

TOWN OF WATERBURY ZONING PERMIT APPLICATION

EXHIBIT A1

Date:	<u>6/7/2021</u>	Application #:	<u>055-21</u>
Fees Paid:	<u>\$300</u>	+ \$15 recording fee =	<u>315-</u>
Parcel ID #:	<u>535-0970</u>		
Tax Map #:	<u>14-053.200</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: Elliott Bent & Quincy Campbell

Mailing Address: 30 Nelson Road
Barre, VT 05641

Home Phone : _____

Work/Cell Phone: 802-279-1860

Email: elliottbent@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): Off of Ring Road, Waterbury
(Lot 2)

Lot size: 10.4± Acres Zoning District: Conservation/RHS Major

Existing Use: Residential Proposed Use: Residential

Brief description of project: _____
Construction of a tiny house within the previously approved clearing limits
per 20-13-T

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

Water system: on-site Waste water system: on-site
WW-5-6 255

EXISTING	PROPOSED
Square footage: <u>N/A</u> Height: _____	Square footage: <u>200±</u> Height: <u><18'</u>
Number of bedrooms/baths: _____	Number of bedrooms/bath: <u>1br/1ba</u>
# of parking spaces: _____	# of parking spaces: <u>2</u>
Setbacks: front: _____	Setbacks: front: <u>100'</u>
sides: _____ / rear: _____	sides: <u>100'</u> / <u>750'</u> rear: <u>350'</u>

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 Additior
 - 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 development in RHS

SKETCH PLAN

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.

#055-21

BENT & CAMPBELL

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.

[Signature] June 3, 2021
Applicant Signature date

[Signature] June 3, 2021
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

Steep Slopes (RHS) overlay

Zoning District/Overlay: Conservation (CNS), Ridgetines/Hillsides/

Review type: Administrative DRB Public Warning Required: Yes No

DRB Referral Issued (effective 15-days later): _____

DRB Mtg Date: 7/7/21 Decision Date: _____

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

Final Plat due (for Subdivision only): —

Remarks & Conditions: Project must comply with the Residential Building Energy Standards (RBES), info. enclosed.

Authorized signature: _____ Date: _____

REVIEW/APPLICATIONS:

Conditional Use Waiver

Site Plan

Variance

Subdivision:

Subdv. BLA PUD

Overlay:

DDR SFHA RHS CMP

Sign

Other _____

n/a

Date:	<u>6-7-21</u>	Application #:	<u>155-21</u>
Fees Paid:	<u>(\$15 recording fee already paid)</u>		
Parcel ID #:	_____		
Tax Map #:	<u>14-053.200</u>		

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.

PROJECT DESCRIPTION

Brief description of project: _____
Construction of a tiny house within the previously approved clearing limits per 20-13-T

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 at the top of Ring Road. Three surrounding properties are permitted for single-family residences (two constructed).
- Describe how the proposed use will not violate any municipal bylaws and ordinances in effect:
Development is permitted with review by the DRB and previously approved per 20-13-T.
- 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

Date:	<u>6/7/21</u>	Application #:	<u>055-21</u>
Fees Paid:	<u>(\$15 recording fee already paid)</u>		
Parcel ID #:	_____		
Tax Map #:	<u>14-053.200</u>		

TOWN OF WATERBURY 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: _____
Construction of a tiny house within the previously approved clearing limits per 20-13-T

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.

RIDGELINE, HILLSIDE, STEEP SLOPE OVERLAY DISTRICT (RHS)

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

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 is 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

June 4, 2021

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

#055-21

BENT/CAMPBELL
6/7/21

RE: Development within the RHS Overlay District – Amendment to Permit 20-13-T
Bent/Campbell Property, Ring Road, Waterbury
McCain Project No. 25017D

Dear Dina,

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

- A fee check in the amount of \$315.00 (three hundred and fifteen dollars)
- Zoning Permit Application;
- Conditional Use Application;
- RHS Overlay District Application & response to RHS Criteria;
- A copy of the fee schedule;
- A list of adjoining landowners.
- Viewshed photos from 20-13-T.
- Proposed tiny house elevations & specifications;
- RHS Development Site Plan & Details, Sheet C-1 & C-2, dated June 4, 2021

This application is for review of proposed development within a previously approved lot in the RHS-major overlay district. The applicants are proposing to construct a structure less than 200 sqft, which will eventually be utilized as an accessory structure once the primary house is built. The revised Site Plan has included the 100' property line setbacks for the proposed tiny house in addition to the previously approved building envelope for the main house. As the proposed tiny house will be at the same elevation of the previously approved building envelope, less than 200 square feet and 18 feet tall, with exterior colors that match the natural surroundings and a roof that slopes away from primary vantage points, the structure will qualify as "minimally visible" per the Waterbury Zoning Regulations. There may be additional tree cutting required for the proposed project, however nothing outside the previously approved clearing limits.

The applicant understands that prior to construction of the primary structure, additional permitting that includes detailed grading plans, viewshed analysis, and architectural elevations will be required.

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

Sincerely,
McCain Consulting, Inc.



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

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

EROSION PREVENTION & SEDIMENT CONTROL SEQUENCING & DETAILS

EACH [SB] SYMBOL CORRESPONDS WITH AN EVENT LISTED.
EACH [TP] SYMBOL CORRESPONDS WITH A DETAIL SHOWN.
CONTRACTOR TO THOROUGHLY REVIEW THIS SHEET.

RIDGELINES, HILLSIDES, STEEP SLOPES OVERLAY DISTRICT REQUIREMENTS - PRECONSTRUCTION MEETING REQUIRED

Prior to the commencement of construction the owner and/or contractor shall meet with the designer to review Waterbury's Ridgeline, Hillside, Steep Slopes Overlay District Regulations, to review the construction limits of disturbance, and to flag important screening trees that are to be protected, as tree clearing for view corridors beyond the limits of disturbance cannot be completed until actual house has been designed and the footprint location has been accurately determined.

The end user shall submit final house plans, including existing mature trees to be retained for screening, and any proposed substantial plantings for review and approval as required by the Zoning Regulations. Those plans shall document that the house complies with the maximum height requirements and will be minimally visible as defined by the Regulations.

