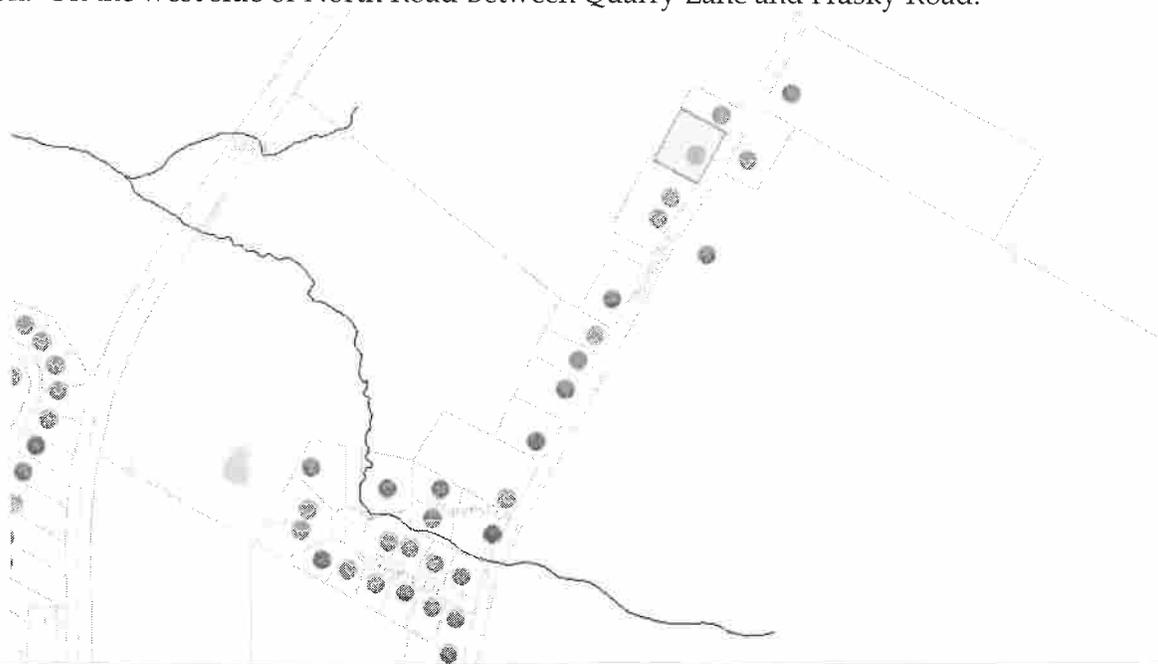


TOWN OF MILTON
Planning & Economic Development Department
43 Bombardier Road
Milton, VT 05468-3205
(802) 893-1186
miltonvt.org

DEVELOPMENT REVIEW BOARD STAFF REPORT

Hearing Date: April 14, 2016	
Case No: DRB 2016-14	
Application(s): 2-lot Minor Conventional Subdivision Sketch Plan	
Application Received: March 11, 2016	
Application Deemed Complete: March 11, 2016	
Staff Report Finalized: Friday, April 7, 2015	
Applicant(s): Erwin Devino 243 North Road Milton, VT 05468	Owner(s): Same
Engineer/License: Karl Marchessault, PE Civil 8932 O'Leary-Burke 13 Corporate Drive Essex Junction, VT 05452	Surveyor/License: Seth W. Kittredge, LS 060709 O'Leary Burke 13 Corporate Drive Essex Junction, VT 05452
E-911/Postal Address: 242 North Road	
Tax Map, Parcel(s): 15, 119-1	
School Parcel Account Number(s) (SPAN): 10952	
Deed(s): Book 61, Page 96-98	
Existing Size: 1.05 acres	
Zoning District(s): Old Town Residential (R1)	
Comprehensive Plan Planning Area/Sub-Area: North Road Planning Area	
Location: On the west side of North Road Between Quarry Lane and Husky Road.	



INTRODUCTION

Noticed Summary of Proposal: 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.

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 the applicant's Loretta Devino is an employee of the Town of Milton. There are no other 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 Subdivision 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 Erwin Devino, referred to hereafter as the "applicant".

Landowner(s): The property is owned by Erwin Devino.

Project Consultant(s): Karl Marchessault, Seth Kittredge and David Burke of O'Leary-Burke are consultants for this project.

Application Submission: The application form was received by the Planning and Economic Development Department on March 11, 2016. Unless otherwise noted, the associated exhibits were received the same day.

Application Completion: The application was deemed complete by Staff on March 11, 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/Preliminary/Final 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: No waivers were requested. Staff finds that a waiver is needed from the frontage requirement of ZR530.

Warning/Notice of Hearing: Public warning/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.

EXHIBITS

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

- Devino Subdivision Overall Plan & Details, dated 3/9/16

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

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

SITE, DISTRICT & AREA INFORMATION

Property Location: The subject property is located at 242 North Road and shown on Milton's Tax Map 15 as Parcel 119-1. The corresponding School Parcel Account Number (SPAN) is 10952.

Size/Area: According to the evidence presented, the subject parcel is approximately 1.05 acres or 45,764 square feet. The Assessor's Grand List records this property as approximately 1.8 acres.

Deed(s): The deed is recorded in Book 61, Page 96-98 of the Town of Milton Land Records.

Zoning District(s): The site is located within Old Town Residential (R1) 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 ZR301 states that the purpose of this district is "Residential uses should continue to characterize this zoning district."

Comprehensive Planning Area: The site is located within the North Road Planning Area, as delineated in Map 2 of the 2013 Comprehensive Plan. The Plan states the following goals about this area:

Goal 9.10.1. Encourage environmentally sensitive, high quality industrial development, which will provide greater employment opportunities and broaden the tax base.

Physical Characteristics/Natural Features: The site is generally flat with open lawn and meadow, contains prime agricultural soil and soil of statewide agricultural significance, drains to Lake Champlain via the Lamoille River, and contains no mapped wetlands.

Surrounding Use/Structures: The property is surrounded on the north and south and east by residential single family dwellings and is bordered on the east and west by agricultural property. The property to the west is part of the Industrial Conservation land owned by Husky.

SITE HISTORY

Background: The staff did not find previous development review by the DRB or Zoning Board of Adjustment or Planning Commission relevant to the proposal.

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 lot currently contains a single family residence.

Proposed Use: The applicant is proposing to construct an additional single family residence on the proposed Lot 2

Existing Improvements: The lot currently contains a single family home served by municipal water and sewer and a gravel drive.

Proposed Improvements: The applicant is proposing an additional single family residence to be constructed on the property. The new residence would be served by its own drive, and municipal water service. The proposed connection to municipal sewer would be made via a connection to existing sewer service on Lot 1 via a 20' wide sewer easement on Lot 1.

Existing Restrictions or Covenants: The applicant reported no known restrictions or covenants on the property.

Proposed Restrictions or Covenants: The applicant proposes a 20' sewer easement on Lot 1 to benefit Lot 2.

SUBDIVISION SKETCH PLAN REVIEW

SR110.2, Subdivision Policy: Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Land shall not be subdivided until proper provision has been made for drainage, water, sewage, and capital improvements such as schools, parks, recreation facilities and transportation facilities.

SR120, Purposes: The Subdivision Regulations aim to achieve the purposes defined by this section:

- To protect and provide for the public health, safety, and general welfare of the Town of Milton.
- To guide the future growth and orderly development of the Town in accordance with the Comprehensive Plan, Zoning Regulations and all other By-Laws enacted to implement the Plan.
- To provide for adequate light, air and privacy, to secure safety from fire, flood and other danger, and to prevent over-crowding of the land and undue congestion of population.
- To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewage, schools parks, playgrounds, recreation and other public requirements and facilities.
- To provide the most beneficial relationship between the uses of land and buildings, and the circulation of traffic throughout the Town, having particular regard to the avoidance of congestion in the streets and highways.
- To insure that public facilities are available and will have a sufficient capacity to serve any proposed subdivision.
- To present the pollution of air, streams, ponds and Lake Champlain; to assure the adequacy of drainage facilities; to safeguard the water tables; and to encourage the wise use and management of natural resources throughout the Town in order to preserve the integrity; stability, and beauty of the community and the value of land.
- To preserve the natural beauty and topography of the Town and to insure appropriate development with regard to these natural features.
- To further the purposes contained in the Vermont Planning and Development Act, and in particular, those purposes set forth in Section 4302 of the Act.

SR320, Subdivision Classification: The section states, "The DRB shall classify the sketch plan at the meeting as either a minor subdivision or a major subdivision." The proposal is for a two-lot (2) subdivision, originating with one (1) parent lot and resulting in two (2) individual lots. SR200.5 defines a minor subdivision as, "Any subdivision containing less than seven lots; any planned residential development or planned unit development containing less than seven units." Staff, therefore, finds that the proposal is a minor subdivision.

SR330, Regulatory Conformance: The section states, "The DRB shall study the sketch plan to determine whether or not it conforms to, or would be in conflict with the Plan, the Zoning Regulations and any other By-laws then in effect, and shall where it deems necessary, make specific recommendations for changes in subsequent submissions. The DRB may also require where necessary for the protection of the public health, safety, and welfare that a minor subdivision comply with all or some of the requirements specified in these regulations for major subdivisions."

ZONING REGULATION LOT CONFORMANCE

ZR620, Reduction of Lot Size: "No lot shall be so reduced in area so that the total area, setback areas, lot width, frontage, coverage, or other requirements of these Regulations shall be other than herein prescribed for the district in which the lot is located."

District Dimensional Requirements, ZR304: The tables below show the required dimensional requirement for the subject property's applicable Zoning District and proposed compliance.

Lot 1 (Containing Existing Dwelling)	Required	Proposed
Minimum LOT AREA (sq. ft.)	10,000	26,420
Minimum Road FRONTAGE (linear ft.)	80	148
Minimum FRONT SETBACK (linear ft.)	20	>20
Minimum SIDE SETBACK (linear ft.)	10	>10
Minimum REAR SETBACK (linear ft.)	10	>10
Maximum BUILDING COVERAGE	40	5.2
Maximum LOT COVERAGE (%)	50	7.7

Lot 1 would conform to the dimensional standards of the R1 District.

Lot 2	Required	Proposed
Minimum LOT AREA (sq. ft.)	10,000	19,344
Minimum Road FRONTAGE (linear ft.)	80	93
Minimum FRONT SETBACK (linear ft.)	20	>20
Minimum SIDE SETBACK (linear ft.)	10	>10
Minimum REAR SETBACK (linear ft.)	10	>10
Maximum BUILDING COVERAGE	40	11.0
Maximum LOT COVERAGE (%)	50	17.0

Lot 2 would conform to the dimensional standards of the R1 District.

RETURN TO SUBDIVISION REVIEW

SR340, Effect of Sketch Plan Approval: The section states, "Approval of a sketch plan shall not constitute the approval of a subdivision plat and is merely an authorization for the applicant to file a preliminary plan or final plan application."

