

Report to the Development Review Board

Hearing Date:	May 26, 2016
Application Type:	Final Plan Review for a 8 lot, 7 unit PUD in AG & Village Zoning Districts
Landowner:	Stephen and Frances Boucher
Applicant:	Great Northern Development, LLC (c/o Josh Girard)
Report Prepared By:	Michelle Patrick, Zoning Administrator and Planning Assistant

Description:

The applicant proposes an 8-lot PUD subdivision located in the Village and Agricultural Zoning Districts. The proposal would create 7 units on 7 lots and 1 open space lot.

Lots 1-7 are clustered: Lot 1 (.55 ac), Lot 2 (.66 ac), Lot 3 (.68 ac), Lot 4 (.77 ac), Lot 5 (.93 ac), Lot 6 (.62 ac), Lot 7 (.64 ac). Each contains a building envelope for a proposed SFD. Lot 8 is an open space lot of ±30.99 acres.

A sewage disposal system is proposed for each SFD. A 22' road is also proposed to serve as access for these new lots.

Identifying Information:

Location:	3 Raceway Road
Parcel No:	RW003
Total Acreage:	±37 acres
Zoning Districts:	Village and Agriculture
Existing Use:	Hay field
Proposed Use:	7 SFD, 1 open space lot

Location Map:



Project Overview & History

The parent parcel, RW003, was historically part of the original Begnoche Farm. Several lots have been subdivided from this property, including the Nestlebrook Condominiums on Raceway Road, and the original farmhouse and barn (now the Universalist Unitarian Church).

The proposed development will be nearly entirely constructed on the current hayfield on the property, with 7 units clustered on 7 lots (development concentrated in areas that are already clear). The one remaining lot would remain open as common land, containing the area of the property surrounding the Browns River. Access has been proposed off Raceway Road, as opposed to Route 15.

Applicant and Engineer came before the DRB on December 10, 2015 for a sketch plan review of this property. Issues that were discussed at that time can be found in the minutes which have been posted alongside this application. Further staff review has been provided below.

Departmental Review and Comments

Major Subdivisions

10.12.1. Purpose: Subdivision review is intended to ensure orderly growth and coordinated development in the Town of Jericho, to guide community settlement patterns, to ensure the efficient extension of services, utilities, and facilities as land is developed, to promote the health, safety, and general welfare of the Town's inhabitants, and to implement the Jericho Comprehensive Town Plan as most recently amended.

10.12.2. Applicability: In accordance with the ACT [§4418], Subdivision Review by the DRB is required whenever any subdivision of land is proposed for the purpose of sale, lease or development. Applications for Planned Unit Development shall be reviewed under subdivision review concurrently with Planned Unit Development review in Section 10.13. *PUD treated separately below*

10.12.3.2. Major subdivisions shall include any subdivision of land, or the re-subdivision of a previously subdivided parcel within a period of 120 months, that results in the creation of four [4] or more lots (not including open land in a PUD) or which requires the construction of any new public or private streets. Major subdivisions shall require preliminary and final review approval pursuant to Section 10.12.8 and 10.12.9. *7 lots (not including the common land lot) trigger this application as a PUD.*

10.12.4. Waiver Authority [see 10.12.4—10.12.4.3] *No waivers requested as part of this application.*

10.12.5. Review Standards: *Treated separately below*

10.12.6. Sketch Plan Review: *Applicant and representatives came forth before the DRB for sketch on 12/10/2015*

10.12.7. Conceptual Plan: Applicants for major subdivisions shall submit a Conceptual Plan meeting the criteria outlined in 10.12.7.1.—10.12.7.5. Applicants for minor subdivisions are encouraged to submit conceptual plans. The Conceptual Plan shall be submitted and acted upon with the preliminary application for major subdivisions and with the final application for minor subdivisions. The findings of fact pertaining to the Conceptual Plan shall be binding upon the Development Review Board and the applicant for all subsequent applications made pursuant to the Conceptual Plan approval, unless an amendment to the Conceptual Plan is made. Approval of the Conceptual Plan shall not constitute approval of the final subdivision plan and associated plat. *A concept plan is required for preliminary review. Applicant*

has requested to combine preliminary and final review, and while a separate concept plan has not been submitted, all required information is included on the submitted plans as follows:

10.12.7.1. The Conceptual Plan shall delineate all overlay districts located on the property and indicate other significant natural features, such as slopes greater than twenty-five percent [25%], prominent hill sides, ridgelines and significant rock outcroppings, areas containing prime or statewide agricultural soils and other productive agricultural and forest land. *Wetland and Floodplain (+buffer) shown on plan sheet 1, along with soils types. No slopes over 25% exist, nor do any prominent hill sides/ridgelines. Area contains prime ag soil.*

