

**TOWN OF WATERBURY
ZONING PERMIT APPLICATION**

Date:	<u>08.23.2021</u>	Application #:	<u>080-21</u>
Fees Paid:	<u>350.</u>	+ \$15 recording fee =	<u>390.-</u>
Parcel ID #:	<u>535-0775</u>		
Tax Map #:	<u>14-052.000</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: David and Nora Grenier
 Mailing Address: Post Office Box 445
Waterbury, VT 05676- Grenier Engineering, PC
 Home Phone : 802-244-6413- Grenier Engineering, PC
 Work/Cell Phone: _____
 Email: chris@grenierengineering.com

PROPERTY OWNER (if different from Applicant)

Name: Same as applicant
 Mailing Address: _____
 Home Phone : _____
 Work/Cell Phone: _____
 Email: _____

PROJECT DESCRIPTION

Physical location of project (E911 address): o Bear Creek Lane
 Lot size: _____ Zoning District: Conservation- RHS Overlay
 Existing Use: Undeveloped Proposed Use: Residential
 Brief description of project: To subdivide the existing 58.4+/- acre parcel off Bear Creek Ln. into Lot #1 of 29.2+/- acres and Lot #2 of 29.2+/- acres. The property is in the RHS overlay and also included is proposed pre-development site clearing for each lot.

Cost of project: \$ NA Estimated start date: Fall 2021
 Water system: on-site Waste water system: on-site

EXISTING NA

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

PROPOSED NA

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: 2)
- Boundary Line Adjustment (BLA)
- Planned Unit Development (PUD)
- Parking Lot
- Soil/sand/gravel/mineral extraction
- Other site clearing 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.

See enclosed plans

EXHIBIT A2

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.

David M. Grenier 8-2-21
 Applicant Signature David and Nora Grenier date

Nora J. Grenier 8-2-21
 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: _____	REVIEW/APPLICATIONS:
Review type: <input type="checkbox"/> Administrative <input type="checkbox"/> DRB Public Warning Required: <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Conditional Use <input type="checkbox"/> Waiver
DRB Referral Issued (effective 15-days later): _____	<input type="checkbox"/> Site Plan
DRB Mtg Date: _____ Decision Date: _____	<input type="checkbox"/> Variance
Date Permit issued (effective 16-days later): _____	Subdivision:
Final Plat due (for Subdivision only): _____	<input type="checkbox"/> Subdv. <input type="checkbox"/> BLA <input type="checkbox"/> PUD
Remarks & Conditions: _____	Overlay:
_____	<input type="checkbox"/> DDR <input type="checkbox"/> SFHA <input type="checkbox"/> RHS <input type="checkbox"/> CMP
_____	<input type="checkbox"/> Sign
_____	<input type="checkbox"/> Other _____
Authorized signature: _____ Date: _____	<input type="checkbox"/> n/a

Date: _____ Application #: _____
 Fees Paid: _____ +\$25 Plat (\$15 recording fee already paid)
 Parcel ID #: _____
 Tax Map #: _____

TOWN OF WATERBURY SUBDIVISION INFORMATION (BLA & PUD)

This Subdivision/Boundary-Line Adjustment/Planned-Unit Development 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 802-244-1018.

PROJECT DESCRIPTION

Brief description of project: To subdivide the existing 58.4+/- acre parcel off Bear Creek Ln. into Lot #1 of 29.2+/- acres and Lot #2 of 29.2 +/- acres . The property is in the conservation district and RHS overlay and also included is proposed pre- development site clearing for each house site.

SUBDIVISION & BOUNDARY LINE ADJUSTEMENT (BLA) CHECKLIST

Please utilize the following check list to ensure your application contains all the required information.

Check one (A1, A2, B1, or B2):

- A1) Boundary Line Adjustment which affects fewer than five (5) lots
- A2) Subdivision of land into fewer than four (4) lots, including the original parcel and not located within the RT 100 Zoning District or the Ridgeline/Hillside/ Steep Slope Overlay District

REVIEW CRITERIA for A projects

- Relevant criteria in Section 401, Dimensional Requirements
- Section 504, General Dimension, Location, and Height Requirements

- B1) Boundary Line Adjustment which affects five (5) or more lots
- B2) Division of land into four (4) lots or more, including the original parcel and/or located within the RT 100 Zoning District or the Ridgeline/Hillside/ Steep Slope (RHS) Overlay District

REVIEW CRITERIA for B projects (See Section 1202 review criteria)

- Relevant criteria in Section 401, Dimensional Requirements
- Section 504, General Dimension, Location, and Height Requirements
- Will not have undue adverse impact on existing or planned municipal facilities
- Will not have undue adverse impact on the character of the area
- Will not have undue adverse impact on water quality or impacts to soil
- Will not have undue adverse impact on scenic resources or historic sites
- Will not have undue adverse impact on significant natural resources
- For the division of land in the RT 100 Zoning District see Section 1202(b) for additional criteria
- For the division of land in the RHS Overlay District see Section 1202(c) for additional criteria

SUBMISSION REQUIREMENTS (for both A and B projects)

Draft plat / site plan map, of sufficient scale, showing the following:

- Existing and proposed parcel boundaries
- Existing and proposed parcel acreages
- Existing and proposed structures and setbacks
- Existing and proposed easements (incl. but not limited to right-of-ways, power, water + sewer, other utilities)

PLANNED UNIT DEVELOPMENT CHECKLIST (PUD)

Please utilize the following check list to ensure your application contains all the required information.

SUBMISSION REQUIREMENTS

A) **SITE PLAN:** Submit one or more site plan maps, of sufficient scale, showing the following:

- The name and address of the person or firm preparing the map, the scale, and the north arrow
- The boundaries of the property, and adjacent land uses and property owners
- Existing features, including contours, bodies of water, floodplains, wetlands, aquifer protection areas, existing vegetation, significant wildlife habitat, existing land uses, structures, historic structures, streets, utilities, easements, and deed restrictions
- The locations of proposed structures, building lots, land uses, streets, driveways, parking and loading spaces, pedestrian walkways, utility lines, lighting, water supply sources, and sewage disposal areas
- The location and features of proposed undeveloped land
- Landscaping plans, screening, proposed site grading, and incorporation of existing vegetation and features
- Submit 2 copies, if the plan(s) are larger than 11"x17" also provide a digital copy in pdf. file format.

B) **NARRATIVE DESCRIPTION & SUPPORTING INFORMATION:**

___ A statement describing the character and proposed uses of the undeveloped land, including the nature of proposed public uses.

___ A statement on the impact of the development on public roads and other public infrastructure such as schools, sewer systems, or public water systems, if appropriate.

___ Articles of association, bylaws, or declarations of condominium that relate to provisions for undeveloped land, design controls, land use restrictions, recreation, parking areas, or other facilities used, owned, or maintained in common.

___ A description of how the project meets each of the standards in Section 705, including justification for any density bonuses that are requested.

___ PUDs that include nonresidential uses or structures must also apply for site plan approval for the nonresidential portions of the project. Please include a Site Plan Application.

___ PUDs that included uses that are conditional in the district for which they are proposed must also apply for and obtain conditional use approval for those uses. Please include a Conditional Use Application.

