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APPLICATION: Sylvan Ridge Phase II Sub 2020-015 Preliminary Stage

APPLICANT: Huntington Homes, LLC

REQUESTED ACTION: Preliminary Subdivision Review

LOCATION: 952 Kenyon Road

EXISTING ZONING: Agricultural / Residential District AR-1A

Act 250 STATUS: Not Applicable

PARCEL STATUS: Currently vacant fallow land

PROJECT DESCRIPTION: Subdivision Preliminary Review for a 9-lot subdivision (creation of 8 new lots, Sylvan Knoll – Phase II), in the Agricultural/ Residential (A/R) Zoning District at 952 Kenyon Road, Parcel ID KR0952. Further a Boundary Line adjustment is requested for existing lot 3 (+/- .54 ac) and lot 4 (+/- .56 acres) of Sylvan Ridge Phase 1.

LIST OF SUBMISSIONS:

1. Town of Richmond – Final Subdivision Application.
2. Names and addresses of all Adjoining Landowners.
3. Stamped addressed envelopes for all Adjoining Landowners.
4. Roadway and Common Land Agreement.
5. Review of Deer Winter Area and Impacts.
6. Remaining Land Use and Deer Wintering Area (DWA) Mitigation Plan.
7. Survey Plats, dated 04-02-2021 (1 full-size & 4 reduced-size copies):
  - Drawing PL-1 – Nine Lot Subdivision and Boundary Line Adjustment Survey Plat (1 of 2).
  - Drawing PL-2 – Nine Lot Subdivision and Boundary Line Adjustment Survey Plat (2 of 2).
8. Design Drawings, dated 04-02-2021 (1 full size & 4 reduced-size copies).
  - Drawing S-1 – Overall Subdivision Plan.
  - Drawing S-2 – Lots 9 & 10 Site Plan.
  - Drawing S-3 – Lots 13, 14 & 15 Site Plan.
  - Drawing S-4 – Lots 11, 12 & 16 Site Plan.
  - Drawing D-1 – Wastewater System Details and notes – Lot 9
  - Drawing D-2 – Wastewater System Details and notes – Lot 10
  - Drawing D-3 - Wastewater System Details and notes – Lot 11
  - Drawing D-4 - Wastewater System Details and notes – Lot 12
  - Drawing D-5 - Wastewater System Details and notes – Lot 13
  - Drawing D-6 - Wastewater System Details and notes – Lot 14
  - Drawing D-7 - Wastewater System Details and notes – Lots 15 & 16
9. Stormwater Drawings, dated 03-10-2021 (1 full size & 4 reduced-size copies).
  - Drawing SW-1 – Existing Stormwater Site Plan.

- Drawing SW-2 – Proposed Stormwater Site Plan.
  - Drawing SW-3 – Stormwater Details.
10. Final Subdivision Application Fee of \$460.00 (under separate cover).

**STAFF COMMENTS/STATEMENT OF FACT**

- Applicant proposes to subdivide a 73.1-acre parcel into 8 residential lots ranging in size from 1.12 acres to 6.65 acres with the remaining 9<sup>th</sup> lot consisting of 44.9 acres.
- Preliminary Subdivision approval was obtained from the DRB on April 25, 2021 with the following conditions:
  1. Waiver of Master Development Plan for remaining lands as per section 610.1 of the Town of Richmond Subdivision regulations denied
  2. Remaining Lands use description to be presented at final subdivision review as per section 610.1
  3. Remaining lands use to be placed on final plat and described in covenants
  4. Large animal habitat to be denoted on plat and in narrative language presented on any proposed disturbance.
- Final Subdivision application submitted on June 16, 2021
- All conditions of Preliminary approval addressed
- Noticing was accomplished on June 24 at three (3) locations in the Town of Richmond as well as on the TOR website.
- Agenda was posted in the local publication of 7 Days on July 7, 2021 with copies posted at three (3) locations in the TOR as well as on the TOR website
- Due to a lack of quorum for the July 14, 2021 DRB meeting, a continuation to July 28, 2021 was accomplished on July 14, 2021.
- **Soils**  
The predominant soils on site are Adams and Windsor (AdA) Loamy Sands ranging from 0 to 5 percent slopes. According to the Soil Survey of Chittenden County, these soils are generally conducive for absorption fields and are cited as soils that are used truck gardening, tilled farm crops, hay and pasture. They have few limitations for non-farm uses such as housing developments. Other soils are present in varying degrees of dispersal.
- **Wastewater**  
Soil testing and engineering for wastewater system design for both in-ground and mound systems have been submitted. All lots have absorption fields on-site with the exception of lot 13 which has an off-site easement on lot 15. Further, Lot 12 has an easement for an off-site parcel owned by Joyce Livak, see note on page S-4.
- **Access**  
Access for lots 9 and 10 are off of an existing cul-d-sac associated with Sylvan Ridge Phase 1. Lots 12 through 16 are accessed by a single private road off of Keynon Road that features a hammerhead T emergency vehicle turn around. Lot 11 is serviced by a single road-cut off of Keynon Road on the south side of the project. Lot 17 appears to be an undevelopable lot due to slopes and ravines on that portion of the parcel.
- **E&S and Stormwater**  
Both Erosion & Sediment Control as well as Stormwater Controls have been designed.

