

MILTON DEVELOPMENT REVIEW BOARD PUBLIC NOTICE OF MEETING & HEARINGS

Meeting Type: **Regular Meeting**
Date: **Thursday, April 14, 2016**
Time: **7:00 p.m.**
Place: **Municipal Building Community Room**
Address: **43 Bombardier Road, Milton, Vermont 05468-3205**
Contact: **(802) 893-1186**
Website: **miltonvt.org**

Bruce Jenkins

Clayton Forgan

David Conley

Henry Bonges

AGENDA

1. Call to Order
2. Attendance
3. Agenda Review
4. Public Forum

The public may attend and be heard in accordance with Vermont's Open Meeting Law (1 V.S.A. 312).

5. Old Hearings/Business: *None.*

6. New Hearings/Business:

6(A). **Curran Apartments, LLC/Owner & Thomas & Nancy Curran/Applicants** request **Sketch Plan** approval for a proposed 18-unit **Residential Planned Unit Development** located at **26-28 Route 7 North**, described as SPAN# 10819, Tax Map 11, Parcel 86. The property contains an existing single family home and a 2-unit apartment building; access to all lots is proposed via a new private road off of US Route 7 North. On-site wastewater and municipal water service is proposed. The subject property contains a total of 23.00 acres and is located within the "Medium Density Residential" (R2) and "Shoreland Residential" (R6) Zoning Districts and Arrowhead Lake Planning Area.

6(B). **Erwin Devino, Owner/Applicant** requests **Sketch Plan** approval for a proposed 2-lot **Minor Conventional Subdivision** located at **242 North Road**, described as Tax Map 15, Parcel 119-1 and SPAN #10952. A single family home currently exists on the lot and a new single family home is proposed. The subject property contains approximately 1.08 acres and is located within the "Old Towne Residential" (R1) Zoning District and North Road Planning Area.

6(C). **Turner Estates LLC, Owner/Applicant** requests **Planned Unit Development (PUD) Site Plan Amendment** approval to amend the building lots to reflect the as-built locations of the foundations of Units 101 and 102, and associated infrastructure including sewer and water connection locations. The property is located at **20 Clifford Drive Units 101 and 102**, described as SPAN numbers 14496, 14497 & 14503; Tax Map 25, Parcels 15-215, 15-216 & 15-200, respectively. The subject property contains a total of approximately 2.83 acres and is located within the Checkerberry (M4) Zoning District and Town Core Planning Area.

6(D). **Gordon LaFountain Sr., Owner/Gordon LaFountain Jr. & Jenna LaFountain, Applicants** request **Final Plan** approval for a proposed 2-lot **Minor Conventional Subdivision** located at **165 Railroad Street**, described as Tax Map 31, Parcel 98 and SPAN #11903. A single family home currently exists on the lot. The subject property contains approximately 5.67 acres and is located within the "MCMP Center" (M1) Zoning District and Town Core Planning Area.

7. Other Business:

7(A). Staff Update

8. Approval of Minutes of March 24, 2016

9. Possible Deliberative Session

Private session for deliberations on applications and written decisions in accordance with 1V.S.A. 312.

10. Adjournment



Jeffrey Castle, Town Planner



TOWN OF MILTON
Planning & Economic Development Department
 43 Bombardier Road
 Milton, VT 05468-3205
 (802) 893-1186
 miltonvt.org

DEVELOPMENT REVIEW BOARD STAFF REPORT

Hearing Date: April 14, 2016	
Case No: DRB 2016-13	
Application(s): Planned Unit Development - Sketch Plan	
Application Received: February 24, 2016	
Application Deemed Complete: February 25, 2016	
Staff Report Finalized: Wednesday, April 13, 2015	
Applicant(s): Thomas F. & Nancy M. Curran 34 Route 7 North Milton, VT 05468 tfcurren@myfairpoint.net (802)893-2503	Owner(s): Curran Apartments, LLC 34 Route 7 North Milton, VT 05468 tfcurren@myfairpoint.net (802)893-2503
Engineer/License: Roger Dickinson, P.E., PTOE #3945 Lamoureaux & Dickinson 14 Morse Drive Essex Junction, VT 05452	Surveyor/License: None
E-911/Postal Address: 26-28 Route 7 North	
Tax Map, Parcel(s): 11, 86	
School Parcel Account Number(s) (SPAN): 10819	
Deed(s): Book 382, Page 845	
Existing Size: 23 acres	
Zoning District(s): Medium Density Residential "R2" Shoreland Residential "R6"	
Comprehensive Plan Planning Area/Sub-Area: Arrowhead Lake Planning Area	
Location: The west side of Route 7 North, north of Howard Drive.	

INTRODUCTION

Noticed/Warned Summary of Proposal: Curran Apartments, LLC/Owner & Thomas & Nancy Curran/Applicants request Sketch Plan approval for a proposed 18-unit Residential Planned Unit Development located at 26-28 Route 7 North, described as SPAN# 10819, Tax Map 11, Parcel 86. The property contains an existing single family home and a 2-unit apartment building; access to all lots is proposed via a new private road off of US Route 7 North. On-site wastewater and municipal water service is proposed. The subject property contains a total of 23.00 acres and is located within the “Medium Density Residential” (R2) and “Shoreland Residential” (R6) Zoning Districts and Arrowhead Lake Planning Area.

Comments: Jacob Hemmerick, Planning Director, and Jeff Castle, Town Planner, herein referred to as staff, have reviewed the application, materials and plans submitted and have the following comments.

Ethics Disclosure: Staff herein notes that there is no known direct or indirect conflicts of interests between Staff and the owner, applicant, or noticed interested parties.

Hearing Process/Procedure: Applicants and interested persons can learn more about the Development Review hearing process and procedure at <http://miltonvt.org/government/boards/drb.html>.

APPLICATION, JURISDICTION, NOTICE

Application: This matter comes before the Town of Milton Development Review Board (DRB) for Planned Unit Development Sketch Plan approval. The application and its associated materials are maintained by the Town in the application file and are available for public inspection

Applicant(s): The application was submitted by Thomas F. & Nancy M. Curran, referred to hereafter as the "applicant".

Landowner(s): The property is owned by Curran Apartments, LLC. All owners are signatories to this application.

Project Consultant(s): Roger Dickinson, of Lamoureaux & Dickinson, is a consultant for this project.

Application Submission: The application form was received by the Planning and Economic Development Department on February 24, 2016. Unless otherwise noted, the associated exhibits were received the same day.

Application Completion: The application was deemed complete by Staff on February 25, 2016.

General Jurisdiction: Land development is subject to regulation by the Town of Milton pursuant to, but not limited to, the following: The Vermont Planning and Development Act (Act); The Town of Milton Zoning Regulations (ZR), effective January 5, 2015; the Town of Milton Interim Zoning Regulations (IZR) effective February 26, 2015; and The Town of Milton Subdivision Regulations (SR), effective June 28, 2010.

Minor/Major Conventional Subdivision Sketch Specific Jurisdiction: SR130 states: These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the Town of Milton. No land shall be subdivided within the Town of Milton until the subdivider shall obtain final approval of the proposed subdivision from the Development Review Board (DRB) and the final approved subdivision plat is recorded in the Milton Land Records.

Regulatory Waivers Requested: Pursuant to ZR852.6, the applicant is requesting waivers from ZR314(1) Minimum Lot Area and ZR314(2) Minimum Road Frontage requirements.

Warning/Notice of Hearing: Public notice was issued by the Department of Planning and Economic Development for the hearing according to Vermont Statutes Annotated Chapter 24 §4464.

Hearing: The Town Planner scheduled the hearing for April 14, 2016

Site Visit: The DRB may schedule a site visit and recess the hearing to a subsequent meeting date if on-site observation would better inform the DRB's decision. Staff recommends a site visit in order to inform the DRB of unique site conditions related to this project.

EXHIBITS

Application Exhibits: The following exhibits were submitted with the application and attached to the Staff Report:

- Additional Information, 2 Pages
- Development Potential Assessment, by Lamoureux & Dickinson Engineers, date 2/11/2014
- Letter of intent for highway access permit, State of VT Utilities & Permits Unit
- Maximum Density Analysis
- Lot Dimensional Tables and Waiver Requests
- Property Location Map
- Figure 2 - Property Mapping
- Figure 3 - Existing Conditions
- Figure 4 - Proposed Access Plan & Profile
- Figure 5 - Curran Property Soils Map
- Figure 6 - Town Zoning Map
- Figure 7 - Undevelopable Land Area
- Figure 8 - Proposed Lot Layout

Staff Exhibits: The following exhibits from staff are attached to the Staff Report.

- Technical Advisory Committee (TAC) School District Review Sheet dated 3/29/2016;
- TAC Police Review Sheet dated 3/23/2016;
- TAC Recreation Review Sheet dated 3/23/2016;
- TAC Fire Review Sheet dated 4/3/2016;

SITE, DISTRICT & AREA INFORMATION

Property Location: The subject property is located at 26-28 Route 7 North and shown on Milton's Tax Map 11 as Parcel 86. The corresponding School Parcel Account Number (SPAN) is 10819.

Size/Area: According to the evidence presented, the subject parcel is approximately 25 acres or 1,089,000 square feet. The Assessor's Grand List records this property as approximately 23 acres.

Deed(s): The deed was recorded on 10/6/2009 in Book 382, Page 845 of the Town of Milton Land Records to Curran Apartments, LLC; Grantee.

Zoning District(s): The site is located within the Medium Density Residential (R2) Zoning District and the Shoreland Residential (R6) Zoning District described on the Town of Milton Zoning Map, last amended August 22, 2011, on record and display at the Municipal Offices and available on the Town's website. The ZR311 states that the purpose of the R2 district is to "allow for medium density development in an area close to the core and within easy access to community services and facilities which has already experienced significant residential development. Due to the severe environmental limitations in parts of this area all development will be carefully reviewed for compatibility with the specific site's development capability." ZR351 states that the purpose of the R6 district is to "protect and preserve sensitive shoreland areas and water resources from unsuitable development, to maintain a high standard of quality for all permitted development and to encourage open space along the shoreline."

Comprehensive Planning Area: The site is located within the Arrowhead Lake Planning Area, as delineated in Map 2 of the 2013 Comprehensive Plan.

Physical Characteristics/Natural Features: The a site contains an elevated relatively flat area with steep topography leading down to Route 7 North and the Lamoille River. The site contains soils of statewide significance, drains to Lake Champlain via the Lamoille River, is predominantly forested, and is located within a habitat block of over 400 acres.