___ Submit 2 paper copies and a digital copy in pdf. file format.

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

Date: _____ Application #: _____

Fees Paid: _____ (\$15 recording fee already paid)

Parcel ID #: _____

Tax Map #: _____

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: To subdivide the existing 58.4+/- acre parcel off Bear Creek Lane into Lot #1 of 29.2+/- acres and Lot #2 of 29.2+/- acres. The property is in the conservation district and RHS overlay. Included with the application is proposed pre-development site clearing each house site.

CONDITIONAL USE CRITERIA

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

1. 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): The proposed use is low density residential lots that have approved on-site water/wastewater systems. The site is served by existing R.O.W. access to Bear Creek Lane and no undue adverse impact to emergency services is expected.
2. 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 character of the area is defined by the surrounding existing and approved low density residential subdivisions surrounding this site. The large lot size, and minimal clearing proposed to gain distant mountain views is consistent with the surrounding approved developed lots.
3. Describe how the proposed use will not violate any municipal bylaws and ordinances in effect: The subdivision and proposed site clearing has been prepared in accordance with Town of Waterbury zoning regulations. Setbacks and other district minimums are all met or exceeded.
4. Describe any devices or methods to prevent or control fumes, gas, dust, smoke, odor, noise, or vibration: Not applicable. No fumes, gas, dust, smoke, odor, noise or vibration are anticipated.
5. 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? Not applicable. No earth or mineral products are planned to be removed as part of this project.

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Date: _____	Application #: _____
Fees Paid: _____	(\$15 recording fee already paid)
Parcel ID #: _____	
Tax Map #: _____	

**TOWN OF WATERBURY
SITE PLAN REVIEW INFORMATION**

This Site Plan Review 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 802-244-1018.

PROJECT DESCRIPTION

Brief description of project: To subdivide the existing 58.4+/- acre parcel off Bear Creek Lane into Lot #1 of 29.2+/- acres and Lot #2 of 29.2+/- acres. The property is in the RHS overlay and also included is proposed pre-development site clearing as shown on the site plan.

SITE PLAN REVIEW CRITERIA

Please utilize the check list to ensure your proposal addresses each relevant Site Plan Review criteria:

- Adequacy of traffic access
- Adequacy of circulation and parking
- Adequacy of landscaping and screening (including exterior lighting)
- Requirements for the Route 100 Zoning District
- Special considerations for projects bordering Route 2, Route 100, or Interstate 89

SITE PLAN SUBMISSION REQUIREMENTS

Before an application for site plan review is considered complete, the applicant shall file a site plan, clearly drawn to the largest practical scale, showing the following:

- Location and dimensions of lot lines, names of adjacent landowners, all easements, utilities, and existing and proposed structures.
- All access to public streets or roads, parking and service areas, pedestrian walkways, curbs and stormwater drainage.
- Pedestrian and vehicular circulation, including parking lot layout, entrances to structures, signs, and lighting.
- Building elevations and footprints.
- Detailed site grading and landscaping, indicating existing and proposed trees, shrubs, and ground cover.
- Two copies of all plans.
- For plans larger than 11"x17" please submit a digital plan set in addition to the paper copy (pdf. file format).

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Date: _____ Application #: _____
 Fees Paid: _____ (\$15 recording fee already paid)
 Parcel ID #: _____
 Tax Map #: _____

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: To subdivide the existing 58.4+/- acre parcel off Bear Creek Lane into Lot #1 of 29.2+/- acres and Lot #2 of 29.2+/- acres. The property is in the conservation zoning district and RHS overlay. The application includes proposed pre-development site clearing as shown on the site plan.

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

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
- 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.

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 Mailing address: Waterbury Municipal Offices, 28 North Main Street, Suite 1, Waterbury, VT 05676
 Municipal Website: www.waterburyvt.com

Steve Lotspeich, Zoning Administrator
Town of Waterbury
28 North Main Street
Waterbury, VT 05676

August 13, 2021

RE: Proposed 2-Lot Subdivision off Bear Creek Lane. Existing 58.4+/- acre Parcel Owned by David and Nora Grenier. Pre-Development Site Clearing Proposed for House Sites on Each Lot.

Dear Steve,

Please find enclosed a Town of Waterbury zoning application, conditional use info, site plan review info, subdivision info, and overlay district info. Please also find 2 copies (24 x 36 & 11 x 17) of the site plans, and a fee check made payable to Town of Waterbury for \$390.00 to cover the application fee. The fee includes the permit recording fee (\$15) and the survey recording fee (\$25).

David and Nora Grenier are applying to create a 2-lot subdivision of the existing 58.4+/- acre parcel they own off Bear Creek Lane in Waterbury Center. Lot #1 and Lot #2, both proposed at 29.2+/- acres, are intended for single family home development.

Also included in the application is proposed pre-development site clearing at the proposed house site for each lot. The proposed site clearing is aimed toward capturing distant views of Camels' Hump and the green mountain range, as well as providing natural sunlight for solar gain. The clearings are modest in size and are planned in similar fashion to surrounding approved lots, with narrow view corridor clearings. The adjacent approved Bear Creek Lots 2 and 3 are not visible from vantage points in Waterbury and it is anticipated the proposed Grenier house sites are of similar fashion.

The existing parcel is served by 60' wide R.O.W. across the lands of neighboring Lot #2 and Lot #3, connecting to Bear Creek Lane, an approved private development roadway. Access to proposed Lot #2 will be continuance of the R.O.W. (reduced to 50' wide) across Lot #1 for access and utilities to Lot #2. The existing woods road will be upgraded for driveway access to both proposed house sites.

The proposed lots are approved by the State of Vermont Drinking Water and Groundwater Protection Division for on-site water and septic systems under permit #WW-5-7952.

Thank you for your time in considering this matter. Please do not hesitate to contact our office with any further inquiries. Please schedule this project for review with the Development Review Board (DRB), as required due to the fact the project is in the RHS overlay district. Please send all referral and notice information to Grenier Engineering, as we will be responsible on behalf of the applicants.

If you have any further inquiries, please do not hesitate to contact our office.



Respectfully,

A large, stylized handwritten signature in black ink, appearing to read 'CAustin'.

