### DAVID SUNSHINE AND CAROL JORDAN 1582 JERICHO ROAD

### RICHMOND, VERMONT 05477

March 10, 2025

Josh Arneson Richmond Town Manager

I write to you and request that an application to the Selectboard for approval of a proposed road as part of our proposed development be heard by the Selectboard at the next meeting on March 17, 2025.

The road to be approved is an existing road that has been in existence since the 1850's. It is actually shown in the Beer's Atlas from the 1850's and back then provided a route from Richmond to West Bolton.

Currently the road is used for agricultural and forestry purposes and also provides ingress and egress to two existing single-family houses.

We are proposing two more houses to utilize the road for ingress and egress.

Pursuant to Richmond's Rural Road Specifications and Standards, after initial approval of the road by the DRB, the Selectboard must also give approval.

In support of this request for approval by the Selectboard, the following documents and plans are submitted with this request:

- 1. DRB Decision dated January 17m 2025 granting preliminary subdivision approval
- 2. Letter to Town dated December 20, 2024 regarding Road
- 3. Drawing S-1 Overall Subdivision Plan;
- 4. Drawing S-2 Parcels 3&5 Site Access Plan;
- 5. Drawing S-3 Rural road Plan;
- 6. Drawing D-1 Rural Road Plan Details and Notes

Should you or the Selectboard need any additional information, please feel free to contact me.

Sincerely

David Surshine and Carol Jordan



Planning & Zoning Office
Town of Richmond P.O. Box 285
Richmond, VT 05477
(802) 434-2430
tmachia@richmondvt.gov
www.richmondvt.gov

# Town of Richmond Development Review Board Final Decision 1/8/25

RE: PRESUB2025-01- The Applicants are seeking preliminary approval for a proposed two lot subdivision that will create two new lots, Parcel 3 and Parcel 5. Parcel 3 of this proposed subdivision is 168.7 acres and will be improved with a single-family residence. Parcel 5 is 2.57 acres and will be improved with a single-family residence.

EXISTING ZONING: High Density Residential and Agricultural Residential

### PARCEL HISTORY:

- 1. Sketch Plan Application for a 3-lot subdivision, 8/12/1987
- 2. Building Permit 45, Approved 9/9/1987
- 3. Final Subdivision Application for a 3-lot subdivision, Approved 10/22/1987
- 4. Building Permit 12, Approved 4/19/1989
- 5. Access Permit 03-208, Approved 11/17/2003
- 6. Administrative Subdivision, Approved 06/28/2006
- 7. Sketch Plan Application SKP2023-15, 12/13/2023

### LIST OF SUBMISSIONS:

- A. Cover Letter
- B. Rural Road Request Letter
- C. Preliminary Subdivision Application
- D. Application Checklist
- E. Abutters List
- F. Project Narrative
- G. USGS Location Map
- H. VT ANR Natural Resource Maps
- I. Sight Distance
- J. Survey Plat Sheet 1
- K. Survey Plat Sheet 2
- L. Overall Subdivision Plan
- M. Access Plan
- N. Rural Road Plan
- O. Rural Road Plan Details
- P. Master Development Plan
- O. Wastewater Site Plan 1
- R. Wastewater Site Plan 1A

### PROCEDURAL INFORMATION:

- 1. Application received 12/19/2024
- 2. Warning and agenda sent to Seven Days 12/20/2024

RICHMOND, VT TOWN CLERK'S OFFICE

RECEIVED FOR RECORD

Sanually 97

A.D. 2015

At 9 o'clock @ minutes A M. and recorded in Book 976 Page 16 - 19

Attest: Advana Hashinga Ashewn Clerk

- 3. Hearing notice sent to applicant 12/20/2024
- 4. Abutters letter sent 12/20/2024