Surrounding Use/Structures: The subject property is surrounded on the east by Arrowhead Lake, the Overlake residential subdivision to the north, Milton Falls subdivision to the southwest, Upper Falls subdivision to the south, and lands owned by A Johnson Lumber Company to the west.

SITE HISTORY

Background: To staff's knowledge, the subject property has never undergone development review by the DRB or Zoning Board of Adjustment or Planning Commission.

Zoning Compliance: To staff's knowledge, the subject property does not have any Zoning Violations recorded in the Town of Milton Records, nor unresolved Zoning Enforcement action.

EXISTING AND PROPOSED USE/IMPROVEMENTS/LAND RESTRICTIONS

Existing Use: The project site contains two lots, one containing a duplex located adjacent to Route 7, and a second containing a single family residence is located at 34 Route 7 North.

Proposed Use: The applicant is proposing a Planned Unit Development containing 18 residential units, including the existing duplex. The existing single family home is not shown on the plans as a unit within the PUD.

Existing Improvements: Buildings: A duplex is located adjacent to Route 7, and a single family residence is located on the property at 34 Route 7 North.

Utilities: The property is located in the water service area, and served by onsite wastewater.

Access: The property is currently accessed by two driveway cuts onto Route 7.

Existing Improvements to be Removed: The applicant is proposing to close the two existing driveway cuts onto Route 7 and accessing the existing apartment building via the new private road.

Proposed Improvements: In addition to the existing improvements (to be retained) the applicant proposes the creation of 17 new lots for single family residences. The homes would be served by municipal water and onsite wastewater. The creation of a new private road is proposed accessing the property via Route 7 and ending at the existing Waterwheel Way right-of-way with either a cul-de-sac or a gated connection allowing for emergency access.

Existing Restrictions or Covenants: The following easements on the property have been declared by the applicant: Green Mountain Power 34.5k line, Town of Milton 12" water main, Fairpoint telephone line.

PLANNED UNIT DEVELOPMENT STANDARDS

Uses within the PUD, ZR850: states "PUDs may be permitted in all ZONING DISTRICTS in which such development is identified as a permitted USE." A PUD-Residential is a permitted use in the R2 District (per ZR312).

PUD Basis For Approval, ZR850: states "No PLANNED UNIT DEVELOPMENT will be approved by the Development Review Board until the applicant has demonstrated complete compliance with the intentions and requirements of this Section [850] and the Town of Milton's Comprehensive Plan." (See Comprehensive Plan Goals below to evaluate complete compliance.)

PUD Purpose, ZR 850: states "The purpose of PLANNED UNIT DEVELOPMENTS is to provide for flexibility in site and lot layout, placement and clustering of buildings, use of open areas, provision of circulation facilities, including pedestrian facilities and parking, and related site and design considerations that will best achieve the goals for the area as articulated in the Comprehensive Plan and bylaws; conservation of OPEN SPACE; efficient use of public facilities and services; to encourage energy efficient development and to meet the purposes, goals and objectives of the Milton Comprehensive Plan."

COMPREHENSIVE PLAN REVIEW

Staff finds the following goals of the Arrowhead Lake Planning Area relevant to this application:

- Goal 9.9.1.** Encourage innovative neighborhood planning concepts.
Objective 9.9.1.a. Develop standards and encourage primarily residential areas with small neighborhood parks, a small local neighborhood store, and a boat launch on Arrowhead Lake.

Objective 9.9.1.b. Encourage medium and low density planned unit residential developments.

Staff finds that the proposal is for a medium density planned unit residential development which is similar in character to surrounding neighborhoods in the R2 District. This application indicates the preservation of open space for neighborhood and public use.

Goal 9.9.2. Scenic vistas and viewsheds in this area should be maintained.

Goal 9.9.3. Promote the development of community activities for a range of ages.

Objective 9.9.3.a. Encourage the creation of outdoor recreation facilities to accommodate such uses as playing fields for children and adult programs.

Objective 9.9.3.b. Encourage bike/pedestrian connections over the Lamoille River to connect to the Town Core Area.

Staff finds that a bike/pedestrian connection should be encouraged within this PUD in order to create the opportunity for the connection of existing neighborhoods across the Lamoille river to the Town Core Area.

1. If approved, a multi-use path shall be shown on the Preliminary plans for possible future connection of the Waterwheel Way to Route 7 North.
2. The DRB shall evaluate if the proposed plan is consistent with the goals and objectives of the Milton Comprehensive Plan.

PUD APPLICATION REQUIREMENTS

ZR851.1, PUD Application Requirements, Subdivision & Site Plan Review: The application for a Planned Unit Development shall include all elements required for a subdivision under the Subdivision Regulations of the Town of Milton and all elements required under Section 800 Site Plan Review of the Zoning Regulations of the Town of Milton.

3. If approved, the applicant must submit a Preliminary Application including all elements listed in Subdivision Regulations Section 600.
4. If approved, the applicant must submit Site Plans including all items listed in Zoning Regulations Section 803.

ZR851.2, PUD Survey: The Development Review Board may waive the requirement for a metes and bounds survey, prepared by a certified land surveyor, if the Planned Unit Development does not involve the subdivision of land. However, if a metes and bounds survey is necessary for an accurate location and description of the BUILDABLE ENVELOPE and/or easements then the survey shall be required. Staff finds this proposal does involve the subdivision of land, and that a metes and bounds survey is fundamentally necessary.

5. If approved, the applicant must submit a metes and bound survey with the Preliminary Application

ZR851.3, PUD Undevelopable Land: The application includes the location of undevelopable lands as required by ZR851.3.

ZR841.4, PUD Open Fields, Woods, Agricultural Land: The Subdivision Plan must also identify open fields, wooded areas, prime and Statewide agricultural lands.

6. If approved, Preliminary Plans shall show all features required by ZR851.4

ZR851.5, PUD Main Elements: ZR851.5 states: The Subdivision Plan shall include all proposed lot lines, BUILDABLE ENVELOPES, the location, HEIGHT and space of all existing and proposed buildings, OPEN SPACE, landscaping, streets, driveways and off-street parking spaces and all other physical features. Elevations prepared by an architect or landscape architect shall depict the relationship of buildings, landscaping and parking areas.

7. If approved, Preliminary Plans shall show all features required by ZR851.5

ZR851.6, PUD Narrative: ZR851.6 requires narrative responses to questions within this section. The narrative is ATTACHED

ZR851.7, PUD Requests for Waivers: The applicant has requested waivers from the dimensional requirements of ZR314. The DRB may waive any requirements noted in the Dimensional Requirements section of the applicable Zoning District, if, in its opinion, the proposal clearly fulfills the intentions and requirements of Section 850 (ZR852.6). The proposal would require waivers as-is (as detailed below).

ZR851.8 & ZR851.9, PUD Site Visit & Markers: Section 851.0 of the Zoning Regulations requires the applicant to schedule a site visit with the DRB. The DRB should visit the site in order to confirm the locations of natural features and to assist the applicant with the identification of buildable envelopes.

8. A site visit shall be conducted by the DRB prior to the Preliminary Application hearing (if approved), and the applicant shall place temporary markers on the lands in order to enable the DRB to readily locate and appraise the basic layout of the proposed PUD

PUD GENERAL STANDARDS

ZR852.1, PUD Subdivision Review: All PLANNED UNIT DEVELOPMENTS shall be subject to review and approval by the Development Review Board under the Milton Subdivision Regulations. The proposed PLANNED UNIT DEVELOPMENT shall be considered a minor subdivision when the proposed total number of units is six or less; the proposal shall be considered a major subdivision when the total number of units is seven or more. Applications for PLANNED UNIT DEVELOPMENTS, which are considered major subdivisions, shall only be required to hold one statutory public hearing at the preliminary stage. The Development Review Board, at its discretion, may require that a second public hearing be held at the final stage. The Development Review Board reserves the right, however to require additional supporting information from applicants as would typically be required if the application was being reviewed in accordance with the Milton Subdivision Regulations (e.g., traffic studies, drainage plans). Staff finds that the application shall be reviewed as a Major subdivision potentially subject to three separate applications and hearings.

ZR852.2, PUD Sketch Plan Review: All PUDs shall be required to undergo Sketch Plan Review and obtain a special conceptual approval from the Development Review Board prior to pursuing subdivision approval in accordance with the Milton Subdivision Regulations. PUDs, regardless of their type, shall be granted only when the Development Review Board finds that the project conforms with the purposes of this provision, as identified in Section 850 herein.

ZR852.3, PUD Site Plan Review: all PLANNED UNIT DEVELOPMENTS shall be subject to Site Plan Review in accordance with Section 800 of these regulations.

9. The preliminary application shall also include a site plan application, including all requirements listed in ZR800.

ZR852.4, PUD Uses: The existing lot is located in both the R2 and the R6 zoning districts. Staff finds that the proposal for a PUD-R consisting of single family homes and an existing duplex would be a combination of a permitted (Single Family Dwellings) and a Conditional Use (Duplex) in the R2 District. Duplex is not a Permitted or Conditional use in the R6 district. The creation of a PUD-R containing a Duplex is NOT a permitted use in the R6 District.

ZR670, Lots in Two Zones: ZR670 states, “The Development Review Board, under the conditions described herein, is authorized to permit, as a CONDITIONAL USE, the relocation of the Shoreland Residential (R6) district boundary not more than one hundred (100) feet from its location as shown on the OFFICIAL ZONING MAP into an adjoining district. The Board is so authorized only where the district boundary divides a parcel which was in single ownership when these Regulations were adopted. This Section shall not apply where the district boundary is a highway. The applicant for such a change shall be required to submit a survey of the new location of the ZONING DISTRICT boundary.”

Staff finds that in order to include the existing duplex in the proposed PUD, the applicant must apply for Conditional Use approval to relocate the R6 district boundary no more than 100 feet to locate the existing duplex in the R2 zoning district.

10. The applicant shall apply for Conditional Use approval to relocate the R6 district boundary no more than 100 feet in accordance with ZR670 to be heard with a Preliminary application. The applicant shall submit a survey of the new location of the zoning district boundary.

Staff finds that if conditional use approval is granted to relocate the R6 district boundary to include the existing duplex in the R2 district, additional conditional use approval is required by the Development Review Board to include a duplex (a conditional use in the R2) in the proposed PUD.

11. The applicant shall apply for Conditional Use approval to include the existing duplex in the PUD located in the R2 district to be heard concurrently with the Preliminary application.