10.12.7.2. The Conceptual Plan need not delineate individual lots and building sites, but should contain information regarding how future lot layout will facilitate efficient circulation, protection of natural resources and the purpose of the districts in which the subdivision is located. *Lot layout shown on plan sheet 1. Plans show a silt fence to be installed around the wetland buffer and around the floodplain limits. DRB should request applicant and applicant's representative to state what (if any) other protections are to be made*

10.12.7.3. The Conceptual Plan shall indicate future uses. This may include specific uses, or broad categories such as residential, mixed use, retail, etc. Such indication shall be for reference purpose only, and shall not obligate the DRB to approve a specified use or category of uses when more detailed, formal plans are submitted. *No other uses are proposed—only the residential lots as shown on the final plans.*

10.12.7.4. The Conceptual Plan shall include general information related to vehicular and pedestrian circulation in future phases, including connections to neighboring properties. Details, specifications and cross sections are not required. However construction of connecting facilities in conformity with these regulations shall be technically feasible. *Shown on plans.*

10.12.7.5. Reservations of land for the purposes such as sewage disposal, stormwater treatment, or shared parking shall be indicated on the Conceptual Plan. *Purposes above are shown on plan*

10.12.8. Preliminary Review: *Applicant has requested to combine final review with preliminary review*

10.12.9. Final Review: *Applicant has requested to combine final review with preliminary review*

10.12.9.3. Selectboard Approval of Street Detail. Prior to final subdivision approval, all street details shall be reviewed and approved by the Jericho Selectboard. The Selectboard findings shall be reflected in the Development Review Board's final decision. *No streets are proposed. Access is proposed as a private drive.*

10.12.9.4. Legal Documents. The final plat application for a minor or major subdivision shall be accompanied by the following legal documents: *Submitted and forwarded to town attorney for review.*

10.12.9.4.1. Information on all proposed publicly-owned land, Rights-Of-Way, or easements, including certificate of title, offer of irrevocable dedication, and warranty deed, free and clear of all encumbrances, to be recorded after final acceptance of all streets, easements, parks, or other open space by the Town.

10.12.9.4.2. Copies of agreements or other documents showing the manner in which common property and/or space is to be maintained, including any conservation easements. Any common property and/or open space shall be defined and consistent with the approved site plan. Open space restrictions and reservations shall be permanent. All lots/units shall receive perpetual right for use of common properties and facilities, unless exempt from this requirement by specific action of the Development Review Board.

10.12.9.4.3. Bylaws, Articles of Incorporation, or Covenants of any homeowners association, declaration of condominium, or other applicable legal agreements. Homeowners association responsibility, mandatory membership, and lienable assessment power shall be provided for by the homeowners association documents and individual lot deeds. The association shall have the duty to obtain liability, property, and casualty insurance, and responsibility for expenses relating to management and maintenance of association-owned structures. A provision shall be included for Town takeover in the event of failure of essential services, including the power of the Town to appoint a receiver to assess the property for funds to cure defects in facilities.

10.12.9.4.4. All restrictions and covenants to be included in individual deeds.

10.12.9.4.5. Any other data, such as contracts, certificates, affidavits, endorsements, receipts, or other materials or agreements which have been required by the Development Review Board or the Selectboard.

10.12.9.5. Effect of Final Approval. The approval by the Development Review Board of a final subdivision plan and associated plat shall not be construed to constitute acceptance by the Town of any street, easement, utility, park, recreation area, or other open space shown on the final plat. Acceptance of such dedications by the applicant may be accomplished only by a formal resolution of the Selectboard. *Received on 5/12/2016*

10.12.10. Recording of Final Plat and Other Documents: [*Approval expires within 180 days unless the plat has been recorded with the Town Clerk. Plat is void if revised or altered*].

10.12.11. Performance Guarantee: The Development Review Board may attach reasonable conditions to ensure the proper installation of required improvements. See 10.12.11.1—10.12.11.3.

10.12.12. Inspection, Maintenance, and Acceptance of Roadways and Other Improvements: 10.12.12.1—10.12.12.3.5.

Planned Unit Development

10.13.1. Purpose: 10.13.1.7. To provide a mechanism by which property owners may create small building lots while retaining large tracts of contiguous land [*most applicable for this application*]

10.13.2. Applicability: PUDs are encouraged for all development in Jericho. PUD review shall be required in the following circumstances: 10.13.2.1. When a subdivision results in the creation of three [3] or more lots within a period of twelve [12] months, and in the judgment of the Development Review Board a PUD will better meet the objectives of the Jericho Comprehensive Town Plan.