### FINDINGS OF FACT:

- 1. The Applicants are seeking preliminary approval for a proposed two lot subdivision that will create two new lots, Parcel 3, and Parcel 5.
- 2. Parcel 3 of this proposed subdivision is 168.7 acres and will be improved with a single-family residence.
- 3. Parcel 5 is 2.57 acres and will be improved with a single-family residence.
- 4. The project is located in the High-Density Residential zoning district and is subject to Section 3.2 of the Richmond Zoning Regulations.
- 5. Single Family homes are an allowed use as noted in Section 3.2.1
- 6. The project will be subject to the dimensional standards noted in Section 3.2.3 of the Richmond Zoning Regulations.
- 7. Lots size is as follows:
  - a. Parcel 3-168.7 Acres
  - b. Parcel 5-2.57Acres
- 8. Parcels 3 and 5 meet the minimum lot requirements noted in Section 3.2.3.
- 9. The project will also be subject to Section 4 of the Richmond Zoning Regulations, specifically Sections 4.1, 4.2, 4.3, and 4.4.
- 10. Section 4.1 notes that all projects must comply with Richmond Public Works specifications.
- 11. The Applicants in their narrative indicated that they wish to make use of the town's Rural Road Specifications rather than the road regulations found in the Richmond Public work Specifications.
- 12. Section 1.5 of the Richmond Public Work specifications notes that subdivisions consisting of 4-9 single family lots may use the Rural Road Specifications.
- 13. Rural Road standards only apply to an access that serves four or more lots. The access can continue with driveway standards past that point as noted in the Purpose and Authority Section of the Rural Road Standards.
- 14. The Applicants note that they would like to request a waiver from some of the Rural Road Specifications due to potential complications with the existing wetland on the property.
- 15. Development in wetlands is regulated by Section 6.9 of the Richmond Zoning Regulations.
- 16. Section 6.9.2 notes that no land development shall occur within a class I or II wetland buffer unless approved by the Vermont Wetlands Program.
- 17. The Applicants plan set denotes a 50-foot wetland buffer as required for Class II wetlands as noted in Section 6.9.3.b. The applicants plan set does not indicate any new development in the existing wetland or wetland buffer at this time.
- 18. Section 200.1 of the Rural Road Specifications outlines the waiver process. It notes the following "Waivers of any specification or standard from these guidelines shall only be permitted when extenuating physical limitations (not financial) are present on the site and both the Development Review Board and Selectboard agree to such specific waiver request, in writing."
- 19. The Applicants seek a waiver to the Rural Road Standards to allow the hammerhead turnround to be 500 feet further into the property past where the rural road standard would end.
- 20. The Applicants note that the rural road standards end 275 feet from Jericho Road.
- 21. Section 600.6 of the Subdivision Regulations notes that dead-end roads must end in a hammerhead turnaround and must be 60 feet in diameter and be located where the requirement for the road standards end.
- 22. The Applicants letter notes that there is an existing wetland and wetland buffer on the property. The letter notes that requiring the hammerhead to be located closer to Jericho Road would not be useful as it would only service one home and would have to be located outside of the 50-foot wetland buffer.
- 23. Extending the hammerhead further would allow the hammerhead to service more homes. However, due to the wetland and wetland buffer the Applicant does not want to widen the

- driveway to the Rural Road standards. The applicants wish to utilize the existing gravel drive to service the hammerhead turnaround. This will minimize the impact on the wetland.
- 24. Section 200.1 of the Rural Road Standard notes that "Waivers of any specification or standard from these guidelines shall only be permitted when extenuating physical limitations (not financial) are present on the site and both the Development Review Board and Selectboard agree to such specific waiver request, in writing".
- 25. The Applicants letter notes that existing wetland and wetland buffer are physical limitations that would prohibit them from extending the rural road to the proposed hammerhead location.
- 26. Rural roads must meet the standards noted in Section 400 of the Rural Road Specifications.
- 27. Item 3 of Section 400 of the Rural Road Standard notes that professional erosion control plans may be required for DRB review and will be required for roads with a grade of 10-12%.
- 28. Per the Applicants plan, the proposed road would be under the 10% threshold for mandatory erosion control plans.
- 29. The applicants plan set shows erosion control plans for the Rural Road and hammerhead turn around.
- 30. The proposed gravel drive is subject to the Driveway Standards noted in Section 6.2 of the Richmond Zoning Regulations.
- 31. Neither Parcels 3 or 5 have frontage on a public road and will require an easement to use the shared road and driveway to access Jericho Road as noted in Section 4.2 of the Richmond Zoning Regulations.
- 32. The Applicants have not provided the legal documents for these Rights of Way at this time.
- 33. The Applicants have submitted the required information noted in Section 4.3 of the Richmond Zoning Regulations.
- 34. This proposed subdivision will be served by a preexisting curb cut and will be the only curb cut servicing the project in compliance with Section 4.4 of the Richmond Zoning Regulations.
- 35. Subdivision applications must comply with the Richmond Subdivision Regulations.
- 36. Section 300 of the Richmond Subdivision Regulations covers regulations for preliminary subdivisions.
- 37. The project must comply with all Preliminary Subdivision requirements in Section 310.1 and Section 310.2 of the Richmond Subdivision Regulations.
- 38. The Applicants have not submitted a specific plan for maintaining open spaces or natural features.
- 39. The Applicants have not indicated that the site was staked with field markers as noted in Section 320.

