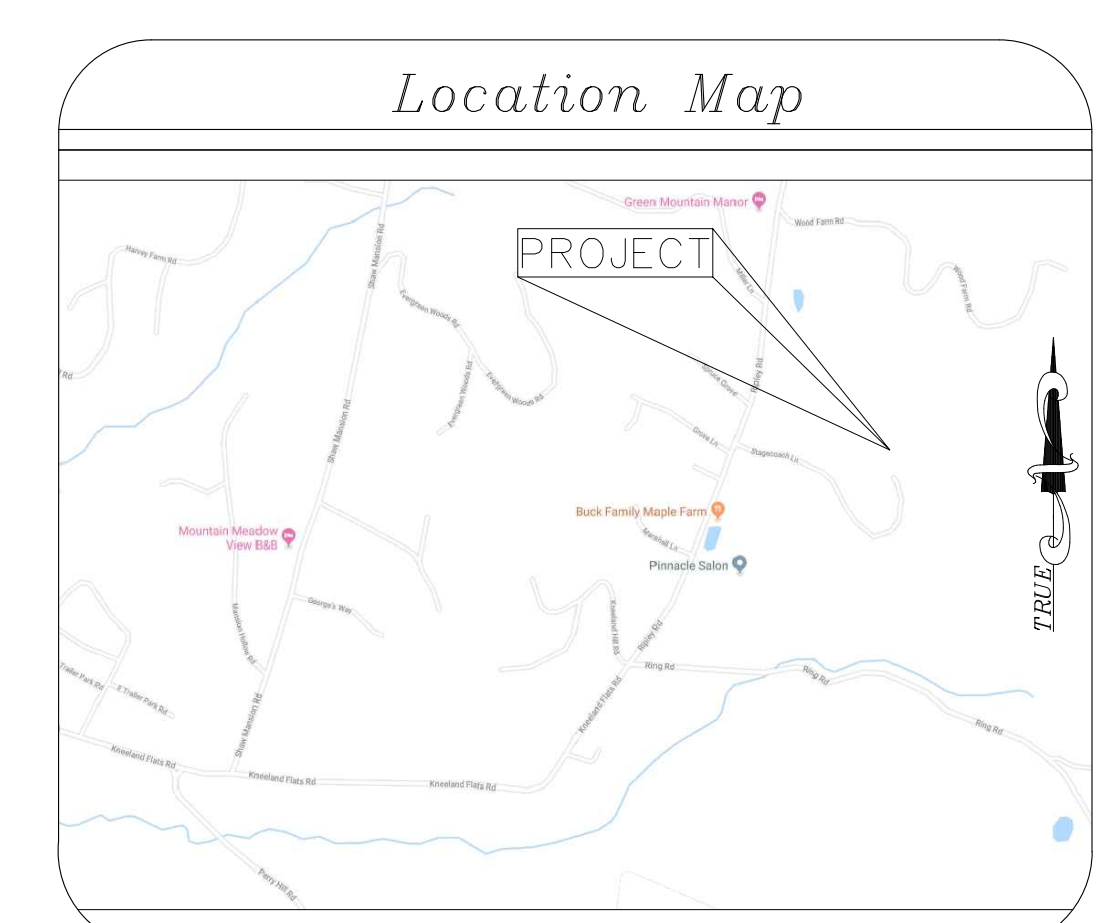
SHEET INDEX

C-1	OVERVIEW PLAN
C-2	SITE PLAN - LOTS 12 & 13
C-3	SITE PLAN - LOTS 14 & 15
C-4	SITE PLAN - DRIVEWAY & ROAD PLAN
C-5	EPSC DETAILS



LEGEND

	Property line existing
	Property line proposed
	Right of way line
	Building envelope
	10' LIDAR contours
	RHS overlay boundary
	Clearing zone
	Tree line
	Stream