**PLAN REVIEW:**

- Concerning the boundary line adjustment that includes the master parcel for Sylvan Ridge Phase II and existing lots 3 and 4 of Sylvan Ridge Phase I the Zoning Administrator believes this could be accomplished administratively under §5.8 Boundary Adjustments of the Richmond Zoning Code. If the DRB believes this is the case, review with this proposal may not be necessary.
- Review of Deer Wintering and Impacts accomplished by Allan Thompson, CWB
- Amended Roadway and Common Land Agreement submitted

**Additional Notes:**

1. Lot coverage, setback requirements and building height will be reviewed when the applicant applies for zoning permits on the proposed lots.
2. The DRB shall, within forty-five (45) days after the date the public hearing is closed, act to approve or deny the FINAL SUBDIVISION, in accordance with Section 800.3. The DRB shall describe the grounds for any required conditions of approval or detail the reasons for denial in a written notice of decision.
3. Upon final approval of a FINAL SUBDIVISION application by the DRB, the SUBDIVIDER shall prepare a copy of the FINAL SUBDIVISION PLAT for recording in the Town Land Records in accordance with the requirements of 27 V.S.A., Chapter 17 and Chapter 117, Section 4463 of the ACT, plus all other associated materials required by the DRB for inclusion in the DRB's records. No plat shall be recorded in the Town Land Records until it has received final approval by the DRB, as endorsed in writing on the plat. The wording on the plat shall be:

***“Approved for recording in the Town of Richmond Land Records by decision of the Richmond Development Review Board on [add date], with permit number [add permit number] and signed this [add date].”***

The plat shall be recorded within 180 days of the date of DRB approval, or, as extended by Section 4463(b)(1) of the ACT, the approval shall expire. In accordance with the Act (§4463), after an approved plat or certification by the clerk is filed, the approval or certification shall not expire. It shall be the SUBDIVIDER's responsibility to timely record the plat.

4. No changes, modifications, or revisions shall be made on any FINAL SUBDIVISION after final approval, unless said FINAL SUBDIVISION is first resubmitted to the DRB and the DRB has approved the modifications, except as provided in Section 800.1.
5. In granting FINAL SUBDIVISION approval, the DRB may attach reasonable conditions and safeguards as it deems necessary to implement the purposes of these Subdivision Regulations, the ZONING REGULATIONS, or any other Town bylaws or standards and to mitigate any UNDUE ADVERSE EFFECT associated with the SUBDIVISION. In addition to required modifications or improvements, such conditions may include but are not limited to SUBDIVISION general standards, project phasing, and Security options.
6. This decision shall not relieve the applicant from any obligation to obtain all other applicable required federal, state and local permits.
7. Town of Richmond ROW Access permits must be submitted and approved prior to any commencement of development.
8. Peter Gosselin has reviewed the plat and has not offered any concerns at this point to the Zoning Office. Should be noted that Highway review is typically accomplished through the ROW permit application.