10.13.4. Designation of Open Space Lands: All PUDs shall make provisions for the preservation of open space. The lands set aside to be preserved for open space shall be reviewed and approved by the Development Review Board, in accordance with the following:

10.13.4.1. The following areas shall be contained within the open space portion of the PUD or otherwise protected through building envelopes and deed restrictions on individual lots:

(a) Areas within the Wetlands Overlay District, *This overlay district is contained within the open space/ common land lot*

(b) Areas within the River Overlay District, *This overlay district is contained within the open space/ common land lot*

(c) Areas within the WHPA-1 area of the Wellhead Protection Area Overlay District, and *n/a*

(d) Areas within the Natural Resources Protection Overlay District, except as provided by Section 6.4.4.1. *n/a*

10.13.4.2. The overall layout of the PUD shall minimize the disturbance of the areas listed below:

- (a) Areas with slopes greater than twenty-five percent [25%], *No slopes of this grade are located on the parcel*
- (b) Prominent hill sides, ridgelines and significant rock outcroppings, *No prominent hill sides, ridgelines, and significant rock outcroppings are located on the parcel*
- (c) Areas containing prime or statewide agricultural soils and other productive agricultural and forest land. *The proposed building envelopes are located on prime agriculture soils. According to the applicant, the land is currently used for haying, and has not grown crops over the past 15 years.*
- (d) Historic and cultural resource areas *Vast Trail runs through this property. Applicant has shown the trail preserved, with a slight alteration of course.*
- (e) Scenic Resources: *This area could be considered to be a scenic resource (adjacent to browns river)*
- (f) Large Habitat Blocks: Where feasible, these areas should be contained in the open space portion of the PUD or otherwise protected through building envelopes and deed restrictions. *Habitat blocks on this lot are outside the proposed building envelopes.*

10.13.4.3. Open space land shall have a coherent purpose, such as the preservation of a wildlife corridor or a scenic outlook, or creation of an interlocking trail system, or preservation of land with agricultural potential, or some similar feature. *The common land includes a wide tract of the Browns River, much within the regulatory floodway and the special flood hazard area.*

10.13.4.4. Land designated as open space shall be indicated with appropriate notation on the final development plat. Open space land shall be subject to appropriate deed restrictions stipulating the permitted and restricted use of such lot, and establishing the person or entity responsible for its maintenance. *Legal documents include designated open space restrictions.*

10.13.5. Configuration of Open Space: The Development Review Board shall determine the configuration of open space land based on the following:

10.13.5.1. The configuration of the open space land and the covenants governing its usage shall reflect the purpose of the open land and be suitable for its intended use.

10.13.5.2. Open space land shall not be required in the Commercial and Village Center Districts. Open space shall be equivalent to at least 25% of the entire parcel in the Village District, and shall be equivalent to at least 50% of the entire parcel in the remaining districts. *Open space is required in both the Village and Agriculture districts. The proposed open space of ±30.99 acres is approximately 84% of the entire parcel (37 acres), meeting the open space requirements.*

10.13.5.3. Open space land shall be configured to provide for large contiguous open space lands on the parcel. Fragmentation of open space land shall be avoided to the greatest extent possible. Narrow strips of open space land shall only be approved when necessary to connect significant areas or when designed to protect linear resources such streams or trails. *Narrow strips of land exist on the parcel (as it currently stands) in two places: one strip has frontage on Route 15, located between VT183 and VT189. The other narrow strip is located between RW044 and the Nestlebrook Condominiums on RW007. At sketch, applicant stated that the strip between RW044 and RW007 is pre-existing. The frontage strip on Route 15 is also pre-existing and plan sheet 1 shows the water main from the Champlain Water District utilizing this access.*

10.13.5.4. If the parcel to be developed contains currently productive agricultural land, the acreage set aside as open space land should be of a quality, size and configuration that make continued agricultural use possible. *The Applicant has stated field is currently used for hay. No crops have been grown here for at least 15 years.*

10.13.5.5. Open space land shall be contiguous with existing and potential open space land on adjacent parcels. *The proposed open space on this parcel abuts existing open farmland (RW044, CH052). It is contiguous.*

10.13.6. Ownership of Open Space Lands: Open Space Land may be set aside as common land, as a separate undeveloped lot, or as a portion of a single lot, outside of the building envelope, to be held in private ownership. Open space land shall be dedicated, either in fee or through a conservation easement approved by the Development Review Board, to the municipality, an owners' association comprised of present or future owners of the subdivided lots, and/or a nonprofit conservation organization. The ownership type shall be consistent with the best means of maintaining or managing the resources on the site. All costs associated with administering and maintaining open space and/or common land shall be the responsibility of the applicant and subsequent landowners. *The applicant has stated that the open space/common land will be controlled and maintained in equal ownership (1/7th each) for passive recreation purposes.*

10.13.7. Permitted Density: 10.13.7.1. The total number of potential lots in a conventional subdivision shall be calculated by dividing the total acreage of the parcel by the minimum lot area in a conventional subdivision, less twenty-five percent [25%] to account for topography, soils, dimensional and frontage requirements, rivers, streams and wetland areas, and other site restraints and overlays. *The applicant could have no more than 27 units based on the above [(37/1)-(9.25) = 27.75]. The proposed density (7) is below the PUD density permitted in the Village Zoning District. It should be noted that given the site restraints of the river overlay and the flood plain, the actual number of permitted lots would be substantially fewer.*

10.13.8. Density Bonus: *The applicant is not seeking a density bonus.*

10.13.9. Development Standards and Dimensional Regulations:

10.13.9.1. All PUDs shall comply with the subdivision review standards in Section 10.12, any and all applicable Specific Use Standards in Section 4.4 and the General Provisions in Section 7.