LEGEND

- △ TP-1 Traverse point
- SB-1 Test pit
- TP-1 Percolation test
- Existing spring
- Proposed well
- Reference point
- Flag
- Benchmark
- 4" Clean Out
- 10' contours
- 2' contours
- Property line
- Right of way line
- Septic Easement
- Ditch/drainage swale
- Exposed rock
- Stone lined ditch
- Stone erosion check dam
- Silt fence
- Diversion swale
- Limits disturbance

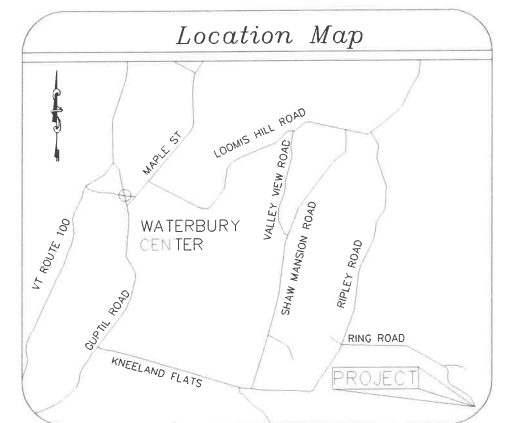
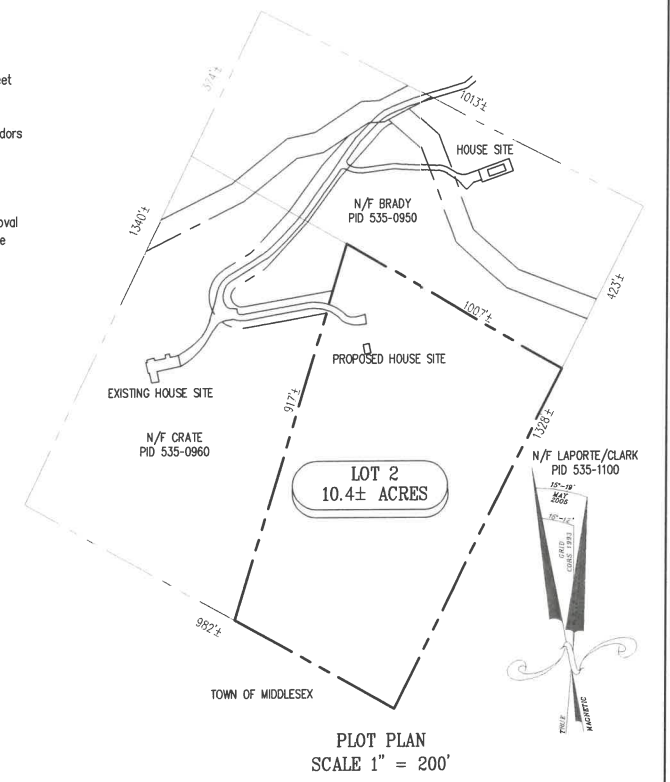
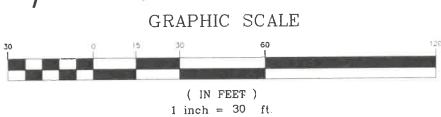
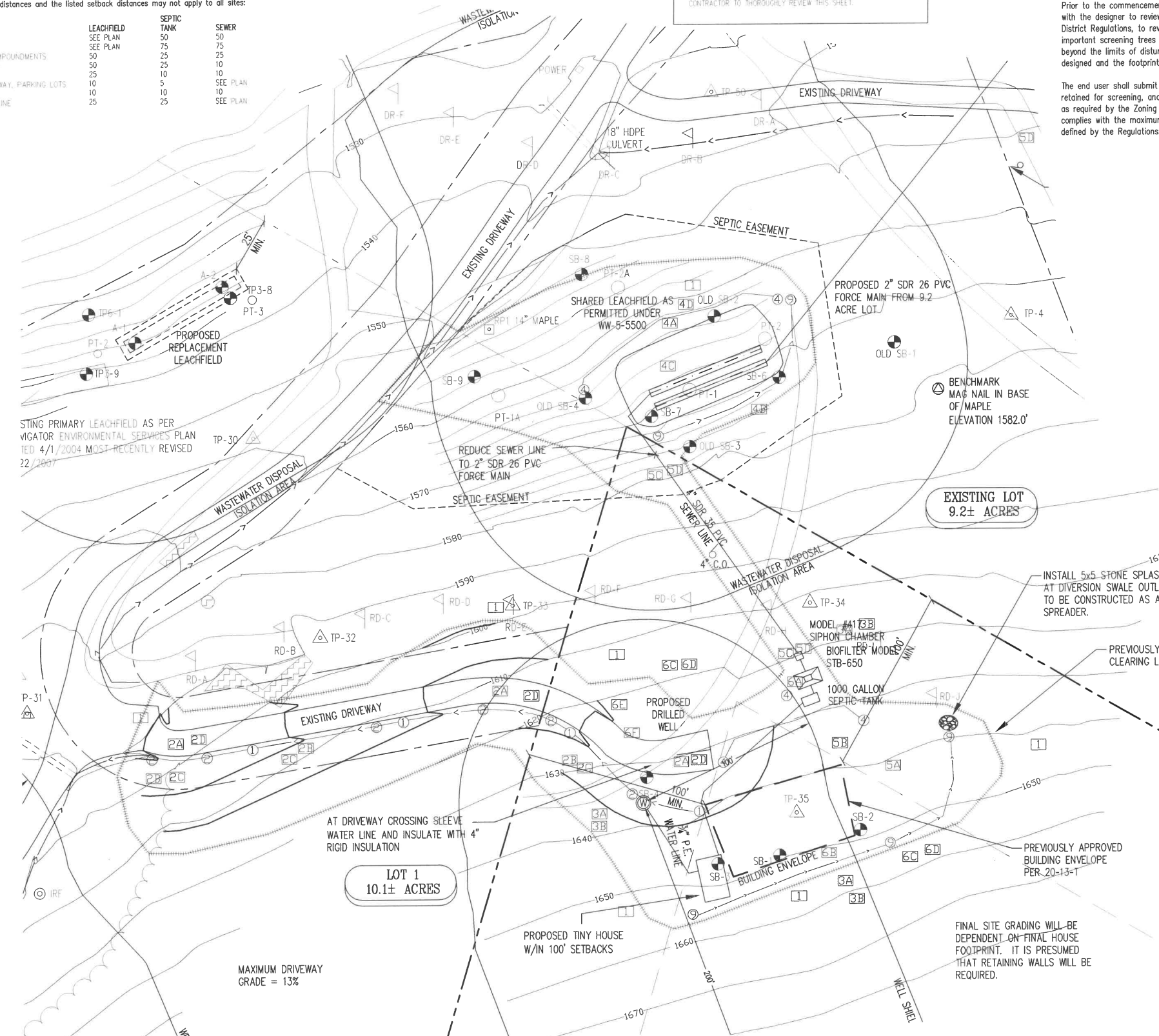


EXHIBIT C1



Topography by Total Station
Contour Interval 2'
Approximate USGS Datum
Based on Hand Held GPS Unit