ZR852.6, PUD Dimensional Requirements Waivers: The Development Review Board may waive any requirements noted in the "Dimensional Requirements" section of the applicable ZONING DISTRICT and

the requirements of Section 640 "Lot Width", if, in its opinion, the proposal clearly fulfills the intentions and requirements of this Section.

The Applicant has submitted dimensional table for the 18 proposed residential lots, and requested waivers from the lot area requirement of 40,000 sq. ft. for 17 of these lots and from the frontage requirement of 200 feet for 9 of the lots. The proposed lots otherwise conform to the dimensional requirements. Staff finds that the proposed residential lots have been concentrated in the most level portion of the property which is the most suitable for the construction of homes.

12. The DRB shall determine whether to grant a waiver for the proposed lots with areas less than 40,000 square feet and the lots with road frontage of less than 200 feet.

ZR852.9, PUD Ownership Structure: The ownership structure of the PUD will be further evaluated in future applications if approved.

ZR852.10, PUD Municipal Sewer Connection: Connection to municipal sewer or the development of a community sewage disposal system may be required by the Development Review Board. The applicant has not determined if a community system of individual systems will be proposed. This item shall be further valued with the preliminary application.

13. If approved, the applicant shall include the location and design of the proposed sewage disposal system with the Preliminary application.

ZR852.11, PUD Municipal Water Connection: Connection to municipal water or the development of a community water supply system may be required by the Development Review Board for new and existing units. The applicant is proposing to connect to the municipal water system.

ZR852.12, PUD Access: PUDs may be approved with either a PUBLIC ROAD, PRIVATE ROAD, or DRIVEWAY in accordance with Section 590 of these Regulations, and Section 800 when applicable.

ZR590. Roads and Drives: The applicant is proposing access to the PUD via a Private Road.

14. If approved, the Preliminary application must include the specifications for a private road meeting the standards of ZR592, and the private road specifications as defined in the Public Works Specifications.

Staff finds that the road as proposed exceeds the maximum length for a Private Right-of-Way of 1000 linear feet as defined by ZR592.7. According to ZR592.7, "this requirement may be waived by the Development Review Board if it is determined that the roadway proposed can provide safe access for emergency vehicles."

Milton Fire Department Review has stated, "It is the recommendation of the Fire & Rescue departments from a public safety stand point. That the applicant be required to make a through connection to Water Wheel Way located off from Milton Falls Ct. This will provide a secondary means of access in the event of an emergency to all residential neighborhoods on and off Poor Farm Road. It will also cut the emergency response time in half to a large number of the occupant in this area of town. **I urge the DRB to consider this as a requirement for this project to move forward.**"

15. The DRB may approve a private road of greater than 1000 linear feet if it is determined that the roadway proposed can provide safe access for emergency vehicles.

Staff finds that if the proposed road is to be offered to the Town for acceptance as a Public Road it must meet the following conditions according to ZR591:

- (1) The road will provide improved traffic circulation to the local PUBLIC ROAD network, or have easements or rights-of-way secured to improve traffic circulation to the local PUBLIC ROAD network in the future; and
- (2) The road will create a pattern of interconnecting roads and blocks, that encourages multiple routes from origins to destinations. The road, or network of roads, must have a looped road (roads having more than one separate connection to an existing PUBLIC RIGHT-OF-WAY). This shall not render developments in existence prior to January 15, 2009 as non-conforming; and
- (3) The road will be constructed in accordance with the Town of Milton's Public Works Specifications; and
- (4) The road will intersect an existing Town or State highway; and
- (5) Acceptance of the road is in accordance with the goals of the Milton Comprehensive Plan.

The applicant has suggested making a gated connection to the existing Waterwheel Way in order to provide emergency vehicle access via Route 7 and substantially reducing travel time and allowing an alternate route to residences located nearby. Staff communications with VTrans have indicated that they may be amendable to a through connection to Waterwheel Way pending review of a traffic study to evaluate impacts to Route 7.

The applicant has stated that the extension of the Waterwheel Way right-of-way adjacent to the proposed PUD has been accepted by the Town as a Public Right-of-Way. Staff has not seen evidence of that acceptance, and currently, the extension is not maintained by the Department of Public Works and is maintained by local residents per a private Road Maintenance Agreement. At this time there is no evidence that a connection to the public portion of Waterwheel Way is possible without the consent of the potential private owners of the Waterwheel Way ROW extending beyond the portion of Waterwheel Way known to be public. Staff finds the alignment of the proposed road with the termination of the Waterwheel Way to be advantageous for future potential connection.

16. If the proposed road is to be considered for acceptance by the Town as a Public Road, the Preliminary application shall show a road that meets the standards of ZR591.

ZR852.13, PUD Driveways: The application does not indicate the location of proposed driveways. If approved, this may be evaluated further with the Preliminary application.

ZR852.14, PUD Phasing: The Development Review Board may require that a PLANNED UNIT DEVELOPMENT be phased. This is a question that can be addressed at Preliminary, if advanced.

ZR852.15, PUD Open Space: Open space requirements are not eligible for waiver according to Zoning Regulations Section 852.6.3. According to Section 852.15, the size, location and shape of open space shall be approved by the DRB. Permitted future uses and maintenance of the open space shall be specifically

identified as part of the approval of any PUD. The open space must also be maintained by the development and continued use ensured through appropriate legal devices.

The open space requirement is for an area equal to that of at least 25% of the lands within the R2 District and 35% of the lands located within the R6 district. The applicant is proposing 11 acres of open space, exceeding the required open space percentage. The applicant is proposing the space to be available for public access and use of trails.

17. The applicant shall indicate on the plans, the open space location with and total area equal to that of at least 25% of the lands within the R2 District and 35% of the lands located within the R6 district, specify its agricultural, forestry, recreation or conservation use, and propose legal instruments for the continued use and maintenance. This proposal must be consistent with all provisions of Section 852.15 of the Zoning Regulations.

ZR853, PUD Bonus Density: An applicant seeking PUD approval may request a bonus density from the Development Review Board along with their Preliminary Plat Application for a Major Subdivision. Requests for bonus densities will not be accepted in the first instance in a Final Plan Application for a Major Subdivision. The applicant is intending to seek bonus densities shall notify the Development Review Board of such intent within their Sketch Plan Application.

The Development Review Board shall only grant a bonus density be in conformance with the goals of the *Comprehensive Plan of the Town of Milton* and will not have an adverse impact on the capacities of community facilities or services and the character of the area affected. The applicant has stated that they intend to seek a bonus density through the provision of Public Access to Open Space.

Staff finds that the provision of Public Access to Open Space is consistent with the following goals of the Comprehensive Plan:

- Goal 9.9.1.** Encourage innovative neighborhood planning concepts.
 - Objective 9.9.1.a.** Develop standards and encourage primarily residential areas with small neighborhood parks, a small local neighborhood store, and a boat launch on Arrowhead Lake.
- Goal 9.9.2.** Scenic vistas and viewsheds in this area should be maintained.

18. The applicant shall submit for review with the Preliminary Plat proposed legal instruments and other provisions for the Public Access to the proposed Open Space consistent with ZR853.2(2).

ZR853.2, PUD Density Bonus Unit Rounding & Lot Coverage Waiver: No bonus density shall exceed a total of 25% more units than can be provided in Sections 856.1(c)[1], 856.1(c)[2], 856.1(c)[3], and 856.1(c)[4] for a proposed PUD. The number of bonus units to be granted shall be rounded up to the nearest whole number.

ZR856, PUD-R Purposes: In addition, to the purposes stated in Section 850, the purpose of PLANNED UNIT DEVELOPMENTS-Residential is to promote compact, pedestrian-oriented residential developments; and to encourage any development in the countryside to be compatible with the use and character of surrounding rural lands. In all cases, PLANNED RESIDENTIAL DEVELOPMENTS result in the creation of BUILDABLE ENVELOPES that are situated in the best possible location after an evaluation of the unique characteristics and natural features of the site in which it is to be located.

19. If approved, the Preliminary Plans and Plat shall indicate the location of buildable envelopes.

ZR856.1, PUD-R Density Analysis: Upon review of the Density Analysis Tables (attached) and the attached development potential report prepared by Lamoureux and Dickinson (attached), **staff finds the following errors shall be remedied before this sketch plan should be approved. These errors result in a calculated density that is higher than ZR856.1 allows.**

- The total land of the PUD included in the calculation includes the lot containing the existing single family home, but the existing home is not included in the proposed 18 lots of the PUD
20. The applicant shall state if the lot containing the existing single family home is included in the proposed PUD. If not, the parcel containing the single family home shall not be included in the total area of the PUD. If so, the home shall be included as a unit in the total number of proposed units.
- According to the attached Development Potential Report, the area of existing restrictive easements and right-of-ways was not included in the Undevelopable Land Calculation as required by ZR856.1.
21. The applicant shall include the area of all restrictive easements and right-of-ways in the Undevelopable Land calculation per ZR856.1(b). The area of undevelopable land shall be calculated by a certified engineer.
- The proposed 18 lots contain 19 units (including the two units within the existing duplex). If the existing single family home is included, this number rises to 20 units. According to the density calculations provided by the applicant, the portion of land in the R2 district has a density of 14 and the portion of land in the R6 district has a density of 1. With a 25% bonus density, the portion of land in the R2 district has a density of 18 and the portion of land in the R6 district has a density of 1, for a total of 19 units. Staff finds that it is unclear if this density is possible without a corrected density analysis.
22. The applicant shall recalculate the Density Analysis and revise the proposed number of units to meet the standard of ZR856.1

ZR856.3, PUD-R Buffer Strips: Buffer - A BUFFER STRIP shall be maintained around the perimeter of all major PLANNED UNIT DEVELOPMENTS-Residential, except along the front property lines of lots with FRONTAGE on a public or private STREET or right-of-way. The width of the BUFFER STRIP shall be at least twice the required SIDE SETBACK for the district in which the major PLANNED UNIT DEVELOPMENT-Residential is located. The required BUFFER STRIP shall be kept free of buildings or STRUCTURES and the Development Review Board may require that it be landscaped, screened or protected by natural features.

23. If approved, the location and width of a buffer strip shall comply with ZR856.3 and be shown on the plans for the Preliminary application.

ZR856.3, PUD-R Future Subdivision: No land included within a PLANNED UNIT DEVELOPMENT-Residential may be included in any future subdivision of land. Covenants and deed restrictions to this effect shall be provided.

24. No land included within a PLANNED UNIT DEVELOPMENT-Residential may be included in any future subdivision of land. If approved, covenants and deed restrictions to this effect shall be provided with the Preliminary application.