10.13.9.2. The Dimensional Requirements within a PUD shall comply with Table 5.8:

	Agriculture	Village	Existing	Proposed
Minimum Lot area (acres)	50	.33		.55, .62, .64, .66, .68, .77, .93
Minimum Road Frontage (feet)	75	50	150	50
Minimum Front Yard (feet)	25	15		15
Minimum Side Yard (feet)	15	10		10
Minimum Rear Yard (feet)	20	20		20
Maximum Lot Coverage	30%	40%		
Structure Height	34	34		
Buffer Zone (feet)	100	50		

The applicant will be required to adhere to the Village Zoning Standards, as the proposed structures are located in this zone only. Applicant has stated that proposed lots' dimensions are the minimum dimensional requirements.

10.13.9.3. Lot coverage within a PUD shall be calculated based on the total coverage of the PUD, including open space land. Individual lots or portions of the PUD may exceed the acceptable maximum lot coverage, provided there is an offset by a lesser lot coverage in (any) other portion(s) of the PUD. *Applicant has stated that proposed lot coverage is approximately 3.0%, (1.10 acres)*

10.13.9.4. A buffer zone between lot boundaries and the boundary of the PUD shall be maintained so as to provide screening sufficient to mitigate adverse impact on adjacent properties. The minimum required buffer zone for each district is specified in Table 5.8. The buffer zone shall be part of the common open space or removed from the building envelopes of individual lots. The Development Review Board may waive this requirement when it is found that there is no adverse effect on neighboring parcels to be mitigated. *A 50 foot buffer zone is shown on the plan between the boundaries of RW007 and the boundaries of the PUD. The boundary shown between the homes along VT Route 15 and the PUD is 100 feet.*

10.13.9.5. Variable lot sizes are acceptable within a PUD, provided that they advance the goals of the Jericho Comprehensive Town Plan and Section 10.13.1 above, and are in keeping with the purpose of the district in Section 3.2. *Various lot sizes are proposed. Staff feels this is appropriate based on the goals of the village zoning district:*

“The purpose of the Village District is to provide a moderate-density residential area as a transition from the Village Center Districts. The Village District is intended to provide a variety of housing options for Jericho residents, including a mix of single- and multi-family housing, near the amenities provided by the Village Center and Commercial Districts. Pedestrian linkages to surrounding neighborhoods and the Village Centers are of particular importance in this district. Small service-oriented commercial uses may be approved if they are compatible with the predominantly residential character of the district” (3.2.5.)

10.13.9.6. In all districts a PUD may include, subject to conditional use review, an accessory office, common laundry, storage, kitchen/dining area, and/or indoor recreational facility for use by residents of the PUD and their invited guests. *Applicant is not proposing such amenities at this time.*

10.13.9.7. PUDs shall provide for vehicular and pedestrian connectivity with neighboring developments wherever possible. *Staff recommends the DRB considering make recommendations for pedestrian connectivity, considering the context of the development.*

10.13.9.8. Subdivision boundaries, access roads, utilities, lot lines and layout, and building envelopes shall be located and configured to avoid fragmentation of, and adverse impacts on, the resources listed in Section 10.10.4.1 above. *See 10.13.4.1. for comment*

10.13.9.9. The overall layout of the PUD should incorporate or protect cultural and historic sites and features, as well as other features stated in § 10.13.4.2. *See 10.13.4.2. for comment*

10.13.9.10. Access roads, driveways, and utility corridors shall be shared to the furthest extent possible, shall follow site contours to minimize the need for grading, and shall follow existing linear features such as roads, tree lines, stone walls, or field edges to minimize the fragmentation of open agricultural land and other resources.