Chris Austin
Permit Coordinator
Grenier Engineering, PC

Enclosures
CC: David Grenier

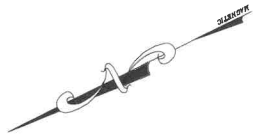
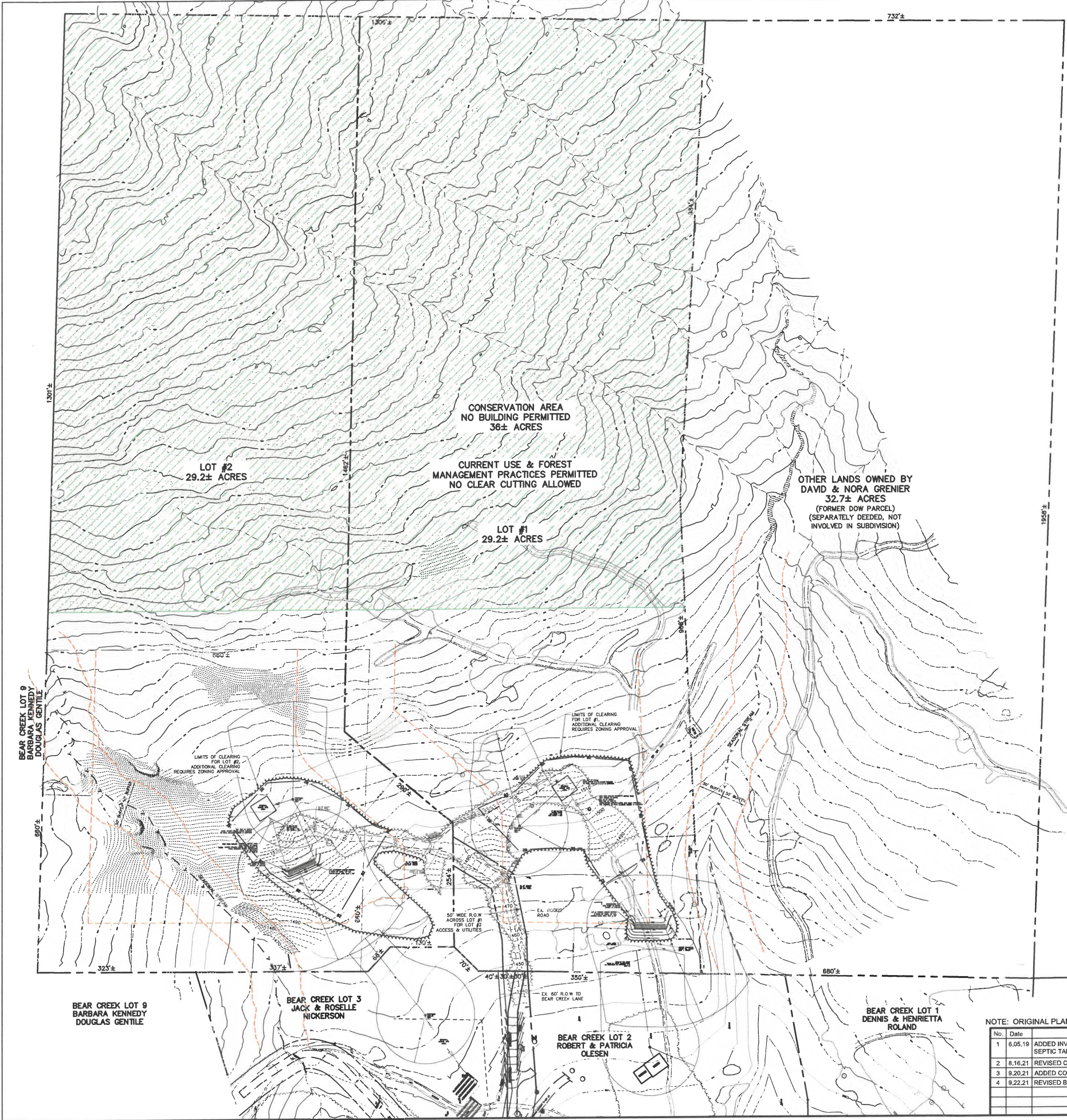


EXHIBIT C1

LEGEND

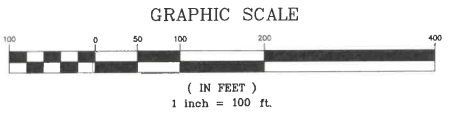
	SURVEY CONTROL POINT
	IRON PIN/ROD
	SOIL TEST PIT
	PROPOSED DRILLED WELL
	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT OF WAY
	EDGE OF ROAD/DRIVE
	PROPOSED WATER LINE
	PROPOSED GRAVITY SEWER LINE
	EXISTING CONTOURS
	FINISHED CONTOURS
	WELLHEAD PROTECTION ZONE
	SEPTIC ISOLATION SHIELD
	DITCH/SWALE
	STREAM
	STREAM BUFFER
	EXISTING TREELINE/CLEARING
	PROPOSED TREELINE/CLEARING
	PRO. BUILDING ZONE
	CONSERVATION AREA

ZONING TABLE

ZONING DISTRICT: CONSERVATION ZONE
 OVERLAY DISTRICT: RHS
 MIN LOT SIZE: 10 ACRES
 FRONTYARD SETBACK: 100'
 SIDEYARD SETBACK: 100'
 REARYARD SETBACK: 100'
 FRONTAGE = 300' AS MEASURED AT FRONT OF BUILDING
 MAX. BUILDING HEIGHT: 35' PER WATERBURY ZONING BLDG. HEIGHT DEFINITION

THIS IS NOT A BOUNDARY SURVEY
 PROPERTY LINES SHOWN ARE APPROXIMATE ONLY
 AND WERE NOT SURVEYED BY THIS OFFICE.
 THEY ARE SHOWN FOR THE PURPOSE OF THE STATE
 WATER/WASTEWATER PERMIT APPLICATION ONLY

