



Planning & Zoning Office
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APPLICATION: Pre SUB 2022-02

APPLICANT: Eric & Jenny Risi

REQUESTED ACTION: Preliminary Subdivision Review

LOCATION: 317 Old Farm Road

EXISTING ZONING: Agricultural/Residential(AR)

Act 250 STATUS: Under Act 250 Jurisdiction

PROJECT DESCRIPTION: The proposed project involves the subdivision of a previously subdivided parcel known as Lot 4 created as part of the Richmond Estates Subdivision located on Old Farm Road. The existing Lot 4 is 11.88 acres and currently has a 3-bedroom home with offsite wastewater system and drilled well. The proposed project seeks to further subdivide the existing Lot 4 to Lot 4A with 3.52 acres for the existing home and the remaining acreage to Lot 4B with 8.36 acres for a new home. The new home is proposed to be accessed from Old Farm Road with a 12- foot-wide driveway approximately 500 feet long. Underground power and communications is proposed to be provided to the new home from an existing utility pole that bisects the property. Access and utility easements are proposed for Lot 4b to access the property and install new utilities.

PARCEL HISTORY:

1. Zoning permit for deck, 6/7/91
2. Zoning permit for breezeway and garage, 7/19/93
3. Zoning permit for garage 2/13/95
4. Zoning permit for 1 bedroom above garage, 2/16/96
5. Zoning permit for on sight septic 11/20/03

LIST OF SUBMISSIONS:

- A. Narrative, Summited April 20,2022
- B. Preliminary Subdivision Application, Submitted April 20, 2022
- C. Abutters list, Submitted April 20, 2022
- D. Letter Regarding easement, Submitted April 15th, 2022
- E. Site Plan, Dated April 1, 2022
- F. Wastewater Site Plan April 1, 2022

G. Preliminary Plat April 20, 2022

PROCEDURAL INFORMATION:

1. Application submitted on April 20th 2022
2. Notice placed on Town website and at three locations in town on April 25, 2022
3. Abutters notified on April 25, 2022
4. Agenda placed in Seven Days April 27, 2022
5. Agenda placed on website and at three locations in town on April 25, 2022

STAFF COMMENTS (In Bold):

1. The proposed project involves the subdivision of a previously subdivided parcel known as Lot 4 created as part of the Richmond Estates Subdivision located on Old Farm Road.
2. The existing Lot 4 is 11.88 acres and currently has a 3-bedroom home with offsite wastewater system and drilled well.
3. The proposed project seeks to further subdivide the existing Lot 4 to Lot 4A with 3.52 acres for the existing single-family dwelling and the remaining acreage to Lot 4B with 8.36 acres for a new single-family dwelling.
4. The new home is proposed to be accessed from Old Farm Road with a 12- foot-wide driveway approximately 500 feet long.
5. Underground power and communications are proposed to be provided to the new home from an existing utility pole that bisects the property.
6. Access and utility easements are proposed for Lot 4b to access the property and install new utilities.
7. Lot is located inside the Agricultural/Residential Zoning District
8. 3.1.3 Dimensional Requirement For lots in the A/R District: **Lot 4B does not have frontage on a public or private road and will require a permanent easement per sub section C of 3.1.3**
 - No Zoning Permit may be issued for Land Development in the A/R District unless the lot proposed for such Land Development meets the following dimensional requirements:
 - i. a) Lot Area - No lot shall be less than one (1) acre. The purchase of additional land by the owner of such lot from an adjacent lot owner shall be permitted, provided such purchase does not create a lot of less than the minimum lot area required in the Zoning District for the lot on the part of the seller.
 - ii. b) Lot Dimensions - Each lot must contain a point from which a circle with a radius of fifty (50) feet can be inscribed within the boundary of the lot.
 - iii. c) Lot Frontage - No lot having frontage on a public or private road shall have less than one hundred (100) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2, Required Frontage, and 4.3, Approval for Interior Lots with No Frontage.
 - iv. d) Lot Coverage - The total amount of ground on a lot that can be covered by any structure or impervious material shall not exceed 30%.
9. 4.2 Required Frontage on, or Access to, Roads or Public Waters: **Per section 4.2 DRB will be required to approve access to a permeant right of way for lot 4B given that 4.B does not have frontage with an existing public or private road.**
 - In accordance with the Act [§4412(3)], Land Development may be permitted on lots which do not have frontage either on a public road or public waters in

conformance with Section 4.3, provided that access through a permanent easement or right-of-way has been approved by the DRB. Richmond Zoning Regulations 31 Effective October 25, 2021