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 PERMITTING

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

SITE PLAN
ELLIOTT BENT & QUINCY CAMPBELL
DEVELOPMENT WITHIN THE RHSS

RING ROAD WATERBURY, VT

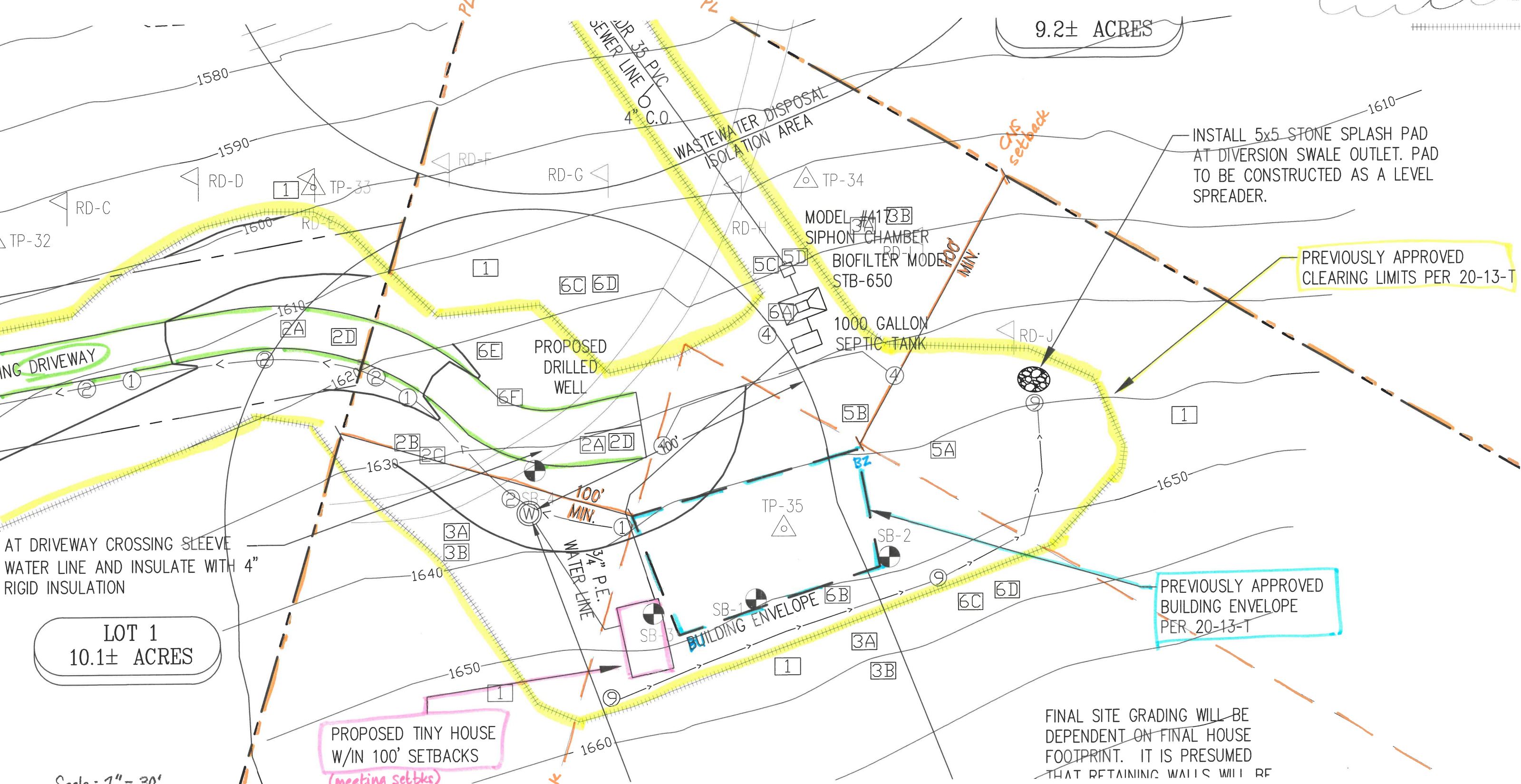
SCALE: 1" = 30'
DESIGNED BY: GMJr PROJECT #25017D
DRAWN BY: SJH/WDB
CHECKED BY: GMJr

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

DATE: JUNE 4, 2021 SHEET C-1

Excerpt SP, #D55-21
actual SZ,
Staff mark-up

9.2± ACRES



PREVIOUSLY APPROVED CLEARING LIMITS PER 20-13-T

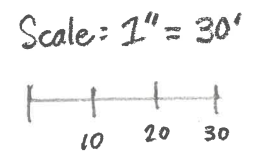
PREVIOUSLY APPROVED BUILDING ENVELOPE PER 20-13-T

AT DRIVEWAY CROSSING SLEEVE WATER LINE AND INSULATE WITH 4" RIGID INSULATION

LOT 1
10.1± ACRES

PROPOSED TINY HOUSE
W/IN 100' SETBACKS
(meeting setbacks)

FINAL SITE GRADING WILL BE DEPENDENT ON FINAL HOUSE FOOTPRINT. IT IS PRESUMED THAT RETAINING WALLS WILL BE





100 0 100 200 300 ft

EXHIBIT **D**

AERIAL OVERVIEW PLAN
ELLIOTT BENT & QUINCY CAMPBELL
RING ROAD, WATERBURY VT
2021.06.04

RESPONSE TO STANDARDS OF REVIEW: RHS-MAJOR OVERLAY DISTRICT 6/7/21
ELLIOTT BENT & QUINCY CAMPBELL PROPERTY
RING ROAD, WATERBURY CENTER

- (1) **Screening:** As depicted on the site plan, proposed development will be buffered from adjoining properties by mature, existing vegetation. At this point the applicant is only seeking approval for the construction of a tiny house within the previously approved clearing limits per 20-13-T (a portion of which has already been cleared).
- (2) **Access:** The access has been constructed, surfaced with gravel leading to a generally flat area within the previously approved clearing.
- (3) **Placement of Structures:** The tiny house will be limited to the 100' front and side setbacks, maintaining the majority of the previously approved building envelope for future construction of a primary residence, at which point the tiny house will become an accessory structure.
- (4) **Exterior Lighting:** All lighting will be downcast & shielded
- (5) **Clear-cutting and Pre-development Site Preparation:** There is no clearing for the tiny house proposed beyond the previously approved limits per 20-13-T.
- (6) **Natural Resources:** The clearing and predevelopment construction proposed will not cause an undue adverse impact on natural resources.
- (7) **Building Design:** Please see attached details regarding the proposed tiny house. A structure of 200± square feet with height less than 18' will be minimally visible from off-site vantage points.