NOTE
 LOT #1 & LOT #2 APPROVED BY STATE OF VT
 PERMIT # WW-5-7952



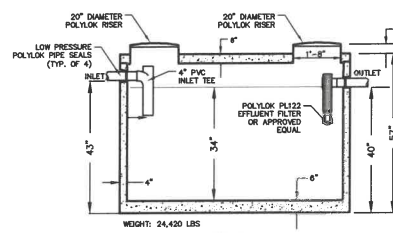
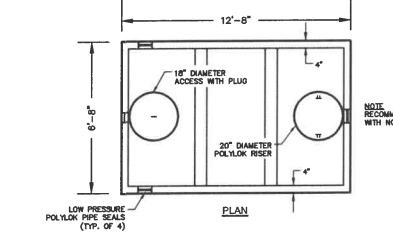
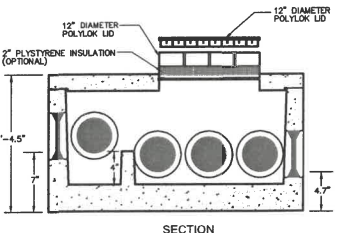
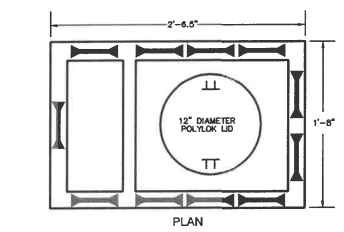
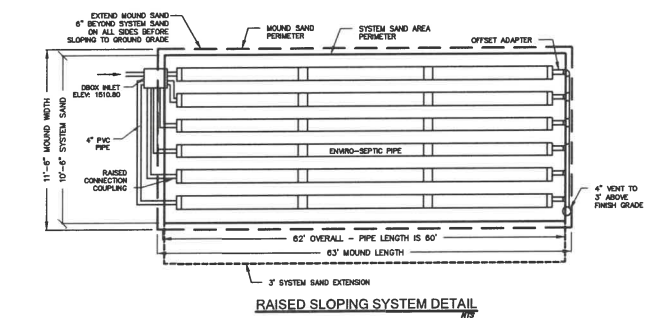
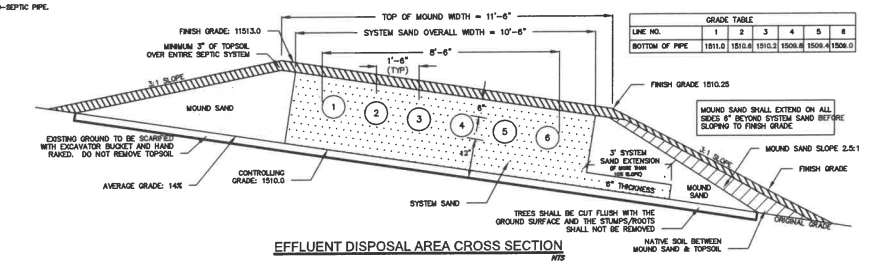
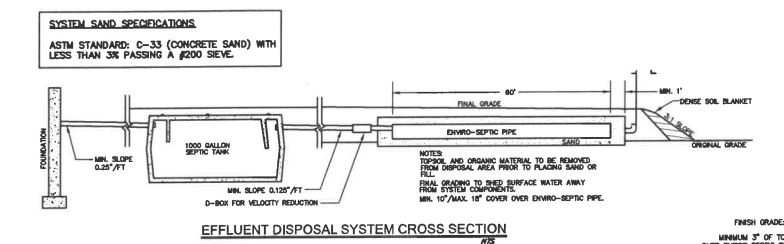
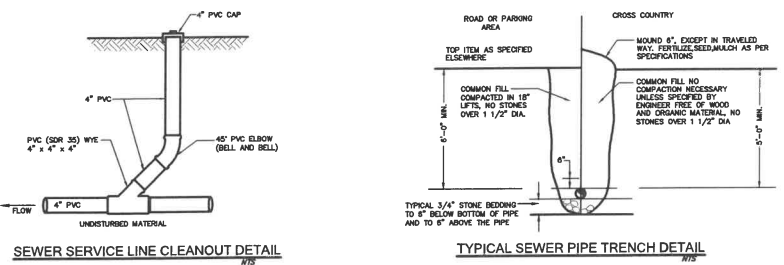
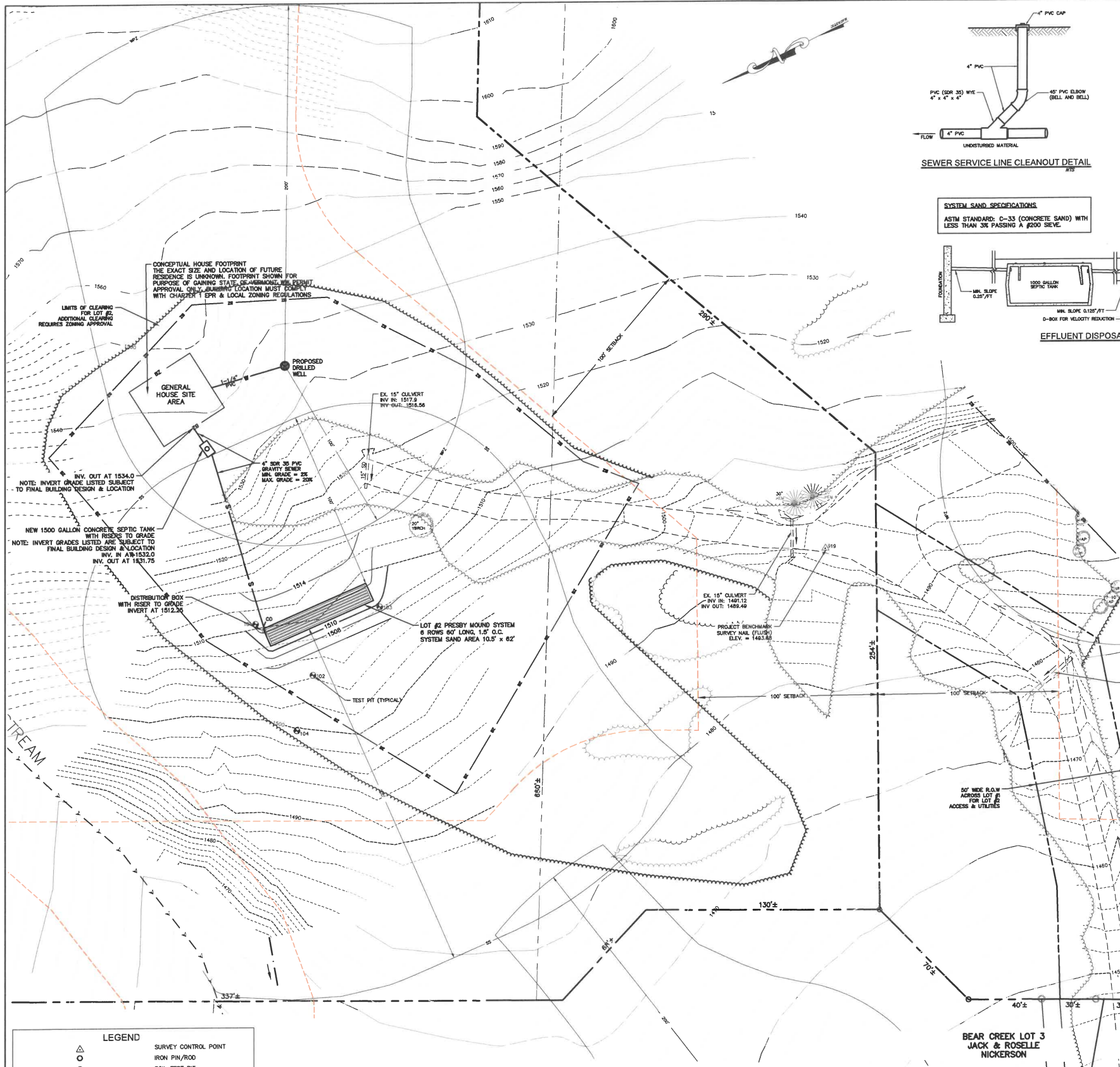
NOTE: ORIGINAL PLAN 24" x 36". OTHER SIZES NOT TO SCALE

No.	Date	Revision	By
1	6.05.19	ADDED INVERT GRADES, 1500 GALLON SEPTIC TANK, REVISED NOTES	TJM
2	8.16.21	REVISED CLEARING, ADDED ZONING NOTES	TJM
3	9.20.21	ADDED CONSERVATION AREA & BUILDING ZONES	TJM
4	9.22.21	REVISED BUILDING ZONES	TJM