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
 FOR TOWN REVIEW

ENGINEER:
 GEORGE N. McCain Jr., P.E.
 VT P.E. 92506

EXHIBIT **F4** *Prior Approval #125-18, ref. #001-21*

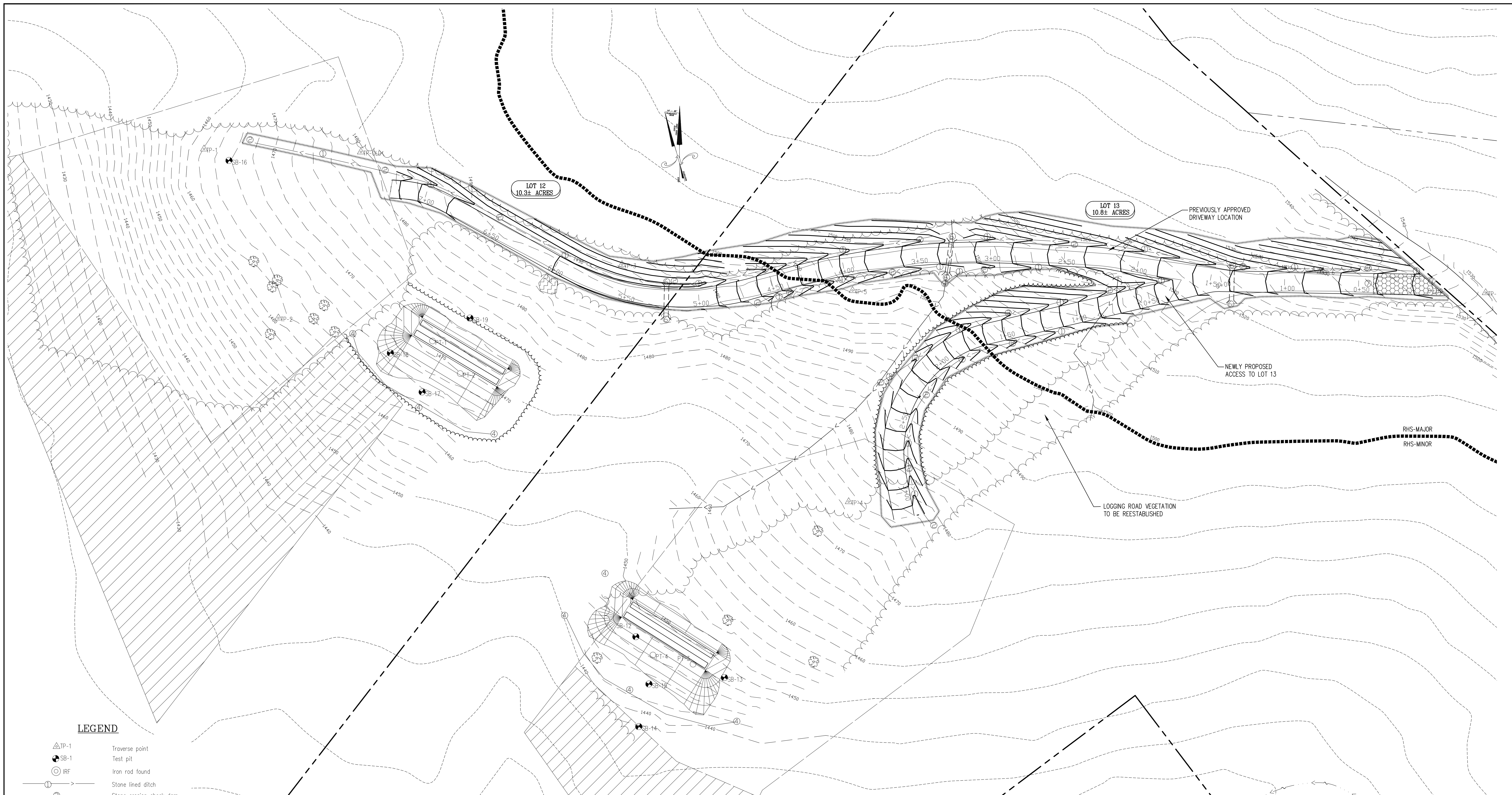
REVISIONS
 01/04/19 REVISED LOT 14 & 15 DRIVEWAYS, MISCELLANEOUS

OVERVIEW PLAN
 SCHINDLER DEVELOPMENT CORP.
 FOUR LOT SUBDIVISION
 WATERBURY, VT

SCALE : 1" = 100'
 DESIGNED BY: GMJr PROJECT #38041A
 DRAWN BY: WDB
 CHECKED BY: GMJr

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

DATE: OCTOBER 14, 2018 SHEET C-1

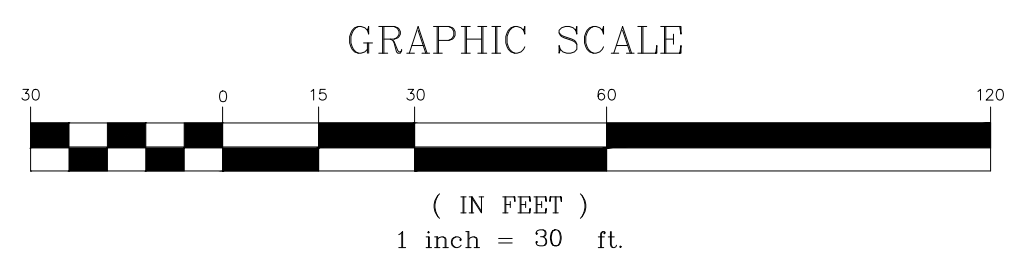


LEGEND

- △ TP-1 Traverse point
- SB-1 Test pit
- IRF Iron rod found
- ① Stone lined ditch
- ② Stone erosion check dam
- ④ Silt fence
- ⑤ Culvert headwall
- ⑦ Construction entrance
- — — — — Culvert
- ~~~~~ Tree line
- ~~~~~ Proposed tree line
- — — — — 100' 10' Contours
- — — — — 2' Contours
- — — — — RHS overlay boundary
- — — — — Property line
- — — — — Right of way line
- — — — — Ditch/drainage swale
- — — — — Stream
- ~~~~~ Limits of disturbance
- ~~~~~ Stabilized construction entrance

NOTE: FINAL HOUSE SITES HAVE NOT BEEN PROPOSED AT THIS TIME. END USER WILL NEED TO SUBMIT FINAL GRADING AND LANDSCAPING/SCREENING PLANS FOR FINAL APPROVAL.