SR400, Minor Subdivision Application: The section states (if approved):

1. 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.

SR610, Final Application Content:

2. The final plat application shall include all items listed in Subdivision Regulations 610, including a survey of all lots resulting from the proposed subdivision.

Subdivision Standards of Evaluation, Section 700:

Final approval of any subdivision shall be based on a finding by the DRB that the subdivision is in accord with the following standards:

- 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

3. The Final application shall include Section 700 responses, submitted by e-mail in Microsoft .DOC format to the Town Planner.

SR830, Street Trees: The section states that “the DRB may require that suitable shade trees (such as Sugar Maple, Norway Maple, Red Maple, Ash or Oak) be planted along streets where trees do not exist at intervals of forty (40) feet or less. All trees shall measure ten (10) feet in height and at least two (2) inches in diameter measured at a point six (6) inches above finished grade level. All trees are to be planned within five (5) feet of the edge of the street right-of-way.”

4. The DRB may require that street trees be planted along North Road in accordance with SR830.
5. If required, the final plan application shall include the location of street trees along North Road pursuant to SR830.

SR840, Drainage: No change to drainage on the site is proposed.

SR850, Water System: The applicant is proposing to connect to the Municipal water system.

SR860, Sewage Disposal: The applicant is proposing to connect to the Municipal wastewater system.

6. The Applicant shall obtain a water & wastewater allocation from the Department of Public Works prior to submitting a Final Application.

SR880.5, Access: The applicant proposes driveway access to North Road

7. The proposed driveway shall be constructed according to ZR593 and the driveway specifications as defined in the Public Works Specifications.

Legal Escrow, SR910:

8. The Applicant shall submit \$500 with the Final application to cover the legal review of the deeds and any other required legal instruments by the Town Attorney. Any funds not expended on the legal review will be refunded to the Applicant

Legal Review, SR920:

9. The applicant shall submit draft deeds and any other associated legal instruments for all impacted lots for review and approval by the Town Attorney. All requested revisions must be complete before the Plat may be recorded. Only instruments approved by the Town may be recorded in the Town of Milton Land Records.

TECHNICAL REVIEW COMMITTEE

TAC: The committee had no comments or concerns.

STATE PERMITS

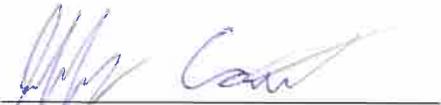
Project Review: Per 24 VSA §4463 on subdivision review: "Any application for an approval and any approval issued under this section shall include a statement, in content and form approved by the Secretary of Natural Resources, that State permits may be required and that the permittee should contact State agencies to determine what permits must be obtained before any construction may commence." The Applicant is advised, prior to submitting a final plan, to obtain a state project review sheet.

10. The Applicant shall 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 obtain all required State permits and approvals

STAFF RECOMMENDATION

The Planning Staff recommends that the DRB **approve** the Sketch Plan for a proposed 2-lot Minor Conventional Subdivision located at 242 North Road, described as Tax Map 15, Parcel 119-1 and SPAN #10952 subject to the conditions above.

Respectfully Submitted:



Jeffrey Castle, Town Planner

ATTACHMENTS:

- Devino Subdivision Overall Plan & Details, dated 3/9/16
- Technical Advisory Committee (TAC) School Review Sheet dated 3/29/2016;

- TAC Police Review Sheet dated 3/23/2016;
- TAC Recreation Review Sheet dated 3/23/2016.

COPIES TO:

- Applicant(s)
- Owners(s)
- Engineer/Surveyor

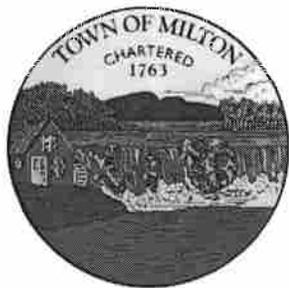
WHAT'S NEXT?

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.



TOWN OF MILTON

Planning & Economic Development Department

43 Bombardier Road
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miltonvt.org

DEVELOPMENT REVIEW BOARD STAFF REPORT

Hearing Date: April 14, 2016	
Case No: DRB 2016-15	
Application(s): Planned Unit Development Final Plan & Site Plan Amendment IV	
Application Received: March 14, 2016	
Application Deemed Complete: March 14, 2016	
Staff Report Finalized: Tuesday, April 12, 2016	
Applicant(s): Turner Estates, LLC PO Box 665, Milton, VT 05468 bturner@turnergrouphomes.com 802.893.6473	Owner(s): Same
Engineer/License: Chad E. Branon, PE License 9147 Fieldstone Land Consultants, PLLC 206 Elm Street, Milford, NH 03055 603.672.5456	Surveyor/License: David A. Tudhope, R.L.S. License 538 Cayuga Court, Burlington VT 05408
E-911/Postal Address: 20 Clifford Drive, Units 101 & 102	
Tax Map, Parcel(s): 26, 15-215, 15-216, 15-200	
School Parcel Account Number(s) (SPAN): 14496, 14497, 14503	
Deed(s):	
Existing Size: 2.83 acres/123,213 sq. ft.	
Zoning District(s): Checkerberry M4 Zoning District	
Comprehensive Plan Planning Area/Sub-Area: Town Core Planning Area, Checkerberry Sub Area	
Location: End of Clifford Drive off US Route 7 South between Racine and Southerberry Drives	

INTRODUCTION

Noticed/Warned Summary of Proposal: Turner Estates LLC, Owner/Applicant requests **Planned Unit Development (PUD) Site Plan Amendment** after-the-fact 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.

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 Final Plan & Site 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 Turner Estates LLC referred to hereafter as the "applicant".

Landowner(s): The property is owned by Turner Estates LLC., a domestic limited liability company whose principal is Armand Turner Jr. All owners are signatories to this application.

Project Consultant(s): Chad Brannon, Engineer, and David Tudhope, Surveyor are consultants for this project.

Application Submission: The application form was received by the Planning and Economic Development Department on March 14, 2016. Unless otherwise noted, the associated exhibits were received the same day.

Application Completion: The application was deemed complete by staff on March 14, 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.

Specific Jurisdiction: The application is subject to Site Plan approval pursuant to ZR170 and ZR800. Planned Unit Developments are subject to ZR850 and establish jurisdiction for Final Plan Subdivision approval pursuant to SR Article V.

Regulatory Waivers Requested: Pursuant to ZR§803.12, the applicant has requested waivers from the Site Plan requirements outlined in 803.2 (land description references), 803.3 (existing features), 803.6 (landscaping plan), 803.7 (building elevations), 803.8 (outdoor lighting plan), 803.9 (utility plan), 803.10 (traffic estimates). This request is documented in the ATTACHED waiver request letter.

Staff recommends against these waivers, principally because the previously approved plans must match the on-site conditions (unless otherwise mistakenly permitted and/or certified by the Town) and therefore the applicant can attach those sheets from the previously approved plans to certify compliance. Another key reason and public interest for reducing the number of application requirement waivers with an amendment is the usefulness of the availability of a single complete final plan set that shows what is approved on the site. With projects like this -- with several approvals and potentially more -- it becomes VERY time consuming for staff, title searchers, potential buyers, and other stakeholders to piece together

what a final plan should look like if you only get bits and pieces in each amendment. For this reason, staff requests a complete final set with no waivers.

1. The DRB should determine if it shall grant application requirement waivers for the sections above.

Warning/Notice of Hearing: Public warning/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.

EXHIBITS

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

- Application Cover Letter dated March 10, 2016;
- Site Plan Application signed March 9, 2016;
- PUD Application signed March 14, 2016;
- Waiver Request Letter dated March 10, 2016;
- Plan Sheet SP-1 dated March 10, 2016;
- Plan Sheet GR-1 dated March 10, 2016; and
- Plat Sheet MP-1 Dated March 10, 2016.

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

SITE, DISTRICT & AREA INFORMATION

Property Location: The subject property is located at 20 Clifford Drive Units 101 & 102 and shown on Milton's Tax Map 25 as Parcels 15-215, 15-216, and 15-200. The corresponding School Parcel Account Numbers (SPAN) are 14496, 14497, and 14503.

Size/Area: According to the evidence presented, the subject property is approximately 2.83 acres or 123,213 square feet.

Deed(s): Staff was unable to locate deeds for the above referenced property in the Grand List.

Zoning District(s): The site is located within the Checkerberry 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 ZR441 states that the purpose of this district is to "allow for a mix of residential, commercial and limited industrial uses."

Comprehensive Planning Area: The site is located within the Town Core Planning Area, as delineated in Map 2 of the 2013 Comprehensive Plan. The site is located in the Chckerberry Sub Area, as delineated in Figure 9.1 of the 2013 Comprehensive Plan (p.112).

SITE HISTORY

Background: The subject property has the following development review approvals that Staff has found relevant to this application (available upon request to DRB members):

- 2004 Original Approval
- 2006 Amendment
- 2008 Amendment
- 2013 Amendment

Zoning Compliance: This item comes before the Board as a result of enforcement action requesting voluntary compliance when the Water/Wastewater Department informed the Zoning Administrator that construction underway did not match the permitted project and the foundation was located outside the footprint lot. The Regulations define a footprint lot as, "A parcel of land which consists solely of the area directly under a structure."

EXISTING AND PROPOSED USE/IMPROVEMENTS

Existing Use: The site contains a mixed-use planned unit development.

Proposed Use: No change in use is proposed.

Existing Improvements: The proposal relocates the footprint lot to the as-built location, as depicted on the plans. Staff finds that the proposal conforms with applicable dimensional standards in so much as the proposal only relocates the footprint to match what is built. Staff recommends the following condition to ensure that any changes not specially called out by the applicant in the application form shall not be validated by this approval in case staff overlooks a change not specifically identified.

2. Any revisions to the previously approved plans and exhibits (as presented with this application) that are not consistent with the application's narrative that the only change is the relocation of the footprint lot and building footprint, shall be considered null and void.

TECHNICAL REVIEW COMMITTEE

Technical Advisory Committee: The committee had no comments or concerns.

ADMINISTRATION & ENFORCEMENT

Zoning Permit and Certificates of Occupancy:

3. After the plat has been recorded, a Zoning Permit is required and an associated Certificate of Compliance is required after construction is complete (and prior to occupation/use of the new structures).

Legal Escrow and Review

4. The applicant shall submit revised deeds (that account for changes to the association land and footprint lots) and any other associated legal instruments for all impacted lots for review and approval by the Town Attorney. All requested revisions must be complete before the Plat may be recorded. Only instruments approved by the Town may be recorded in the Town of Milton Land Records.
5. The Applicant shall submit \$500 to cover the legal review of the deeds and any other required legal instruments by the Town Attorney. Any funds not expended on the legal review will be refunded to the Applicant

Final Plan & Plat Submission

6. The applicant shall submit one paper or electronic .PDF version of the revised final Plan and Plat for review and approval by Staff prior to submitting the mylar. The Applicant shall also submit one full-sized (to scale) paper Final Plat and one 11x17 paper plat depicting the requested changes, to be maintained in the Planning Office's application file.
7. The final Plat shall be submitted on mylar (18" x 24"), signed by the licensed surveyor and the Chair of the DRB, and recorded in the Town Clerk's Office within 180 days of the date of the DRB's Final Approval Decision per Subdivision Regulations Section 940. Final approval expires if not filed within 180 days, unless extended by the Zoning Administrator for pending local or state approvals. In the event a subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void.