### **CONCLUSION:**

- 1. The Applicants are in compliance with Section 3.2 of the Richmond Zoning Regulations.
- 2. The project is in compliance with Section 4.1, 4.2, 4.3, 4.4 of the Richmond Zoning Regulations.
- 3. The Board approves the waiver from Section 1.1 of the Public Works Specification to allow the hammer head to be located further in the property from the end of the Rural Road.
- 4. The Board approves the waiver request to the Rural Road Standards noted in Section 200.01, 200.02, and 200.03 of the Rural Road Standards.
- 5. The Applicants have provided the information noted in items 1 and 2 of Section 400.1 of the Rural Road Specifications.
- 6. The Applicants have supplied the required information noted in items 4-12 of Section 400.1 of the Rural Road Specifications.
- 7. The Applicants have not provided a private road waiver noted in Section 400.1 item 13 of the Rural Road Specifications.
- 8. The Applicants have submitted the required information noted in Section 400.2 of the Rural Road Specifications.

- 9. The Applicants are not proposing any work inside of the wetland buffer. The existing driveway would be used to serve the new development with no new incursion into the wetland buffer.
- 10. The Applicants have provided the information noted in Section 6.2.
- 11. The Applicants have submitted the information for Section 310.1.
- 12. The Applicants have submitted the information noted in items 1-10 and 12-14 of Section 310.2. of the Richmond Subdivision Regulations.
- 13. The board has waived the requirement that the site has to be staked out with field markers as noted in Section 320 of the Richmond Subdivision Regulations.

### <u>DECISION:</u> The Development Review Board approves PRESUB2025-01 as presented by the applicant.

The approved application shall conform with the decision, referenced items, the findings of facts, and conditions. The Applicants' and interested parties are hereby notified that if they disagree with this decision, they have the right, under 24 V.S.A. 4471, to appeal to the Vermont Superior Court – Environmental Division.

The appeal must be filed within thirty days of the date of this decision and be in accordance with the governing rules of procedure and rules of the Vermont Superior Court - Environmental Division. Title 24 Vermont Statutes Annotated; Section 4471 provides that "An interested person who has participated in a municipal regulatory proceeding authorized under this title may appeal a decision rendered in that proceeding by an appropriate municipal panel to the environmental court. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

### DRB VOTING ON THIS MATTER (circle one for each member):

David Sunshine, Chair	<b>FAVOR</b>	AGAINST	ABSTAINING	RECUSED	ABSENT
Matthew Dyer, Vice-Chair	<b>FAVOR</b>	AGAINST	ABSTAINING	RECUSED	ABSENT
Padraic Monks, Member	<b>FAVOR</b>	<b>AGAINST</b>	ABSTAINING	RECUSED	ABSENT
Roger Pedersen, Member	<b>FAVOR</b>	AGAINST	ABSTAINING	RECUSED	ABSENT
Matt Parisi, Member	<b>FAVOR</b>	AGAINST	ABSTAINING	RECUSED	ABSENT

DATED 1/17/25

The above votes occurred at a DRB meeting on the 8th day of January 2025.

Matthew Dyer, Vice Chair, Richmond Development Review Board

## BARNARD & GERVAIS, LLC

Land Surveyors, Licensed Designers, Environmental Consultants www.barnardandgervais.com



December 20, 2024

Town of Richmond Attn: Tyler Machia, Zoning Administrative Officer P.O. Box 285 Richmond, VT 05477

Subject: David M. Sunshine & Carol B. Jordan, Two-Lot Subdivision, 1582 Jericho Road, Richmond, VT – Request for Use of Rural Road Policy

### Dear Tyler:

I am writing on behalf of David M. Sunshine & Carol B. Jordan to formally request that the town authorize use of the Rural Road Policy (in lieu of Public Works Specifications) to access the proposed subdivision. Although the two proposed homes (Parcels 3 & 5) are located within the High Density Residential zoning district, the property straddles the Agricultural-Residential district and is a rural, low-density residential area. Therefore, the primary purpose of the Rural Road Policy use is to better preserve the existing rural character with only the necessary improvements for safe access.