10.13.12. Phased PUDs/Conceptual Plan: *The applicant has not indicated that this project will be phased. If that is the case, regulations 10.13.12.1—10.13.12.7*

General Development Standards

11.1 Access

11.1.3. Public/Private Roads: All accesses serving four [4] or more lots shall be considered roads. All roads shall be private unless otherwise approved as public roads by the Selectboard. The interest of the owner of each lot served by a private road shall be protected by an easement recorded in the deed of each lot involved. Private roads shall be developed to the same standards as public roads, in accordance with the most recent version of the Town of Jericho Public Works Specifications. *With seven building lots proposed, the access will be considered a road (opposed to a driveway). A road maintenance agreement indicating this is a private road has been included with the final application. The proposed access is shown as 22' wide with a 60' ROW, meeting the Jericho Public Works Specifications. Road has been proposed as paved for the first 150', gravel for remainder. Road profile on plan sheet 2 shows a grade of 10%. See details proposed on plan sheet 5.*

11.1.5. Traffic Study/Off Site Improvements: A traffic study will be required when:

(b) The increase in average daily trip ends exceeds 200, based on the estimations in the most recent Institute of Transportation Engineers Trip Generation Manual [ITETGM]; *Applicant has provided ITE trip Generation data, with 67 daily trips projected for this development. See attachment to application.*

(c) The increase in adjacent street traffic during the peak hour of generation exceeds fifty (50) vehicles per hour, based on the estimations in the most recent ITETGM; or

(d) The increase in traffic during the peak hour of generation exceeds fifty (50) vehicles per hour, based on the estimations in the most recent ITETGM; or

(f) The increase in average daily trip ends exceeds twenty-five percent (25%) of existing traffic on the adjacent street, based on the estimations in the most recent ITETGM, if the adjacent street is an unpaved class 2 Town Highway, Class 3 Town Highway, Class 4 Town Highway or Trail; *or Raceway Road is a Class 3 road. According to the Jericho Town Plan, in 2005 Raceway Road had traffic volume of 700 AADT (Average Annual Daily Traffic). 2015 was projected to be 850 AADT. With the ITE rate provided by the applicant, a traffic study is not warranted.*

(g) The Development Review Board determines a traffic study is warranted in its judgment based on the specifics of the project and the area in which it is located. *The proposed access is located close to the intersection of raceway and route 15, with a merchant's bank on the other side of raceway road. At sketch review, citizens expressed concern over this intersection.*

11.5.2. If, in the Development Review Board's judgment, there will be an adverse impact from the proposed development on existing access roads, the Development Review Board may require the applicant to improve the access road(s). *DRB should determine if this is necessary.*

11.1.6.2. At road and driveway access points, the Development Review Board may require measures such as striping, contrasting or textured paving, and/or mountable curbs to define narrower car lanes while maintaining sufficient pavement width for safe turning of larger vehicles.

11.1.7. Street Names: Street names shall be developed with the Planning & Zoning Office and submitted to the Development Review Board for approval. Proposed streets that are in obvious alignment with others already existing and named, shall bear the names of those existing streets. The applicant shall furnish a plan detailing approved street names and proposed address numbers to the E-911 Coordinator who will certify its conformity with emergency management protocol and update appropriate Town records. All street signs and posts shall be provided and installed by the Town at the expense of the applicant. *Applicant has proposed "Bittersweet Lane". Address numbers have not yet been determined by the E-911 coordinator.*

11.1.8.7. Dead-End and Single Access Streets:

(a) The number of dwelling units or commercial businesses served by a dead end street or by a system of streets sharing a common single access to a major or collector street shall not exceed thirty (30) unless additional connections to other streets are approved by the Development Review Board, except as provided in (b) or (c) below. *Proposed development does not exceed 30 units.*

(b) New Dead End and Single Access Streets: New dead end or single access streets are discouraged. In accordance with Section 11.1.8.1, new streets shall be arranged to provide for continuation of streets to adjoining properties whenever feasible. *DRB was asked at sketch review to consider if the proposed development has the potential to connect to other access points. None were proposed.*

11.2. Parking/Loading/Circulation: 2.1 Single Family, duplex *2.0 per dwelling unit*

11.3. Pedestrian Facilities All public and private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. To the extent feasible, pedestrian and vehicular circulation shall be separated by curbing, plantings or reserve strips, and should cross or intersect in controlled locations and manners. *No on-street pedestrian facilities have been proposed. VAST trail has shown as preserved on Plan sheet 1, and slightly relocated for septic purposes.*

11.3.3. In addition to sidewalks required by 11.3.1, the Development Review Board may require permanent pedestrian easements up to twenty-five [25] feet but not less than ten [10] feet in width in order to facilitate pedestrian circulation within a development, between adjoining neighborhoods, or to provide access to parks, schools, shopping centers, centers of employment and community facilities. Pedestrian easement locations may include, but are not limited to the following areas:

11.3.3.1. through blocks 600 feet or more in length,

11.3.3.2. as a continuation of cul-de-sacs,

11.3.3.3. in conjunction with utility easements, or

11.3.3.4. along existing Rights-Of-Way that lack sufficient width to contain pedestrian facilities

11.4. Lot Layout

11.4.1. Each lot shall have the minimum area and frontage required by these regulations, unless modified through the Planned Unit Development provisions in Section 10.13 of these regulations.