Completion, Operation and Maintenance:

8. This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the Development Review Board and on file in the Department of Planning and Economic Development, and in accordance with the conditions of this approval.

Validity of Prior Approvals

9. All conditions of the original DRB approval of 2004 and subsequent amendments are in full force and effect except as amended therein and further amended herein.

Revisions/Amendments

10. No changes, erasures, modifications, or revisions, other than those required by this Decision, shall be made on the Plat or Plans after approval unless a revised Plat and Plan is first submitted to the Department of Planning and Economic Development for DRB approval. In the event the subdivision plat is recorded without complying with this requirement, the Plat shall be considered null and void.

State Project Review

11. 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 obtain all required State permits and approvals prior to construction.

STAFF RECOMMENDATION

The Planning Staff recommends that the DRB **approve the Planned Unit Development (PUD) Final Plan Site Plan Amendment** for the property 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, with the conditions proposed above.

Respectfully Submitted:



Jeff Castle, Town Planner

ATTACHMENTS:

- Application Cover Letter dated March 10, 2016
- Site Plan Application signed March 9, 2016
- PUD Application signed March 14, 2016
- Waiver Request Letter dated March 10, 2016
- Plan Sheet SP-1 dated March 10, 2016
- Plan Sheet GR-1 dated March 10, 2016
- Plat Sheet MP-1 Dated March 10, 2016
- Technical Advisory Committee (TAC) School District Review Sheet;
- TAC Police Review Sheet;
- TAC Recreation Review Sheet.

COPIES TO:

- Applicant(s)
- Owners(s)
- Engineer/Surveyor

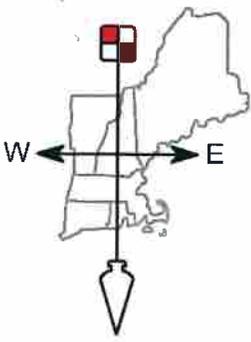
WHAT'S NEXT?

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.



FIELDSTONE

LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

March 10, 2016

Mr. Jacob Hemmerick, Planning Director
Town of Milton Planning & Economic Development Department
43 Bombardier Road / P.O. Box 18
Milton, VT 05468

Re: **Cover Letter (Summary of Submission)**
Submission to Address Site Plan Amendment
Map 25 - Lots 15-215, 15-216 & 15-200, 20 Clifford Drive
Turner Estates, LLC

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Planning & Economic Development
Milton, Vermont

Dear Mr. Hemmerick,

As agent for Turner Estates LLC, Fieldstone Land Consultants, PLLC is hereby making a formal submission to Amend the Site Plan approval for the above referenced project. This submission is specific to Units 15 and 16 located at 20 Clifford Drive and only addresses modifications relative to these units.

We are in receipt of the Voluntary Compliance Letter dated February 26, 2016 which outlines four potential violations for the project. This submission addresses all items raised in that letter specific to Units 15 and 16. The following are the four items raised in the Town's letter along with a brief response.

1. Foundation is not installed for the duplex in the location approved on the approved final plans and survey plat.
We have found that the foundation for Units 15 and 16 was constructed outside of the footprint lot. The attached plans depict the approved and current locations of this foundation and all associated modifications.
2. Stormwater is not installed according to the approved final plans.
It is our understanding from reviewing the reference plans and discussing the construction of the site with the site surveyor and contractor that all stormwater has been constructed per plans. I believe that the new location of the foundation for Units 15 and 16 may have resulted in some confusion regarding the stormwater installation.
3. Location of water/wastewater may not be installed according to approved final plans.
The sewer and water connections to Units 15 and 16 changed from the approved plans. The

attached plans depict the as-built locations of both service connections.

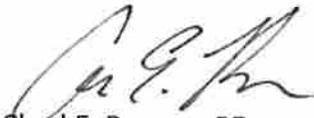
4. Existing construction may have structures outside of footprint lots.

This submission strictly deals with Units 15 and 16 which were constructed outside of the footprint lot. We do understand that some of the other Units had additions constructed off the rear of the structures and that these additions were constructed with local approvals and subsequently certificates of occupancies were issued. Since these Units have all necessary approvals and are under separate ownership they have not been included with this application. At this time it is critical that we focus on amending the approval for Units 16 and 17 so that my client can meet obligations to future homeowners.

As always we appreciate your time and consideration. Please do not hesitate to contact me should you have any questions.

Very truly yours,

FIELDSTONE LAND CONSULTANTS, PLLC



Chad E. Branon, PE

Project Engineer

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Planning & Economic Development
Milton, Vermont

TOWN OF MILTON
DEVELOPMENT REVIEW BOARD APPLICATION

Site Plan, Site Plan Amendment, Administrative Review

Property Address:

20 Clifford Drive, Units 101 and 102

Lister's Tax Map Reference:

SPAN# 396-123-14496, 396-123-14497, 396-123-14503

Map # 25 Parcel # 15-215, 15-216, 15-200

Zoning District:

Checkerberry (M4) District

Deed Reference:

Book # 245 Page # 357-360

Proposed Use:

This application is being submitted to Amend the current Site Plan Approval for the Turner Estates Development as the foundation for the last duplex, Units 15 & 16, has been constructed outside of the footprint lot. This amendment request includes all site improvements associated with these units as depicted on the attached plans.

Owner(s):

Turner Estates, LLC - c/o Armand Turner

Mailing Address:

P.O. Box 665, Milton, VT 05468

Email Address:

bturner@turnergrouphomes.com

Telephone:

802-893-6473

Signature(s):

Date:

March 9, 2016

Applicant(s):

Same

Mailing Address:

Email Address:

Telephone:

Signature(s):

Date:

Site Plan approval, granted by the Milton Development Review Board (DRB) in accordance with the Milton Zoning Regulations, is required before a Zoning Permit may be issued for any use in any Zoning District with the exception of single family dwellings, duplexes, and owner-occupied triplexes on single lots, accessory residential structures, and all agricultural uses. A Minor amendment to Site Plans may be approved by the Zoning Administrator/ Acting Zoning Administrator if the amendment meets the criteria in Section 801.2.

Applications for Site Plan approval must be accompanied by four (4) sets of plans drawn to scale with fifteen (15) reductions of the plans (11" x 17" or 8.5" x 11") and supporting written materials. All Site Plans shall include the following information:

- 803.1 Project title and site address. Name and address of the Applicant, the property owner of record, and adjoining landowners. Name and address of the person or firm preparing the map. Scale of the map, north point and date.
- 803.2 Deed reference(s), Lister's tax map and parcel number, and copies of any deed restrictions or covenants.
- 803.3 All existing features, including but not limited to, boundaries, total area of the lot, contours, drainage patterns and storm drainage systems, structures and land uses, trees, shrubs, and other vegetation, wetlands, floodplains, rock outcroppings, streets (public and private) and the associated rights of way, driveways, outdoor lighting, signage, sidewalks, alternate transportation paths, easements and rights of way.
- 803.4 A survey of the entire property is required.
- 803.5 All proposed improvements, including but not limited to, structures, driveways, contours depicting site grading, off street parking and loading spaces, circulation, sidewalks, alternative transportation paths and signs.

See Attached Waiver Request

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- 803.6 A landscaping plan showing locations of all existing and proposed plantings, a plant list with species, size and quantity. A written cost estimate of all landscaping prepared by a professional landscape architect or landscape contractor.
- 803.7 Building elevations indicating location and HEIGHT of all existing and proposed structures.
- 803.8 An outdoor lighting plan showing locations and designs of existing and proposed outdoor lighting. This shall include all flood and/or security lights, building mounted lights, and parking and streetlights. At a minimum, outdoor lighting specifications shall be provided showing photometric data, types of fixtures and lamps, and mounting height of fixtures.
- 803.9 A utility plan showing existing and proposed public water and sewer, private sewage disposal systems, wells, storm drainage facilities and fire protection details.
- 803.10 Estimate of daily and peak hour traffic generation and a report on traffic impacts at project access points, major intersections nearby and other locations.
- 803.11 Any other data or information that the Development Review Board shall view as necessary in applying the Site Plan review standards.

Note: Section 803.12 of the Zoning Regulations authorizes the Development Review Board to waive any of the above requirements of Site Plan review. All requests for waivers must be submitted in writing. Although this application is intended to convey the intent of Site Plan review, it does not list all requirements of the Milton Zoning Regulations, Public Works Specifications, Comprehensive Plan, or any State or Federal requirements.

See Attached Waiver Request

Landscaping Plan Requirements:

This plan modification does not change the approved landscaping design.

For a complete description of the Town's landscaping requirements, please refer to Section 806 of the Zoning Regulations.

Parking and Loading Requirements:

This plan modification does not change the parking or loading requirements.

Details regarding the Town's parking and loading requirements can be found in Section 810 of the Zoning Regulations.

Outdoor Lighting Requirements:

The plan modification will not change the outdoor lighting for the project.

Details regarding the Town's outdoor lighting requirements are provided in Section 820 of the Zoning Regulations.

Sign Requirements:

The Town's sign requirements are listed in Section 830 of the Zoning Regulations.

This plan modification will not change and of the signage for the project.

Special Provisions Applicable to the M1, M2, M3, & M4, DB1 Zoning Districts:

If your property is located in the M1, M2, M4, or DB1 Zoning District, please see Section 804 of the Zoning Regulations for special provisions that apply to your application. If your property is located in the M3 Zoning District, please see Section 805 of the Zoning Regulations.

Not applicable as we are not changing the overall project.

State Highway Requirements:

Whenever a proposed site plan involves access to a State highway, the application for site plan approval shall include a letter of intent from the Agency of Transportation confirming that the Agency has reviewed the proposed site plan and is prepared to issue an access permit under 19 V.S.A. § 1111, and setting out any conditions that the Agency proposes to attach to the section 1111 permit.

Not applicable as this plan modification does not change the overall project density and no modifications are proposed to Clifford Drive or the intersection with Route 7.

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Planning & Economic Development
Milton, Vermont

**TOWN OF MILTON
DEVELOPMENT REVIEW BOARD APPLICATION**

Planned Unit Development
Preliminary/Final

Please be advised that your application will not be processed unless all questions are answered adequately. If you need assistance, please contact the Department of Planning and Economic Development. Also note that this application form should be viewed as a continuation of the Sketch Plan application.

Note: A Site Plan application is also required in accordance with Section 851: Application Requirements of the Zoning Regulations at Prelim/Final (except for PUD-Residential per Section 856).