CONSTRUCTION GUIDE

EXHIBIT F1

#055-21
Bent & Campbell
6/7/24

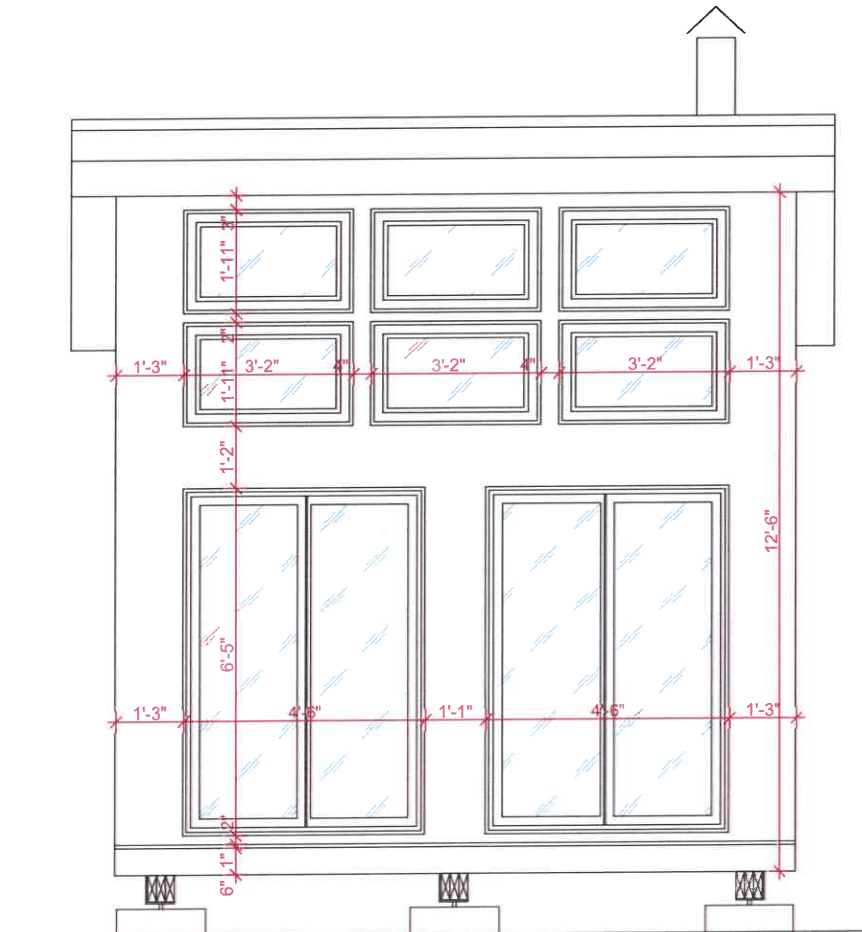
MARLENE



Elevation A in imperial measurements

#055-21

EXHIBIT F2



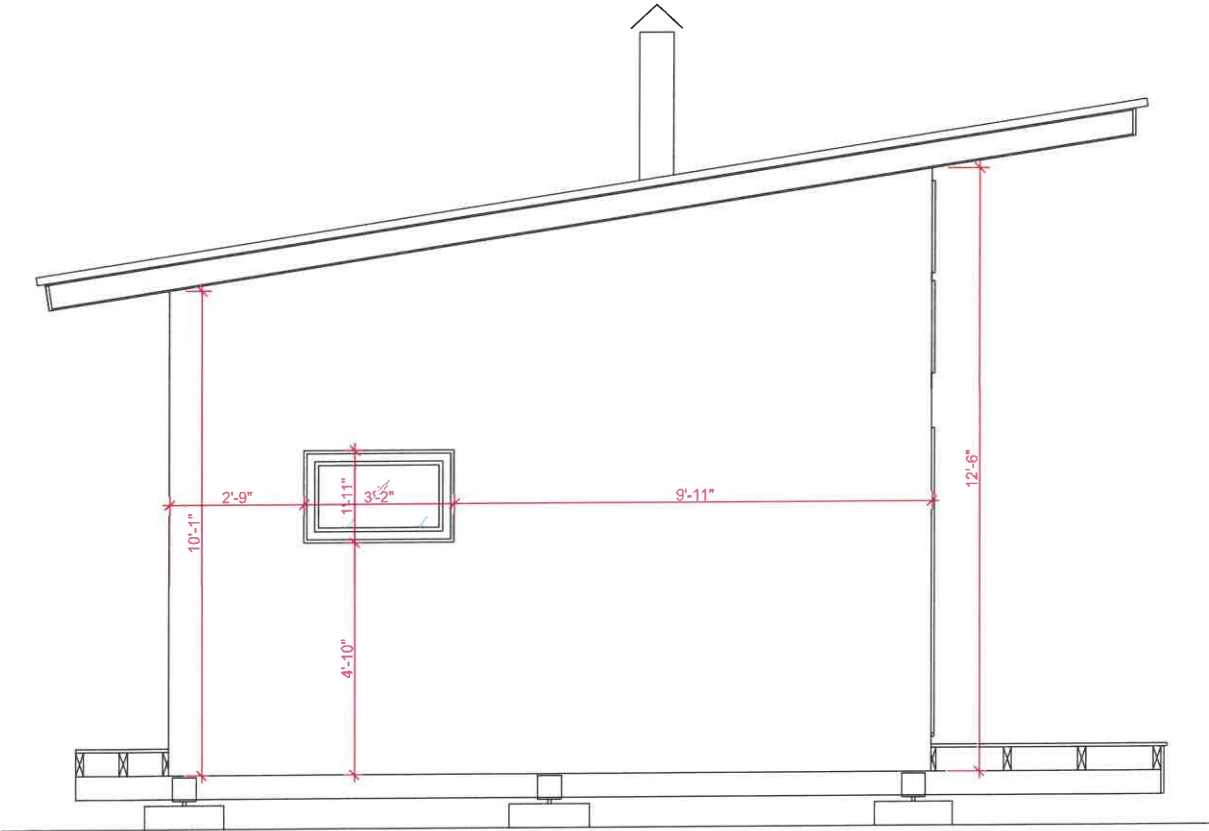
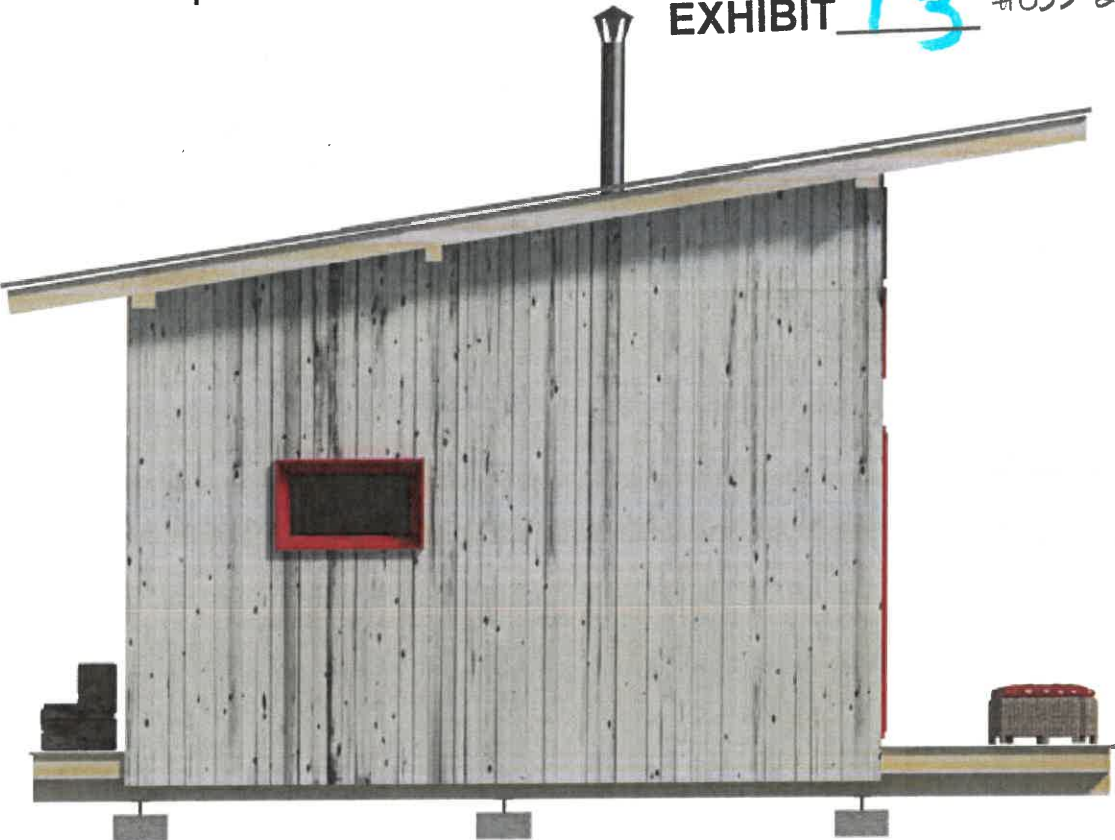
ELEVATION A
1:40