Further, the subdivision access is burdened by the physical constraint of its existing wetland buffer crossing approximately 259'± long. In order to avoid further impact to this natural resource, a Waiver is requested to use & maintain the shared drive at its existing width through the wetland buffer to the hammerhead 'T' turn-around area. This waiver is requested for the following reasons:

- 1. The proposed Private Road is only 275'± long and nearly level (3.3% average slope). A turnaround area at the end of this short road is not very useful; it would serve only one home and emergency vehicles could reasonably reverse this distance to Jericho Road.
- 2. The proposed hammerhead is in a more useful location 500'± deeper into the property. This location is able to fully serve both existing homes (JR1560 & JR1562), while being significantly closer to the two proposed homes.
- 3. The existing drive portion between the proposed improvements is 372'± long (including 259'± thru the wetland buffer), and ranges from 12'-16' wide with an average width of 14.0' (5,203 SF area/ 372' length). This drive was recently rebuilt following the summer 2023 storm events and remains in good condition. Further, this portion is favorable terrain that does not include steep slopes, sharp curves, obstructed visibility, roadside banks or other hazards.
- 4. Use of the existing drive will avoid additional impact to the wetlands/buffers.
- 5. Use of the existing drive will avoid additional impervious area and associated stormwater runoff.

In accordance with Section 100 of the Town of Richmond Policy and Guidelines Related to Rural Road Specifications and Standards, the following items are respectfully submitted:

Hinesburg: 10523 VT Route 116, P.O. Box 133, Hinesburg, VT 05461; Phone (802) 482-2597 Enosburg Falls: 167 Main Street Suite 10, P.O Box 820, Enosburg Falls, VT 05450; Phone (802) 933-5168

- 1. Preliminary Design Drawings, dated 12-20-2024:
  - a. Drawing S-1 Overall Subdivision Plan.
  - b. Drawing S-2 Parcels 3 & 5 Site & Access Plan.
  - c. Drawing S-3 Rural Road Plan.
  - d. Drawing D-1 Rural Road Plan Details and Notes.