SUBDIVISION REVIEW

Standards of Evaluation: SR700 identifies standards for evaluation for approval of any subdivision

- 700.1 Suitability for Development
- 700.2 Preservation of Aesthetic Features
- 700.3 Sufficient Open Space for Recreation
- 700.4 Run-off and Erosion Control During & After Construction
- 700.5 Compliance with Comprehensive Plan, Regulations & Bylaws
- 700.6 Undue Water or Air Pollution
- 700.7 Compatibility with Surroundings
- 700.8 Suitability for Proposed Density
- 700.9 Pedestrian Safety
- 700.10 Municipal Service Burden
- 700.11 Sufficient Water
- 700.12 Highway Congestion

25. The Preliminary application shall include narrative responses to the standards of SR700.

Preliminary/Final Plat Submission:

26. Within six (6) months of classification by the DRB of the sketch plan as a minor subdivision, the subdivider shall submit an application for approval of a subdivision plat. The application shall contain those items set forth in Section 610 of these regulations, and shall conform to the layout shown on the sketch plan plus any recommendations made by the DRB.

Covenants, Easements & Deeds: Pursuant to Section 920 of the Subdivision Regulations, the Applicant must provide drafts deeds and any covenants and easements that will run with the subdivided property. If any covenants or easements will be required, the Applicant must provide the draft legal documents with the Preliminary/Final Plan application to allow adequate time for legal review and revisions prior to Preliminary/Final Plan approval.

26. If approved, all draft legal documents associated with the development must be submitted with the Preliminary/Final application for review by the Town Attorney. These documents must be revised to his satisfaction if necessary.
27. The Applicant must submit \$500.00 with the preliminary/final application to be held in escrow

by the Town to cover the costs of legal review by the Town Attorney. Any funds not expended on this proposal's legal review shall be refunded to the Applicant. Any fund expended that exceed \$500 shall be paid for by the Applicant.

State Approvals:

28. The Applicant must obtain a Project Review Sheet from the Permit Specialist in the District 4 Regional Office of the Agency of Natural Resources, provide a copy to the Town, and ensure that all the necessary State permits are obtained.

TECHNICAL REVIEW COMMITTEE

Technical Advisory Committee: All comments by the Development Review Board Technical Advisory Committee and attached to the Staff report shall be addressed.

ADMINISTRATION & ENFORCEMENT

ZR1030, Revocation of Approvals and Permits: Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.

CONCLUDING REVIEW

27. The applicant shall respond to any remaining comments or concerns from the Development Review Board.

STAFF RECOMMENDATION

The Planning Staff recommends that the DRB **CONTINUE** the request for Sketch Plan approval for a proposed 18-unit Residential Planned Unit Development located at 26-28 Route 7 North, described as SPAN# 10819, Tax Map 11, Parcel 86, to allow for the applicant to address the following:

- The applicant shall recalculate the Density Analysis and revise the proposed number of units to meet the standard of ZR856.1
- The applicant shall provide any additional information requested by the DRB

Respectfully Submitted:



Jeffrey Castle, Town Planner

ATTACHMENTS:

- Additional Information, 2 Pages

- Development Potential Assessment, by Lamoureux & Dickinson Eengineers, date 2/11/2014
- Letter of intent for highway access permit, State of VT Utilities & Permits Unit
- Maximum Density Analysis
- Lot Dimensional Tables and Waiver Requests
- Property Location Map
- Figure 2 - Property Mapping
- Figure 3 - Existing Conditions
- Figure 4 - Proposed Access Plan & Profile
- Figure 5 - Curran Property Soils Map
- Figure 6 - Town Zoning Map
- Figure 7 - Undevelopable Land Area
- Figure 8 - Proposed Lot Layout
- Technical Advisory Committee (TAC) School District Review Sheet dated 3/29/2016;
- TAC Police Review Sheet dated 3/23/2016;
- TAC Recreation Review Sheet dated 3/23/2016;
- TAC Fire Review Sheet dated 4/3/2016;

COPIES TO:

- Applicant(s)
- Owners(s)

WHAT'S NEXT?

Decision: The DRB has 45 days from the close of the hearing to issue a written decision. The DRB aims to finalize decisions at the next available DRB meeting, but there are times when this is not possible and additional time is needed. The Applicant will receive a copy of the Decision by United States Postal Service Certified Mail; the official date of issuance is the date the Decision is mailed Certified. All other interested person who signed in on the hearing sign in sheet will also be mailed a copy of the Decision via USPS First Class Mail.

Decision Conditions: Approvals by the DRB almost always include conditions of approval that detail the next actions you must take to finalize the project. It's important that you read and understand the decision.

Appeal Rights: The DRB's decision can be appealed to the Environmental Division of the Vermont Superior Court by interested persons within **30 days** of issuance (10 VSA §8504).

Revocations: In addition to any other remedies provided for by law, approvals from the Development Review Board, whichever granted the permit or approval, for violation of these Regulations or the terms and conditions of the permit or approval. Omission or misstatement of any material fact by the applicant or agent on the application or at any hearing which would have warranted refusing the permit or approval shall be grounds for revoking the permit or approval at any time.

To: TOWN OF MILTON
DEVELOPMENT REVIEW BOARD

Re.: Planned Unit Development Sketch Plan Application

Fr.: Thomas F. Curran
34 Rte 7 N
Milton, VT 05468
email: tcurran@myfairpoint.net, Tel. (802)893-2503

Date: February 22,2016

Please find attached:

- Completed Sketch Plan application
- Two pages with additional information
- Copy of Development Potential Assessment prepared by Lamoureaus and Dickinson Eng.
- Copies of Letter of intent for a highway access permit, State of VT Utilities & Permits Unit

Please note that information including the Development Potential Assessment and project drawings is available on the web at www.landinchittendencounty.com. You may find it more convenient to view the information there especially when zooming in and out.

Thomas Curran

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Milton, Vermont

TOWN OF MILTON
DEVELOPMENT REVIEW BOARD APPLICATION
Planned Unit Development
Sketch Plan
Additional Information

Thomas F. Curran
34 Rte 7 N
Milton, VT 05468
email: tcurran@myfairpoint.net, Tel. (802)893-2503

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Milton, Vermont

(12) Eleven of the total twenty five acres will be left as open space available for Public Access and use including nature trails, hiking, biking, etc. This hiking area will provide a spectacular elevated view looking down on Arrowhead Lake and the surrounding area.

Adequate space for public parking will be provided along the GMP power line area.

(13) This proposed PUD is located on a parcel of land that is the last open area so close to the Old Village. It is located only half a mile from the churches on Main Street, a mile from Milton Elementary School and a mile from the High School. This property even once provided the baseball diamond for the old Milton High School. It has remained open by the current owner who has resided there since 1957.

The proposed clustering will not only provide an efficient infrastructure but will also preserve eleven acres for the enjoyment of residents including those from the adjoining Water Wheel Way and Overlake developments. Again this is the last opportunity to preserve the area this close to the center of town.

Clustering of lots in this PUD lends itself well to the natural layout of the property. All the units would be on a naturally flat location maximizing the remaining open land as opposed to a conventional development.

The proposed PUD will provide connectivity between Route 7 and the residents in surrounding communities in Waterwheel Way, and along Poor Farm and Lake Roads.

Pedestrians and bicyclists will easy access from the surrounding developments to route 7.

TOWN OF MILTON
 DEVELOPMENT REVIEW BOARD APPLICATION
 Planned Unit Development
 Sketch Plan
 Additional Information
 Page 2

Thomas F. Curran
 34 Rte 7 N
 Milton, VT 05468
 email: tcurran@myfairpoint.net, Tel. (802)893-2503

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As proposed access through the PUD would be granted to the Town as an alternative route to Lake Road from the Dam Store. Currently if access to Lake Road were not available due to an emergency or to planned construction over 250 residences would be at risk for fire, police and rescue protection. Responders would need to go through West Milton or Georgia to reach these areas. This is a small price to pay for the protection of so many residents.

Please refer to the attached Letter of Intent for a Highway Access Permit issued by the State of Vermont Department of Permits and Utilities. As stated the State of Vermont is amenable to this proposal. Their on-site review concluded that there is adequate access to Route 7 and sufficient clear distance both North and South for traffic safety. They also stated that this proposal would provide a benefit over the existing conditions. The existing two driveway cuts would be eliminated. They are particularly interested in eliminating the current exiting to route 7 at a very small angle.

The State also indicated that they are in favor of the proposed limiting of thru access to only Milton Town authorized traffic. They are very opposed to opening up access to allow high flows of traffic using this route in place of Lake Road.

Owners of abutting properties:

Property	Owner	Address	City	State	Zip
211084000000	The A Johnson Co.	996 So. 116 Rd.	Bristol	VT	5443
134012000000	Bradley & Sandra Langley	21 Grandview Drive	Milton	VT	5468
111087000000	Heidi L. Cary	24 Rte. 7N	Milton	VT	5469
134013000000	Nicholas Tebbetts & Joanna Oakley	22 Rte. 7N	Milton	VT	5470
111004.009000	Wendy & James Payea	17 Crest Dr.	Milton	VT	5471
111004.002000	Paul Beaucage	22 Eddy Place	Milton	VT	5472
111005.051000	Eric Messberger	61 Waterwheel Way	Milton	VT	5473
211084000000	Steven L. Reynolds	946 Lake Road	Milton	VT	5474



February 11, 2014

Tom & Nancy Curran
34 Route 7 North
Milton, VT 05468

RE: Development **Potential** Assessment

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Milton, Vermont

Dear Tom & Nancy,

We have completed our **assessment** of the **development** potential of your property and are **pleased** to report the following results:

Introduction

Figure 1 illustrates the location of this property. The red lines are Town tax map parcel lines. It is located on the west side of US Route 7 just north of the Lake Arrowhead dam in Milton. It is bounded on the east by Lake Arrowhead and on other sides by **several** residential subdivisions: Overlake to the north, Milton Falls to the south and west, and Upper Falls (James Cary) to the south. It is also bounded to the west by lands owned by the A. Johnson Lumber Co.

Two residential buildings exist on the **property**: the original **farmhouse** located **adjacent** to Route 7, which has been converted to two apartments (26 & 28 Route 7 North), and your residence (34 Route 7 North) which sits back to the **northwest** overlooking the shoreline of Lake Arrowhead. Your residence is located on its own lot which was **subdivided** in 1978 from the parcel your parents purchased in 1957.