11.4.2. Lots shall be of sufficient size to provide an adequate building site with suitable areas and adequate isolation distances for sewage disposal and water supply both on site and neighboring properties. The Development Review Board may require larger lots than required by these regulations where deemed necessary because of conditions affecting drainage, sanitary sewage disposal, or water supply. *Lot 5(.93 acres), 6 (.61 acres), and 7 (.63 acres) have proposed septic across bittersweet lane, behind lot #3. DRB should determine if this is appropriate. Septic easements will be required (included in legal paperwork submitted) if this proposal is accepted. Isolation well shield for RW007 shown on plan sheet 1. Applicant has stated that isolations per the states EPR's are met.*

11.4.6. No privately owned reserved strip shall be permitted which controls access to any part of the development or to any other parcel of land from any street or other open space dedicated to public use or which may be so dedicated. *No privately reserved strip is proposed.*

11.4.7. Wherever feasible, lots shall be laid out to provide access onto minor streets rather than collector streets, and wherever possible to avoid direct access to major streets and highways. *The applicant has proposed access onto Raceway road as opposed to Route 15*

11.4.8. The Development Review Board shall encourage lot layout that will preserve open space areas and significant natural resources.

11.4.8.2. In areas containing currently productive agricultural land, building envelopes shall be located at field edge or on the least productive areas in order to minimize the fragmentation of agriculturally productive lands, impacts on existing farm operations, and disruption of the scenic qualities of the site. *DRB should determine if proposed lot layout is appropriate. Lots 5 & 6 encroach on class 2 wetland buffer zone: plan sheet 1 indicates that applicant will install a split rail fence along this buffer, and will install a silt fence in front of the split rail fence before construction.*

11.4.8.4. In order to minimize land use conflicts, the Development Review Board may require vegetative buffers or other mechanisms to separate building lots and subsequent development from agricultural and forestry operations, recreation areas, and critical wildlife habitat. *Plan sheet 1 indicates that applicant will install a split rail fence along wetland buffer. Buffer zone requirements met (50' behind RW007 and 100' behind Route 15).*

11.4.9. Energy Conservation: Lot layout, including orientation of buildings and vegetation, should be designed so as to promote the conservation of energy and to permit the utilization of renewable energy resources. No mention of these

11.4.10. Monumentation: Lot corners along public road frontage shall be marked by concrete monuments. All other lot corners shall be marked by iron pins or steel pipes.

11.5. Grading/Slope/Ridgeline

11.5.1. All land development and subdivision shall be planned to retain, as much as possible, the natural contours and to conserve the natural cover and soil. The landscape shall be preserved in its natural state, as much as practical, by minimizing tree and soil removal and nonessential grading. Any grade changes shall be in keeping with the general appearance of the neighboring developed areas.

11.5.2. Development and disturbance of steep slopes should be minimized. The following standards shall apply to the development of steep slopes:

11.5.2.1. If slopes between eight and fifteen percent (8%-15%) are disturbed as a result of a proposed development, the Development Review Board may require the applicant to submit plans for erosion and sediment control during construction and plans for post-construction slope stabilization. These plans shall be prepared by a registered professional engineer. *Applicant has stated that the only disturbed slopes between 8 & 15% are on the access drive. See plan sheets 1, 2, 6, & 7 for EPSC details. A silt fence is proposed around the wetland buffer and the floodplain.*

11.5.2.2. Development and disturbance of more than 10,000 square feet of slopes greater than fifteen percent (15%) and less than twenty five percent (25%) shall require Conditional Use Review by the DRB. *Applicant has stated that project proposes approximately 7,800 square feet of impact on slopes between 15% and 25%.*

11.6. Recreation/Open Space/Common Land (*see above, 10.13.4—10.13.6*)

11.6.1. As a condition to the approval of any plan relating to a residential subdivision or residential development, the Development Review Board may require that up to fifteen percent [15%] of the areas on the plat be dedicated for the purpose of a public park, playground or other outdoor recreation purpose. The Development Review Board may require dedication of recreation land to the Town, land trust or other non-profit association, establishment of a homeowners association, or other means to ensure the long term ownership and maintenance of the recreation land. The Development Review Board shall consider the following in determining whether such recreation area is appropriate:

11.6.1.1. The size of the proposed subdivision and the resulting area proposed for outdoor recreation purposes,

11.6.1.2. The physical suitability of the site for recreational use,

11.6.1.3. Whether use of the applicant's land for such purposes would conform with the Jericho Comprehensive Town Plan and the Chittenden County Open Space Plan, and

11.6.1.4. The site's proximity to other recreation land. *The VAST trail shown on plan as relocated- shifted slightly to north of site. Building envelopes are shown outside of the relocated trail.*

11.6.2. Upon approval from the Selectboard, if a suitable park, playground, or outdoor recreation site is provided under Section 11.6.1 above, the Development Review Board may exempt the applicant from payment of municipal impact fees relating to recreation and open space.