1) *Name, mailing address, email address and phone number of Applicant(s):*

Turner Estates, LLC - c/o Armand Turner
P.O. Box 665, Milton, VT 05468
bturner@turnergrouphomes.com
802-893-6473

2) *Name, mailing address, email address and phone number of record owner(s) of property (If different from Applicant):*

Same

3) *Names and addresses of any person(s) you wish to have correspondence from the Department of Planning and Economic Development or Development Review Board copied:*

Chad E. Branon, P.E. - Project Engineer
Fieldstone Land Consultants, PLLC
206 Elm Street, Milford, NH 03055
cebranon@fieldstonelandconsultants.com
603-672-5456

4) *Location of Property:*

Street/Road
20 Clifford Drive Units 101 and 102

Milton Tax Map Reference(s) (SPAN#, Map #, Parcel #)

Tax Map 25, Parcel 15-215, 15-216, 15-200 / Span 396-123-14496, 396-123-14497, 396-123-14503

Deed Reference(s) (Volume #, Page #)

Volume 245, Pages 357-360

5) *Please indicate the name, license number, address, and phone number of the land surveyor, engineer, and any other development professionals that you will be using to prepare your application.*

Chad E. Branon, P.E. - License Number 9147, Fieldstone Land Consultants PLLC, 206 Elm Street, Milford NH 03055
David A. Tudhope, R.L.S. - License Number 538, 74 Cayuga Court, Burlington VT 05408

6) *What is the total land area of the proposed Planned Unit Development?*

2.83 acres; 123,213 ft.²

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Milton, Vermont

None of these questions are applicable to the current proposal to Amend the prior Site Plan Approval for the Turner Estates PUD. The proposed Amendment only consists of changing the foundation location of Units 15 & 16 and all associated modifications locus to the foundation for these units.

- 7) *Are there any easements on this property?* Yes No
If Yes, please list and show on your plans.
This Amendment does not consist of any new or proposed easements. Please see reference plans for all existing easements on the subject property.
- 8) *Does your parcel contain more land than that which is proposed for this Planned Unit Development?* Yes No
If Yes, please describe the intended future use of the remaining land.
- 9) *Natural Features.* The following features must be identified on your plan, and verified by a civil engineer, licensed land surveyor, or landscape architect prior to the warning of a preliminary public hearing.

Primary Natural Features. No development is permitted in areas where any of the following natural features exist: those lands that are clearly undevelopable due to environmental limitations, such as but not limited to, designated wetlands and wetland buffers as defined in the Vermont Wetland Rules, slopes in excess of 15%, streams and watercourses, rock formations, undevelopable soils, and flood and earth movement hazard areas. **All building envelopes must occur outside of these primary natural features.**

Secondary Natural Features. Development proposed within the following areas shall be designed such that these areas are preserved to the greatest extent possible: open fields, wooded areas, prime and Statewide agricultural lands
- 10) *Maximum Density Analysis.* REQUIRED FOR ALL PUD-RESIDENTIAL AND PUD-MIXED USE APPLICATIONS. **This question must be answered by a Certified Engineer or Licensed Land Surveyor, and signed by that professional at the end of the question.** The information provided MUST be accurate, as it will be used to calculate the total project density. If the proposed PUD will be in more than one Zoning District, attach additional charts and answer this question for each District.

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Maximum Density Analysis

Zoning District: _____		
a. Amount of land in the PUD within this Zoning District		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%	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)		ft. ²
i. Subtract line h from line a		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.		ft. ²
l. Divide line j by line k (Round up to the nearest whole number)		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.		

Sign Here: _____ Certified Engineer or Licensed Land Surveyor, certifying that the information provided above is true and accurate.

- 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.

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None of these questions are applicable to the current proposal to Amend the prior Site Plan Approval for the Turner Estates PUD. The proposed Amendment only consists of changing the foundation location of Units 15 & 16 and all associated modifications locus to the foundation for these units.

PUD Name: _____		Lot #: _____	
Zoning District: _____			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	ft. ²	ft. ²	ft. ²
Road Frontage	ft.	ft.	ft.
Front Setback	ft.	ft.	ft.
Side Setback	ft.	ft.	ft.
Rear Setback	ft.	ft.	ft.
Building/Lot Coverage	%	%	%
Other (if any)			

PUD Name: _____		Lot #: _____	
Zoning District: _____			
Zoning Requirement	Required	Proposed	Waiver Requested
Lot Area	ft. ²	ft. ²	ft. ²
Road Frontage	ft.	ft.	ft.
Front Setback	ft.	ft.	ft.
Side Setback	ft.	ft.	ft.
Rear Setback	ft.	ft.	ft.
Building/Lot Coverage	%	%	%
Other (if any)			

- 12) In your Sketch Plan application you indicated plans to protect open space as part of this Planned Unit Development. If these plans have changed at all, please indicate the changes. Also, please attach draft copies of all deeds, covenants, easements, restrictions, etc. that you intend to file.
- 13) If a private right-of-way is proposed, a roadway profile prepared by a professional engineer must be submitted with your application. If and when this project is approved and constructed the roadway must be certified, by a professional engineer, that it was built according to the approved plans.

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None of these questions are applicable to the current proposal to Amend the prior Site Plan Approval for the Turner Estates PUD. The proposed Amendment only consists of changing the foundation location of Units 15 & 16 and all associated modifications locus to the foundation for these units.

Pursuant to Section 700 of the Milton Subdivision Regulations, the following questions must be answered to the satisfaction of the Development Review Board. Also attach any and any other material that you deem necessary to support your application (ie. Traffic studies). Use separate sheets as necessary.

Final subdivision approval shall be based on the Milton Development Review Board finding that the Planned Unit Development complies with the following standards:

~~700.1~~ *The land is suitable for subdivision or development. In making this determination it shall at least consider flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas.*

~~700.2~~ *The proposal includes due regard for the preservation and protection of existing aesthetic features such as trees, scenic points, brooks, streams, rock outcroppings, water bodies, other natural resources and historical resources.*

~~700.3~~ *The proposal includes sufficient open space for recreation.*

~~700.4~~ *The proposal includes adequate provision for control of run-off and erosion during and after construction.*

~~700.5~~ *The proposed development is in compliance with the Milton Comprehensive Plan, Zoning Regulations, and other Bylaws then in effect.*

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Milton, Vermont

- 700.6 *The proposed development will not result in undue water or air pollution. In making this determination it shall at least consider the elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable health and Vermont Department of Water Resources regulations.*
- 700.7 *The proposed development is compatible with surrounding properties.*
- 700.8 *The site is suitable for the proposed density.*
- 700.9 *The proposal contains adequate provision for pedestrian traffic in terms of safety, convenience, access to points of destination and attractiveness.*
- 700.10 *The proposed development will not place an unreasonable burden on the ability of local governmental units to provide municipal, educational, or governmental services and facilities.*
- 700.11 *There is sufficient water available for the foreseeable needs of the proposed development.*
- 700.12 *The proposed development will not cause unreasonable highway congestion or unsafe conditions with respect to the use of roads and highways in the Town.*

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14) **Other information** - Please read carefully and sign in the space provided:

There is no separate Final Plan application form. By signing this Preliminary/Final Plan application, you are authorizing the continuance of the process through final review.

Although this application is intended to convey the intent of Planned Unit Developments, it does not list all requirements under the Town of Milton Zoning Regulations, Subdivision Regulations, Public Works Specifications, Comprehensive Plan, or any State requirements.

I, APPLICANT, on this 14 day of March, 2016, CERTIFY THAT I UNDERSTAND THE TERMS OF APPLICATION FOR PLANNED UNIT DEVELOPMENTS AND THE TERMS OF THIS APPLICATION; I FURTHER SWEAR THAT THE INFORMATION PROVIDED IN THIS APPLICATION SUBMISSION IS TRUE AND ACCURATE. (ALL applicants MUST SIGN.)

If applicant and owner of the property involved in this PUD are different, all owners must attest to the following:

I, OWNER, on this 14 day of March, 2016, CERTIFY THAT I UNDERSTAND THE CONCEPT AND TERMS OF THIS APPLICATION AND PERMIT THE APPLICANT(S) TO PURSUE APPROVAL FROM THE MILTON DEVELOPMENT REVIEW BOARD. (All owners of property/properties contained within this application MUST SIGN.)

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Planning & Economic Development
Milton, Vermont

**PRELIMINARY PLAN CHECK LIST
PLANNED UNIT DEVELOPMENT
(Refer to Section 600 of the Subdivision Regulations
and Sections 800 & 850 of the Zoning Regulations)**

*Items to be included with this completed application are as follows:
Please check off all items before submitting your application.*

Preliminary Plan:

The following items shall be included on your Preliminary Plans for the proposed subdivision in addition to the Sketch Plan requirements and approvals. Preliminary plans shall include a preliminary subdivision plan and a preliminary plat. **Please submit four (4) prints of all plans and fifteen (15) reduced copies (11" x 17").**

NOT APPLICABLE

- Proposed PUD name or identifying title and name of Town.
- Name and address of record owner, developer and designer of Preliminary Plans.
- Names of all abutting property owners.
- Deed reference, tax map reference, zoning district information, date, true north arrow, and scale (numerical and graphic - bar).
- Number of acres and square feet within the proposed PUD; square footage and acreage, property lines, building envelopes, building locations, and drives for all proposed lots.
- Location of natural features or site elements to be preserved.
- Location and size of any existing sewer and water mains, culverts, and drains of the proposed subdivision.
- Location, names and widths of pavement and right-of-ways of existing and proposed streets and highways, alleys, parks and other public space.
- Existing contour lines at five (5) foot intervals and proposed contour lines where the existing ground elevation change will be five (5) feet or greater.
- Typical cross sections showing proposed grading for proposed roadways and sidewalks.
- Means of providing water supply, septic disposal and other utilities to the subdivision.
- Type, location and dimensions of all existing and proposed restrictions on the land: easements, rights-of-way, covenants, etc.
- Location map showing relation of proposed PUD to adjacent property and surrounding area.
- All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- Reference monuments and lot corner markers.
- Complete survey of the PUD by a licensed land surveyor.
- A drainage plan showing provisions for collecting and discharging storm water including preliminary designs of any bridges or culverts.

**PRELIMINARY PLAN CHECK LIST - Continued
PLANNED UNIT DEVELOPMENT**

NOT APPLICABLE

- List of requested waivers, if any, from the requirements of the Zoning Regulations or Subdivision Regulations.
- Any other requirements requested by the Planning Staff or Development Review Board (refer to previous Staff Reports, notice of decision, etc.).
- When filing this Preliminary/Final Plan application, fees will need to be paid. See fee schedule for applicable application fees.
- Staff recommends that the Applicant schedule a meeting with Staff upon Final Plan submission to determine completeness of the application relative to submission requirements and conditions of Preliminary Plan approval.
- No new application materials will be accepted within seven (7) days of the public hearing. New materials submitted so close to the hearing will result in a continuation.