Survey Information

This office researched available deed and recorded survey plats for this and surrounding properties. Although a 1978 property survey prepared by Warren Robenstein, L.S. is referenced in the deed for your house lot, we were not able to locate that survey plat in the Milton Land Records. We just recently obtained a copy of it. We also reviewed survey plats for the majority of the surrounding properties and field located **existing** property **corners** to provide a more accurate picture of your **property** boundaries. In doing so, we identified, not **surprisingly**, areas where the property **corners** and lines differ considerably from what are shown on the Town's tax maps and also on the 1978 Survey.

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Figure 2 shows the 1978 survey property lines (blue), the tax map property lines (green), and our preliminary opinion of where your property lines are (red). Also shown, in yellow, are the property lines of abutting parcels that have been surveyed. We call your attention to several areas where our mapping of your perimeter property lines differs from where the 1978 survey shows them. First, the 1978 survey shows your property as including the 24 Route 7 North parcel that you purchased from Cushing in 1974 and subsequently sold to Bousquet in 1986. Secondly, the 1978 survey omits a large roughly triangular area in the southeast corner of your property that borders the Upper Falls Subdivision (James Cary). The enclosed copy of the property survey that this office prepared in 1989 for the Upper Falls Subdivision more accurately shows the locations of your property lines in this southeast corner.

The northerly perimeter property lines with the Overlake Subdivision parcel were not field located as part of this assessment. The location of Overlake's primary southerly boundary line, as shown on **Figure 2**, is based on the tax map line. The perimeter property line along Lake Arrowhead's (owned by Green Mountain Power, formerly CVPS) shoreline is defined in the deeds as elevation 290.0 ft USGS datum. You mentioned there has been some uncertainty regarding the property line between your property and the Johnson Lumber parcel. Our field work located several iron corner pins plus blazed trees and lines that presumably mark this property line.

With regard to your house lot, the property lines shown on the 1978 survey also do not check well with field evidence. The key to locating the property lines of your house lot is that its rear line is supposed to coincide with the center of the GMP transmission line easement. The southwest corner, as shown on the 1978 survey, checks well with the location of the referenced utility pole. Thus, the southerly line appears correct. The rear and the northerly side lines were then rotated around that corner to arrive at our preliminary opinion of where the house lot's boundary's are. The resulting lot size equals 2.75 acres. Your house lot also benefits from a 20 ft wide easement to Route 7 that is centered on the existing driveway.

Additionally, our opinion of where the Waterwheel Way right-of-way extension is located relative to your property is discussed in greater detail in the following Property Access section.

We mapped the topography of your property by using 2004 Chittenden County Regional Planning Commission LIDAR mapping. **Figure 3** shows the existing topography using 2 ft contour lines. Where the contour lines are far apart, the land is flat; and where they are close together, there are steep slopes.

Your property is also crossed by several utility easements, including a 100 ft wide Green Mountain Power 34.5 KV electric transmission line right-of-way, a 20 ft wide Town of Milton 12' water main right-of-way, and a 30 ft wide Fairpoint (formerly NET&T) telephone line right-of-way. These easements are

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shown on **Figure 3**. The underground portion of the Fairpoint telephone line to the north of your driveway has not been field located; thus **Figure 3** only shows its approximate location.

Property Access

This property has 250± ft of frontage along Route 7 in its southeast corner. There are presently two driveways; one serving the apartments on the south side of that building and the second serving your house and the field road that extends into the parcel interior on the north side of that building adjacent to the Lake Arrowhead shoreline.

One area in which the above survey work was able to provide some clarity relates to the location of your property corner relative to the end of the Waterwheel Way right-of-way extension. First, the Town Clerk's office confirmed that the 60 ft wide right-of-way that extends from the Waterwheel Way cul-de-sac to your property was indeed turned over to the Town. Secondly, it appears that the Town tax maps inaccurately depict the locations of the Milton Falls Subdivision/Waterwheel Way - Phase III lots and the 60 ft wide right-of-way. We field located several iron pins marking Waterwheel Way lot corners, the end of this right-of-way and your property corner. The correct location of the Waterwheel Way Phase III right-of-way matches the existing gravel roadway serving the Waterwheel Way Phase III lots and the field road that extends onto your property at this location. Thus, every indication is that your property benefits from a Town-owned right-of-way to Waterwheel Way. The existing 550± ft long gravel roadway serving the Waterwheel Way Phase III lots would need to be upgraded, however, to serve a future development on your property.

We also determined that your property benefits from a second access to Route 7 from its northeast corner. This is shown on the Overlake Subdivision survey plat as a 60 ft wide right-of-way located in the southeast corner of that property and roughly paralleling the shoreline of Lake Arrowhead. While this right-of-way could potentially serve one or more future lots, its location on Route 7, its bedrock soils and steep slopes limit its potential value to your property.

As part of our work, we met with Rob Hall, the project supervisor assigned to Milton from the Vermont Agency of Transportation (VTrans) Utilities and Permits Section. From that meeting, you applied for and received a Letter of Intent for a Highway Access Permit, dated November 20, 2013, to access up to 22 residential units from a new 24 ft wide private road that is depicted on **Figure 4**. This roadway would replace both existing accesses presently serving 26, 28 and 34 Route 7 North. This Letter of Intent is valid for up to two years.

Figure 4 also shows a preliminary road alignment and profile to access the upper plateau of your property. It appears that a suitable roadway can be constructed using the permitted maximum grade of 10%. A key issue in the construction of this roadway will be the exact location and depth of the existing

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Tom & Nancy Curran
February 11, 2014
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Milton, Vermont

12" water main which runs up the existing woods road. The engineering drawings for this water main that we obtained from the Town Public Works Dept, shows the water main was installed at the standard 5½ to 6 ft depth in this area. In the alignment shown in **Figure 4**, the portion of the new roadway over the existing woods road and water main would be more or less at-grade or in a fill section. The alignment swings away between Sta 16+00 and 16+50 as it begins a cut section to the upper plateau so as to avoid impacting the existing water main.

Soils Information

Existing soils on your property have been mapped by the Soil Conservation Service. **Figure 5** shows the resulting soils mapping.

Because this property is not served by the Town's municipal sewer system, on-site wastewater disposal will be required for any future development. These systems can be individual ones for each residential unit or combined into larger community systems serving multiple units. The large area of AdA soils (Adams and Windsor loamy sands, 0 to 5 percent slopes) in the middle portion of the property is generally well-suited for on-site wastewater disposal.

We also understand that sand and gravel was extracted from portions of your house lot to construct the Lake Arrowhead Dam and Route 7 causeway in the late 1930s. This is shown on the soils mapping as Gpi soils (sand and gravel pits). This area may also provide on-site wastewater disposal capacity, depending on how much suitable soil remains.

Town Land Development Regulations

The Town of Milton has adopted both subdivision and zoning regulations. This section will explore the requirements of both as they apply to your property.

This property is located in two zoning districts: Medium Density Residential (R2) and Shoreland Residential (R6). **Figure 6** shows the portion of the Town Zoning Map applicable to your property. in this area. The pink/grey square area is the R2 zone and the white/yellow square area is the R6 zone. Applying Section 220 - Interpretation of Boundaries, it appears that the R6 zone includes all of your house lot. The location of the boundary of the R6 zone along Route 7 in the larger lot is less clear as it does not follow a road, river, stream or property line. It appears that the exact location of this boundary may require a determination from the Zoning Administrator.

With the larger lot being located in two zoning districts, Section 670 permits, with DRB conditional use approval, relocation of the R6 zone boundary up to 100 ft from its location as shown on the Zoning Map.

Permitted uses in both the R2 and R6 zoning districts include single family dwellings and residential planned unit **developments**. Duplexes are also listed as a conditional use in the R2 district, but not in the R6 zone. Bed and breakfast is also listed as a conditional use in the R6 district. The existing farmhouse and its two apartments is a pre-existing non-conforming use in the **R6** district. As such, it is permitted to remain with certain limitations.

The dimensional requirements for residential uses in the two zoning districts are shown in Table 1. In planned unit **developments** (PUD's), some of the **dimensional** requirements, particularly those relating to frontage and setbacks are waived. The minimum lot area is also waived, **however**, it is used to determine the maximum number of units that can be **developed** in a PUD. This will be discussed in greater detail in the following section outlining this property's development potential.

Table 1 - Zoning District Dimensional Requirements

	Zoning District	
	R2 - Medium Density	R6 - Shoreline
Minimum Lot Area	40,000 sf (single family) 80,000 sf (duplex)	100,000 sf (residential) 40,000 sf (non-residential)
Minimum Frontage (Road or Shoreline)	200 ft (single family) 300 ft (duplex)	200 ft
Shoreline Setback	--	50 ft
Front Road Setback	35 ft	35 ft
Side Setback	15 ft	35 ft
Rear Setback	15 ft	35 ft

The Town's Zoning and Subdivision Regulations also outline requirements for how the future **development** of your property can be accessed. Specifically, Section 592.7 of the Zoning Regulations and Section 800.5 of the Subdivision Regulations both limit a dead-end street to 1,000 ft in length. Section 592.11 also spells out that a private right-of-way serving more than 30 lots or 50 units must have a looped road. There is a potential waiver of this latter requirement, however, in a meeting with Town planning and zoning staff on September 5, 2013, it was indicated that staff would not support such a waiver. It was also indicated that because the Town Plan encourages through road connections, staff would favor the construction of a public road linking Route 7 with Waterwheel Way over a private dead-end road.

The Town is currently in the **process** of adopting amendments to the existing Zoning Regulations. Among the amendments being **considered** is one that would require that all developments with 10 or more residential units be **considered** planned unit developments and shall be reviewed by the DRB as

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Milton, Vermont

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such (Section 800). While our initial take on this **amendment** indicates that it does not **eliminate** the ability to create conventional lots, it will likely **discourage** future large conventional subdivisions.

Property Development Potential

We initially examined the potential of your property to be subdivided into conventional residential lots by developing a sketch level layout. Using the minimum required lot sizes and frontages, and considering the constraints created by existing topography, we did several **layouts**, the results of which came up with ± 15 lots (including ones for your house and the apartments). Two of those lots were sufficiently large to be developed with duplexes, resulting in 17 units. Those **numbers** include the 3 existing residential units, therefore the net gain would be 14 new residential units.