OVERALL SITE PLAN
DAVID & NORA GRENIER
BEAR CREEK LANE WATERBURY

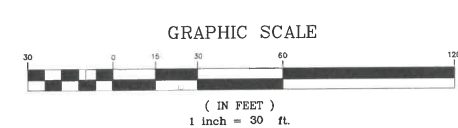
GRENIER ENGINEERING, P.C. 155 DEMERITT PLACE # 2	P.O. Box 445 Waterbury, VT 05676 TEL (802) 244-6413 FAX (802) 244-1572 grenierengineering.com	Date: 4.01.19 Dm By: JAD/TJM Scale: 1" = 100' Sheet No: 1 of 3 Dwg Name: GRENIER SP File No:
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- ### PRESBY SEPTIC SYSTEM SPECIFICATIONS
- SEPTIC TANKS: ALL TANKS SHALL BE OF WATER TIGHT CONSTRUCTION AND MADE OF REINFORCED CONCRETE WITH A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. ALL TANKS SHALL BE REINFORCED USING WIRE MESH OR REINFORCING STEEL AS NECESSARY TO ENSURE STRUCTURAL INTEGRITY. ALL SHIPLAP JOINTS SHALL BE SEALED WITH ASPHALT CEMENT OR EQUIVALENT. THE SEPTIC TANKS SHALL BE AS BUILT BY CAMP PRECAST OF MILTON, OR S.D. IRELAND OF WILLISTON, OR APPROVED EQUAL. INCOMING AND EXITING PIPE HOLES SHALL BE SEALED.
 - FINAL GRADING: ALL DISTURBED AREA AROUND THE LEACHFIELD SHALL BE FINE GRADED TO ENSURE CONTOURS. THIS AREA SHALL THEN BE SEEDDED WITH A GRASS MIXTURE AND A LIGHT COVERING OF MULCH PLACED TO ENSURE GERMINATION OF SEEDS.
 - IT SHALL BE THE LOT OWNERS RESPONSIBILITY TO CONFORM TO THE REQUIREMENTS OF THE STATE PERMIT AND INSURE THAT THE PROJECT IS BUILT IN CONFORMANCE TO THE PLANS AND SPECIFICATIONS. A LICENSED SURVEYOR OR ENGINEER SHALL STAKEOUT THE SEPTIC SYSTEM AT THE LOCATION AND ELEVATION SHOWN ON THE PLAN VIEW PRIOR TO CONSTRUCTION. THE ENGINEER SHALL RECEIVE 24 HOURS NOTICE PRIOR TO CONSTRUCTION OF KEY ELEMENTS OF THIS SEPTIC SYSTEM. THE LOT OWNER SHALL BE RESPONSIBLE FOR ARRANGING INSPECTION SERVICES WITH THE ENGINEER, TO SUPPLY AS BUILT CERTIFICATION AS REQUIRED BY THE STATE PERMIT.
 - BASIS OF DESIGN SEPTIC SYSTEM:
 - DESIGN FLOW = 630 GPD (6 BEDROOM RESIDENCE).
 - PERCOLATION TEST = 115 MINUTES/INCH.
 - LINEAR FEET OF PIPE REQUIRED (PER PRESBY DESIGN MANUAL) = 360'
 - LENGTH OF PIPE PROVIDED = 360'
 - SAND AREA REQUIRED = 492 SF (PER VERMONT 50% RULE, PRESBY DESIGN MANUAL)
 - SAND AREA PROVIDED = 651 SF
 - SEPTIC TANK SIZE = 1500 GALLON CONCRETE
 - WASTEWATER PUMPING STATION = NOT REQUIRED

LEGEND

Symbol	DESCRIPTION
Survey Control Point	IRON PIN/ROD
Soil Test Pit	PROPOSED DRILLED WELL
Proposed Property Line	EXISTING PROPERTY LINE
Proposed Right of Way	EDGE OF ROAD/DRIVE
Proposed Water Line	PROPOSED GRAVITY SEWER LINE
Proposed Gravity Sewer Line	EXISTING CONTOURS
Existing Contours	FINISHED CONTOURS
Wellhead Protection Zone	SEPTIC ISOLATION SHIELD
Ditch/Swale	STREAM
Stream	STREAM BUFFER
Stream Buffer	EXISTING TREELINE/CLEARING
Existing Treeline/Clearing	PROPOSED TREELINE/CLEARING



ISOLATION TABLE

ITEM	WELL	SEPTIC TANK	LEACHFIELD	MOUND SYSTEM
DRIVEWAY	15'	5'	10'	25' IF ITEM IS DOWNHILL
HOUSE FOOTING DRAIN	10'	10'	30' IF ITEM IS UPHILL OR 75' IF ITEM IS DOWNHILL	35' IF ITEM IS UPHILL OR 75' IF ITEM IS DOWNHILL
PROPERTY LINE	10'	10'	25'	25' IF ITEM IS DOWNHILL, 10' ON ALL OTHERS
LEACHFIELD	100/200'	-	10'	10' SIZE, 25' UPHILL/DOWNHILL (REPLACEMENT MOUND)
SEPTIC TANK	50'	-	-	-
SERVICE WATER LINE	-	25'	25'	25'

- #### 8-OUTLET DISTRIBUTION BOX
- Specifications:
- CONCRETE MINIMUM STRENGTH 5000 PSI @ 28 DAYS
 - POLYLUK LOW PRESSURE PIPE SEAL
 - POLYLUK RISERS AVAILABLE IN 4" INCREMENTS
 - WEIGHTS SUBJECT TO VARIATION
- NOTE: SPEED LEVELERS ARE TO BE INSTALLED ON ALL OF THE OUTLET PIPES IN THE DISTRIBUTION BOX. (POLYLUK PART NO. 3044 OR EQUAL)

REVISIONS

No.	Date	Revision	By
1	6.05.19	ADDED INVERT GRADES, 1500 GALLON SEPTIC TANK, REVISED NOTES	TJM
2	8.16.21	REVISED CLEARING	TJM
3	9.20.21	ADDED CONSERVATION AREA & BUILDING ZONES	TJM
4	9.22.21	REVISED BUILDING ZONES	TJM

EXHIBIT **C3**

LOT #2 SEPTIC SITE PLAN & DETAILS

DAVID & NORA GRENIER
BEAR CREEK LANE WATERBURY

GRENIER ENGINEERING, PC
155 DEMERITT PLACE #2
Waterbury, VT 05676
TEL (802) 244-6413
FAX (802) 244-1572
grenierengineering.com

Date: 4.01.19
Dm By: JAD/TJM
Scale: 1" = 30'
Sheet No: 3 of 3
Dwg Name: GRENIER SP
File No:

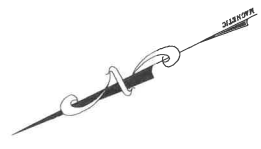
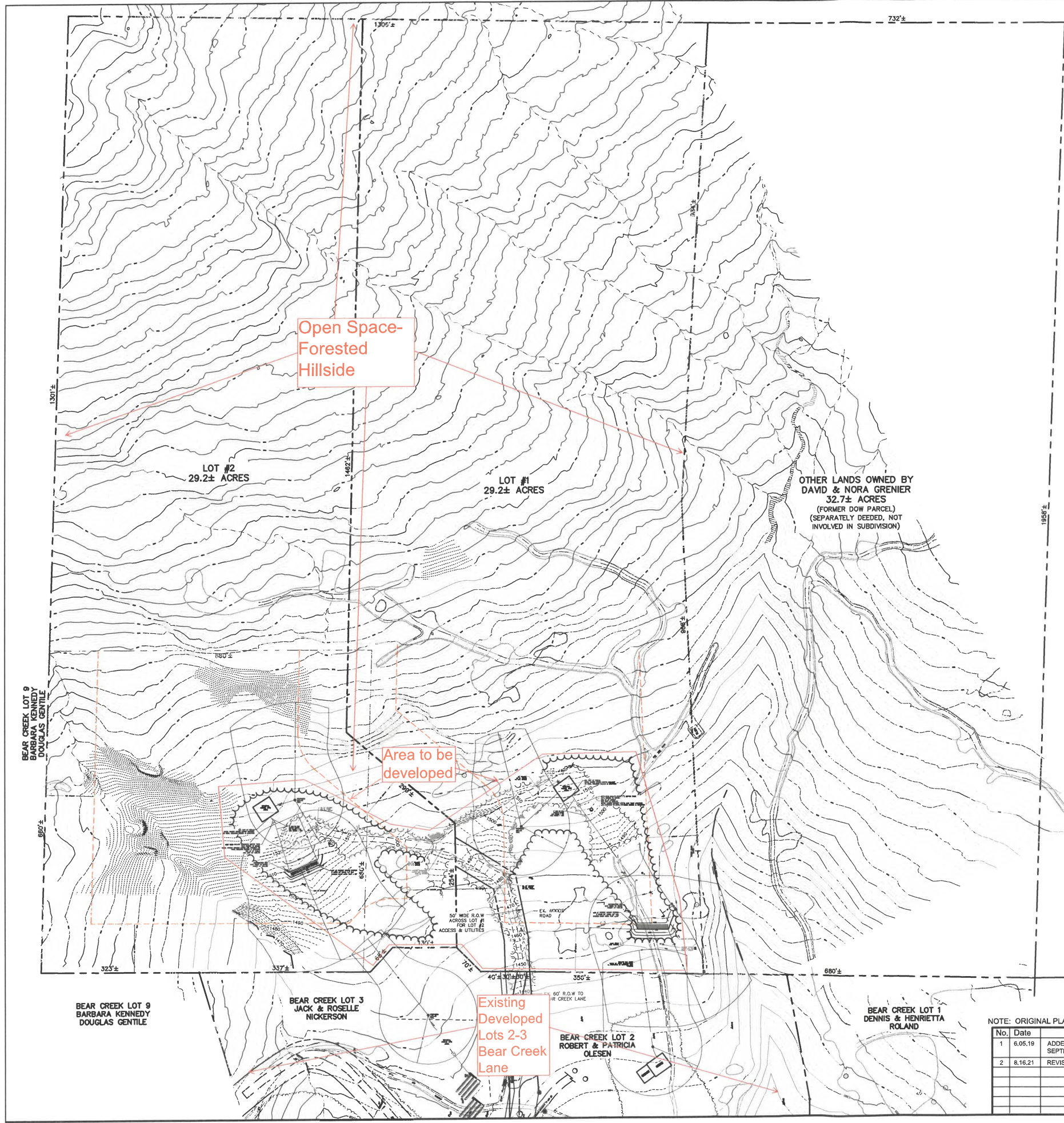


EXHIBIT **D**

LEGEND

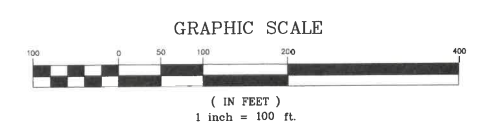
	SURVEY CONTROL POINT
	IRON PIN/ROD
	SOIL TEST PIT
	PROPOSED DRILLED WELL
	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	PROPOSED RIGHT OF WAY
	EDGE OF ROAD/DRIVE
	PROPOSED WATER LINE
	PROPOSED GRAVITY SEWER LINE
	EXISTING CONTOURS
	FINISHED CONTOURS
	WELLHEAD PROTECTION ZONE
	SEPTIC ISOLATION SHIELD
	DITCH/SWALE
	EDGE OF STREAM
	EXISTING TREELINE/CLEARING
	PROPOSED TREELINE/CLEARING

ZONING TABLE

ZONING DISTRICT: CONSERVATION ZONE
 OVERLAY DISTRICT: RHS
 MIN LOT SIZE: 10 ACRES
 FRONTYARD SETBACK: 100'
 SIDEYARD SETBACK: 100'
 REARYARD SETBACK: 100'
 FRONTAGE = 300' AS MEASURED AT FRONT OF BUILDING
 MAX. BUILDING HEIGHT: 35' PER WATERBURY ZONING BLDG. HEIGHT DEFINITION

THIS IS NOT A BOUNDARY SURVEY
 PROPERTY LINES SHOWN ARE APPROXIMATE ONLY
 AND WERE NOT SURVEYED BY THIS OFFICE.
 THEY ARE SHOWN FOR THE PURPOSE OF THE STATE
 WATER/WASTEWATER PERMIT APPLICATION ONLY

NOTE
 LOT #1 & LOT #2 APPROVED BY STATE OF VT
 PERMIT # WW-5-7952



NOTE: ORIGINAL PLAN 24" x 36", OTHER SIZES NOT TO SCALE

No.	Date	Revision	By
1	6.05.19	ADDED INVERT GRADES, 1500 GALLON SEPTIC TANK, REVISED NOTES	TJM
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OVERALL SITE PLAN
DAVID & NORA GRENIER
BEAR CREEK LANE WATERBURY

<p>GRENIER ENGINEERING, P.C. 155 DEMERITT PLACE #2</p>	P.O. Box 445 Waterbury, VT 05676 TEL (802) 244-6413 FAX (802) 244-1572 grenierengineering.com	Date: 4.01.19 Dwn By: JAD/TJM Scale: 1" = 100' Sheet No: 1 of 3 Dwg Name: GRENIER SP File No:
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EXHIBIT **F**



Steve Lotspeich

From: Chris Austin <chris@grenierengineering.com>
Sent: Tuesday, September 14, 2021 4:37 PM
To: Steve Lotspeich
Cc: Susan Wood; John Grenier
Subject: RE: Additional information needed to address criteria for David and Nora Grenier Application for Subdivision- Off Bear Creek Lane
Attachments: Zoning Mark Up Plan.pdf; Grenier View Photo.pdf; Certified Receipts 8-27-21.pdf; adjoiner notice letter.pdf

Steve,

Please see attached site photo for the proposed Grenier subdivision off Bear Creek Lane, plan mark up, certified mailing receipts and copy of notice letter.

The house sites have too much tree cover to obtain a photo from there, and we were unable to locate the neighboring former Olesen property or the neighboring Nickerson property from any vantage point in town, including Blush Hill Road. So this photo is the best representation we can come up with for the view out, which is primarily of Camel's Hump. This photo was taken from below the septic area on Lot 2 of the Grenier site as that was the only place to see out currently. The clearing plan still affords plenty of buffer to the former Olesen lot.

So given that the site's developed surroundings are not visible from vantage points, and the view out is anticipated to be of the Camel's Hump aspect, we are confident that the sites will be minimally visible in accordance with the RHS overlay. This is especially due to the narrow view corridor's proposed for the lots. The narrow corridors will further limit visibility off site and are focused in the Camel's Hump direction.

As for wildlife habitat, the 2 house sites and surrounding yards and access totals approximately 6+/- acres of "disturbance". The limits of clearing and earth disturbance are far less than that, but just in terms of impact to surroundings. Please see marked up site plan. The lot is 58+/- acres in total, so the "disturbed" area for both house site represents only about 10-12% of the land area being subdivided. The remaining 88-90% of the land will be open/undisturbed forested hillside. The project is located near the existing previously approved Bear Creek Lane developed lots as well, clustering disturbance, and avoiding steep slopes. Also to note, the seasonal streams on the property are not impacted by the proposed house sites and are not within the "disturbed" envelope. So the natural drainage areas that are often used by wildlife for travel corridors will not be impacted as result of the subdivision.

The access drive to the 2 lots is going to average about 12% grade. It does contain a landing where the lots split which helps as well. We hope this aids the DRB in review for the project and look forward to the hearing.