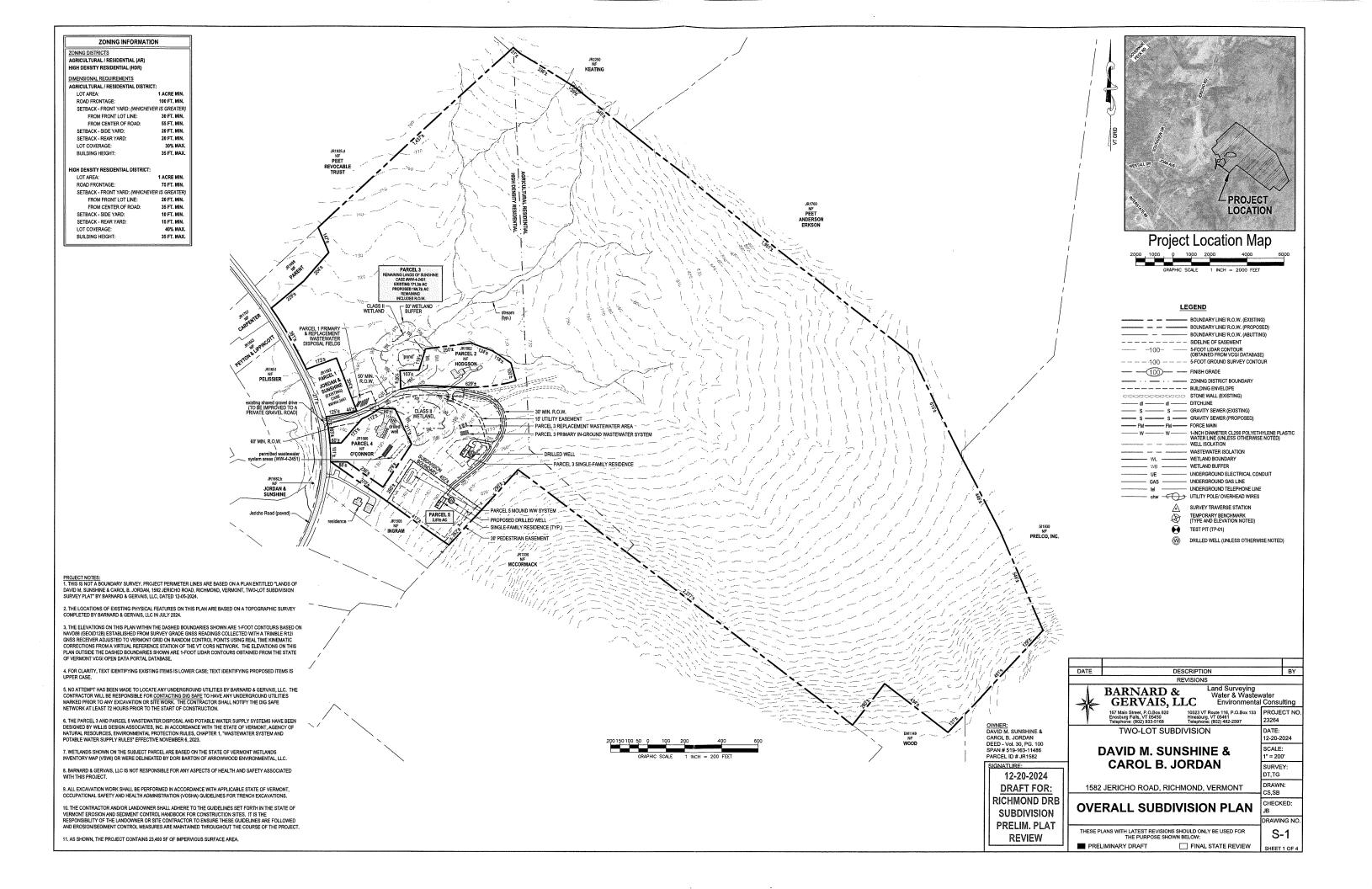
Please review the included information and let me know if there are any other items that are required for the town's determination of Rural Road Policy use. In the meantime, should you have any questions or comments, please do not hesitate to give me a call at (802) 482-2597.