ALL CONSTRUCTION SHALL ADHERE TO THE STANDARDS SET FORTH IN THE VERMONT LOW RISK HANDBOOK



Topography by Total Station
Contour Interval 2'
Datum NAVD 88



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
FOR TOWN REVIEW

ENGINEER:
GEORGE N. MCCAIN Jr., P.E.
VT P.E. 92506

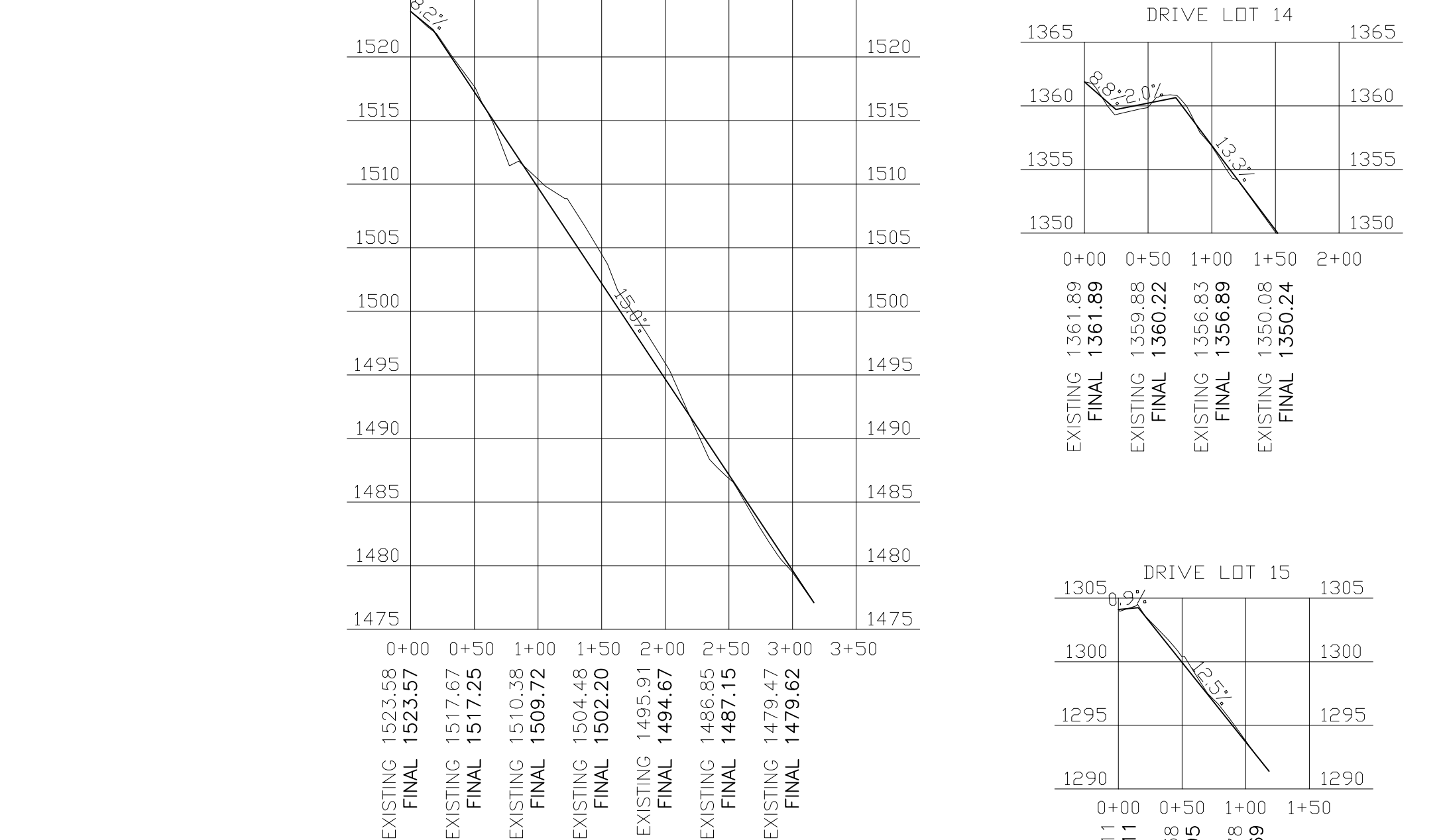
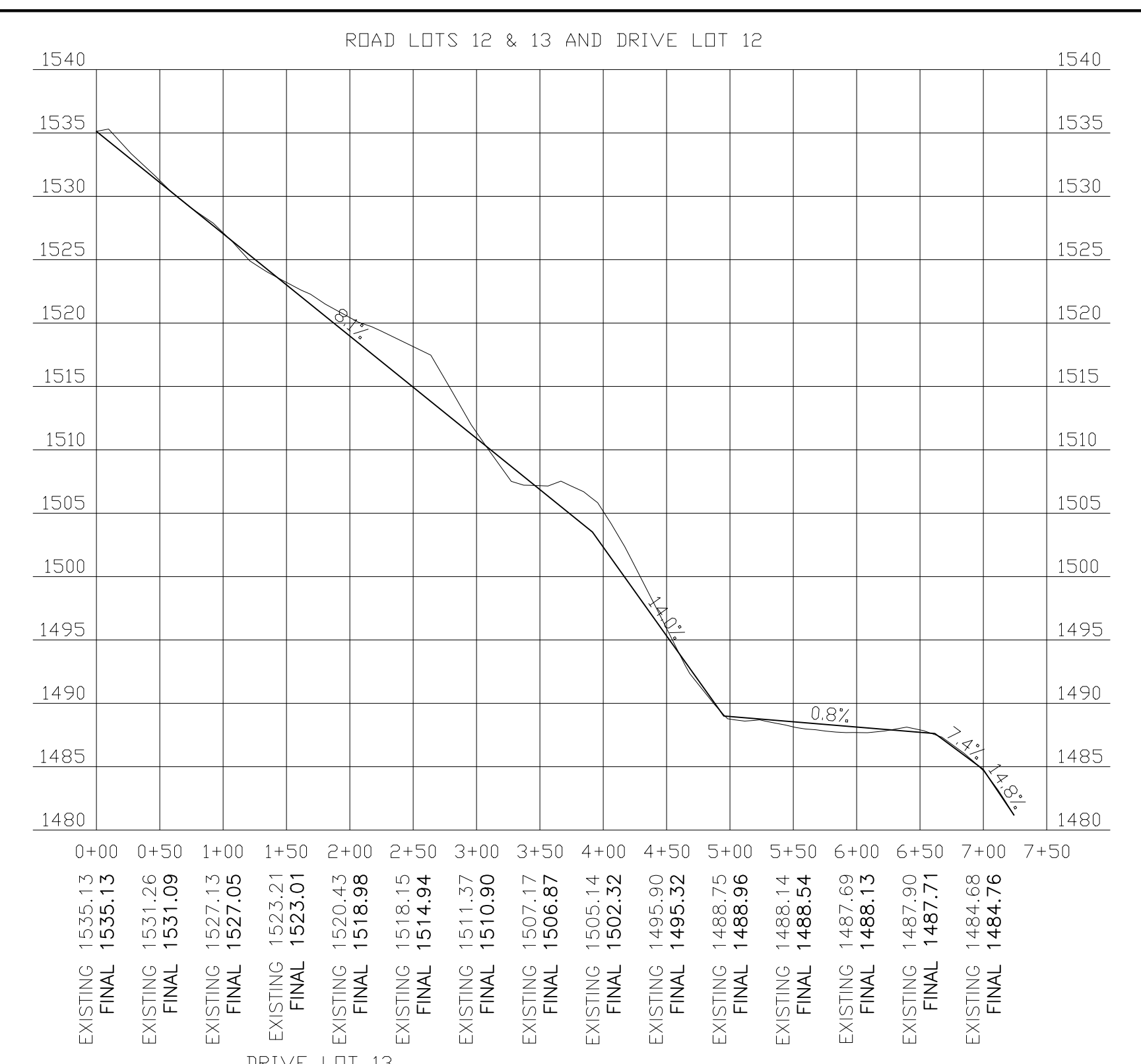
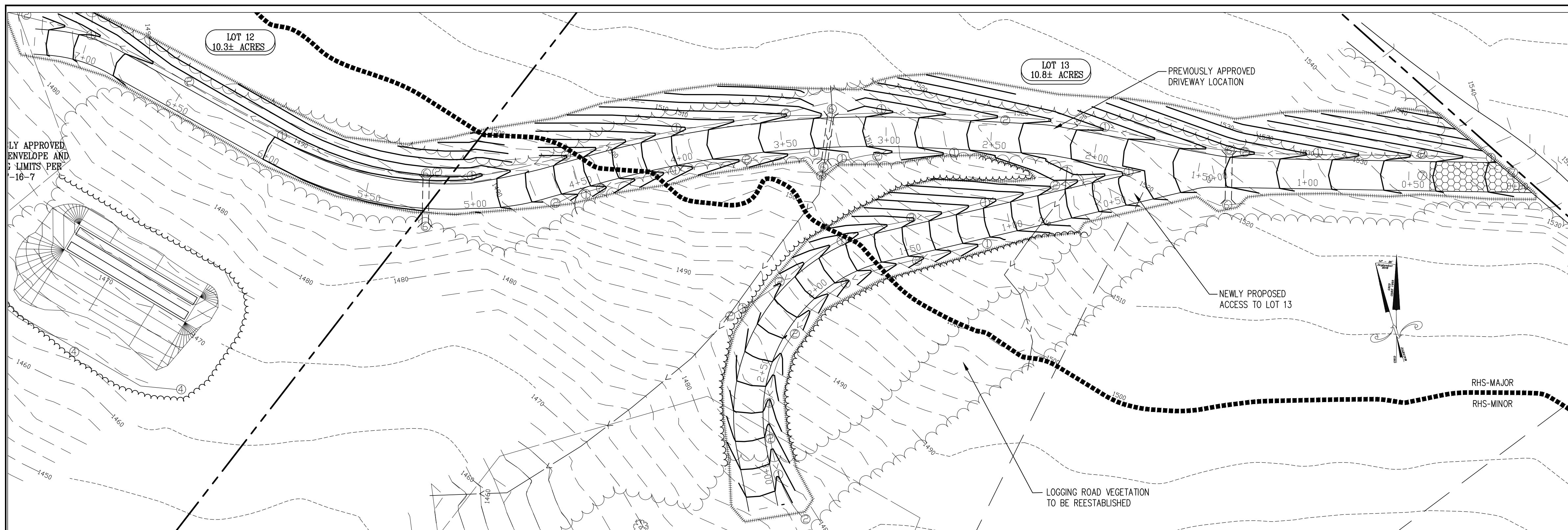
SITE PLAN - LOTS 12 AND 13
SCHINDLER DEVELOPMENT CORP.
FOUR LOT SUBDIVISION
WATERBURY, VT

EXHIBIT **F5** *Prior Approval #125-18, ref: #001-21*

SCALE : 1" = 30'
DESIGNED BY: GMJr PROJECT #38041A
DRAWN BY: WDB
CHECKED BY: GMJr

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

DATE: OCTOBER 14, 2018 SHEET C-2



LEGEND

△ TP-1	Traverse point	~	Proposed tree line
● SB-1	Test pit	--- 100 ---	10' Contours
○ IRF	Iron rod found	--- 2' ---	2' Contours
①	Stone lined ditch	-----	RHS overlay boundary
②	Stone erosion check dam	-----	Property line
③	Silt fence	-----	Right of way line
④	Culvert headwall	-----	Ditch/drainage swale
⑤	Construction entrance	-----	Stream
⑥	Culvert	-----	Limits of disturbance
⑦	Tree line	-----	Stabilized construction entrance



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.