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Planning & Economic Development
Milton, Vermont

**FINAL PLAN CHECK LIST
PLANNED UNIT DEVELOPMENT
(Refer to Section 610 of the Subdivision Regulations
and Sections 800 & 850 of the Zoning Regulations)**

Planning & Economic Development
Milton, Vermont

*Items to be included with this completed application are as follows:
Please check off all items before submitting your application.*

Final Plans:

The following items shall be included on your Final Plans for the proposed PUD in addition to the Sketch Plan and Preliminary Plan requirements and approvals. Please submit four (4) prints of all plans and fifteen (15) reduced copies (11" x 17").

- Proposed PUD name or identifying title and name of Town.
- Name and address of record owner, subdivider and designer of Final Plans.
- Name, license number and seal of the licensed land surveyor.
- Street names, as approved by the Development Review Board, and lines, pedestrian ways, lots, reservation, easements and areas to be dedicated to public use.
- Location, bearing and length of every street line, lot line, and boundary lines.
- The length of all straight lines, deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings for each street.
- Note all public open space for which offers of cession are made by the subdivider, and those spaces to which title is reserved by the Applicant/Owner.
- Lots within the PUD numbered in alternating order within the blocks.
- The location of all improvements as referred to in Article VIII of the Subdivision Regulations: streets, curbs, sidewalks, pedestrian accesses, outdoor lighting, shade trees, water systems, fire protection devises, utility poles, sewage disposal systems, rough grading, and methods of drainage.
- Permanent reference monuments and lot corner markers indicated as set on the plans, with a letter from the Applicant's surveyor certifying this has been done.
No monumentation required with this amendment and all markers have already been set by David Tudhope, RLS
- Signatory block for the Development Review Board as follows:

Waiver requests.

THIS FINAL PLAT HAS BEEN APPROVED BY RESOLUTION OF THE DEVELOPMENT REVIEW BOARD OF THE TOWN OF MILTON, VERMONT, THIS _____ DAY OF _____, 201__, SUBJECT TO THE REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION.

SIGNED THIS _____ DAY OF _____, 201__, BY _____, CHAIR.

**FINAL PLAN CHECK LIST - Continued
PLANNED UNIT DEVELOPMENT**

NA **Proposed Irrevocable Offers of Dedication, Warranty Deeds, easements, or other instruments for conveying proposed public infrastructure, open space, park and recreation areas, or paths to be reviewed and approved by the Town Attorney.**

x No new application materials will be accepted within seven (7) days of the public hearing. New materials submitted so close to the hearing will result in a continuation.

x Staff recommends that the Applicant schedule a meeting with Staff upon Final Plan submission to determine completeness of the application relative to submission requirements and conditions of Preliminary Plan approval.

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Planning & Economic Development
Milton, Vermont

TOWN OF MILTON PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
FEE SCHEDULE, LAST AMENDED June 15, 2015

DEVELOPMENT REVIEW FEES

The Development Review Board, or Selectboard (where applicable), conducts hearings on the applications listed below. Development applications require approval before a zoning permit can be issued or plat recorded. Contact the Planning and Economic Development Office to determine if your project must undergo development review. Applicants that request concurrent review of two applications will only be charged for the more expensive application fee if both reviews can be done within the same hearing. Please contact the Planning and Economic Development Staff for the number of adjoining property owners applicable to an application.

APPLICATION	FEE	ABUTTERS	WARNING	RECORDING FEE	WHEN IS FEE DUE
Sketch Plan for Subdivisions and Planned Unit Developments (PUD)	\$100 (can be credited toward next phase)	\$2 per abutter	N/A	N/A	Upon Application
Minor Subdivision/ PUD-Residential (6- units)	\$500 + \$50/unit or lot	\$2 per abutter	\$75	\$10	Upon Application
Major Subdivision/ PUD-Residential (7+ units)	\$1000 + \$50 per unit or lot	\$2 per abutter	\$75	\$10	Upon Application
Planned Unit Developments (PUD)	\$1000 + \$50 per unit or lot	\$2 per abutter	\$75	\$10	Upon Application
Subdivision/PUD Amendments	\$100	\$2 per abutter	\$75	\$10	Upon Application
Administrative PUD Amendments	\$50	\$2 per abutter	N/A	\$10	Upon Application
Site Plan	\$300	\$2 per abutter	N/A	\$10	Upon Application
Administrative Site Plan Amendment	\$50	\$2 per abutter	N/A	\$10	Upon Application
Site Plan Amendment	\$100	\$2 per abutter	N/A	\$10	Upon Application
Boundary Line Adjustment	\$75 per lot involved	\$2 per abutter	\$75	\$10	Upon Application
Conditional Use	\$150	\$2 per abutter	\$75	\$10	Upon Application
Interim Zoning Conditional Use	\$150	\$2 per abutter	\$75	\$10	Upon Application
Variance	\$150	\$2 per abutter	\$75	\$10	Upon Application
Appeal of Zoning Administrator's Decision	\$150	\$2 per abutter	\$75	\$10	Upon Application
Expiration of a Subdivision Approval	\$150	\$2 per abutter	\$75	\$10	Upon Application

MISCELLANEOUS FEES:

Copies of Official Documents	\$0.05 per page or \$0.09 per double-sided page.
Recording Fee for Official Documents/Approvals	\$10 per page
Subdivision Plat/Survey	\$15 per page
Escrow Account: Legal Review Fees	\$500

PENALTIES: IF A FORMAL ZONING VIOLATION NOTICE HAS BEEN ISSUED, A VIOLATION PENALTY FEE OF 2 TIMES THE NORMAL FEE WILL BE CHARGED (THIS INCLUDES ZONING, CERTIFICATE OF COMPLIANCE AND DRB APPLICATION FEES).

SITE PLAN AMENDMENT FEE CALCULATION:

FEE = \$100.00
 TOTAL UNITS 27 \times \$75.00/lot = 190
 ABUTTER FEE = 12 \times \$2.00 / ABUTTER = \$24.00 \$54.00

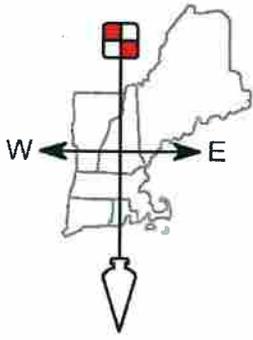
RECORDING FEE = \$10.00
 WARNING = \$85.00
 TOTAL FEE = \$134.00

\$399.00

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MAR 14 2015

Planning & Economic Development
 Milton, Vermont



FIELDSTONE

LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

March 10, 2016

Milton Development Review Board
Attn: Mr. Jacob Hemmerick, Planning Director
Town of Milton Planning & Economic Development Department
43 Bombardier Road / P.O. Box 18
Milton, VT 05468

Re: Waiver Request Letter
Submission to Address Site Plan Amendment
Map 25 - Lots 15-215, 15-216 & 15-200, 20 Clifford Drive
Turner Estates, LLC

RECEIVED

MAR 14 2016

Planning & Economic Development
Milton, Vermont

Dear Development Review Board,

As agent for Turner Estates LLC, Fieldstone Land Consultants, PLLC hereby requests the following waivers from sections of the Milton Zoning Regulations regarding the above referenced project:

1. Section 803.2 – Deed reference(s), Lister's tax map and parcel number, and copies of any deed restrictions or covenants.

This proposal consists of amending the previously approved Site Plan as the foundation for Units 15 and 16 has been constructed 6.2 feet off from the approved location. This proposal does not require any modifications to the areas on the site plan nor does it require any modifications to deeds, parcel numbers, etcetera. All of the deed references, restrictions or covenants are on file from the previous approval process and have therefore not been compiled and resubmitted with this package. For these reasons we respectfully request that the Board grant a waiver from Section 803.2 requiring that we compile and resubmit all of the material referenced above for this Site Plan Amendment.

2. Section 803.3 – All existing features, including but not limited to, boundaries, total area of the lot, contours, drainage patterns and storm drainage systems, structures and land uses, trees, shrubs and other vegetation, wetlands, floodplains, rock outcroppings, streets (public and private) and the associated rights of way, driveways, outdoor lighting, signage, sidewalks, alternate transportation paths, easements and rights-of-way.

This proposal consists of amending the previously approved Site Plan as the foundation for Units 15 and 16 has been constructed 6.2 feet off from the approved location. The plans submitted were prepared utilizing the reference material and the original digital files for this project. We did not perform an existing conditions plan of the entire project for this submission as this would have taken a considerable amount of time and would have created a financial hardship for our client. Considering the minimal changes requested with this

Waiver Request Letter

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Planning & Economic Development
Milton, Vermont

amendment we did not believe that an updated existing conditions plan was warranted and we therefore respectfully request that the Board grant a waiver from Section 803.3.

3. Section 803.6 - A landscaping plan showing locations of all existing and proposed plantings, a plant list with species, size and quantity. A written cost estimate of all landscaping prepared by a professional landscape architect or landscape contractor.

As previously stated this Amendment consists of moving the foundation for Units 15 and 16 6.2 feet along with modifying the associated site improvements. The proposed landscaping in the front of Units 15 and 16 will therefore be moved with this Amendment as depicted on the attached plans. This Amendment does not propose any landscaping modifications as all landscaping shall be as previously approved by the Board. Since we have not performed an existing conditions survey of the property the plans submitted depicts all landscaping as proposed we are respectfully requesting a waiver to Section 803.6. We do not believe that the proposed Amendments should warrant the completion of an as-built existing conditions plan as this would take a considerable amount of time to complete and would also create a financial hardship for our client.

4. Section 803.7 – Building Elevations Indicating location and height of all existing and proposed structures.

Again, this amendment only consists of amending the foundation location for Units 15 and 16 as well as all associated site improvements. This amendment does not propose to change any of the existing or proposed building elevations that were previously approved and are currently on file at the Town. For these reasons we respectfully request that the Board grant a waiver from Section 803.7 requiring that we compile and resubmit this material for this Site Plan Amendment.

5. Section 803.8 – An outdoor lighting plan showing locations and designs of existing and proposed outdoor lighting. This shall include all flood and/or security lights, building mounted lights, and parking and street lights. At a minimum, outdoor lighting specifications shall be provided showing photometric data, types of fixtures and lamps, and mounting height of fixtures.

This Amendment does not propose to add or change any lighting as previously approved. For this reason this Amended submission does not include a lighting plan and therefore respectfully request that the Board grant a waiver from Section 803.8 requiring that we submit an outdoor lighting plan.

6. Section 803.9 – Utility plan showing existing and proposed public water and sewer, private sewage disposal systems, wells, storm drainage facilities and fire protection details.