MARLENE

Joshua Woodsman
www.pinuphouses.com

Elevation B in imperial measurements

EXHIBIT F3 #055-21



ELEVATION B
1:45

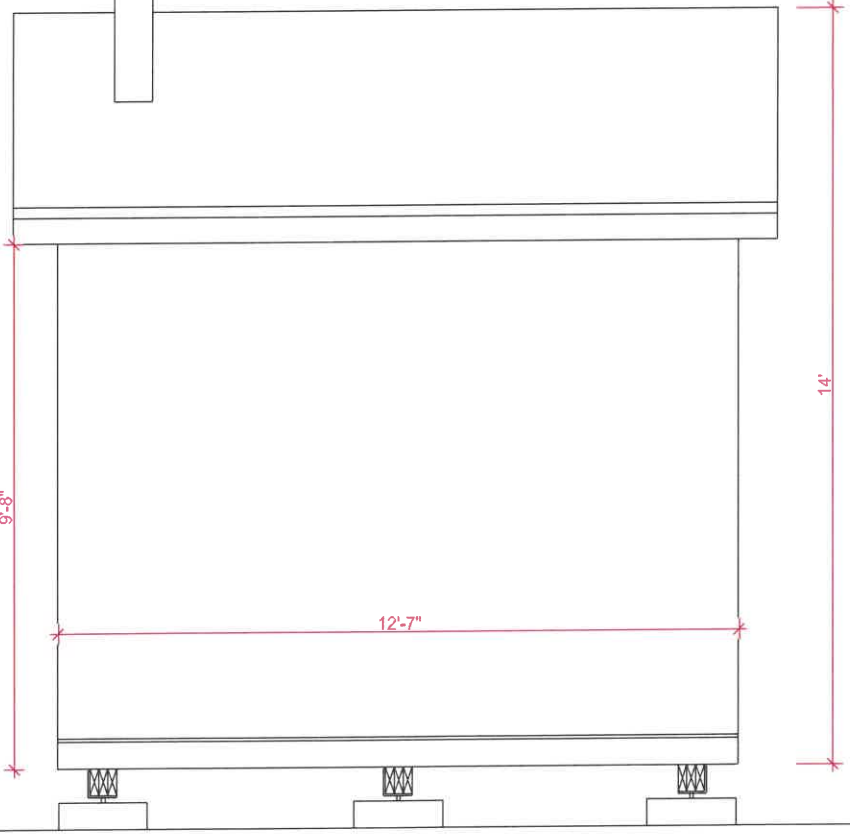
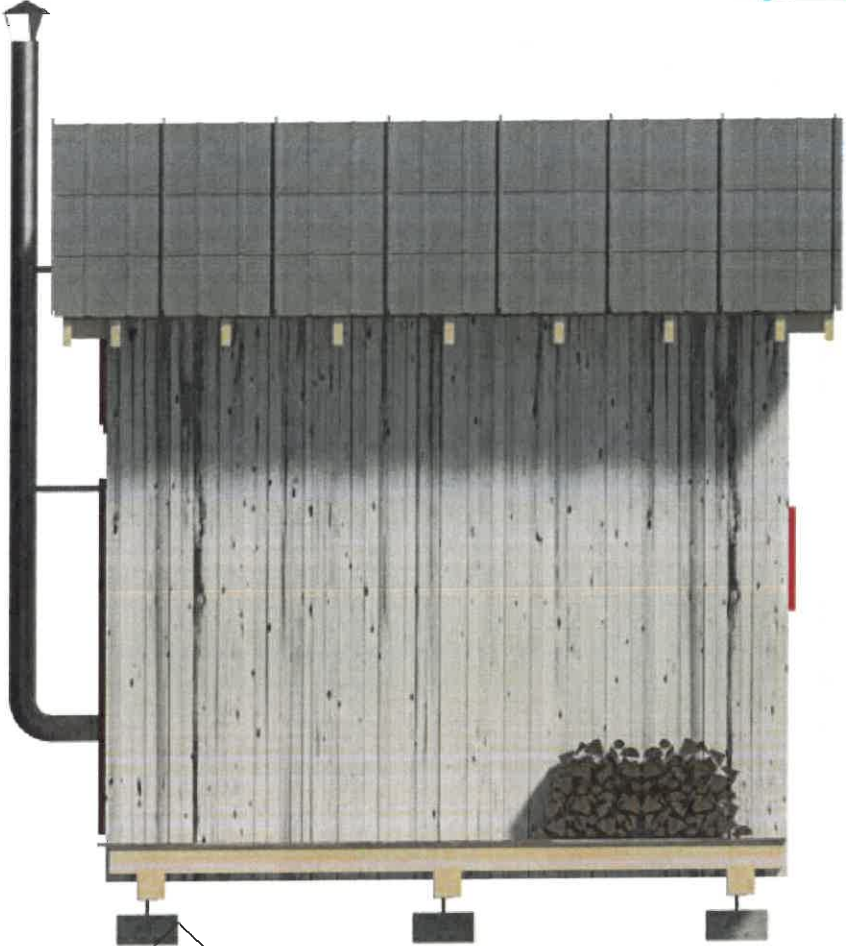
MARLENE