PRELIMINARY
FOR TOWN REVIEW

ENGINEER:
GEORGE N. MCCAIN Jr., P.E.
VT P.E. 92506

REVISIONS
01/04/19 REVISED LOT 14 & 15 DRIVEWAYS, MISCELLANEOUS

DRIVEWAY & ROAD PLAN
SCHINDLER DEVELOPMENT CORP.
FOUR LOT SUBDIVISION
WATERBURY, VT

SCALE : 1" = 30'
DESIGNED BY: GMJr PROJECT #38041A
DRAWN BY: WDB
CHECKED BY: GMJr

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

DATE: OCTOBER 14, 2018 SHEET C-4

Prior Approval #125-18, ref. #001-21

EXHIBIT F6

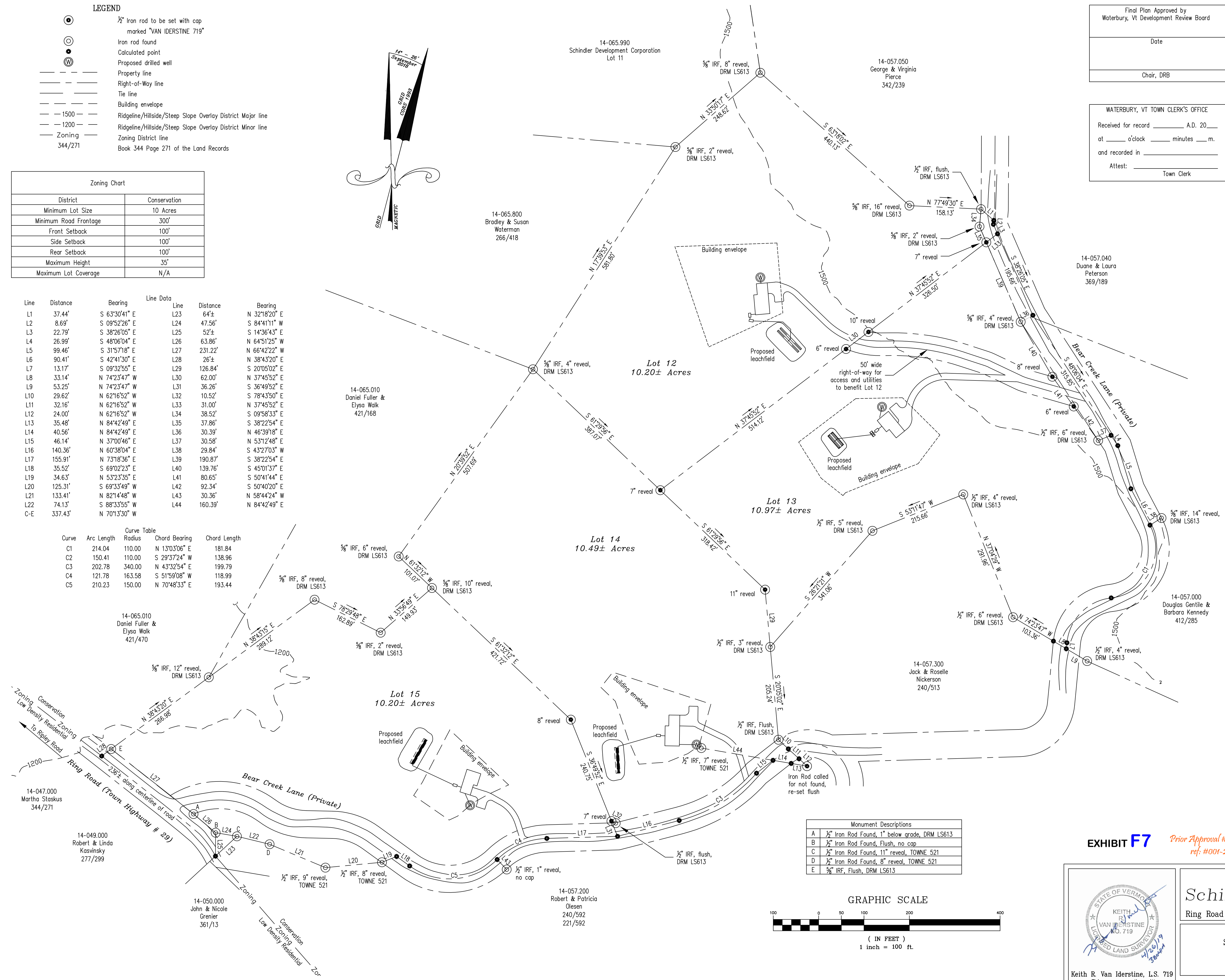
LEGEND

- 1/2" Iron rod to be set with cap marked "VAN IDERSTINE 719"
- Iron rod found
- Calculated point
- ⊙ Proposed drilled well
- - - Property line
- - - Right-of-Way line
- - - Tie line
- - - Building envelope
- - - 1500' Ridgeline/Hillside/Steep Slope Overlay District Major line
- - - 1200' Ridgeline/Hillside/Steep Slope Overlay District Minor line
- - - Zoning 344/271

Zoning Chart	
District	Conservation
Minimum Lot Size	10 Acres
Minimum Road Frontage	300'
Front Setback	100'
Side Setback	100'
Rear Setback	100'
Maximum Height	35'
Maximum Lot Coverage	N/A

Line	Distance	Bearing	Line Data	Line	Distance	Bearing
L1	37.44'	S 63°30'41" E	L23	64.±	N 32°18'20" E	
L2	8.69'	S 09°52'26" E	L24	47.56'	S 84°41'11" W	
L3	22.79'	S 38°26'05" E	L25	52.±	S 14°36'43" E	
L4	26.99'	S 48°06'04" E	L26	63.86'	N 64°51'25" W	
L5	99.46'	S 31°57'18" E	L27	231.22'	N 66°42'22" W	
L6	90.41'	S 42°41'30" E	L28	26.±	N 38°43'20" E	
L7	13.17'	S 09°32'55" E	L29	126.84'	S 20°05'02" E	
L8	33.14'	N 74°23'47" W	L30	62.00'	N 37°45'52" E	
L9	53.25'	N 74°23'47" W	L31	36.26'	S 36°49'52" E	
L10	29.62'	N 62°16'52" W	L32	10.52'	S 78°43'50" E	
L11	32.16'	N 62°16'52" W	L33	31.00'	N 37°45'52" E	
L12	24.00'	N 62°16'52" W	L34	38.52'	S 09°58'33" E	
L13	35.48'	N 84°42'49" E	L35	37.86'	S 38°22'54" E	
L14	40.56'	N 84°42'49" E	L36	30.39'	N 46°39'18" E	
L15	46.14'	N 37°00'46" E	L37	30.58'	N 53°12'48" E	
L16	140.36'	N 60°38'04" E	L38	29.84'	S 43°27'03" W	
L17	155.91'	N 73°18'36" E	L39	190.87'	S 38°22'54" E	
L18	35.52'	S 69°02'23" E	L40	139.76'	S 45°01'37" E	
L19	34.63'	N 53°23'35" E	L41	80.65'	S 50°41'44" E	
L20	125.31'	S 69°33'49" W	L42	92.34'	S 50°40'20" E	
L21	133.41'	N 82°14'48" W	L43	30.36'	N 58°44'24" W	
L22	74.13'	S 88°33'55" W	L44	160.39'	N 84°42'49" E	
C-E	337.43'	N 70°13'50" W				