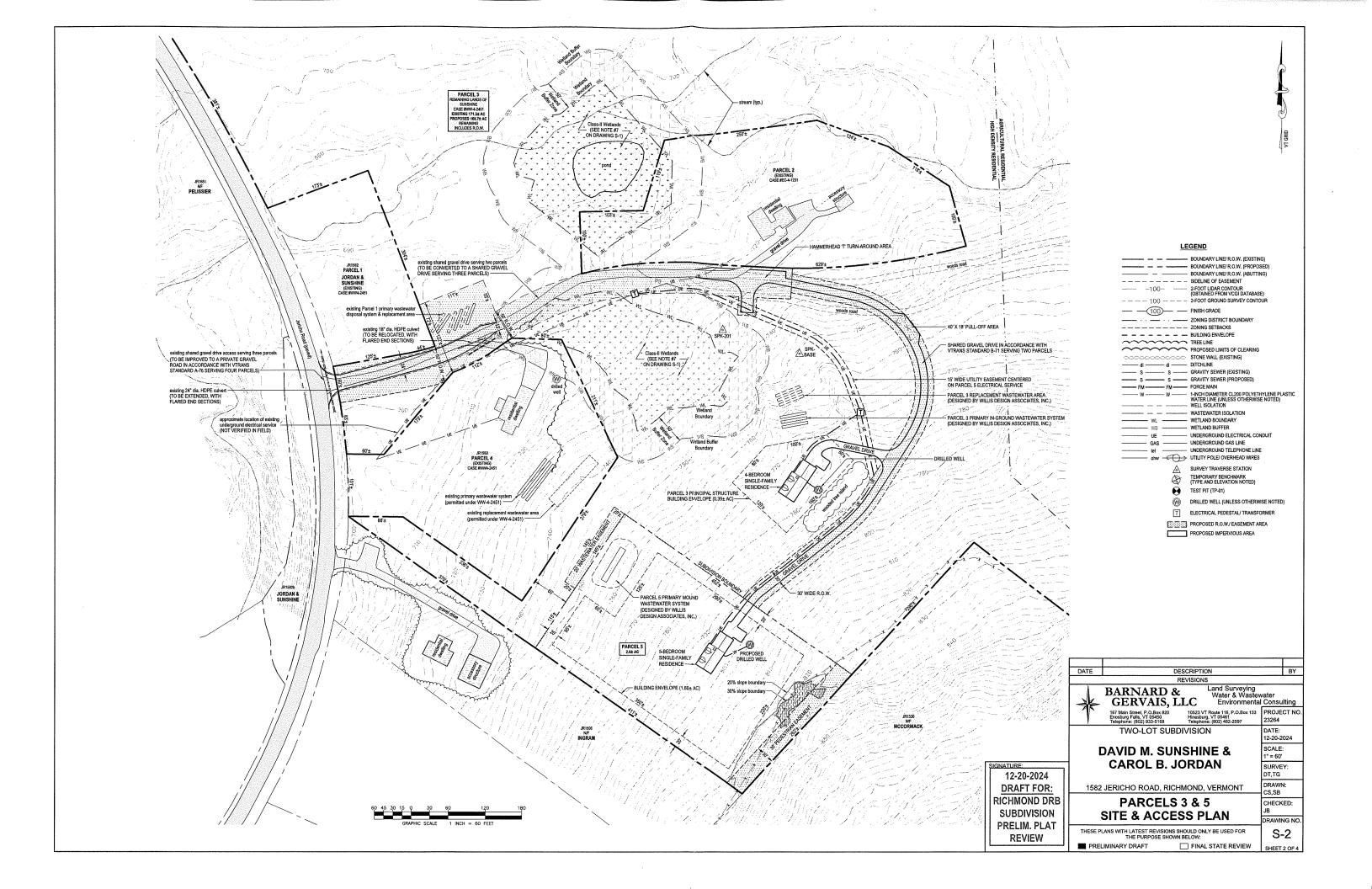
Sincerely,

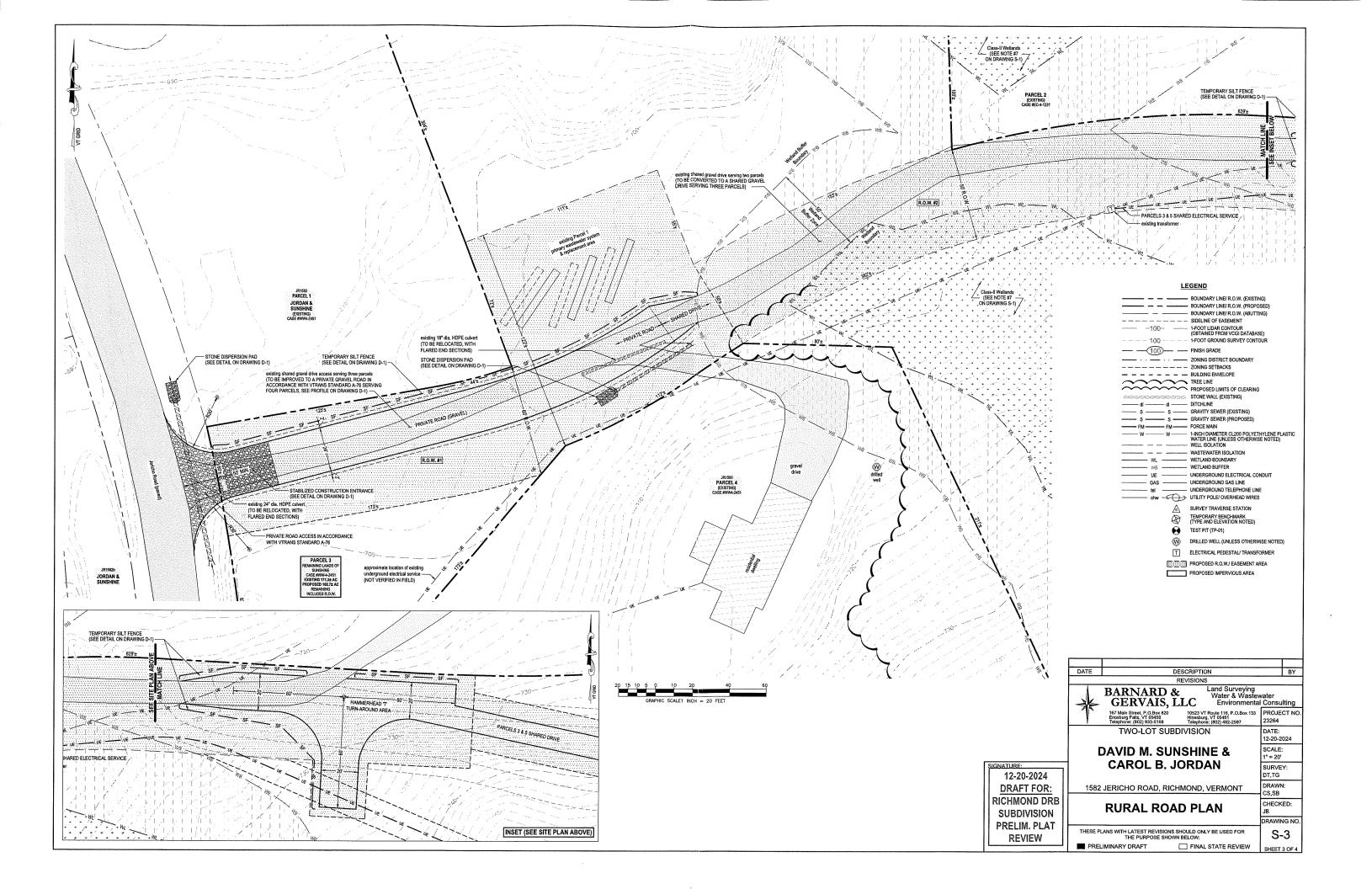
Scott Baker

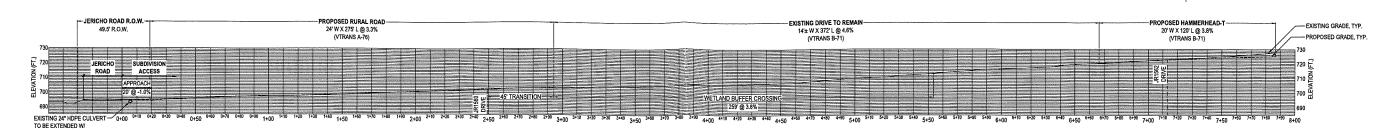
Project Manager/Draftsman

c: David M. Sunshine & Carol B. Jordan



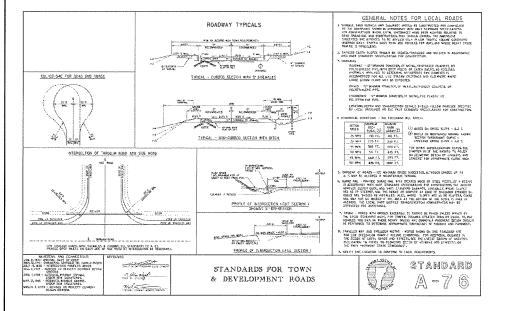


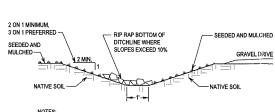




### ROAD/DRIVE PROFILE

SCALE: 1-INCH = 30-FFFT

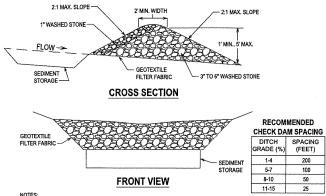




- 3. BOTTOM OF DITCHLINES WITH LESS THAN 10% SLOPE (0.10 FEET/FOOT) SHALL BE SEEDED WITH A CONSERVATION MIX AND FESCUE GRASSES, AND MULCHED TO PREVENT EROSION AND PROVIDE STORMWATER TREATMENT.

## NOTES: 1. DITCHLINE SIDEWALL SLOPES ARE RECOMMENDED TO BE 3 ON 1 AND DITCHLINE SIDEWALL SLOPES SHALL BE A MAXIMUM OF 2 ON 1. 2. BOTTOM OF DITCHLINES EXCEEDING 10% SLOPE (0.10 FEET/FO-07) SHALL BE LINED WITH 5-10 SHINCH CRUSHED STONG OR GRAVEL TO PREVENT EROSION.