Joshua Woodsman
www.piruphouses.com

Elevation C in imperial measurements

EXHIBIT F4

#055-21



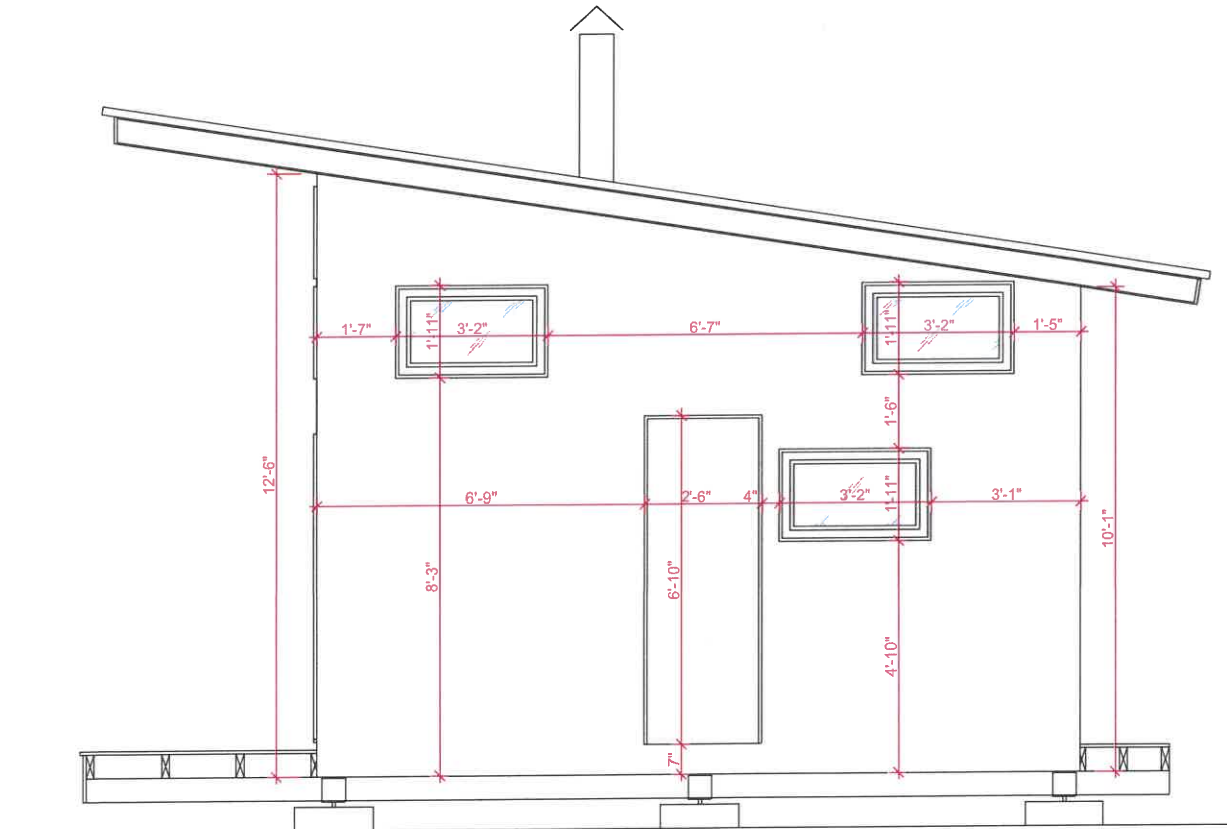
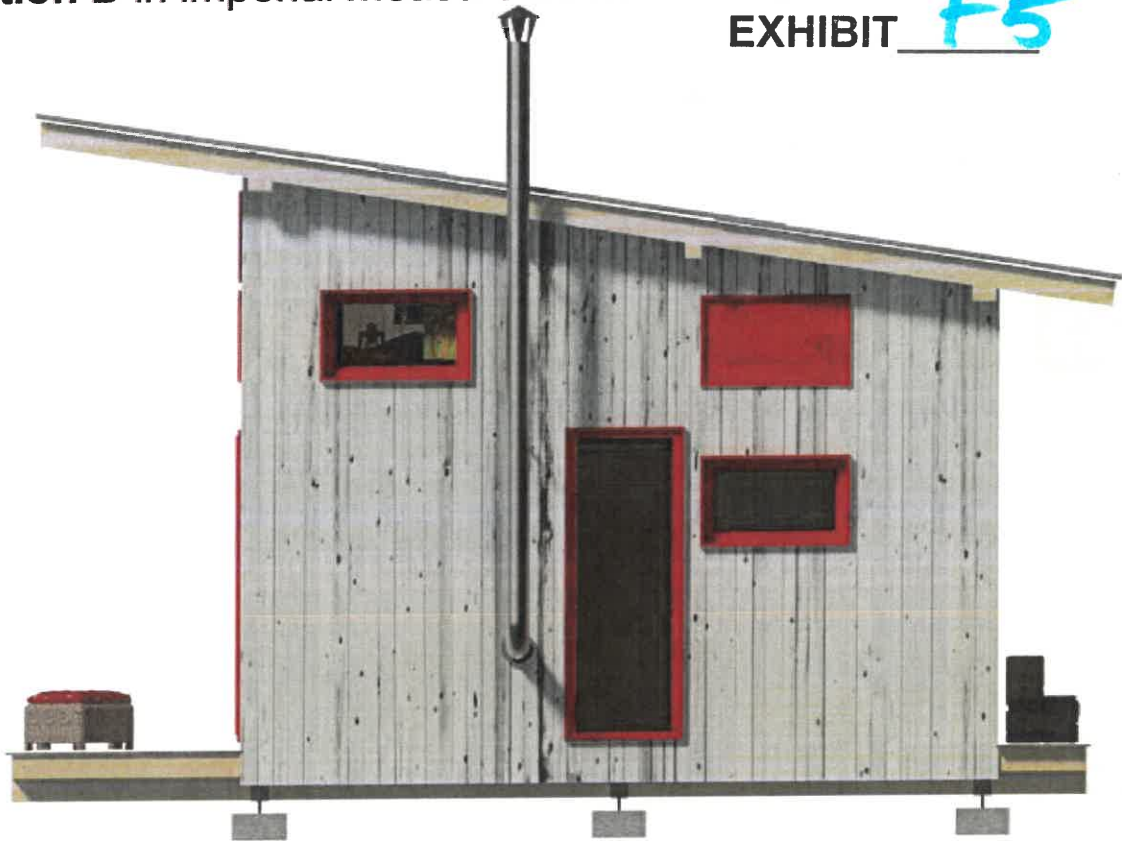
ELEVATION C
1:40