As mentioned above the plans submitted were prepared utilizing the reference material and the original digital files for this project. Since we have not performed an existing conditions survey of the property the plans submitted do not depict all of the current utilities as existing. And since the plans submitted do not technically show the utilities as existing we are respectfully requesting a waiver to Section 803.9. We do not believe that the proposed

Waiver Request Letter

Amendments should warrant the completion of an as-built existing conditions plan as this would create a financial hardship as well as timeframe hardship as we would not have been able to make this submission which is required to meet project deadlines for prospective homeowners.

7. Section 803.10 – Estimate of daily and peak hour traffic generation and a report on traffic impacts at project access points, major intersections nearby and other locations.

This proposed amendment will not change the traffic generation or impacts to the project entrance or nearby intersections. This amendment only consists of modifying the location of the foundation for Units 15 and 16. We suspect that any traffic data or reports would have been addressed during the original approval of this project and is therefore on file at the Town. Since this project will not change the previously submitted data we respectfully requesting a waiver to Section 803.10.

Thank you for your consideration. Please do not hesitate to contact me should you have any questions.

Very truly yours,

FIELDSTONE LAND CONSULTANTS, PLLC



Chad E. Branon, PE
Project Engineer

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MAR 14 2015

Planning & Economic Development
Milton, Vermont

REFERENCE PLANS:

1. "TURNER ESTATES - A PLANNED UNIT DEVELOPMENT - U.S. ROUTE 7 MILTON, VERMONT - SITE PLAN" (PLAN SET), SCALE: VARIES, DATED: VARIES, BY LAMOUREUX & DICKINSON CONSULTING ENGINEERS, INC.
2. "TURNER ESTATES - U.S. ROUTE 7 - MILTON, VERMONT" (PLAN SET), SCALE: VARIES, DATED: VARIES, BY DEWOLFE ENGINEERING ASSOCIATES INCORPORATED.
3. "STORMWATER & UTILITY - EASEMENT PLAN - LANDS OF PAUL D. JARVIS & - DAVID GOODRICH - PROPERTIES, LLC.", SCALE: 1"=80', DATED MAY 22, 2013 AND LAST REVISED FEBRUARY 25, 2014 BY BUTTON PROFESSIONAL LAND SURVEYORS, P.C.

DAVID GOODRICH PROPERTIES, LLC
N/F

THE CONTRACTOR SHALL NOTIFY "DIGSAFE" AT 1-888-DIG-SAFE PRIOR TO ANY EXCAVATION.



LOCATION PLAN
N.T.S.

LEGEND

	PROJECT PROPERTY LINE
	ABUTTING PROPERTY LINE
	SETBACK LINE
	EXISTING CONTOUR
	EXISTING FENCE LINE
	EXISTING FOUND PROPERTY CORNER
	SOIL TEST PIT
	EXISTING UTILITY POLE
	EXISTING GAS LINE
	EXISTING WATER LINE HYDRANT AND VALVE
	EXISTING SEWER LINE AND MANHOLE
	APPROXIMATE LOCATION OF EXISTING SEWAGE DISPOSAL SYSTEM TO BE REMOVED
	EXISTING TREE LINE
	EXISTING TREES
	EXISTING SIGN
	EXISTING WELL
	PROPOSED CONTOUR
	PROPOSED FENCE LINE
	PROPOSED STORM LINE
	PROPOSED SWALE
	PROPOSED SANITARY SEWER MAIN AND MANHOLE WITH 6" SDR 35 PVC SERVICE AND CLEANOUT
	PROPOSED WATER LINE AND VALVE WITH 3/4" SERVICE AND CURBSTOP
	PROPOSED HYDRANT
	PROPOSED TREES
	PROPOSED CONCRETE SIDEWALK
	PROPOSED PAVED DRIVE
	PROPOSED SIGN
	NOW OR FORMERLY
	STONE CHECK DAM
	PROPOSED VERTICAL CURVE
	PROPOSED STREET LIGHT

UNIT #	GFR	FFE
1	331.00	332.20
2	331.00	332.20
3	331.00	332.20
4	331.00	332.20
5	331.00	332.20
6	331.00	332.20
7	331.00	332.20
8	331.00	332.20
9	331.00	332.20
10	331.00	332.20
11	331.00	332.20
12	331.00	332.20
13	331.00	332.20
14	331.00	332.20
15	330.50	331.70
16	330.50	331.70
17	330.50	331.70
18	330.50	331.70
19	330.50	331.70

GFE = GARAGE FINISH ELEVATION
FFE = FINISH FLOOR ELEVATION

FORMER FOUNDATION LOCATION
REVISED UNIT 15 & 16 FOUNDATION LOCATION, UTILITY CONNECTIONS & ASSOCIATED SITE IMPROVEMENTS

PARCEL/CONDOMINIUM DATA

#	TAX MAP #	PROPERTY OWNER	ADDRESS
1	25-015-101-000	LANG, MATTHEW G. & KATE	11-101 CLIFFORD DRIVE
2	25-015-102-000	CROSS, PAUL & JESSICA	11-102 CLIFFORD DRIVE
3	25-015-103-000	NATALIE MANAGI	13-101 CLIFFORD DRIVE
4	25-015-104-000	TURNER ESTATES, LLC	13-102 CLIFFORD DRIVE
5	25-015-105-000	TURNER ESTATES, LLC	15-101 CLIFFORD DRIVE
6	25-015-106-000	WRIGHT, EILEEN	15-102 CLIFFORD DRIVE
7	25-015-107-000	MACKASKILL, BRYAN C. & TARA L.	17-101 CLIFFORD DRIVE
8	25-015-108-000	GORDON, JASON M. & KOURTNEY M.	17-102 CLIFFORD DRIVE
9	25-015-109-000	LIANG, BIYU	19-101 CLIFFORD DRIVE
10	25-015-110-000	DEREK & MICHELLE JONES	19-102 CLIFFORD DRIVE
11	25-015-211-000	BARB STEINER	16-102 CLIFFORD DRIVE
12	25-015-212-000	TURNER ESTATES, LLC	16-101 CLIFFORD DRIVE
13	25-015-213-000	PAMELA J. WADE	14-102 CLIFFORD DRIVE
14	25-015-214-000	PATIE, EDWARD M. & GLORIA JEAN D.	14-101 CLIFFORD DRIVE
15	25-015-215-000	TURNER ESTATES, LLC	20-101 CLIFFORD DRIVE
16	25-015-216-000	TURNER ESTATES, LLC	20-102 CLIFFORD DRIVE
17	25-015-217-000	WILLIAM & CAITLYN SORENTINO	24-101 CLIFFORD DRIVE
18	25-015-218-000	IVANA & AVADA DUBO	24-102 CLIFFORD DRIVE
19	25-015-219-000	TIMOTHY & CHRISTINE LYNCH	24-103 CLIFFORD DRIVE
20	25-015-220-000	TURNER ESTATES, LLC	1 CLIFFORD DRIVE
21	25-015-221-000	TURNER ESTATES, LLC	CLIFFORD DRIVE
22	25-015-122-000	TURNER ESTATES, LLC	CLIFFORD DRIVE

PARKING REQUIREMENTS

UNIT #	PROPOSED USE	REQUIRED	PROVIDED
20	WAREHOUSE ADDITION = 3,000 SQ.FT., 6 EMPLOYEES (2 SPACES FOR EACH 3 EMPLOYEES)	4 SPACES	4 SPACES
21	EXISTING COMMERCIAL BUILDING: 1,290 SQ.FT., 2 EMPLOYEES (3 SPACES FOR 1,000 SQ.FT. GFA, 1 FOR EACH EMPLOYEE)	6 SPACES	6 SPACES
22	NEW COMMERCIAL BUILDING: 1,472 SQ.FT., 4 EMPLOYEES (3 SPACES FOR 1,000 SQ.FT. GFA, 1 FOR EACH EMPLOYEE)	8 SPACES	8 SPACES
18 SPACES		18 SPACES	18 SPACES
38 SPACES		46 SPACES (27 IN GARAGES)	

PROJECT STATISTICS
ZONING DISTRICT - CHECKERBERRY (M4) DISTRICT
DEED REFERENCE - BOOK 245, PAGES 357-360
TAX MAP 25, PARCEL 15

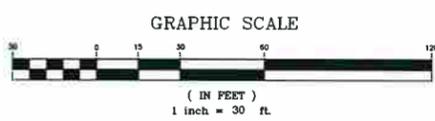
LOT 1 DIMENSIONAL REQUIREMENTS:

REQUIRED	PROVIDED
MINIMUM LOT AREA	61,230 SQ. FT. (1.41 ACRES)
MINIMUM ROAD FRONTAGE (ALONG RTE. 7)	200 FT
MINIMUM FRONT SETBACK	100 FT
MINIMUM FRONT SETBACK	1 FT
MINIMUM SIDE SETBACK	10 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM BUILDING COVERAGE	40%
MAXIMUM LOT COVERAGE	60%
MAXIMUM BUILDING HEIGHT	4 STORIES
MAXIMUM BUILDING FOOTPRINT	65,000 SQ. FT
MAXIMUM DENSITY	7 UNITS/ACRE (MULTIFAMILY)

LOT 2 DIMENSIONAL REQUIREMENTS:

REQUIRED	PROVIDED
MINIMUM LOT AREA	20,983 SQ. FT. (1.42 ACRES)
MINIMUM ROAD FRONTAGE (ALONG RTE. 7)	200 FT
MINIMUM FRONT SETBACK	100 FT
MINIMUM FRONT SETBACK	1 FT
MINIMUM SIDE SETBACK	10 FT
MINIMUM REAR SETBACK	10 FT
MINIMUM BUILDING COVERAGE	40%
MAXIMUM LOT COVERAGE	60%
MAXIMUM BUILDING HEIGHT	4 STORIES
MAXIMUM BUILDING FOOTPRINT	65,000 SQ. FT
MAXIMUM DENSITY	7 UNITS/ACRE (MULTIFAMILY)

PROPOSED PUBLIC ROAD RIGHT-OF-WAY: 39,551 SQ. FT. (0.91 ACRES)
EXISTING USE - MIXED USE: COMMERCIAL/RESIDENTIAL
PROPOSED USE - MIXED USE: COMMERCIAL/RESIDENTIAL



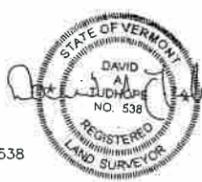
** A WAIVER WAS GRANTED TO ALLOW THE COMBINED AREA OF LOT #1 AND #2 TO BE USED FOR CALCULATING TOTAL NUMBER OF UNITS AS FOLLOWS:
1.41 AC + 1.42 AC = 2.83 AC X 7 UNITS/ACRE = 19.8 UNITS
19 RESIDENTIAL UNITS ARE PROPOSED, 10 ON LOT #1 AND 9 ON LOT #2



NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE CURRENT LOCATION OF THE FOUNDATION FOR UNITS 15 & 16 AND ALL ASSOCIATED SITE MODIFICATIONS.
2. THE FOUNDATION FOR UNITS 15 & 16 AND THE WATER AND SEWER CONNECTIONS, AS DEPICTED, WERE FIELD LOCATED BY DAVID A. TUDHOPE RLS #538.
3. ALL OTHER SITE FEATURES SHOWN ARE PER THE REFERENCE PLANS CITED HEREON.