We also examined the potential to develop a residential PUD. To do this required performing a **density** analysis, for which the following was used:

- The total lot area equals ± 28 acres).
- The area of undevelopable land, which by definition in the Zoning Regulations includes slopes $\geq 15\%$, wetlands, rock formations and undevelopable soils, equals ± 12 acres). For the purposes of this calculation, the GMP, Fairpoint or Town utility easements were not considered to be undevelopable land. **Figure 7** shows the delineation of undevelopable land used in this analysis.
- 100,000 sf was subtracted from the remaining 16 acres of developable land to account for the minimum permitted area of your house lot in the R6 zone. The remaining ± 13.7 acres was then multiplied by 90% to account for PUD roads, sidewalks and other infrastructure. This leaves 12.3 acres of remaining developable land, which divided by the 40,000 sf minimum lot size in the R2 zoning district equals 13.4 lots. That can be rounded up to 14 lots. The Zoning Regulations also permit up to a 25% bonus density for including provisions for public access or dedication in a PUD development. Adding a 25% bonus density adds another 4 units, for a total of 18 units (excluding your existing house). The two existing apartment units are included in this, therefore the net gain of a PUD type development would be 16 new residential units.

The principal **advantage** of developing a residential PUD, compared to a conventional subdivision, is that the lots or units can be clustered and accessed by private **driveways**; thus reducing the length of the primary access road and reducing other needed infrastructure.

The foregoing **represents** an initial sketch level analysis for both a conventional **subdivision** and a residential PUD. More detailed survey data, soils mapping and topographic mapping may ultimately provide different results.

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Planning & Economic Development
Milton, Vermont

Tom & Nancy Curran
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Summary

We would like to thank you for this opportunity to assist you by examining the development potential of your property, and identifying some of the opportunities and constraints that will influence its future use.

Should you have any questions or if additional information is desired, please feel free to contact me.

Sincerely,



Roger Dickinson, P.E., PTOE

enclosures

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Planning & Economic Development
Milton, Vermont



State of Vermont
Utilities & Permits Unit
One National Life Drive
Montpelier, VT 05633-5001
www.aot.state.vt.us

Agency of Transportation

[phone] 802-828-2653
[fax] 802-828-5742
[ttd] 800-253-0191

! LETTER OF INTENT !
THIS IS NOT A PERMIT

November 20, 2013

Tom and Nancy Curran
34 US Route 7 North
Milton, VT 05468

Subject: Milton, US7, L.S. 2768+25 LT

Dear Mr. and Ms. Curran,

Your highway permit application to eliminate the existing accesses at L.S. 276+40 LT and 277+70 LT and construct a new twenty-four foot wide access at L.S. 278+25 LT to serve up to twenty-two residential units, at the above-referenced location, has been reviewed and found to meet the requirements for work within the highway right-of-way.

Title 19 VSA § 1111 requires that we ensure compliance with all local ordinances and regulations relating to highways. **Your highway permit application will be processed after you provide us with copies of your Act 250 and/or local approvals, including all conditions.** In cases where local zoning does not exist, a letter from the legislative body of the municipality will be acceptable.

When issued, the permit will contain, but will not be limited to, the attached Special Conditions.

This commitment is valid for two years from the date of this letter. Should your other permits require a longer time period, please contact us relative to an extension of time.

This Letter of Intent addresses only access to, work within, and drainage affecting the State highway. It does not address other possible transportation issues, such as access to town highways, use of private roads, and use of railroad crossings. If relevant to the proposed development, such issues must be addressed separately.

If you have any further questions about this matter, please call me at (802) 828-2654.

Sincerely,


Rob Hall
Project Supervisor
Utilities & Permits Unit

Attachment

Reviewed by: Craig Keller Date: 11/20/13
Craig Keller, Chief of Utilities and Permits

cc: Town of Milton
Geoffrey Green, District Environmental Coordinator #6
Chittenden County Regional Planning Commission
Roger Dickinson, P.E., Lamoureux & Dickinson Consulting Engineers, Inc.



State of Vermont
 Policy, Planning & Intermodal Development Division
 Policy, Planning and Research Bureau
 Development Review & Permitting Services Section
 One National Life Drive
 Montpelier, VT 05633-5001
 vtrans.vermont.gov

[phone] 802-828-2653
 [fax] 802-828-2456
 [ttd] 800-253-0191

Agency of Transportation

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FEB 24 2016

Planning & Economic Development
 Milton, Vermont

November 5, 2015

Tom and Nancy Curran
 34 US Route 7 North
 Milton, VT 05468

Subject: Milton, US7, L.S. 278+25 LT
Letter of Intent Extension for Permit # 38523

Dear Mr. and Ms. Curran:

Your request for an extension of the "Letter of Intent" issued on November 20, 2013 to eliminate the existing accesses at L.S. 276+40 LT and L.S. 277+70 LT and construct a new twenty-four foot wide access at L.S. 278+25 LT to serve up to twenty-two residential units, is extended to December 1, 2017.

Please feel free to contact James Clancy at (802) 828-2486 if you have questions or comments.

Sincerely,

James Clancy
 Permit Coordinator
 Permitting Services

Attachment

Reviewed by: Craig S. Keller, P.E., Date: 11/5/15

 Chief of Permitting Services

cc: Town of Milton
 District Environmental Coordinator #6
 Chittenden County Regional Planning Commission
 Lamoureux & Dickinson Consulting Engineers Inc.

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Maximum Density Analysis

Planning & Economic Development
Milton, Vermont

Zoning District: <u> R2 </u>	
a. Amount of land in the PUD within this Zoning District	1089000 ft. ²
b. Amount of Class I, II, or III wetlands and buffers	ft. ²
c. Amount of land encompassed by a stream or watercourse	472720 ft. ²
d. Amount of land with slopes greater than 15%	ft. ²
e. Amount of rock formations, or undevelopable soils	ft. ²
f. Amount of land encompassed by flood & earth hazard movement	ft. ²
g. Amount of land within restrictive easements or rights-of-way	ft. ²
h. Add lines b through g (Total undevelopable land)	472720 ft. ²
i. Subtract line h from line a	616280 ft. ²
j. Multiply line i by 0.9 (Total developable land, adjusted for roads, utilities, etc.)	554652 ft. ²
DEPENDING ON YOUR PROPOSAL PROCEED TO LINE k OR m.	
k. For SINGLE FAMILY DWELLINGS, DUPLEXES, or MULTIFAMILY DWELLINGS in Zoning Districts where no maximum density is specified, enter the minimum lot area for single family or duplexes (if specified and proposing duplexes) in the Zoning District and proceed to line l.	40000 ft. ²
l. Divide line j by line k (Round up to the nearest whole number)	14 UNITS
m. For MULTIFAMILY DWELLINGS, where a maximum density is specified in the Zoning District, divide line j by 40,000 ft. ² , and proceed to line n.	ft. ²
n. Enter the maximum DENSITY as specified in the Zoning District and proceed to line o.	_____
o. Multiply line m by line n (Round up to the nearest whole number)	UNITS
DEPENDING ON YOUR PROPOSAL YOUR MAXIMUM NUMBER OF ALLOWABLE UNITS IS EITHER ON LINE l OR LINE o.	
Public Access 25% bonus for total of 18 units	

Please attest to the following statement by signing in the space provided (All applicants must sign):

I, Applicant for this proposed Planned Unit Development, understand that the maximum density, as determined in Question 10, is only an estimate at this point in time and will need to be verified by a certified engineer or licensed land surveyor. I further understand that once this figure is finalized, the maximum density shall not be guaranteed by the DRB. There are a variety of factors that can limit the number of units that may be allowed in a planned unit development, including ground water, soil capacity for septic systems, and inability to achieve the goals of the Town Plan, among others.

Sign Here: Thomas Curran

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Maximum Density Analysis

Planning & Economic Development
Milton, Vermont

Zoning District: <u> </u> R6 <u> </u>	
a. Amount of land in the PUD within this Zoning District	100000 ft. ²
b. Amount of Class I, II, or III wetlands and buffers	ft. ²
c. Amount of land encompassed by a stream or watercourse	ft. ²
d. Amount of land with slopes greater than 15%	50000 ft. ²
e. Amount of rock formations, or undevelopable soils	ft. ²
f. Amount of land encompassed by flood & earth hazard movement	ft. ²
g. Amount of land within restrictive easements or rights-of-way	ft. ²
h. Add lines b through g (Total undevelopable land)	50000 ft. ²
i. Subtract line h from line a	50000 ft. ²
j. Multiply line i by 0.9 (Total developable land, adjusted for roads, utilities, etc.)	ft. ²
DEPENDING ON YOUR PROPOSAL PROCEED TO LINE k OR m.	
k. For SINGLE FAMILY DWELLINGS, DUPLEXES, or MULTIFAMILY DWELLINGS in Zoning Districts where no maximum density is specified, enter the minimum lot area for single family or duplexes (if specified and proposing duplexes) in the Zoning District and proceed to line l.	40000 ft. ²
l. Divide line j by line k (Round up to the nearest whole number)	1 UNITS
m. For MULTIFAMILY DWELLINGS, where a maximum density is specified in the Zoning District, divide line j by 40,000 ft. ² , and proceed to line n.	ft. ²
n. Enter the maximum DENSITY as specified in the Zoning District and proceed to line o.	_____
o. Multiply line m by line n (Round up to the nearest whole number)	UNITS
DEPENDING ON YOUR PROPOSAL YOUR MAXIMUM NUMBER OF ALLOWABLE UNITS IS EITHER ON LINE l OR LINE o.	

Please attest to the following statement by signing in the space provided (All applicants must sign):

I, Applicant for this proposed Planned Unit Development, understand that the maximum density, as determined in Question 10, is only an estimate at this point in time and will need to be verified by a certified engineer or licensed land surveyor. I further understand that once this figure is finalized, the maximum density shall not be guaranteed by the DRB. There are a variety of factors that can limit the number of units that may be allowed in a planned unit development, including ground water, soil capacity for septic systems, and inability to achieve the goals of the Town Plan, among others.