10. **4.3 Approval for Interior Lots with No Frontage: As lot 4.B does not have frontage on a public or private road a permanent easement to the property will be required. Submitted plans showing boundaries of properties that will be impacted by right of way. Grade is not noted on diagram. In the cover letter submitted with the application proposed road grade of under 12% was noted. Road will be greater than min 30ft width. Only one home will be served by this easement.**

- Land Development proposed for any lot with no frontage on a public road or public water shall provide access to such a road by a permanent easement or right-of-way. The following procedures will be followed for obtaining access to and approval for such lots:
 - i. 4.3.1 Review Process - A new or relocated access to any lot without frontage on a public road or public waters shall require DRB approval, under the standards in Section 6.2.
 - ii. 4.3.2 Required Information - Applications shall include a plan drawn to scale showing boundaries of all properties crossed by and to be served by the proposed private easement or right-of-way, dimensions and grades of the vehicular access, the point of access onto a public road, and any other information the DRB may require to assure adequate emergency access to all lots and dwelling units.
 - iii. 4.3.3 Easement Dimensions - An easement or right-of-way shall be at least thirty (30) feet in width if serving less than four (4) lots. Easements or rights-of-way serving four or more lots shall be at least sixty (60) feet in width and meet the standards in Section 6.2.1 and the current Public Works Specifications.

11. **5.4 Subdivision Review: Lot will be broken into two new lots therefore subdivision approval is required**

- The division of a lot into two or more lots shall require subdivision approval under the Town of Richmond Subdivision Regulations, except for the following which shall require a Zoning Permit issued by the Administrative Officer:
Richmond Zoning Regulations Effective October 25, 2021
 - i. a) those lots created under Section 2.6, Administratively Created Lots, of these Zoning Regulations; and
 - ii. b) boundary line adjustments between two adjoining landowners, which do not create a new lot, but which shall require approval under Section 5.8, Boundary Adjustments, of these Zoning Regulations.

12. **6.2 Driveway Requirements: Proposed project will have one driveway that will service two houses. The driveway will be 30ft wide and grade should be 12% or less. Driveway will have to comply with other public work specifications**

- 6.2.1 Standards - The following standards for driveways and their intersections with public Roads or Highways shall apply:
 - i. a) Unless specifically approved by the DRB there shall be a maximum of one driveway per lot accessing a public Road or Highway. This provision shall not disallow a shared driveway between two or more lots, or dual driveways where one lane is marked for entering traffic and one lane for exiting traffic.

- ii. b) Driveways shall meet the following standards unless a different size is required by the DRB due to special circumstances: Residential - 12 feet minimum width, 36 feet maximum width; Commercial - 20 feet minimum width, 36 feet maximum width.
- iii. c) The DRB may require installation of acceleration and/or deceleration lanes on the adjacent public Road or Highway if it deems necessary.
Richmond Zoning Regulations 61 Effective October 25, 2021
- iv. d) Driveways shall be located more than 100 feet from signalized Road or Highway intersections (measured between the near edges of the driveway and intersection). Greater distances may be required on Roads or Highways with high traffic volumes.
- v. e) The intersection of the driveway to the public or private road shall conform to the standards in the Public Works Specifications. The driveway shall meet the Vermont Agency of Transportation's B71 Standards for construction.
- vi. f) For the length of the driveway, the driveway grade shall not exceed twelve (12) percent except that the last 200 feet from the foundation of the primary structure being served shall not exceed fifteen (15) percent. In measuring the compliance of a driveway, the maximum grade may not be exceeded along the driveway centerline.

13. SECTION 310 Preliminary Subdivision Application Submission Requirements:
Applicants have submitted necessary documentation to proceed with the preliminary review

- Any SUBDIVIDER of land shall follow the application submission requirements as set forth in Section 800.2 and Section 800.3. The SUBDIVIDER shall also submit three (3) (24" by 36") copies of a PRELIMINARY SUBDIVISION plat and separate plan showing project boundaries and proposed LOT layout, and eight (8) (11" by 17") copies of the foregoing and any other supporting materials as provided in Section 310.1 and Section 310.2 The DRB may vote to waive any of the application requirements in accordance with Section 704, if it finds that the information waived is not necessary to determine PRELIMINARY SUBDIVISION conformance with the standards and requirements of these Subdivision Regulations, the ZONING REGULATIONS, or any other Town bylaws.