Thanks,

Chris Austin

Permit Coordinator
Class B Licensed Septic Designer, #622
Grenier Engineering, PC
Post Office Box 445
Waterbury, Vermont 05676
Phone (802) 244-6413 Fax- (802) 244-1572



Steve Lotspeich

From: Billy Vigdor <wvigdor@gmail.com>
Sent: Wednesday, September 15, 2021 3:39 PM
To: Steve Lotspeich
Subject: Re: DRB File 21-80

Hi Steve

Given the Jewish holiday tonight I cannot appear at the DRB meeting tonight. Regardless, I would like to submit the following public comments and preserve my right to appeal any decision by the DRB through this submission.

On the more technical side, the map that has been submitted does not show the property shape the same way it is shown on the town parcel map. And, I was given notice as an adjacent property owner but my property does not appear on the map contained in the application. Further, rather than a subdivision into two lots, it appears this is a three-lot subdivision. The Waterbury Parcel map shows one parcel but the application shows two lots for a subdivision and a parcel of "other lands owned" by the Greiners not involved in the subdivision. That strikes me as creating a third parcel. Also, the application does not show sufficient heights to demonstrate the property is above 1500' and therefore warrants a major development project. You may have already arrived at that conclusion, but I am not sure.

The applicants did not identify the fact that this property is in the Highest Priority Interior Forest Block and is Bear Habitat. The Conditional Use application does not address this. Rather, it insinuates that the applicable standard is that other houses are designed in the same way. As such, the project does not conflict with the Municipal Plan. Such a standard conflicts with the regulations and suggests that once one house is built, there is no need for any other application or review. But that is not the case. The Municipal Plan states that unfragmented forest should be retained. Nothing in this Major application touches on this issue or the impact of the development on bear or wildlife habitat or travel corridors. (Except the Subdivision Application checks the box that there will be no undue adverse impact on scenic resources.). The maps are too difficult to read but this area may be an area in which wildlife accesses the Shutesville Hill Wildlife Corridor.

Section 1004(c)(6) of the Zoning Regulations requires the DRB to find "the application shows" that "[t]he 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." But the application is silent on these issues, other than to contend other houses exist. I understand you asked for information on this topic but the publicly available electronic version of the application does not show any submission. This is particularly surprising as the owners and their engineering company are very experienced in such development matters.

As you are aware, Vermont law requires the DRB to provide a reasoned decision based on evidence. *See* 3 V.S.A. §812 ("A final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings"). The DRB practice has been to repeat the statutory language without any evidence and without providing a "concise and explicit statement of the underlying facts supporting the finding. In fact, in the Colon/Clarke application, the findings of fact and conclusion of law did not even mention the fact that there was interior forest block.

This application provides the Board with a great opportunity to clarify its practices, gather facts and look at the natural resources issues presented by these applications. Although the submission is not clear, it appears that the landscape most likely to contain bear, wildlife and important habitat is not going to be developed. The applicants should be able to easily and at low cost demonstrate this to the DRB. But by requiring the information, the DRB can begin to inform the Waterbury Development community that it is going to take its obligation to study the natural resources issues seriously in applications touching on Higher Priority Forest Blocks, Bear Habitat and other natural resources identified in the Town Plan.

Thanks for allowing me to present my views electronically.

Steve Lotspeich

From: Jillan Cantor <jillan.cantor@gmail.com>
Sent: Saturday, October 2, 2021 12:59 PM
To: Steve Lotspeich
Subject: Re: Grenier Major Development Steep Slope Plans

Mr. Lotspeich

This is Jillan Sackett, the current resident at 300 Bear Creek Lane. The proposed Grenier development is going just up/above the mountain hill from my home and land. I know I cannot stop the development, but I am extremely concerned that the recommendations of the "Town and Village of Waterbury Municipal Plan" drafted in 2013, and "The Town and Village of Waterbury Zoning Regulations" drafted in 2016, are being ignored. My concerns are the following:

1. "In 2006, the town adopted the Ridgeline, Hillside, Steep Slope Overlay Zoning District which applies to land above 1,200 feet in elevation. The Overlay District **REQUIRES applicants to present habitat studies, erosion control plans** and visual analysis to help protect natural resources for the areas that are above 1,500 feet in elevation." (pg 119).

In ignoring this, it allows for the potential harm to wildlife and to my family. Erosion of the soil can cause direct and indirect harm to my family and the wildlife and plant life. For example, the risk of a mudslide at this steep slope is real and any mudslide would have the potential to destroy my house, but more importantly harm/kill my children.

In the municipal plan, it further states:

"8-15% Suitable for low density development with consideration given to erosion control, runoff and septic design.

15-25% Unsuitable for most development and septic systems, construction costly, erosion and runoff problems likely.

25% All construction should be avoided, careful land management is required"

Knowing that this development is somewhere within those slope percentages, I just want to further point out how much this municipal plan keeps emphasizing the importance of erosion control and runoff. Reading this over and over clarifies the absolute need of the erosion control studies to guarantee the safety of this development. As of right now, nothing about this proposal seems safe because of the lack of work, time, and concern put into these required steps.

Further, the Town and Village of Waterbury Zoning Regulations state in section 1003 that plans for all major developments should include: (1) Grading Plan: Existing and proposed contours of the land to be cleared and to a distance of fifty feet beyond the cleared areas. The contours shall be field-generated and be set at intervals of no greater than five feet. The plan shall show all clearing limits and the location of all existing and proposed retaining walls over four feet in height. **(3) Stormwater Drainage/Erosion Control Plan: A stormwater drainage and erosion control plan shall be submitted for projects where the average slope of the site is 15 percent or greater or there are perennial streams and waterways located on the site.** (6) Natural Features: Existing ponds, streams, rivers and other water features; critical wildlife habitat, unique or fragile resources, and Class I and Class II wetlands located within and

up to fifty (50) feet beyond the boundary of the development site; areas characterized by slopes equal to or greater than 25 percent; and unique features such as rock outcroppings, gorges, and other geologic formations.

Importantly, this same zoning regulation states in section 303 E: " 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"

Have these been scientifically considered, with evidence of safety?

2. It is clearly stated in the Municipal plan that "The loss or diminution of water supplies and water quality cannot be taken lightly" and yet that is exactly what appears to be happening. If no erosion control plan is being presented or even considered, then our water could be at risk. "As Waterbury grows and develops, and the demand for water increases, management becomes increasingly important to prevent water quality degradation." They state in their proposal that they "will not have undue impact on water quality or impacts to soil". **Where is the proof of this?**

Again it seems that this application has not shown any evidence of safety in regards to erosion control, nor land and water safety. As the co-head of my family that lives right below this proposed development, I see no evidence that our safety has been guaranteed or even considered.

3. "Soil conditions are a critical factor...Over half of Waterbury's land area is classified as marginally suitable or unsuitable for on-site systems. These lands are generally located at high elevations, on steep slopes" Thus waste management is a potential issue. If the soil cannot absorb the waste, then it will drain into and onto my property. Further, once these trees are cleared I would love to know how the grass will be preserved? Herbicides are linked to cancer and do find their way into groundwater. Thus my well is at risk, especially if there is a lot of rain, given the soil conditions up this high and this steep.