DAVID A. TUDHOPE
74 CAYUGA COURT
BURLINGTON, VERMONT 05408
TELE: (802) 862-9360
dtudhope@aol.com
REGISTERED LAND SURVEYOR 538



REV.	DATE	DESCRIPTION	C/O	DR	CK
A	3/10/16	REV. FNDTN LOCATION FOR UNITS 15 & 16			

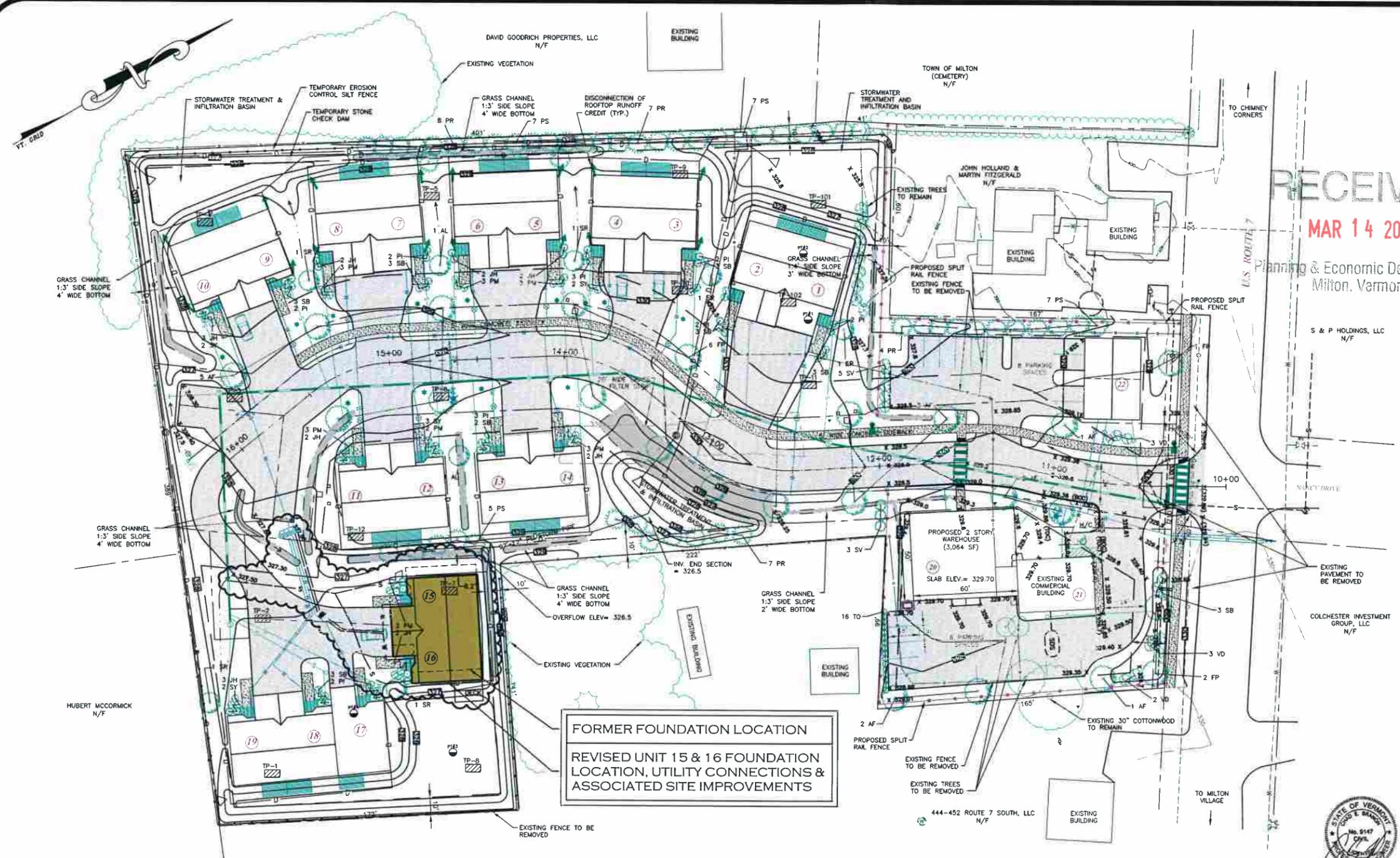
AMENDED SITE PLAN
TURNER ESTATES
A PLANNED UNIT DEVELOPMENT
U.S. ROUTE 7, MILTON, VERMONT

SCALE: 1" = 30' MARCH 10, 2016

Surveying + Engineering + Land Planning + Permitting + Septic Designs

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LEGEND

---	PROJECT PROPERTY LINE
---	ABUTTING PROPERTY LINE
---	SETBACK LINE
---	EXISTING CONTOUR
---	EXISTING FENCE LINE
●	EXISTING FOUND PROPERTY CORNER
TP-7	SOIL TEST PIT
○	EXISTING UTILITY POLE
---	EXISTING GAS LINE
---	EXISTING WATER LINE HYDRANT AND VALVE
---	EXISTING SEWER LINE AND MANHOLE
---	APPROXIMATE LOCATION OF EXISTING SEWAGE DISPOSAL SYSTEM TO BE REMOVED
---	EXISTING TREE LINE
○	EXISTING TREES
○	EXISTING SIGN
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○	PROPOSED HYDRANT
○	PROPOSED TREES
---	PROPOSED CONCRETE SIDEWALK
---	PROPOSED PAVED DRIVE
N/F	NOW OR FORMERLY
---	STONE CHECK DAM
○	PROPOSED YARD LIGHT FIXTURE
○	PROPOSED STREET LIGHT
D	PROPOSED DRAINAGE
○	PROPOSED DRAIN MANHOLE

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 Planning & Economic Development
 Milton, Vermont

- REFERENCE PLANS:**
1. "TURNER ESTATES - A PLANNED UNIT DEVELOPMENT - U.S. ROUTE 7 MILTON, VERMONT - SITE PLAN" (PLAN SET), SCALE: VARIES, DATED: VARIES, BY LAMOREUX & DICKINSON CONSULTING ENGINEERS, INC.
 2. "TURNER ESTATES - U.S. ROUTE 7 - MILTON, VERMONT" (PLAN SET), SCALE: VARIES, DATED: VARIES, BY DEWOLFE ENGINEERING ASSOCIATES INCORPORATED.
 3. "STORMWATER & UTILITY - EASEMENT PLAN - LANDS OF PAUL D. JARVIS & - DAVID GOODRICH - PROPERTIES, LLC", SCALE: 1"=80', DATED MAY 22, 2013 AND LAST REVISED FEBRUARY 25, 2014 BY BUTTON PROFESSIONAL LAND SURVEYORS, PC.

- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO DEPICT THE CURRENT LOCATION OF THE FOUNDATION FOR UNITS 15 & 16 AND ALL ASSOCIATED SITE MODIFICATIONS.
 2. THE FOUNDATION FOR UNITS 15 & 16 AND THE WATER AND SEWER CONNECTIONS, AS DEPICTED, WERE FIELD LOCATED BY DAVID A. TUHOPE RLS #538.
 3. ALL OTHER SITE FEATURES SHOWN ARE PER THE REFERENCE PLANS CITED HEREON.

OWNER/APPLICANT
 TURNER ESTATES, LLC
 C/O ARMAND TURNER, JR.
 P.O. BOX 665
 MILTON, VT 05468

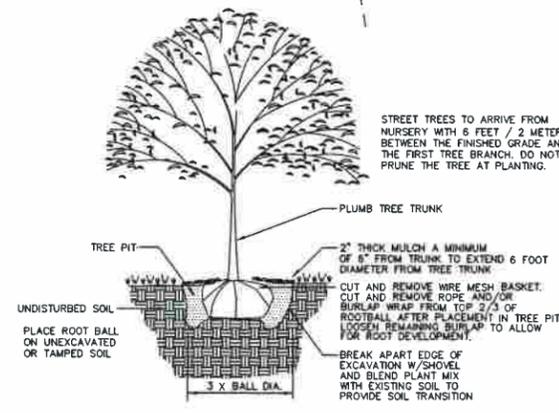
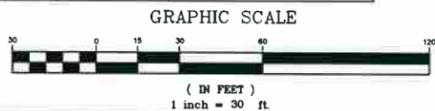


**FORMER FOUNDATION LOCATION
 REVISED UNIT 15 & 16 FOUNDATION LOCATION, UTILITY CONNECTIONS & ASSOCIATED SITE IMPROVEMENTS**

TREE AND PLANT PROTECTION

1. ALL PLANT MATERIAL SHALL CONFORM TO THE MOST RECENT VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK.
2. TREES SHALL HAVE A MINIMUM 50% LIVE CROWN RATIO
3. EACH TREE MUST BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. TREES WHERE THE TRUNK FLARE IS NOT VISIBLE SHALL BE REJECTED. DO NOT COVER THE TOP OF THE ROOT BALL WITH SOIL OR MULCH.
4. STAKING REQUIRED ONLY IN SITUATIONS WHERE TREES WILL BE SUBJECTED TO WINDY CONDITIONS AS DETERMINED BY THE PROJECT LANDSCAPE ARCHITECT. STAKES SHALL BE REMOVED BY THE CONTRACTOR AT THE END OF THE WARRANTY PERIOD.
5. TREES SHALL BE GUARANTEED FOR A PERIOD OF TWO YEARS AFTER PLANTING.
6. EXAMINE ENTIRE TREE AND REMOVE ALL NURSERY TAGS, TREE WRAP, ROPE, STRING AND SURVEYOR TAPE PRIOR TO PLANTING TO PREVENT GIRDLING.
7. THERE SHALL BE NO WATERING BERM INSTALLED AROUND TREES.
8. PLANT MIX SHALL CONSIST OF THE FOLLOWING RATIO: 3 PARTS EXISTING SOIL, 1 PART TOPSOIL
9. TREE PIT TO BE 3 TIMES AS WIDE AS ROOT BALL.
10. PRUNE ONLY DEAD OR CRUSHED ROOTS AND DEAD OR INJURED BRANCHES.