14. 310.1 The PRELIMINARY SUBDIVISION plat shall include the following Information

- SUBDIVISION name or identifying title, tax map number and the name of the Town **NA**
- name and address of the owner of record of the property, and of the SUBDIVIDER if different **Names are the Same**
- a location map showing the relationship of the proposed SUBDIVISION to adjacent property and surrounding areas within two thousand (2,000) feet of any property line of the proposed project. Such location map may be shown on a USGS map at a scale of 1 inch equals 2,000 feet; **Maps are of the proper scale and show adjacent property lines**
- boundaries of the proposed SUBDIVISION and the names of the owners of record of all adjoining properties, to the proposed SUBDIVISION **Boundaries are noted and marked**

- Existing easements within the proposed SUBDIVISION; **Easements are noted and marked**
- the zoning district, including overlay districts, in which the property is located and the relevant ZONING REGULATION provisions applicable to the site; **Zoning district is noted**
- the location, names and widths of existing roads, easements, and building setbacks **Roads are marked and setbacks are noted**
- the location of any bridges, drains, drainage ways or culverts which are proposed in the SUBDIVISION; **Culverts are noted. No bridges**
- proposed LOT lines with dimensions and planned locations and uses for buildings, any stream and wetland buffer zones, and any overlay (s) applicable to the proposed SUBDIVISION; **Buildings are marked as are buffer zones, wastewater is also noted**
- potential layouts for the SUBDIVISION showing all roads, pedestrian ways, recreational trails, utilities, and all proposed access to the SUBDIVISION **Roads and subdivisions appear to be marked**
- date, true north arrow and scale. **Scale noted, date noted, true north noted**

15. 310.2 The PRELIMINARY SUBDIVISION plan shall include the following information:

- name of the designer of the SUBDIVISION **Name present, Civil Engineering Associates**
- number of acres within the proposed SUBDIVISION, buildings, water courses and other noteworthy physical features; **Pond noted, ANR Wetland noted. Other terrain features noted**
- the location of all natural features or resources on the site such as streams, ponds, wetlands, flood plain, floodway, forest stands, established LARGE ANIMAL HABITAT; **pond noted as is wetland buffer strip. Forest stands marked, Large Animal Habitat not noted**
- designation of each segment of adjoining property boundaries of all adjoining properties common with the proposed SUBDIVISION **Properties are noted**
- the location of known archaeological sites such as cellar holes, building foundations, wells, or known fences; **None indicated**
- the location and dimensions of any existing wastewater disposal systems, water supplies, culverts, drains, drainage ways, or underground cables on the site; **Drains indicated, existing and potential waste water treatment systems mapped. Property would be served by underground utility cables, these are noted**
- the location, names and widths of parks, public open space, trails, etc. on the site as well as similar information regarding adjacent properties; **No Trails noted. Neighboring properties are not as well as neighboring structures**
- contour lines, at intervals of twenty (20) feet, of existing grades; **contour lines at five-foot intervals noted**
- means of providing water supply to the proposed SUBDIVISION; **existing and potential wells noted**
- general information regarding the location(s) of potential wastewater systems and potable water supplies in the proposed SUBDIVISION **Potential water and waste water facilities and types are noted and mapped**

- proposals for maintaining open spaces, natural features and resources on the site **Buffer zones around pond and ANR Wetland Advisory Area noted. No other proposal for maintaining open space indicated**
 - As specified in Section 6.10.1, a master development plan prepared by an engineer, land use planner, or other professional acceptable to the DRB. **Master plan has been prepared and provided.**
 - a list of waivers, if any, which the SUBDIVIDER requests from the requirements of these Subdivision Regulations, and the justification for the request; and, **No wavier requested**
 - written authorization appointing a representative, if appropriate. **Applicant and representative noted on the subdivision application**
16. SECTION 320 Field Markers: **The placement of field markers was note indicated**
- Field markers shall be located on the site and maintained until a final decision is made on the application to enable the DRB to readily locate and evaluate the proposed layout in the field. Field markers shall have different labels or color codes to show proposed roads, rights-of-way, corners of proposed structures or building envelopes, and all LOTS, plus any areas to be dedicated to public use.

DRAFT MOTION:

Recommend that the Preliminary subdivision be approved