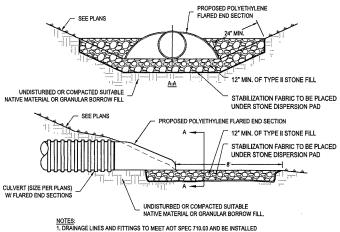
#### **TYPICAL DITCHLINE SECTION** NOT TO SCALE



NOTES:

1. STONE CHECK DAMS TO BE INSTALLED AT THE LOCATIONS SHOWN ON PLANS.
2. STONE CHECK DAMS SHALL BE INSTALLED PRIOR TO UPSLOPE EXCAVATING ACTIVITIES BEGINNING.
3. THE SITE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF STONE CHECK DAMS.
4. STONE CHECK DAMS TO BE REMOVED ONCE FINISH GRADING IS COMPLETE AND A VEGETATIVE COVER IS ESTABLISHED.

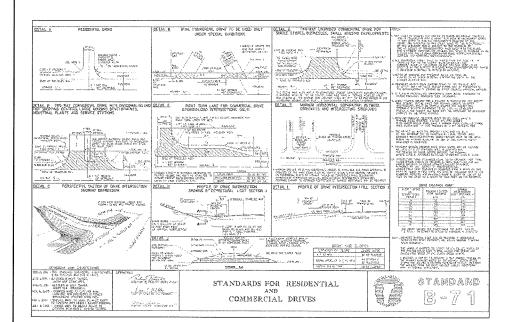
#### STONE CHECK DAM DETAIL NOT TO SCALE

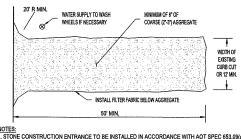


■ PRELIMINARY DRAFT

1. DANIMOSELINES AND IT TIMES I ONEEL AND 19EV 1000 AND BE INSTALLED
AND TESTED IN ACCORDANCE WITH ACT SPEC 601.
2. GRANULAR BORROW FILL TO MEET ACT SPEC 703.04.
3. TYPE II STONE FILL TO MEET ACT SPEC 706.0(b).
4. STABILIZATION FABRIC TO MEET ACT SPEC 720.01 FOR GEOTEXTILE UNDER STONE FILL.

### STONE DISPERSION PAD DETAIL NOT TO SCALE





NOTES:

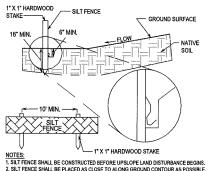
1. STONE CONSTRUCTION ENTRANCE TO BE INSTALLED IN ACCORDANCE WITH AOT SPEC 653.09(a)
AND USING MATERIAL MEETING AOT SPEC 704.17. FILTER FABRIC TO MEET AOT SPEC 720.01 FOR
GEOTEXTILE FOR ROADBED SEPARATOR.

2. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OF
SEDIMENT ONTO THE PUBLIC ROW, THIS MAY REQUIRE MAINTENANCE AND REPAIR OF ANY

- 3. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO THE PUBLIC ROW WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AGGREGATE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP.

### **CONSTRUCTION ENTRANCE DETAIL**

NOT TO SCALE



1. SILT FENCE SHALL BE PLACED AS CLOSE TO ALONG GROUND CONTOUR AS POSSIBLE.

3. SILT FENCE SHALL BE AT LEAST 16-INCHES ABOVE GROUND SURFACE.

4. SILT FENCE SHALL BE AT LEAST 16-INCHES ABOVE GROUND SURFACE. 5. HARDWOOD STAKES SHALL BE ON THE DOWNSLOPE SIDE. 6. SEAMS BETWEEN THE SILT FENCE SECTIONS SHALL OVERLAP.

SILT FENCE DETAIL

12-20-2024 DRAFT FOR: RICHMOND DRB SUBDIVISION PRELIM. PLAT REVIEW

DATE	DESCRIPTION		BY			
REVISIONS						
*	BARNARD & Land Surveying Water & Wastev Environmental		Iting			
T	167 Main Street, P.O.Box 820	PROJE 23264	CT NO.			
	TWO-LOT SUBDIVISION	DATE: 12-20-2	024			
	SCALE: AS NO					
	CAROL B. JORDAN	SURVE DT,TG	Υ:			
1582	JERICHO ROAD, RICHMOND, VERMONT	DRAWN SB	<b>:</b> :			
	RURAL ROAD PLAN	CHECK	ED:			
	DRAWIN	IG NO.				
THESE PL	ANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:	D-	.1			

FINAL STATE REVIEW