Sign Here: *Ross Curran*

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>1</u>	
Zoning District: <u>R6</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	100000 ft. ²	100000 ft. ²	ft. ²
Road Frontage	200 ft.	727 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any) shoreline	50 ft.	50 ft.	
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>2 (R2)</u>	
Zoning District: <u>R6</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	21736 ft. ²	18264 ft. ²
Road Frontage	200 ft.	245 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

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- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>3</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	14932 ft. ²	25068 ft. ²
Road Frontage	200 ft.	129 ft.	71 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>4</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	15386 ft. ²	24614 ft. ²
Road Frontage	200 ft.	220 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

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Planning & Economic Development
Milton, Vermont

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>5</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	15000 ft. ²	25000 ft. ²
Road Frontage	200 ft.	252 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>6</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	16038 ft. ²	23962 ft. ²
Road Frontage	200 ft.	75 ft.	125 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>7</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	15050 ft. ²	24950 ft. ²
Road Frontage	200 ft.	246 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>8</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	25986 ft. ²	14014 ft. ²
Road Frontage	200 ft.	59 ft.	141 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

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Planning & Economic Development
 Zoning District

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>9</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	22184 ft. ²	17816 ft. ²
Road Frontage	200 ft.	111 ft.	89 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>10</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	28798 ft. ²	11202 ft. ²
Road Frontage	200 ft.	281 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

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- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Zoning Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>11</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	15643 ft. ²	24357 ft. ²
Road Frontage	200 ft.	281 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>12</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	15000 ft. ²	25000 ft. ²
Road Frontage	200 ft.	100 ft.	100 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

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Milton, Vermont

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>13</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	15030 ft. ²	24970 ft. ²
Road Frontage	200 ft.	102 ft.	98 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>14</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Req uired	P roposed	W aiver Requested
Lot Area	40000 ft. ²	15646 ft. ²	24536 ft. ²
Road Frontage	200 ft.	105 ft.	95 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>15</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	12903 ft. ²	27095 ft. ²
Road Frontage	200 ft.	100 ft.	100 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>16</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	19707 ft. ²	20293 ft. ²
Road Frontage	200 ft.	331 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? *What mechanisms for protection are you proposing?*

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Milton, Vermont

- (11) For each lot in the proposed Planned Unit Development, list the Zoning District, Lot Area and Dimensional Requirements, Proposed Lot Area and Dimensions, and Requested Waivers, if any. Please refer to the Zoning Regulations for the specific requirements of the Zoning District(s) in which the proposed lots are located or see the attached Development Standards chart. If a parcel is or will be in more than one zone, answer question for all Zoning Districts. If there are more than two lots proposed in the Planned Unit Development, attach additional charts.

PUD Name: <u>Curran Development</u>		Lot #: <u>17</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	15063 ft. ²	24937 ft. ²
Road Frontage	200 ft.	165 ft.	ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

PUD Name: <u>Curran Development</u>		Lot #: <u>18</u>	
Zoning District: <u>R2</u>			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	40000 ft. ²	13445 ft. ²	26555 ft. ²
Road Frontage	200 ft.	166 ft.	34 ft.
Front Setback	35 ft.	35 ft.	ft.
Side Setback	35 ft.	35 ft.	ft.
Rear Setback	35 ft.	35 ft.	ft.
Lot Coverage	10 %	10 %	%
Other (if any)			
Bldg. Coverage	40 %	40 %	

- (12) Please describe the required open space that you are proposing for this project. What do you propose to do with this land? What mechanisms for protection are you proposing?
(SEE ATTACHED)



LEGEND

-  Parcels (where available)
-  Town Boundary

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1: 5,957
1 in = 496 ft.
1 cm = 60 meters 



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

NOTES
Map created using ANR's Natural Resources Atlas



- CURRAN PROPERTY LINES (L&D EST.)
- ROBENSTEIN SURVEY PROPERTY LINES
- ABUTTER PROPERTY LINES
- MILTON TAX MAP PARCELS
- IRON PIPE FOUND
- IRON PIPE (OTHER SURVEYS)

LAKE ARROWHEAD

US ROUTE 7

HOWARD DR

WHEEL WAY

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Planning & Economic Development
MILTON, VERMONT

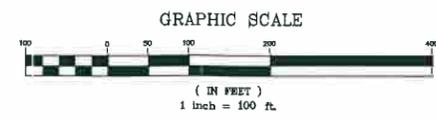


FIGURE 2 - PROPERTY MAPPING





- CURRAN PROPERTY LINES
- ABUTTER PROPERTY LINES
- EASEMENT LINE
- IRON PIPE FOUND
- IRON PIPE (OTHER SURVEYS)

LAKE ARROWHEAD

US ROUTE 7

HOWARD DR

WATERWHEEL WAY

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Planning & Economic Development
Milton, Vermont

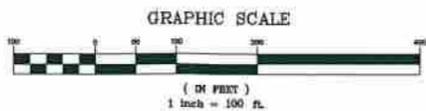
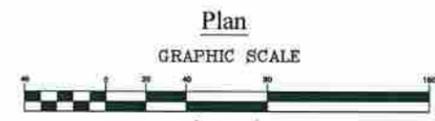
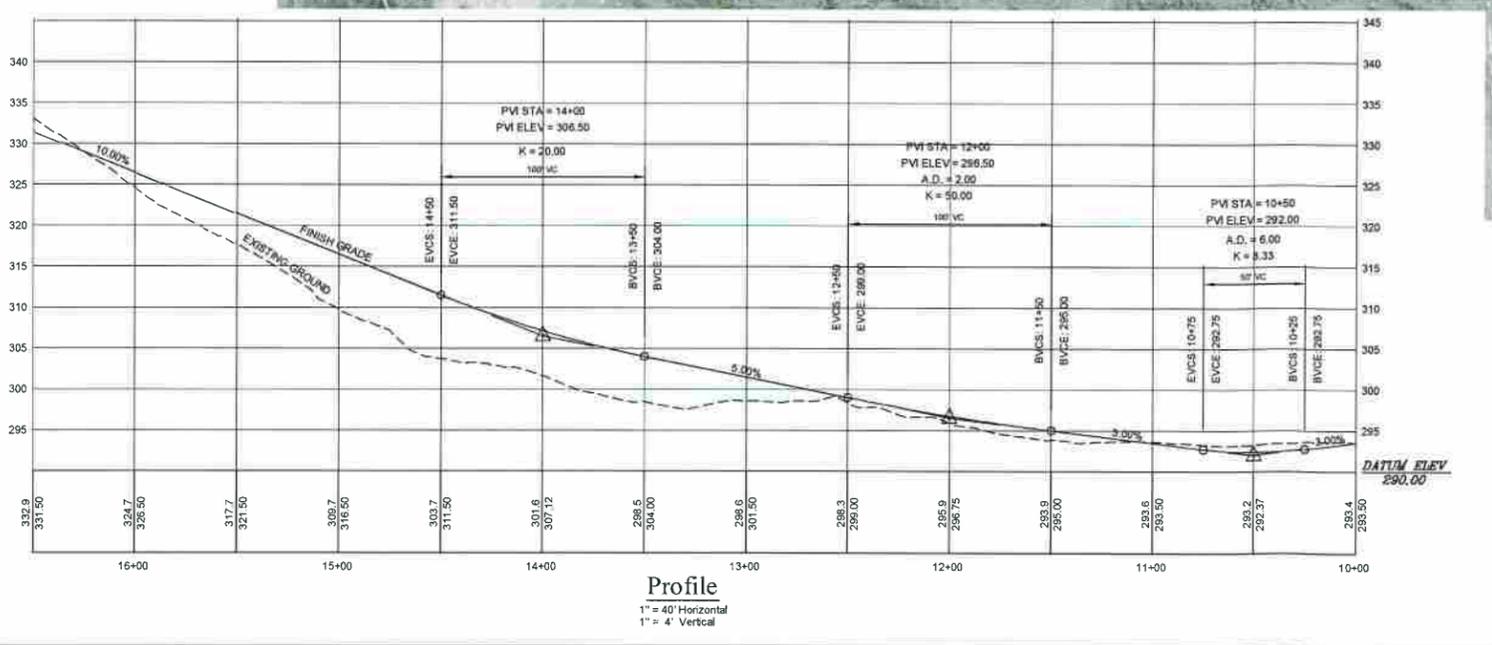
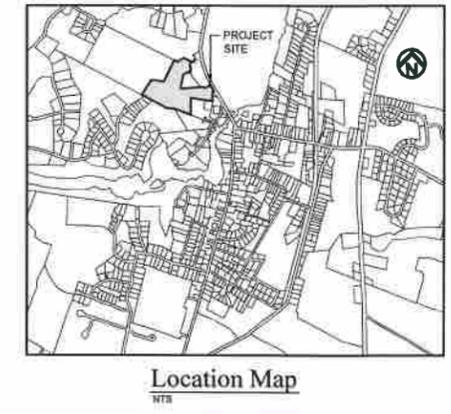


FIGURE 3 - EXISTING CONDITIONS





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Planning & Economic Development
Milton, Vermont

Tom & Nancy Curran		Project No. 13048
34 Route 7 North	Milton, VT	Survey L&D
Figure 4		Design RD
Proposed Access Plan & Profile		Drawn L&D
		Checked RD
		Date OCT, 2013
		Scale 1" = 40'
		Sheet number 1

L Lamoureux & Dickinson
Consulting Engineers, Inc.
14 Morse Drive, Essex, VT 05452
802-878-4450 www.LDengineering.com



LEGEND

- Soils**
- <all other values>
 - Association
 - Consoaction
 - Undifferentiated group
 - Complex
- Parcels (where available)
- Town Boundary

- AdA - Adams and Windsor loamy sands, 0 to 5 percent slopes
- AdD - Adams and Windsor loamy sands, 12 to 30 percent slopes
- AdE - Adams and Windsor loamy sands, 30 to 60 percent slopes
- Gpi - Sand and Gravel Pits
- LyE - Lyman-Marlow very rocky loams, 30 to 60 percent slopes
- Rk - Rock land
- W - Water