MARLENE

Joshua Woodsman
www.pinuphouses.com

Elevation D in imperial measurements

EXHIBIT **F5** #055-21



ELEVATION D
1:45

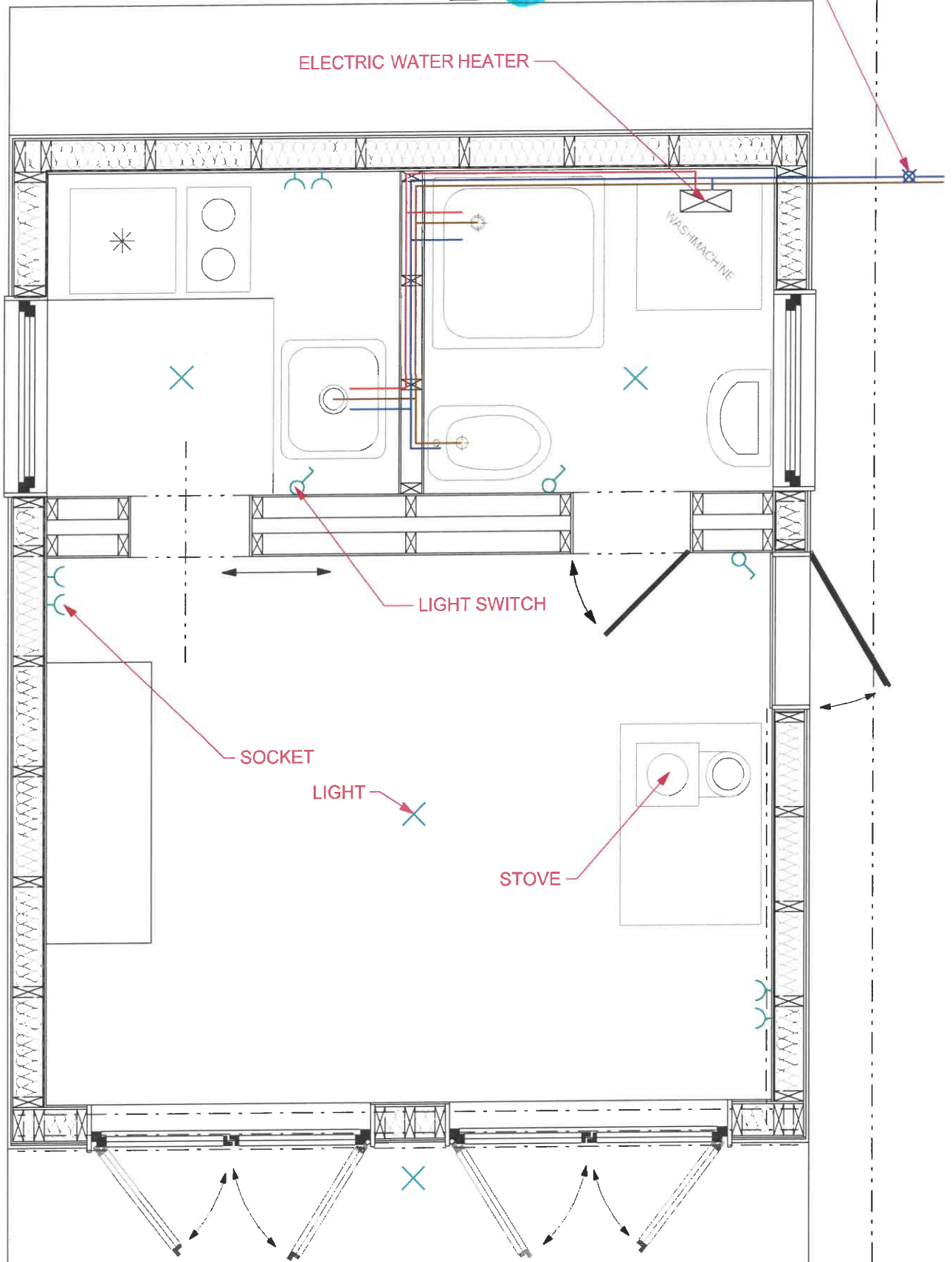
MARLENE

Joshua Woodsman
www.pinuphouses.com

EXHIBIT F6

WATER CURB VALVE

#055-21



DRAIN & WATER

MARLENE

EXHIBIT GI

#055-21
Bent & Campbell
6/7/21

SUBMITTED WITH 20-13-T
FOR CREATION OF LOT 2

VANTAGE POINT #1
View from the height of Ripley Road looking to the South.



#055-21
Bent & Campbell
6/7/21

SUBMITTED WITH 20-13-T
FOR CREATION OF LOT 2

View from 1320 Ripley Road



#055-21
Bent/Campbell
6/7/21

SUBMITTED WITH 20-13-T
FOR CREATION OF LOT 2

VANTAGE POINT #2

View from Severance Farm on Shaw Mansion Road looking Southeast

Winter View



SUBMITTED WITH 20-13-T
FOR CREATION OF LOT 2

Close Up Summer View



#055-21

SUBMITTED WITH 20-13-T
FOR CREATION OF LOT 2

REFERENCE PHOTO

View from Blush Hill Road across the Waterbury Valley to the East
House site is not visible from Blush Hill Road



**TOWN OF WATERBURY
DEVELOPMENT REVIEW BOARD
APPROVED FINDINGS AND DECISION
Date: June 6, 2013**

Board Members Present: Jeff Larkin, Chair; Jeff Whalen, Nat Fish, Dave Rogers,
Mike Bard, Tom Kinley, Jeff Grace

Staff Present: Steve Lotspeich, Clare Rock

Application for site development in the Conservation Zoning District and Ridgeline/Hillside/Steep
Slope Overlay District.

Permit Application #:	20-13-T
Applicant:	Dan & Kim Fodor
Landowner:	SAME
Location of Project:	1130 Ring Road, Waterbury Center, VT

Jeff Larkin opened the public hearing at 6:34pm. Mr. Larkin swore in Kim Fodor, landowner, and
Gunner McCain, consultant.

TESTIMONY:

The following testimony was given:

1. Gunner McCain testified that the lot was previously subdivided in Application #66-12-T.
2. Mr. McCain stated that they have submitted photographs of the site from two vantage points on Ring Rd. and Ripley Rd. taken in the summer and winter, that are included in Exhibit F. The existing house is visible in the photos.
3. The proposed driveway will have a slope of approximately 13%.
4. The distance between the existing house and the proposed house is approximately 400'.
5. The issue of wildlife habitat fragmentation was discussed. It was stated that the habitat in the vicinity of the proposed house site is already fragmented by existing houses and driveways.
6. The proposed septic system will be a mound system that will be shared with the lot on the downhill side of the Fodor lot. This septic system has already been permitted by the State of Vermont.
7. Blasting for construction of the driveway may be required. If blasting is necessary it is likely that the stone material that is blasted will be crushed and used on-site for construction.
8. There is an existing culvert located at the low end of the driveway. One additional culvert may be needed.
9. The trees on the site are in the range of 60' to 70' height. As a result the house site will be partially screened by these remaining trees.

10. There will be a total of more than one acre of disturbance for this lot and the work on the adjacent lot. The limits of clearing will be no more than the limits of disturbance shown on the Site Plan.

EXHIBIT LIST:

Exhibit A	Zoning Permit Application #20-13-T
Exhibit B	Letter from McCain Consulting, dated 4/24/2013
Exhibit C	Response to Conditional Use Criteria
Exhibit D	Response to RHS Criteria
Exhibit E	ANR Environmental Interest Locator Map
Exhibit F	Vantage Point Map and Photos
Exhibit G	Site Plan, dated 4/4/2013
Exhibit H	Subdivision Findings & Decision for Application #66-12-T, dated 12/20/2012
Exhibit I	Notice sent to Adjacent Landowners dated May 14, 2013
Exhibit J	State Wastewater System and Potable Water Supply Permit

Description of Project:

This project proposes to undertake site development work in preparation for the construction of single-family dwelling. The dwelling is not proposed under this application. The property is located at 1130 Ring Road.

1. The property is located within the Conservation Zoning District where the minimum lot size requirement is 10 acres.
2. The lot size is 10.4 acres.
3. The lot was created in 2012 under application #66-12-T (2-lot subdivision).
4. The property is also located with the Ridgeline/Hillside/Steep Slope (RHS) Overlay District which regulates development at and above 1,200 FIE.
5. Based upon the RHS Regulations "development and pre-development site preparation at or above 1,500 FIE, ... shall be considered "major" development."
6. The proposed site development is proposed between 1,570 FIE and 1,660 FIE and is therefore classified as "major" development.
7. Pre-development site preparation is defined as "activities including, but not limited to, road and driveway construction, clearing and/or grading for house sites and septic systems, and related work."
8. Pre-development site work proposed under this application includes the following:
 - a. Constructing a driveway – the proposed driveway enters the property from the west by crossing the neighboring property. It will involve clearing an area approximately 60'x230' on the neighboring property. The maximum grade of the driveway will be 13.1%
 - b. Clearing the house site – the proposed house site is located between 1,640 FIE and 1,650 FIE and will involve clearing an area approximately 130'x210'. Final grading will be dependent on the future house plans.
 - c. Installing septic system – a 20' x 110' area will be cleared for the sewer line which will connect to an already permitted shared leach field. The leach field is located to the north of the property on an adjacent lot.