Curve	Arc Length	Radius	Chord Bearing	Chord Length
C1	214.04	110.00	N 13°03'06" E	181.84
C2	150.41	110.00	S 29°37'24" W	138.96
C3	202.78	340.00	N 43°32'54" E	199.79
C4	121.78	163.58	S 51°59'08" W	118.99
C5	210.23	150.00	N 70°48'33" E	193.44



Final Plan Approved by
Waterbury, VT Development Review Board

Date _____

Chair, DRB _____

WATERBURY, VT TOWN CLERK'S OFFICE

Received for record _____ A.D. 20____

at _____ o'clock _____ minutes _____ m.

and recorded in _____

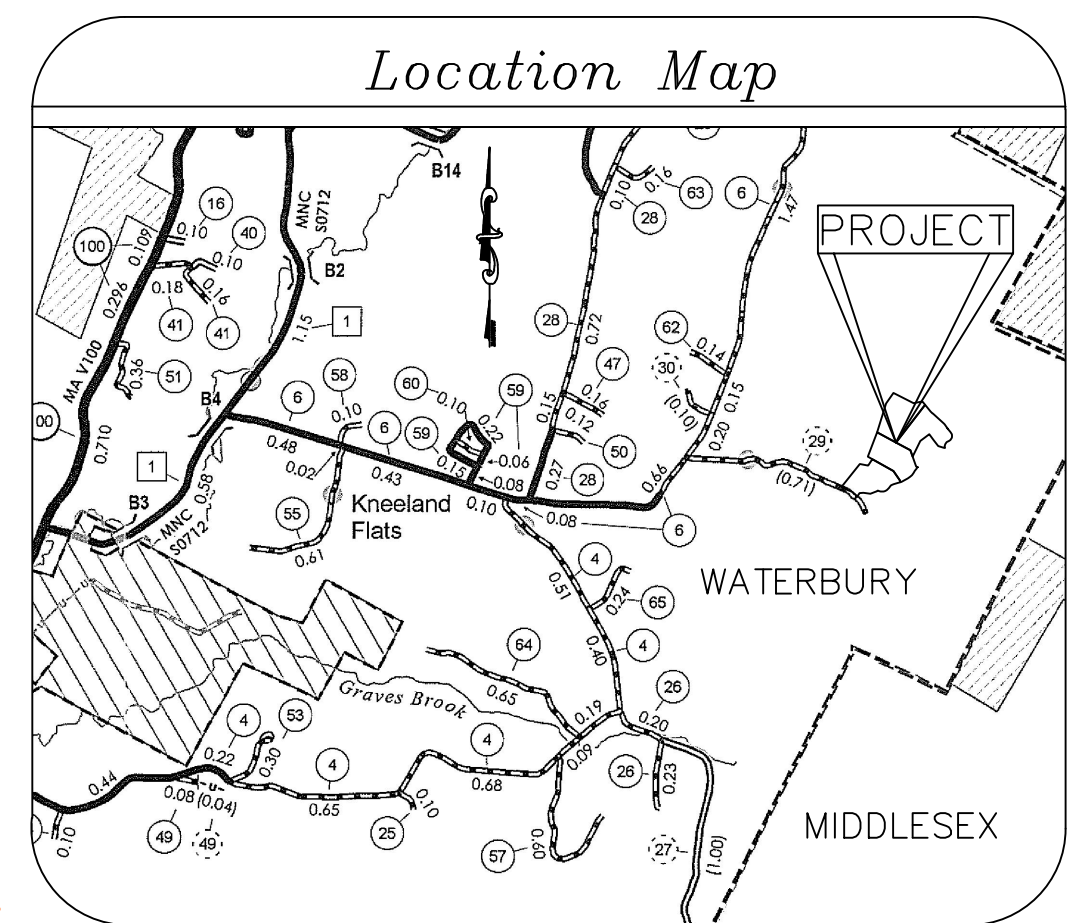
Attest: _____

Town Clerk

- TITLE SOURCE: Waterbury Land Records**
- Louise Reed and C. Paul Reed by warranty deed to Schindler Development Corporation, dated September 23, 2013, recorded in Book 342, Page 245 of the Waterbury Land Records (part of Lot 13).
 - Louise Reed and C. Paul Reed by warranty deed to Schindler Development Corporation, dated February 18, 2009, recorded in Book 268, Page 262 of the Waterbury Land Records (part of Lots 13 and 14).
 - Louise Reed and C. Paul Reed by warranty deed to Schindler Development Corporation, dated February 18, 2009, recorded in Book 268, Page 258 of the Waterbury Land Records (part of Lots 14 and 15).
 - Sidsl Heney by warranty deed to Schindler Development Corporation, dated July 14, 2002, recorded in Book 190, Page 267 of the Waterbury Land Records.

- REFERENCES:**
- A plat entitled "Survey of Stage Coach Lane Subdivision Lots 7, 9, & 10, A Common Interest Community, Declarant: Schindler Development Corporation, Sheet 1 of 2, Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated September 2013, last revised June 2014, recorded on Slide 343-01 of the Waterbury Land Records.
 - A plat entitled "Survey of Stage Coach Lane Subdivision Lot 11 with Ripley Springs, LLC Easement, A Common Interest Community, Declarant: Schindler Development Corporation, Sheet 2 of 2, Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated September 2013, last revised June 2014, recorded on Slide 343-02 of the Waterbury Land Records.
 - A plat entitled "Boundary Line Adjustment Between Louise Reed Living Trust and Schindler Development Corporation, Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated September 2013, recorded on Slide 329-01 of the Waterbury Land Records.
 - A plat entitled "Subdivision Survey and Lot Line Adjustment, Bear Creek Lane - Lots 4, 5, 6 & 7, Owner: Louise Reed Living Trust, Trustees: C. Paul Reed & Louise J. Reed, Lot Line Adjustment with Ripley Springs, LLC, Sheet 1 of 2, Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated November 2010, recorded on Slide 267-01 of the Waterbury Land Records.
 - A plat entitled "Survey of Stage Coach Lane Subdivision Lots 5-8, A Common Interest Community, Declarant: Schindler Development Corporation, Sheet 1 of 3, Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated October 2008, recorded on Slide 209-01 of the Waterbury Land Records.
 - A plat entitled "Boundary Line Adjustments Between Louise Reed Living Trust (Lot 4) and Jack & Roselle Nickerson (Lot 3), Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated March 2008, recorded on Slide 219-01 of the Waterbury Land Records.
 - A plat entitled "Subdivision Survey Lot 2 C. Paul Reed with Revisions to Bear Creek Lane and Lot Line Adjustments with Lot 2 (Robert & Patricia Olesen), Waterbury, Vermont, scale 1" = 100'," by Grenier Engineering, P.C., dated September 2005, recorded on Slide 47-01 of the Waterbury Land Records.