11.7.3. Water Supply: *Applicant has testified that the development will be served by municipal water. A water main is shown on the plan, from VT route 15 between VT183 and VT189.*

11.7.3.1. If the development will be supplied by an existing public water system, a letter shall be submitted by the applicant from the governing body of the water district stating that the water district has adequate capacity to serve the development and approving the design and construction details prior to final approval by the Development Review Board. *Letter is attached to application. Received by staff on 5/16/2016.*

11.7.3.2. If the development is to be served by a public water supply system, the applicant shall install a complete public water system, including mains, valves, services to the property lines and all other appurtenances. Design and construction procedures, materials and location of improvements shall conform with all applicable standards required by the commissioners of the water district in which the development is located and shall be subject to the approval of the water district's engineer.

11.7.4. Sewage Disposal: 11.7.4.1. All wastewater disposal systems shall conform with the Environmental Protection Rules, Chapter 1, Waste Water and Potable Water Supply Rules published by the Agency of Natural Resources, as most recently amended. *Design to be completed at preliminary hearing. Site plan indicates that sanitary sewage will be individual, on site systems. Systems for lots 5, 6, and 7 are located behind lot 3. WW Permit not yet issued by ANR.*

11.8. Landscaping

11.8.1. Preservation of Landscape: Finished site contours shall depart only minimally from the character of the natural site and the surrounding properties. Removal of vegetation shall be limited to the minimum necessary for safe construction. Areas disturbed through construction shall be revegetated by the applicant. Where development occurs in a forested or partially forested area, the applicant may be required to submit recommendations from a professional

forester regarding placement of improvements and removal of trees. Where tree coverage does not exist or has been removed, new plantings may be required.

11.8.2. Landscaping Budget Requirement: For all site plans, the Development Review Board may require minimum planting costs of up to three percent [3%] of total construction/improvement costs.

11.8.4. Street and Shade Trees: In addition to plantings that may be required above for screening and/or buffering, all uses abutting a public way shall provide plantings of street trees. Street tree plantings shall also be required for all streets in a subdivision or Planned Unit Development. *31 street trees proposed at intervals along bittersweet lane.*

11.9. Site Layout and Design The siting and architectural design of the project shall be compatible with existing and planned improvements and the character of the area in which it is to be located, as defined by the purpose of the zoning district, the Jericho Comprehensive Town Plan, and the standards listed below. The Development Review Board should encourage the use of a combination of common materials and architectural characteristics, landscaping, buffers, screens and visual interruptions to create attractive transitions between buildings of different architectural styles.

11.9.2. Rural Residential, *Village*, and Agriculture and Forestry Districts: Site layout and design shall reinforce the rural landscapes of these districts. Development shall be sited to minimize, to the extent feasible, encroachments on natural resources and environmentally sensitive areas including steep slopes, open fields and prominent ridgelines and hillsides. Commercial uses shall be sited so as to blend with the predominately rural/residential character of these areas.

11.10. Outdoor Storage/Display

11.11. Outdoor Lighting Lighting shall be kept to a minimum consistent with the requirements of pedestrian and vehicular safety and convenience in accordance with the Public Works Specifications (see section 11.11 for standards)

11.12. Utilities 11.12.1. All existing and proposed utilities and utility Rights-Of-Way/easements, including but not limited to electric, telephone, gas, fiber optic and cable television, shall be shown on the final plat. *Above ground telephone lines exist along VT Route 15.*

11.12.2. All new utilities shall be placed underground from the nearest available port, unless the Development Review Board determines that burial of utilities would result in an undue adverse impact to natural resources or would be prohibitively expensive. Prior to approving overhead utilities, the DRB shall require independent technical review in accordance with Section 10.8.6 to determine if the above conditions are met. *Site plan indicates that all new utilities will be placed underground. Utility pole at end of raceway road to be relocated due to proposed road location.*

11.12.3. The applicant shall coordinate development design with utility companies to ensure that suitable areas are available for underground installation within and adjacent to the proposed development. Utility easements of sufficient width shall be provided to serve both the proposed development, and future service extensions to adjoining properties.

11.12.4. Utility corridors shall be shared with other utility and/or transportation corridors where feasible and shall be located to minimize site disturbance

11.13. Storm Water (subdivision section III.6) *State individual stormwater permit is required. Risk evaluation and HydroCAD computations attached.*

11.13.1. Post-Construction Stormwater Management: The applicant shall install a storm water management system along all new streets and at other required locations. This system shall meet the following standards:

11.13.1.1. Development shall minimize stormwater runoff and utilize pervious areas for stormwater infiltration and treatment. Existing natural drainage ways shall be incorporated into the design of the management system to the fullest extent possible.