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Milton, Vermont

1: 2,265

1in = 189 ft.
1cm = 23 meters



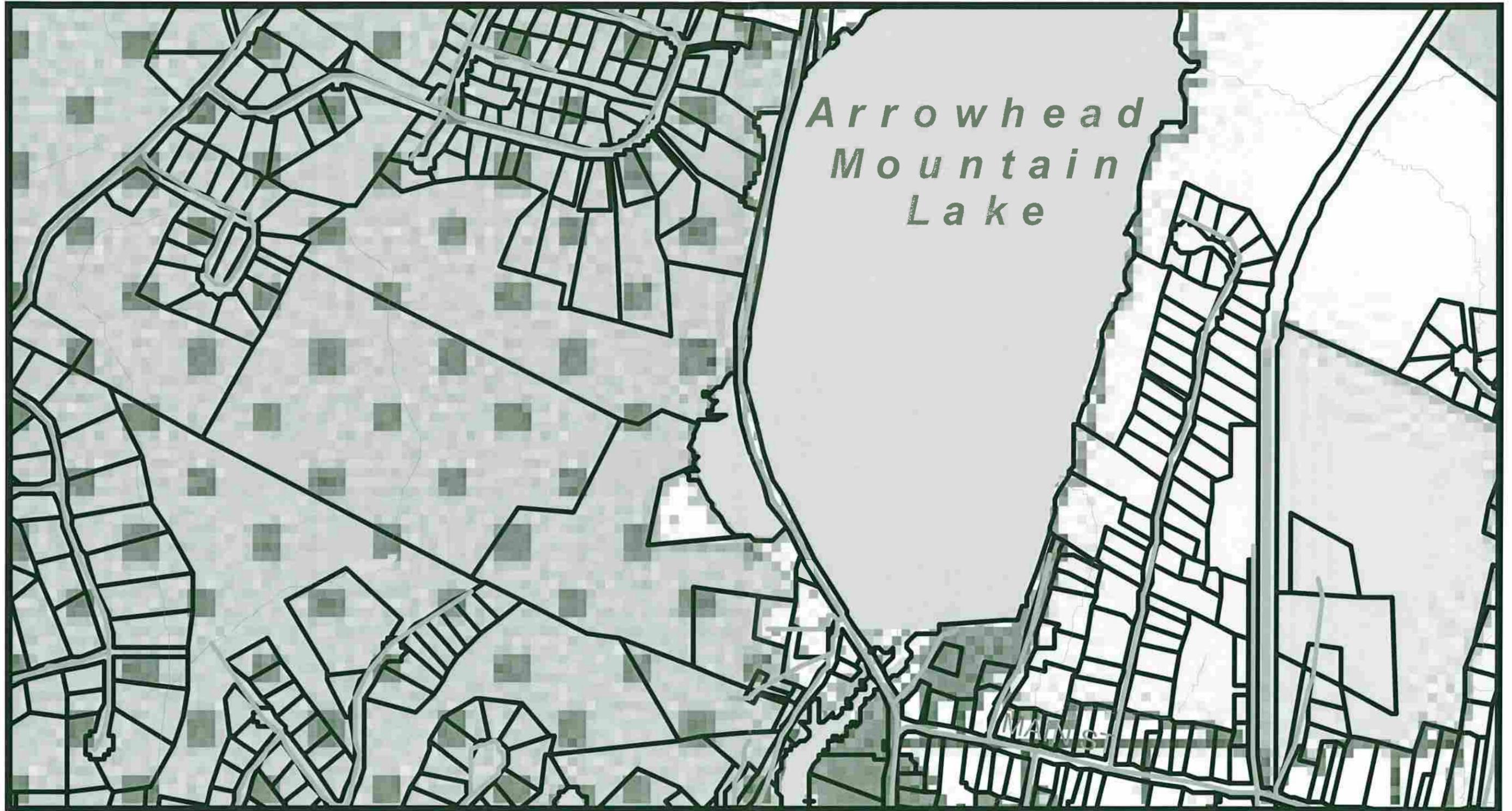
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NOTES

Map created using ANR's Natural Resources Atlas

FIGURE 6 - TOWN ZONING MAP



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Milton, Vermont



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Milton, Vermont

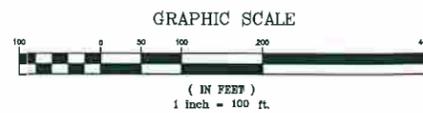


FIGURE 7 - UNDEVELOPABLE LAND AREA





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GRAPHIC SCALE



Figure 8 – Proposed Lot Layout





TOWN OF MILTON
Planning & Economic Development Department
43 Bombardier Road
Milton, Vermont 05468-3205
802.893.1186
miltonvt.org

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, April 14, 2016

Date of Review: 3/29/16

Department: School

TAC Member: Ann Bradshaw

PUD Sketch Plan - 26-28 Route 7 North - Curran Apartments, LLC, Owner/Thomas & Nancy Curran, Applicants

There is potential impact on the schools with 18 new homes. Increased enrollment could create increased costs if additional staff has to be hired.

Minor Conventional Subdivision Sketch Plan - 242 North Road - Erwin Devino, Owner/Applicant

No comments

PUD Site Plan Amendment - 20 Clifford Drive Units 101 and 102 - Turner Estates LLC, Owner/Applicant

No comments

Minor Conventional Subdivision Final Plan - 165 Railroad Street - Gordon LaFountain Sr., Owner/Gordon LaFountain Jr. & Jenna LaFountain, Applicants

No comments

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miltonvt.org

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, April 14, 2016

Date of Review: 03.23.16

Department: Police

TAC Member: BRETT VAN NOORDT

PUD Sketch Plan - 26-28 Route 7 North - Curran Apartments, LLC, Owner/Thomas & Nancy Curran, Applicants

NO COMMENTS OF CONCERNS.

Minor Conventional Subdivision Sketch Plan - 242 North Road - Erwin Devino, Owner/Applicant

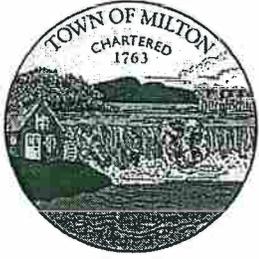
NO COMMENTS OF CONCERNS

PUD Site Plan Amendment - 20 Clifford Drive Units 101 and 102 - Turner Estates LLC, Owner/Applicant

NO COMMENTS OF CONCERNS

Minor Conventional Subdivision Final Plan - 165 Railroad Street - Gordon LaFountain Sr., Owner/Gordon LaFountain Jr. & Jenna LaFountain, Applicants

NO COMMENTS OF CONCERNS



TOWN OF MILTON
Planning & Economic Development Department
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miltonvt.org

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MAR 23 2016

RECREATION DEPARTMENT
MILTON, VERMONT

TECHNICAL ADVISORY COMMITTEE REVIEW SHEET

Development Review Board Meeting of Thursday, April 14, 2016

Date of Review: 3-23-16

Department: Recreation

TAC Member: Dan Duchesneau

PUD Sketch Plan - 26-28 Route 7 North - Curran Apartments, LLC, Owner/Thomas & Nancy Curran, Applicants

- No comments

Minor Conventional Subdivision Sketch Plan - 242 North Road - Erwin Devino, Owner/Applicant

- No comments

PUD Site Plan Amendment - 20 Clifford Drive Units 101 and 102 - Turner Estates LLC, Owner/Applicant

- No comments

Minor Conventional Subdivision Final Plan - 165 Railroad Street - Gordon LaFountain Sr., Owner/Gordon LaFountain Jr. & Jenna LaFountain, Applicants

- No comments

FIRE DEPARTMENT REVIEW

DATE: 4/03/2016

APPLICANT NAME: Curran Apartments/ Thomas & Nancy
PLANS REVIEWED BY: C. Poirier

LOCATION: 26-28 Route 7 North
INSPECTION: No

Code Requirements

NFPA 1141 2008 Edition

5.2 Roadways.

Roadways shall be constructed and maintained in accordance with this section.

5.2.1* The legal right-of-way for a roadway shall accommodate the width necessary for the construction, drainage, erosion control, and maintenance of the roadway, and provisions for utilities and sidewalks.

5.2.2 Roadways shall be constructed of a hard, all-weather surface designed to support all legal loads of the jurisdiction.

5.2.3 Roadways shall have a minimum clear width of 12 ft (3.7 m) for each lane of travel, excluding shoulders and parking.

5.2.3.1 Curves shall not reduce the width of the roadway.

5.2.3.2 Provisions shall be made for drainage, snowbanks, parking, utilities, and the like such that they do not impinge on the minimum clear width.

5.2.4 Where parking is permitted, such space shall be provided in accordance with Section 5.4. 5.2.5

Grades.

5.2.5.1 Grades shall not be more than 10 percent, except as permitted by this section.

5.2.5.2* Grades steeper than 10 percent shall be permitted by the AHJ where mitigation measures can be agreed upon by the fire department and the road engineering department, taking into consideration climate, traffic load, environmental conditions, the number of turns that would affect traffic flow, and the ability of fire apparatus to operate on steeper grades.

5.2.8 Every dead-end roadway more than 300 ft (91 m) in length shall be provided at the closed end with a turnaround having no less than a 120 ft (36.6 m) outside diameter of the traveled way.

5.2.9 At least 13 ft 6 in. (4.2 m) nominal vertical clearance shall be provided and maintained over the full width of the roadway.

5.2.10 Turns in roadways shall be constructed with a minimum radius of 60 ft (18.2 m) to the outside of the turn.

Code Requirements

8.1.4 Fire Hydrants.

8.1.4.1 Fire hydrants shall be marked in accordance with NFPA 291, Recommended Practice for Fire Flow Testing and Marking of Hydrants, and shall be made visible from the road by reflective marking or signage as designated by the AHJ.

8.1.4.2 All identification signs for fire hydrants shall be approved by the applicable authority prior to installation if they are to be located in the right-of-way or are subject to other laws.

8.1.4.4 Fire hydrants shall be located within 6 ft (1.8 m) of the edge of the pavement unless the fire department determines another location is more acceptable for fire department use.

8.1.4.5* Threads on fire hydrant outlets shall be American National Fire Hose Connection Screw Threads and shall be equipped with thread adapters where local fire department thread is different.

8.1.4.6 The area around fire hydrants shall remain clear of obstructions, including vegetation, signs, fences, light posts, and so forth.

8.3.2 For all required fire flows other than those described in 8.3.1, the water supply system shall be capable of delivering the required fire flow for at least 1 hour at 20 psi (138 kPa) residual pressure,

8.3.3 Fire hydrants in partially built-out or built-out areas shall be installed at a spacing not to exceed 500 ft (152 m) of vehicle travel distance from a building unless the fire department having jurisdiction determines that closer fire hydrant spacing is required.

8.3.5 The fire department shall approve the location of all fire hydrants. 8.3.6 For non-residential buildings, a fire hydrant shall be located within 500 ft (150 m) of each point of entry.

8.3.7 In residential areas, fire hydrants shall be supplied by not less than a 6 in. (150 mm) diameter main installed on a looped system or by not less than an 8 in. (200 mm) diameter main if the system is not looped or the fire hydrant is installed on a dead-end main exceeding 300 ft (91 m) in length.

8.3.9 Dead-end mains shall not exceed 600 ft (183 m) in length for main sizes less than 10 in. (250 mm) in diameter.

Additional Remarks: It is the recommendation of the Fire & Rescue departments from a public safety stand point. That the applicant be required to make a through connection to Water Wheel Way located off from Milton Falls Ct. This will provide a secondary means of access in the event of an emergency to all residential neighborhoods on and off Poor Farm Road. It will also cut the emergency response time in half to a large number of the occupant in this area of town. I urge the DRB to consider this as a requirement for this project to move forward.