- NOTES:**
- This map is based on the research of the Waterbury Land Records, physical evidence found and a total station traverse with a minimum positional tolerance precision ratio that meets the standards for suburban surveys, set by the Vermont State Administrative Rules of the Board of Land Surveyors, effective January 7, 2013, performed by Daniel Auszura, Scott J. Herring and Keith R. Van Iderstine between September 2018 - March 2019.
 - Except where otherwise noted, no attempt was made to identify and/or locate any easements or rights-of-way that may exist, either recorded or unrecorded. The Ring Road (Town Highway #29) right-of-way is assumed to be 3 roads wide and centered on the traveled way. Bear Creek Lane is a Private 60 foot wide right-of-way in common.
 - This subdivision is subject to the provisions of the following permits:
Wastewater System and Potable Water Supply Permit WW-5-4833-7 (pending).
Town Subdivision Permit #125-18.
Operational Stormwater Permit #4347-9015.2 (pending).
 - Bearings are based on Vermont State Plane Grid North, NAD 1983 as observed by McCain Consulting, Inc., on September 19, 2019.
 - Research by Keith R. Van Iderstine. Map by Scott J. Herring.



Monument Descriptions

A	1/2" Iron Rod Found, 1" below grade, DRM LS613
B	1/2" Iron Rod Found, Flush, no cap
C	1/2" Iron Rod Found, 11" reveal, TOWNE 521
D	1/2" Iron Rod Found, 8" reveal, TOWNE 521
E	3/8" IRF, Flush, DRM LS613

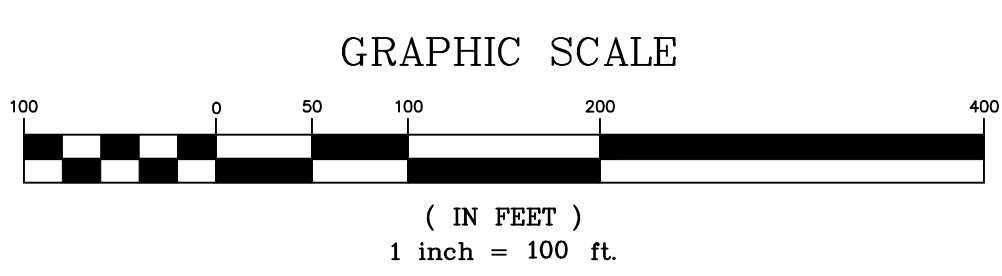


EXHIBIT F7 *Prior Approval #125-18, ref. #001-21*

STATE OF VERMONT
KEITH R. VAN IDERSTINE
REGISTERED LAND SURVEYOR
NO. 719
4/26/19

Keith R. Van Iderstine, L.S. 719
This map complies with
27 VSA 1403 and 26 VSA 2596

SURVEY AND SUBDIVISION OF THE LANDS OF
Schindler Development Corporation
Ring Road and Bear Creek Lane
Waterbury, Vermont

SCALE : 1" = 100'
PROJECT : Mc38041A
DRAWING : 38041Asv.DWG

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

DATE: April 26, 2019 SHEET 1 OF 1

**Town & Village of Waterbury
Development Review Board
Approved Decision #67-16-T
November 16, 2016**

EXHIBIT G1

*Prior Approval,
ref: #001-21*

Attending Board Members: Dave Rogers (Chair), David Frothingham, Nathaniel Fish, Rob Dombrowski, and Tom Kinley.

Attending Staff: Dina Bookmyer-Baker (Zoning Administrator), and Patti Spence (Secretary)

Owner/Applicant:	Schindler Development Corp.	
Address/Location:	Off of Bear Creek Lane, Waterbury Center, VT	
Zones:	Conservation (CNS), Ridgeline/Hillside/Steep Slope (RHS) overlay district.	
Application #	67-16-T	Tax Map # 14-065.990

Applicant Request

The applicant seeks approval to commence pre-development activity in the RHS overlay district for future lots off of Bear Creek Lane.

Present and sworn in

John Schindler, Landowner
Chris Austin, Consultant for Landowner
Frank Piazza, Adjoining Landowner
George & Virginia Pierce, Adjoining Landowners
Mike Hedges, Interested party

Exhibits

- A: Application #67-16-T (7 pp: Zoning, Site Plan, Conditional Use, Overlay District), 10/18/16.
- B: Project narrative (2 pages), prepared by Grenier Engineering, dated 11/1/2016.
- C: Stagecoach Lane Lot 12 & 13 Clearing, prepared by Grenier Engineering, dated 10/12/16, revised 11/1/16
- D: Stagecoach Lane Lot 12 & 13 View Sections, prepared by Grenier Engineering, dated 11/1/16
- E: Letter to adjoining landowners, sent certified 10/31/16.
- F: Stagecoach Lane Phase III Overall Site Plan

Findings of Fact

1. Existing conditions: Schindler Development Corp owns a 103.8± acre parcel located off of Bear Creek Lane. The property is undeveloped. The pre-development activity is proposed for future lots #12 and #13, which lie in the Conservation (CNS) zoning district and the Ridgeline/Hillside/Steep Slope (RHS) overlay district.
2. Project scope: The access drive to the lots is above 1500 FIE. The clearing involved with the shared access drive to future lots 12 and 13 is minor and will not be visible from major vantage points in Waterbury (Exhibit D). The proposed building zones and associate clearing for the sites are below 1500 FIE. The Board has determined that the entire pre-development proposal, access drive and house sites, be

reviewed as major development.

Prior Approval #67-16T, ref: #001-21

Future Lot 12 will be 10.3± acres; future Lot 13 will be 10.8± acres. This application is for pre-development site preparation only, a subdivision of the lots is not proposed at this time, nor it is for approval of the dwellings themselves, both of which will require Board approval for development in the RHS overlay district (Regulations, Section 1001).

3. Section 1004 RHS Standards of Review: The proposed clearings will maintain screening from view due to the forested cover to be preserved in the foreground of the proposed building zones. The future building sites are not overly steep and the proposed access drive has been designed with an average grade of: 8 to 10% ±. Applicant states (Exhibit B) that the proposed pre-development activities will follow the *Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont*, as set forth in Section 1004(c)(5). Applicant states (Exhibit B) that future development that includes impervious surfaces will require a storm-water management plan approved by the State. The width of the access drive clear corridor is to be 20-25 feet. [Sections 1003(b)(6) and 1004(c)(2)(A)]


Conclusion:

Based on these findings and subject to the conditions set forth below the Waterbury DRB concludes that application #67-16-T to commence pre-development activities in the RHS overlay district for future lots off of Bear Creek Lane meets Article X guidelines.

Motion: On behalf of the Waterbury Development Review Board, Tom Kinley moved and Nat Fish seconded to approve application #67-16-T with the following conditions

1. The applicant shall complete the project in accordance with the Board's findings and conclusions and the approved plans and exhibits.
2. There will be no further clear cutting within the building zone of Lot 13.
3. Applicant will mark the boundaries of clearing in the field to delineate them prior to continuing cutting.
4. Applicant will submit an ANR wildlife habitat map for all future building permits.

Vote: Passed unanimously: 5 to 0.