11.13.1.2. The stormwater management system shall be designed, installed and maintained in accordance with the requirements of the latest version of the Vermont Stormwater Management Manual and the Jericho Public Works Specifications. In the event of conflicting design criteria within these standards, the stricter shall apply.

11.13.1.3. Applicants are encouraged to incorporate Low Impact Development techniques and practices into the stormwater management system.

11.13.1.4. All development requiring Development Review Board approval resulting in more than one-half [0.5] acres of new impervious surface and all major subdivisions shall at minimum meet the Recharge (Rev) criteria and the Water Quality Volume (WQv) criteria, as defined in the Vermont Stormwater Management Manual. Applicants are strongly encouraged to utilize non-structural practices such as the Voluntary Stormwater Management Credits provided for in the most recent version of the Vermont Stormwater Management Manual in order to satisfy this requirement. *The applicant has indicated that proposed lot coverage is 1.9%, triggering the need to meet the Recharge (Rev) criteria and the Water Quality Volume (WQv) criteria, as defined in the Vermont Stormwater Management Manual. Applicant has stated that this will be met "utilizing grassed channels with an infiltration/outfall spreader to be located at end of cul-de-sac"*

11.13.1.5. The interest of the owner of each lot served by the stormwater management system shall be protected by an easement recorded in the deed of each lot involved. *Included in applicant's Declaration of Planned Community for Mansfield View Planned Community*

11.13.1.6. Uses defined as "stormwater hotspots" in the Vermont Stormwater Management Manual, including those creating less than one acre of impervious surface, shall comply with all applicable requirements of the Vermont Agency of Natural Resources. Stormwater runoff from a stormwater hotspot shall not infiltrate into groundwater unless an individual stormwater permit from the Vermont Agency of Natural Resources is obtained.

11.13.1.7. Culverts or other drainage facilities shall, in each case, be large enough to accommodate potential run-off from the entire upstream drainage area, whether inside or outside the Development. The Development Review Board shall approve the design and size of facilities based on anticipated run-off under conditions of total potential development and a twentyfive [25] year storm. The applicant's engineer shall provide such information as the Development Review Board deems necessary to make the determination of the adequacy of the facilities.

Bittersweet lane proposed at 10%. 2 drywells will be installed on each side of the road, at the top, in infiltrate runoff from entrance. Stone check dams proposed within 10% section to control velocity of runoff.

11.13.1.8. The applicant's engineer shall provide such information as the Development Review Board deems necessary to determine the effect of the development on existing downstream drainage facilities outside of the area of development. Where anticipated discharge from the proposed development during a twenty-five [25] year storm will overload existing downstream drainage facilities, the Development Review Board may condition final approval upon improvement of the downstream facilities to prevent such an overload. Any construction required to prevent such overload and subsequent damage may be located on or off the applicant's site.

11.13.2. Erosion and Sediment Control During Construction

11.13.2.1. At minimum, all construction shall comply with the erosion control practices detailed in the most recent version of the Vermont Agency of Natural Resources Low Risk Site Handbook for Erosion and Sediment Control.

Development is outside the Fluvial Erosion Hazard Zone of the Browns River

11.13.2.2. Plans meeting the guidelines of the latest edition of the Vermont Handbook for Soil Erosion and Sediment Control on Construction Sites, shall be submitted for all major subdivisions or when otherwise required by the Vermont Department of Environmental Conservation. The Development Review Board may also require erosion plans when development is proposed to occur on slopes greater than fifteen percent [15%], unvegetated areas or other areas with fragile soil conditions. In order to determine whether or not an erosion control plan is needed, the Development Review Board may require the applicant to provide a Risk Evaluation Checklist from the Vermont Department of Environmental Conservation

11.13.2.3. Where necessary, temporary vegetation and/or mulching and structural measures may be required by the Development Review Board to protect areas exposed during the development. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed and maintained during development to remove sediment from run-off water from land undergoing development. At minimum, these measures shall comply with the practices described in the Vermont Agency of Natural Resources Low Risk Site Handbook for Erosion and Sediment Control.

11.13.2.4. Erosion prevention and sediment control practices for construction that occurs from October 15th to May 15th shall conform with Section 3.2 Winter Construction Limitations of the Vermont Standards and Specifications for Erosion Prevention and Sediment Control, or the most recent Vermont Agency of Natural Resources standards for winter construction.

11.14. Performance Standards 11.14.1. No land or structure in any zoning district shall be used or occupied in any manner that creates dangerous, injurious, noxious or otherwise objectionable conditions which adversely affect the reasonable use of adjoining or nearby properties). In accordance with the ACT [§§4414(5)], the following performance standards, as measured at the property line, must be met and maintained in all districts for all uses, except for agriculture and forestry.