9. There are no identified critical wildlife corridors or wildlife habitats on the property. Nor are there any Rare, Threatened or Endangered Species on the property, as illustrated by the VT Environmental Atlas Map.
10. The limits of disturbance will be flagged to ensure no trees outside that area will be impacted. Clearing of trees will conform to the *1987 Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont*.
11. Erosion and storm water control measures consistent with State standards will be implemented during construction.
12. The limits of clearing will be no greater than the limits of disturbance shown on Exhibit G, the Site Plan.
13. This is phased project therefore the time limit on this approval and the associated permit will be extended to four years
14. The RHS Standards and the Conditional Use Standards that apply to the project are listed below:

Section 1004 Standards of Review (RHS)

(b) Minor Development: Minor development projects shall be subject to conditional use review, as set forth in Section 303, and all other applicable regulations.

(c) Major Development: In addition to the review applicable to minor development projects, the Development Review Board shall find that the application for a major development project complies with all of the following standards:

(1) Screening: Forest cover shall be maintained to the greatest extent possible. If there is to be tree-clearing for views from the site, it shall be done so as to create view corridors. The Development Review Board may limit the amount of tree-clearing and require the planting of additional trees or other vegetation in order to assure adequate screening, and the Board may require the applicant to submit a plan for maintaining and replacing designated trees during or after site development and construction.

(2) Access: Access roads and utility corridors, including the conversion of logging roads to private roads or driveways, shall use or share existing accesses and rights-of-way where feasible, and shall follow existing contours and linear features (e.g., tree lines, stone walls) where possible. In addition, they shall be located to:

(A) Minimize stream and wetland crossings;

(B) Minimize impacts on steep slopes; and

(C) Minimize the need for road or driveway corridors of widths greater than 50 feet, with the exception of limited lengths of the road or driveway where wider side slopes are needed to prevent erosion.

(3) Placement of Structures: Consideration shall be given to the location of proposed or potential structures relative to site conditions, existing vegetation, and the location of fragile features (including but not limited to steep slopes, streams, and identified habitat and natural areas). The clustering of houses and other structures is encouraged to retain larger blocks of forest and fields and to help retain the aesthetic character and wildlife value of the RHS Overlay District. The location of proposed or potential structures may be restricted to ensure that development:

(A) Is minimally visible, as defined in this bylaw;

(B) Is designed so that the height of any structure does not exceed the height of the adjacent tree canopy serving as the visual backdrop to the structure;

(C) Is located so that buildings are not placed on existing steep slopes equal to or greater than 25 percent;

(D) Is located down-grade of ridgelines and is designed so that the proposed structures shall not break the skyline; and

(E) Is located at or near the edge of existing and new clearings and fields or in the interior of existing wooded areas.

(4) *Exterior Lighting:* The off-site visual impacts of proposed exterior lighting shall be minimized. All exterior lights shall be shielded and downcast. The use of reflective surfaces and outdoor lighting fixtures more than 15 feet above the ground shall be minimized. Bollard, low-post lighting and low-level, indirect lighting is recommended. Spot or flood lights are prohibited.

(5) *Clearcutting and Pre-Development Site Preparation:* The proposed clearcutting and all harvesting activities associated with it shall comply with "Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont," as published by the Vermont Department of Forests, Parks and Recreation, effective August 15, 1987, (as may be amended from time to time) and all other applicable regulations.

(6) *Natural Resources:* The proposed development will be designed and maintained so that there is no undue adverse impact on, or undue fragmentation of, critical wildlife habitat and wildlife travel corridors, unique or fragile resources, or natural and scenic resources.

(7) *Building Design:* The massing of a single building or group of buildings shall be designed to minimize visual impacts and contribute to, and harmonize with, the scenic quality of the surrounding landscape. Building materials, including windows and roofs should minimize year-round visibility, reflectivity, and night-time light impacts as viewed from off site.

Section 303 Conditional Uses

(e) Prior to granting any approval for conditional use, the Board must find that the proposed use conforms to the following general and specific standards:

(1) The proposed use will not have an undue adverse impact on the capacity of existing or planned community facilities to accommodate it. The proposed use:

(A) Will not cause the level of service on roads and highways to fall below a reasonable standard;

(B) Will not cause an unmanageable burden on municipal water or sewer systems;

(C) Will not lead to such additional school enrollments that existing and planned school system capacity is exceeded; and

(D) Will not cause an unmanageable burden on fire protection services.

(E) The Board may seek or require advisory input from the Municipal Manager, Fire Department, Police Department, School Board, or other municipal officials regarding relevant facilities. The Board will also take into account sections of the Municipal Plan and of any duly adopted capital plan which specify anticipated demand growth, service standards, and facility construction plans.

(2) 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. Specifically, the proposed use:

(A) Will not result in undue water pollution, undue adverse impacts to downstream properties, and will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result; in making this determination, the Board shall at least consider the elevation, the slope of the land, and the nature of soils and subsoils and their ability to adequately support waste disposal;

(B) Will not result in undue noise, light, or air pollution, including offensive odors, dust, smoke, or noxious gasses;

(C) Will not have an undue adverse effect on the scenic or natural beauty of the area, historic sites, or rare and irreplaceable natural areas;

(D) Will not be otherwise inconsistent with existing uses in the immediate area; in determining the appropriateness of the use or structure in an area, the Board shall consider the scale and design of

the proposed use or structure in relation to the scale and design of existing uses and structures in the same district; and

(E) Will not cause danger of fire, explosion, or electrical hazard, or in any other way jeopardize the health and safety of the area.

(3) The proposed use will not violate any municipal bylaws and ordinances in effect.

(4) The proposed use will comply with the specific lot area, setbacks, and lot coverage requirements set forth in this bylaw. The Board may require the proposed use to conform to more stringent lot area, setback, and lot coverage requirements as it may deem necessary to implement the purposes of the district in which the use is located and other provisions in this bylaw.

Jeff Larkin, the Chair, closed the public portion of the hearing.

CONCLUSION:

The Development Review Board concludes that the project to undertake the site development work in preparation for construction of a single family dwelling meets all the criteria in the Section 303 and Section 1004 of the Zoning Regulations.

MOTION:

Jeff Grace moved and Jeff Whalen seconded the motion to approve application #20-13-T, Daniel and Kim Fodor, Ridgeline, Hillside, Steep Slope review for site development at 1130 Ring Rd., Waterbury, Vt, Tax map #14-053.100, with the following conditions:

1. This permit is granted on the condition that the applicant completes the project consistent with the Board's findings and conclusions and the approved plans and exhibits.
2. Blasting shall take place between the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday. The blasting contractor shall be licensed and insured.
3. Tree clearing limits will be not be greater than the limits of disturbance as shown on Exhibit G, the Site Plan.

VOTE:

The motion was approved unanimously.

Minutes, Findings and Decision Approved:


_____, Chair

Date:

6-27-13

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.

THESE MINUTES WERE APPROVED ON *June 27, 2013.*