 (Chair) (Vice-Chair) (Acting Chair)
 Dave Rogers

12-7-16

 (date)

This decision was approved on December 7, 2016

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. An 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.

#67-16-T

Hand-delivered: 11/1/2016

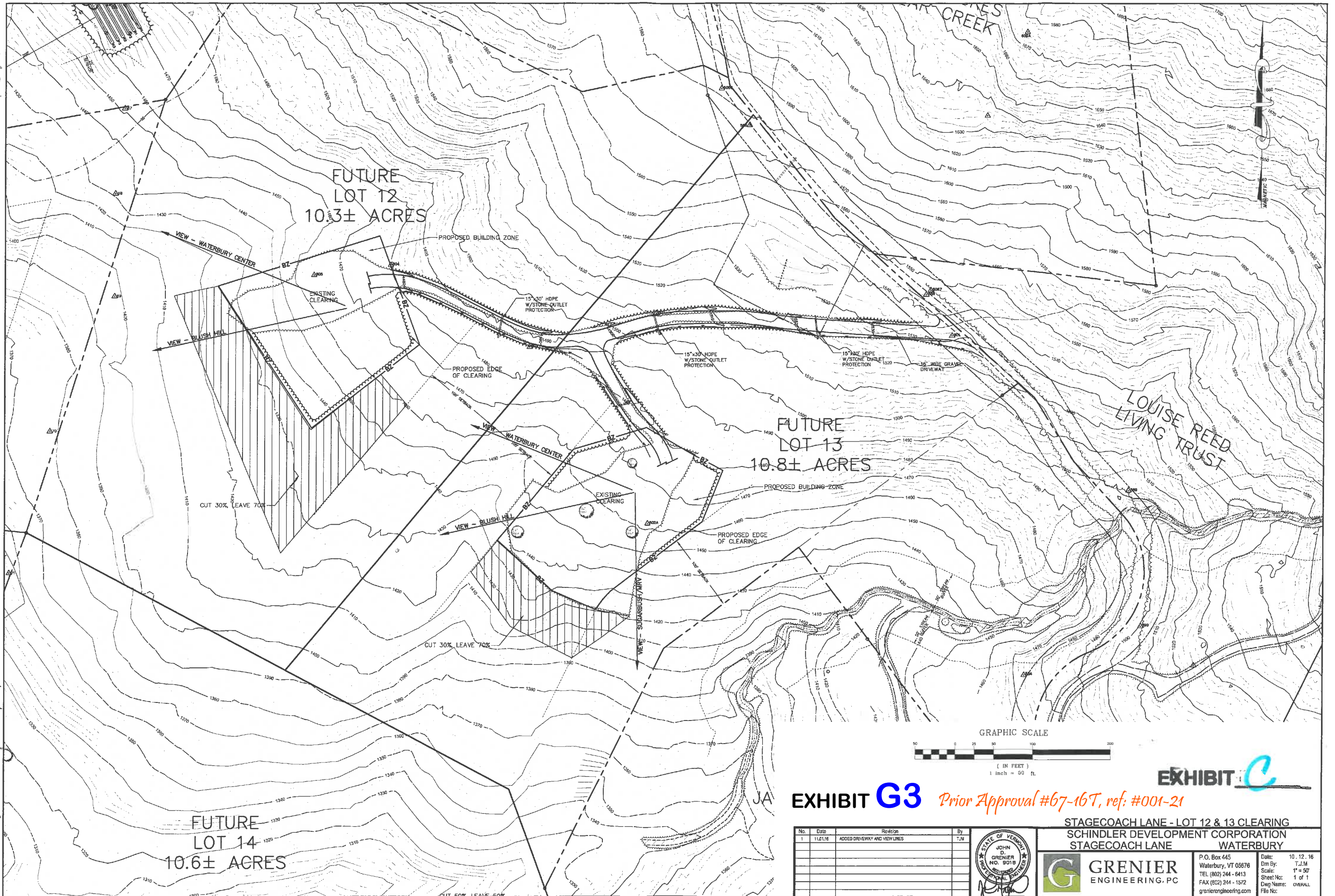
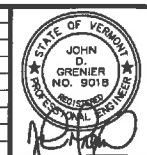