4. Per the municipal plans, "Fragmented forests are considered less resilient to disturbances, less diverse, support less wildlife...Waterbury should encourage development patterns that reduce the likelihood of these outcomes...Waterbury should plan to protect forest resources." Please know there is much evidence of bear life and other wildlife in these very trees that will be removed. The habitat impact study is a requirement being ignored. This development will impact these native creatures who rely on people to do the right thing. Section 6-5 speaks to the importance of protecting our forests. This land is most definitely bear habitat and thus, per the municipal plan, should be protected: "Generally, contiguous and remote forestlands contain critical habitat necessary for bear survival and are considered essential for the long-term stability of Vermont's bear population. Forest types characterized by heavy mast production (beech and oak stands) are especially important. The Loomis Hill and Perry Hill areas of the Worcester Mountain range, including Hunger and Owls Head Mountains, have been identified as seasonal bear habitat, a region frequently used by bears, including cub-producing females. These areas contain critical seasonal feeding areas and travel corridors" This area is also likely a

wildlife corridor. Again, the MANDATED habitat studies would allow us to know this before development.

And finally, again, as stated in the municipal document in section 6-8. Impact of Development on Natural Resources: "The role of planners is to be well informed and make conscious decisions over the future of our community. We depend on these natural resources like water and air to be safe, available, predictable and have an ability to renew."

These next two points are less important but I just want to point out them out as evidence that this proposal is not taking the proper steps, evidencing negligence, and yet is still on path for being allowed:

5. Their proposed plan states they will not be removing any earth or mineral products. Do trees not count as earth? And that large rock face that exists? Are they building their house around it or are they blasting it? No grading needs to occur?

6. In the section of the proposal that states "Describe any devices or methods to prevent or control fumes, gas, dust, smoke, odor, noise, or vibration;" they answer this is "not applicable. No fumes, gas, dust, smoke, odor, noise, or vibrations are anticipated." How are they chopping down and removing trees then? And if the rock face is being leveled, how without machines?

In Conclusion:

The fact of the matter is that they are building on land not suitable for building on, and ignoring the requirements by the town of Waterbury to show evidence of low impact, erosion control and habitat studies. If we allow for these lapses on this development, what will keep us from continuing to ignore these requirements on all future developments. The argument will go, as it already did at the last DRB meeting, "well we already allowed this in the past so..."

I know I cannot stop the development, that is not even my goal. I just want these basic safety standards/studies to be upheld, both for the concern of wildlife and plant life and for the safety of my children and any other children impacted by future developments. The rules were created. Now they should be followed. Quite simple.

Thank you for your time and attention to this matter,

Jillan Sackett, MD.
300 Bear Creek Lane
215-292-5146
jillan.cantor@gmail.com

On Wed, Sep 22, 2021 at 12:44 PM Jillan Cantor <jillan.cantor@gmail.com> wrote:
Mr. Lotspeich

I just left a voicemail on your phone. This is Jillan Sackett, the new resident at 300 Bear Creek Lane. The proposed development is going just up/above the mountain hill from my home and land. I know I cannot stop the development, but I am extremely concerned that the laws of the "Town and Village of Waterbury Municipal Plan" drafted by you in 2013 are being ignored. My concerns are the following:

1. "In 2006, the town adopted the Ridgeline, Hillside, Steep Slope Overlay Zoning District which applies to land above 1,200 feet in elevation. The Overlay District **REQUIRES applicants to present habitat studies, erosion control plans** and visual analysis to help protect natural resources for the areas that are above 1,500 feet in elevation." (pg 119). This is being outright ignored. Add in so doing it is allowing the potential harm to wildlife and to my family. Erosion of the soil can cause direct and indirect harm to my family and the wildlife and plant life. I know there was a somewhat recent mudslide after construction in the area. In this case, any mudslide would have the potential to destroy my house, but more importantly harm/kill my children.

In the municipal plan, it further states "8-15% Suitable for low density development with consideration given to erosion control, runoff and septic design.

15-25% Unsuitable for most development and septic systems, construction costly, erosion and runoff problems likely.

25% All construction should be avoided, careful land management is required"

Knowing that this development is somewhere within those slope percentages, I just want to further point out how much this municipal plan keeps emphasizing the importance of erosion control and runoff. Reading this over and over clarifies the absolute need of the erosion control studies to guarantee the safety of this development. As of right now, nothing about this proposal seems safe because of the lack of work, time, and concern put into these required steps.

2. It is clearly stated in this plan that "The loss or diminution of water supplies and water quality cannot be taken lightly" and yet that is exactly what appears to be happening. If no erosion control plan is being presented or even considered, then our water could be at risk. "As Waterbury grows and develops, and the demand for water increases, management becomes increasingly important to prevent water quality degradation." They state in their proposal that they "will not have undue impact on water quality or impacts to soil". Where is the proof of this?

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4. "Fragmented forests are considered less resilient to disturbances, less diverse, support less wildlife...Waterbury should encourage development patterns that reduce the likelihood of these outcomes...Waterbury should plan to protect forest resources." Please know there is much evidence of bear life and other wildlife in these very trees that will be removed. The habitat impact study is a requirement being ignored. This development will impact these native creatures who rely on people to do the right thing. Section 6-5 speaks to the importance of protecting our forests. This land is most definitely bear habitat and thus, per the municipal plan, should be protected: "Generally, contiguous and remote forestlands contain critical habitat necessary for bear survival and are considered essential for the long-term stability of Vermont's bear population. Forest types characterized by heavy mast production (beech and oak stands) are especially important. The Loomis Hill and Perry Hill

areas of the Worcester Mountain range, including Hunger and Owls Head Mountains, have been identified as seasonal bear habitat, a region frequently used by bears, including cub-producing females. These areas contain critical seasonal feeding areas and travel corridors" This area is also likely a wildlife corridor. Again, the MANDATED habitat studies would allow us to know this before development.

And finally, again, as stated in the municipal document in section 6-8. Impact of Development on Natural Resources: "The role of planners is to be well informed and make conscious decisions over the future of our community. We depend on these natural resources like water and air to be safe, available, predictable and have an ability to renew."

These next two points are less important but I just want to point out:

5. Their proposed plan states they will not be removing any earth or mineral products. Do trees not count as earth? And that large rock face that exists? Are they building their house around it or are they blasting it? No grading needs to occur?

6. In the section of the proposal that states "Describe any devices or methods to prevent or control fumes, gas, dust, smoke, odor, noise, or vibration;" they answer this is "not applicable. No fumes, gas, dust, smoke, odor, noise, or vibrations are anticipated." How are they chopping down and removing trees then? Are they using a manually powered hand saw? If they are stating this then I am assuming that no machines are being used to clear and prep this land for building. So when there is smoke, odor, noise, vibrations, and gas I guess I should report it to the zoning board as a violation of their contract.

In Conclusion:

The fact of the matter exists that they are building on land not suitable for building on, and ignoring the law required by the town of Waterbury to show evidence of low impact, erosion control and habitat studies. If we allow for these lapses on this development, what will keep us from continuing to ignore these requirements on all future developments. The argument will go, as it already did last week, "well we already allowed this in the past so..."

I know I cannot stop the development, that is not even my goal. I just want the law to be upheld, both for the concern of wildlife and plant life and for the safety of my children and any other children impacted by future developments. The law was created. Now it should be followed. Quite simple.

Please respond.

Thank you for your time and attention to this matter,

Jillan Sackett, MD.
215-292-5146
jillan.cantor@gmail.com

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Jillan Sackett, MD. MS.

Climate Psychiatry Alliance

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Jillan Sackett, MD. MS.

Climate Psychiatry Alliance

***"The end of the human race will be that it will eventually die of civilization." Ralph Waldo Emerson