



Planning & Zoning Office
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APPLICATION: Dowd Subdivision 2021-05 Final Stage

APPLICANT: Cheryl and Brian Dowd

REQUESTED ACTION: Final Subdivision Review

LOCATION: 2540 Hinesburg Road

EXISTING ZONING: Agricultural / Residential District-AR-1A
Special Flood Hazard Overlay-SFHO

Act 250 STATUS: Not Applicable

PARCEL HISTORY: Subdivision 1980 (Lands of O'Brien and Frantz)
Current Single family dwelling on Parent Lot
Current Use - Silviculture and Sugaring

PROJECT DESCRIPTION: Applicant proposes subdivision of a 207 acre parcel into 2 new lots of 1.1 and 205.9 acres respectively.

LIST OF SUBMISSIONS:

- Pre and Final Subdivision Applications
- Narrative
- Subdivision Plat
- Draft Warranty Deed and Conveyance-Updated
- KAS Site Plan Final 1
- KAS Site Plan Final 2
- List of abutters
- Wastewater 1
- Wastewater 2
- Vermont Wetlands General Permit 3-9025
- Wastewater System and Potable Water Supply Permit WW-4-5571
- Master Development Plan Map and Description

STAFF COMMENTS AND STATEMENTS OF FACTS

Wastewater

Soil testing and engineering for a wastewater mound systems have been submitted. The system is to potentially service both lots with a common sewage easement. The plan has a wastewater easement for Lot 2 on Lot 1 to utilize appropriate soils for the proposed mound systems and to meet required setbacks. Lot 2 will have a force main associated with affluent delivery to the designed wastewater system (see narrative and WW-1 and WW-2 for additional information).

Access

At Sketch Plan, the applicant proposes a single access for Lot 2 through the wetland buffer located on the parent parcel and proposed parcel. The preliminary proposal calls for the existing roadbed to be crowned and stabilized with additional drainage upgrades including inlet and outlet protection proposed at the front end of the access (see KAS SP-1 and SP-2)

E&S and Stormwater

Both Erosion & Sediment Control as well as Stormwater Controls have been designed for the access road and Lot 2 access (see KAS SP-1 and SP-2).

Plan Review:

Application (both prelim. and final)

- No immediate issues

Narrative

- An apparent subdivision resulting in the lands of O'Brien and Frantz took place in the early 80's. Note: No subsequent subdivision of the parent parcel since then.

Dowd Subdivision (Plat)

- Sugarhouse and outbuilding locations should be placed on final plat. **Complete**

Draft Warranty Deed and Conveyances

- No immediate issues

KAS SP-1

- The board may wish to ascertain the extent of any wetland disturbance proposed. **Complete**

KAS SP-2

- No immediate issues

WW-1

- The installation of silt fencing on both sides of the access road has been denoted

WW-2

- No immediate issues

Additional Notes:

1. **Preliminary Approval Conditions from June 9, 2021 below.**
2. **Preliminary Decision sent to applicant by certified mail on June 28, 2021**
3. **Noticing accomplished on May 20, 2021 with announcement posted in three (3) locations in the Town of Richmond as well as placed on the Town's website.**
4. **Abutters Noticed on May 26, 2021. See list in project file.**
5. **Agenda placed in the August 4, 2021 addition of Seven Days Legal page.**
6. **Agenda posted on the Richmond Front Porch Forum August 2.**
7. Lot coverage, setback requirements and building height will be reviewed when the applicant applies for zoning permits on the proposed lots.
8. Any proposed construction on land with a slope of over 20% shall be required to submit engineering plans for adequate erosion control and safe construction methods.
9. At the discretion of the DRB, letters from the Chittenden East School District Superintendent, the Richmond Police Chief, the head of Richmond Rescue, and the Richmond Fire Chief indicating their assessment of the impact of the proposed SUBDIVISION on the provision of school, police, rescue or fire protection services, or letters from others on relevant issues.
10. In accordance with the ACT (§4464), all decisions of the DRB shall be issued within 45 days after the date of the hearing adjournment. Failure to issue a decision within this period shall be deemed approval and shall be effective on the 46th day, provided, however, that for a "deemed approval" to be effective, the SUBDIVIDER must seek court affirmation of the applicability of this remedy by direct appeal of the DRB's decision or lack Richmond Subdivision Regulations Effective Date: April 27, 2009 thereof to the Environmental Court.

PRELIMINARY APPROVAL CONDITIONS FROM JUNE 9, 2021

SUB 2021-05

Dowd Subdivision

7:07-7:25

Preliminary Subdivision Review for a 2-lot subdivision (creation of 1 new lot) at 2540 Hinesburg Road, Parcel ID HI2540, in the Agricultural/Residential (A/R1A) Zoning District. Sketch Plan Review August 12, 2020.

Motion to approve preliminary subdivision

Introduced by Matt Dyer, seconded by Padraic Monks

Approved: 5-0 with the following conditions:

- 1. The following Deed issues require clarity:**
 - **Proportional Shares concerning road maintenance for Lots 1 and 2 *COMPLETE***
 - **Proportional Shares concerning wastewater expansion for Lots 1 and 2 *COMPLETE***
- 2. Separate plan page with statement of intended use for remaining lands included with Final Subdivision submittal. *COMPLETE***
- 3. Placement of Large Animal Habitat on plat *COMPLETE***
- 4. Submittal of ANR Wetlands Permit #2018-302 *SUBMITTED***
- 5. Submittal of Wastewater permit #WW-4-5571 *SUBMITTED***
- 6. Request for combined (Prelim. and Final) subdivision review denied**