EXHIBIT G3 *Prior Approval #67-16T, ref: #001-21*

EXHIBIT

STAGECOACH LANE - LOT 12 & 13 CLEARING
 SCHINDLER DEVELOPMENT CORPORATION
 STAGECOACH LANE WATERBURY

No.	Date	Revision	By
1	11.01.16	ADDED DRIVEWAY AND VIEW LINES	TJM

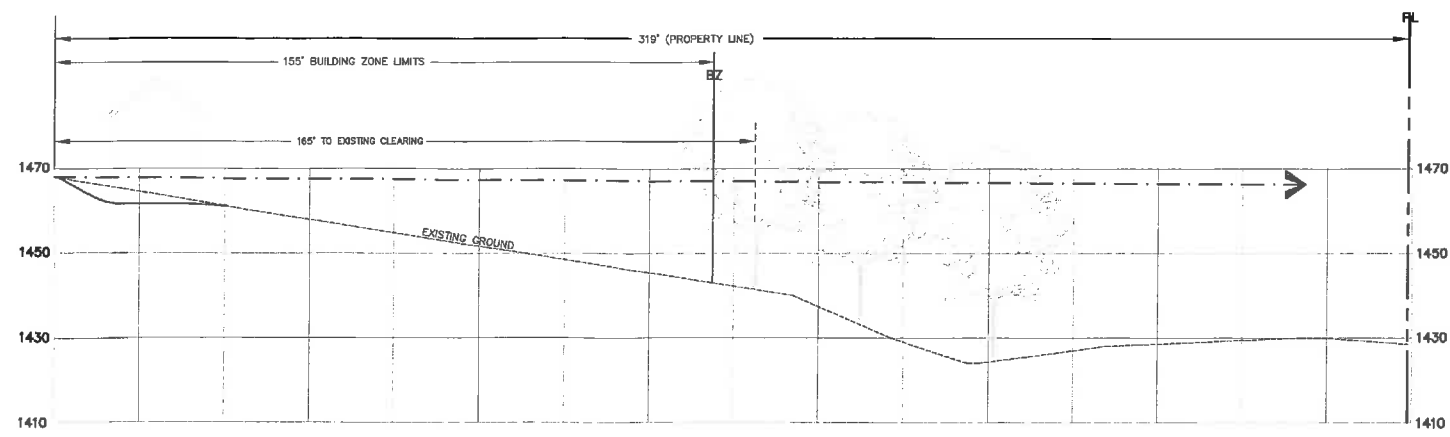


GRENIER
ENGINEERING, PC

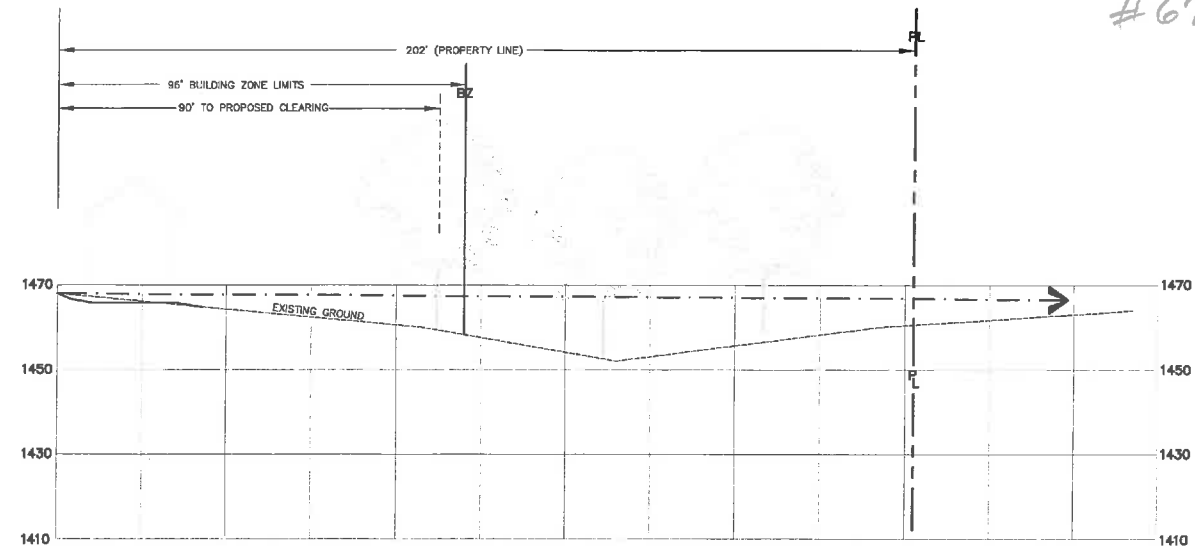
P.O. Box 445
 Waterbury, VT 05676
 TEL (802) 244 - 6413
 FAX (802) 244 - 1572
 grenierengineering.com

Date: 10.12.16
 Dm By: T.J.M.
 Scale: 1" = 50'
 Sheet No: 1 of 1
 Cwg Name: OVERALL
 File No:

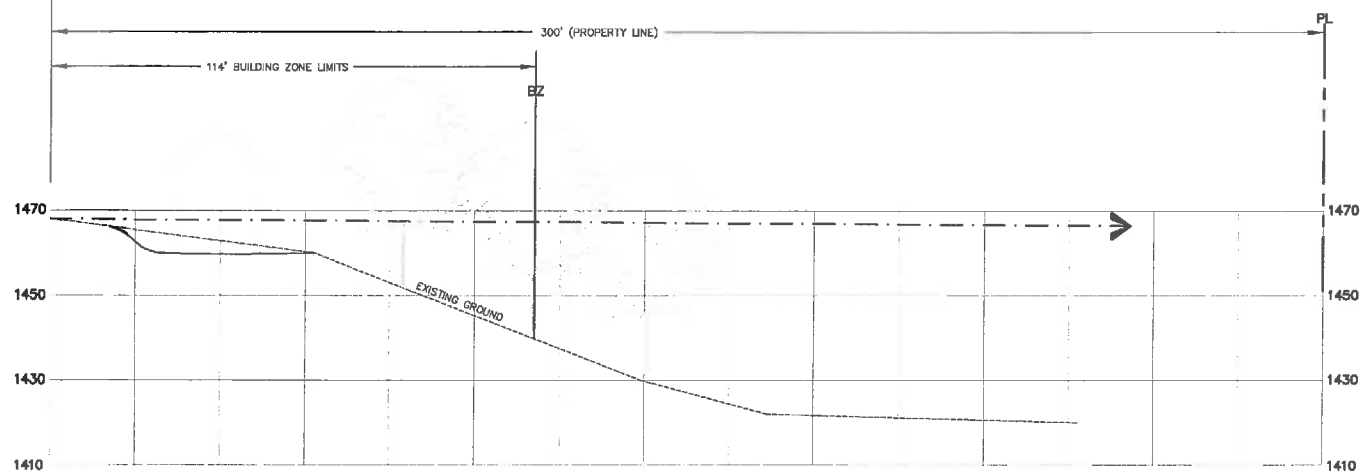
#67-16T



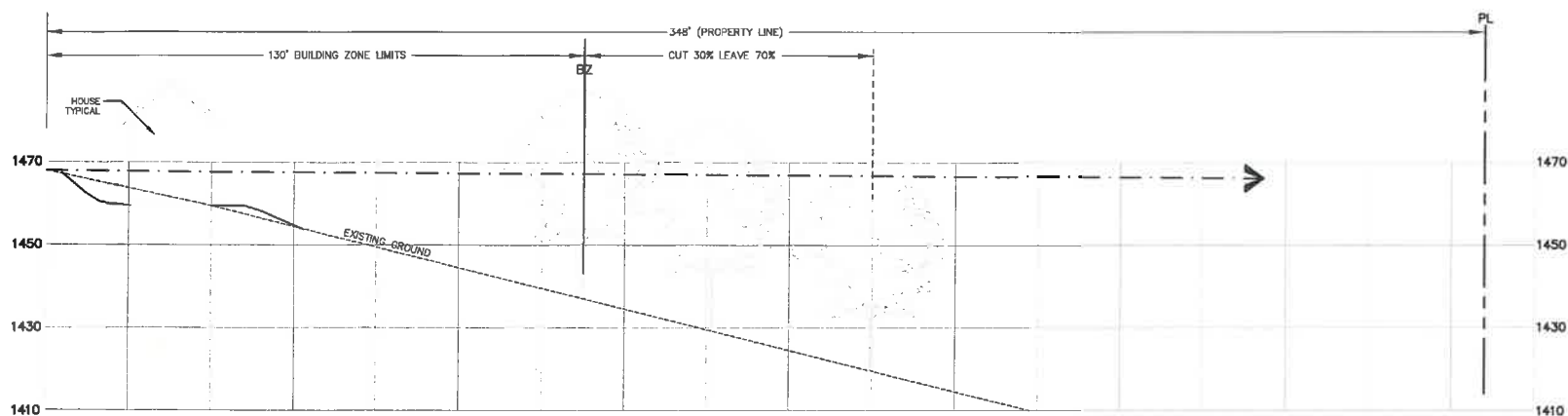
LOT #13 - VIEW LINE BLUSH HILL
SCALE: 1"=20' H & V



LOT #13 - VIEW LINE WATERBURY CENTER
SCALE: 1"=20' H & V



LOT #12 - VIEW LINE WATERBURY CENTER
SCALE: 1"=20' H & V



LOT #12 - VIEW LINE BLUSH HILL
SCALE: 1"=20' H & V

EXHIBIT **D**

EXHIBIT **G4** *Prior Approval #67-16T, ref: #001-21*

No.	Date	Revision	By

JOHN D. GRENIER
NO. 9018
PROFESSIONAL ENGINEER

GRENIER
ENGINEERING, P.C.

P.O. Box 445
Waterbury, VT 05676
TEL (802) 244-8413
FAX (802) 244-1572
grenierengineering.com

Date: 11.01.16
Dwn By: TJM
Scale: A/N
Sheet No: 1 of 1
Dwg Name: VIEW XS
File No: 1218-

STAGECOACH LANE - LOT 12 & 13 VIEW SECTIONS
SCHINDLER DEVELOPMENT CORPORATION
STAGECOACH LANE WATERBURY