Key	Botanical Name	Common Name	Quantity	Size	Remarks
Trees					
AF	<i>Acer x freemanii 'Autumn Blaze'</i>	Freeman Maple	14	2 1/2" - 3" Cal	B&B, Minimum 6' branching height
AL	<i>Amelanchier laevis</i>	Allegheny Serviceberry	2	1 1/2" Cal	B&B, Minimum 6' branching height
FP	<i>Fraxinus pennsylvanica 'Summit'</i>	Summit Green Ash	9	2 1/2" - 3" Cal	B&B, Minimum 6' branching height
PR	<i>Pinus resinosa</i>	Red Pine	26	5' - 6' Height	B&B
PS	<i>Pinus strobus</i>	White Pine	26	5' - 6' Height	B&B
SR	<i>Syringa reticulata</i>	Japanese Tree Lilac	6	1 1/2" Cal	B&B, Minimum 6' branching height
Shrubs					
JH	<i>Juniperus horizontalis</i>	Creeping Juniper	20	18" - 24" Height	B&B
PI	<i>Pinus mugo var. Mugho</i>	Mugo Pine	20	18" - 24" Height	B&B
PM	<i>Prunus maritima</i>	Beach Plum	23	18" - 24" Height	B&B
SB	<i>Spiraea x bumalda 'Anthony Waterer'</i>	Anthony Waterer Spirea	26	24" - 30" Height	B&B
SV	<i>Spiraea vanhouttei</i>	Vanhoutte Spirea	8	24" - 30" Height	B&B
SY	<i>Syringa vulgaris</i>	Lilac	9	24" - 30" Height	B&B
TO	<i>Thuja occidentalis 'Nigra'</i>	Dark Green Arborvitae	16	3' - 4' Height	Plant 3' on center
VD	<i>Viburnum dentatum</i>	Arrowwood Viburnum	8	24" - 30" Height	B&B



TREE PLANTING DETAIL
 NTS

REV.	DATE	DESCRIPTION	C/O	DR	CK
A	3/10/16	REV. FNDTN LOCATION FOR UNITS 15 & 16		PWH	CEB

AMENDED GRADING, DRAINAGE & LANDSCAPING PLAN

**TURNER ESTATES
 A PLANNED UNIT DEVELOPMENT**

U.S. ROUTE 7, MILTON, VERMONT

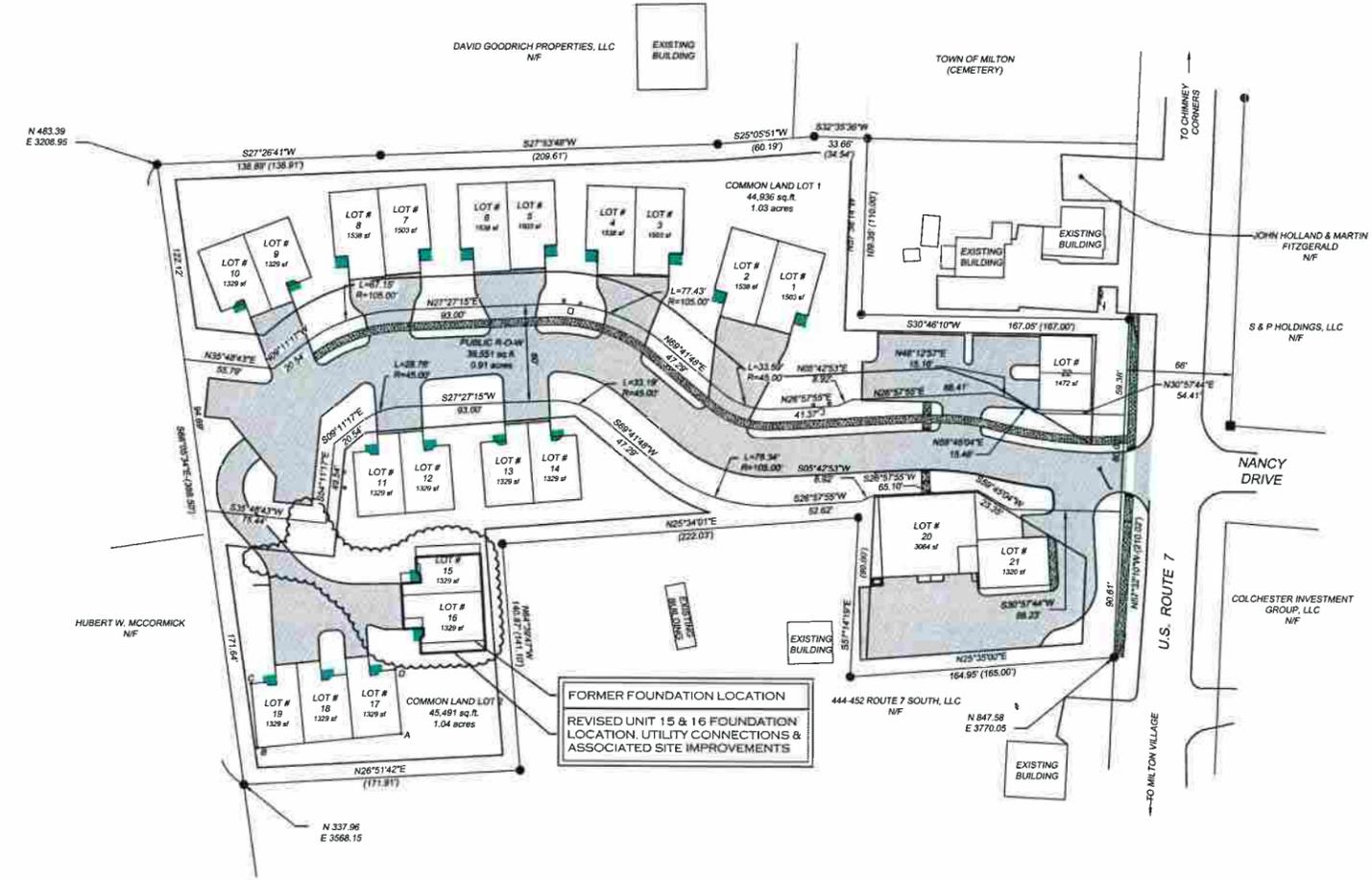
SCALE: 1" = 30' MARCH 10, 2016

Surveying + Engineering + Land Planning + Permitting + Septic Designs

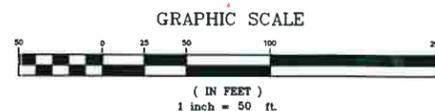
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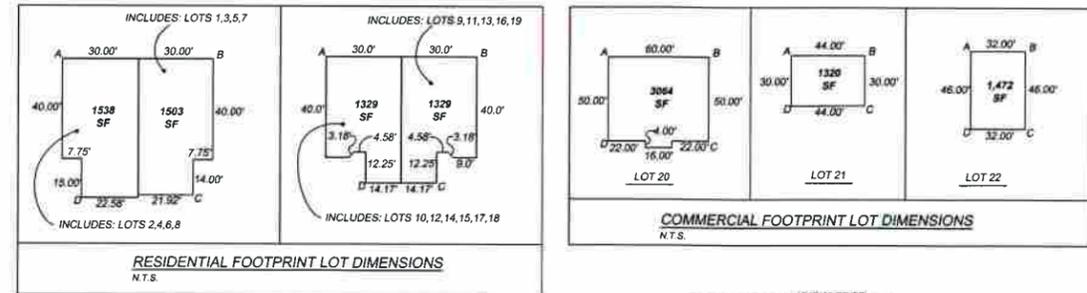
FILE: 830GR00.dwg PROJ. NO. 830.00 SHEET: GR-1 PAGE NO. 1 OF 1



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 Planning & Economic Development
 Milton, Vermont



- LEGEND:**
- PROJECT PROPERTY LINE
 - PROPOSED LOT LINE
 - ABUTTING PROPERTY LINE
 - SETBACK LINE
 - N/F NOW OR FORMERLY
 - IPS IRON PIPE SET
 - IPF IRON PIPE FOUND
 - RBF IRON REBAR FOUND
 - CMF CONCRETE MONUMENT FOUND
 - CONCRETE MONUMENT SET
 - △ CALCULATED POINT
 - N27°27'15"E 93.00' BEARINGS & DISTANCES DETERMINED BY SURVEY
 - (171.91) DISTANCES FROM DEEDS OR PLANS OF RECORD



THIS PLAN HAS BEEN APPROVED BY RESOLUTION OF THE DEVELOPMENT REVIEW BOARD OF THE TOWN OF MILTON, VERMONT, THIS ___ DAY OF ___, 2016, SUBJECT TO THE REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION.

SIGNED THIS ___ DAY OF ___, 2016,
 BY _____, CHAIR.

TOWN CLERK'S OFFICE
 TOWN OF MILTON, VT., 2016
 RECEIVED FOR RECORD AT _____ O'CLOCK
 M., AND RECORDED IN SLIDE # _____
 ATTEST _____ TOWN CLERK

TO THE BEST OF MY KNOWLEDGE, THIS PLAT IS BASED ON INFORMATION ABSTRACTED FROM PERTINENT DEEDS AND/OR OTHER OFFICIAL RECORDS, AND MARKERS EVIDENT ON THE PROPERTY, AND CONFORMS WITH THE REQUIREMENTS OF 27 V.S.A. & 1403.

DATED THIS ___ DAY OF ___, 2016

- REFERENCE PLANS:**
- "PLAN OF LANDS OF - TURNER ESTATES - 'A PLANNED COMMUNITY' - U.S. ROUTE 7, MILTON, VERMONT - 'FOOT PRINT' - LOT PROPERTY PLAT", SCALE: 1"=50', DATED MAY 8, 2008 BY LAMOUREUX & DICKINSON CONSULTING ENGINEERS, INC.
 - "TURNER ESTATES - U.S. ROUTE 7 - MILTON, VERMONT" (PLAN SET), SCALE: VARIES, DATED: VARIES, BY DEWOLFE ENGINEERING ASSOCIATES INCORPORATED.

- NOTES:**
- THE PURPOSE OF THIS PLAT IS TO CLARIFY THE OWNERSHIP OF THE UNITS. THIS PLAN SHOWS A MODIFICATION OF THE FOOTPRINT LOT FOR UNITS 15 & 16.
 - THIS PLAT IS BASED ON THE REFERENCE PLANS CITED HEREON.
 - THE FOUNDATION FOR UNITS 15 & 16 AND THE WATER AND SEWER CONNECTIONS, AS DEPICTED, WERE FIELD LOCATED BY DAVID A. TUDHOPE RLS #538.
 - ALL OTHER SITE FEATURES SHOWN ARE PER THE REFERENCE PLANS CITED HEREON AND WERE APPROVED THROUGH THE LOCAL AND STATE PERMITTING PROCESS.
 - SEE REFERENCE PLAN #1 FOR ADDITIONAL EASEMENT AND RIGHT OF WAY INFORMATION.

DAVID A. TUDHOPE
 74 CAYUGA COURT
 BURLINGTON, VERMONT 05408
 TELE.: (802) 862-9360
 dtudhope@aol.com
 REGISTERED LAND SURVEYOR 538



OWNER/APPLICANT
 TURNER ESTATES, LLC
 C/O ARMAND TURNER, JR.
 P.O. BOX 665
 MILTON, VT 05468



Lot #	Point	Northing	Easting
1&2	A	773.85	3420.42
	B	815.95	3403.17
	C	772.03	3495.53
	D	740.10	3464.52
3&4	A	709.08	3353.35
	B	760.10	3304.92
	C	725.10	3426.76
	D	686.73	3404.20
5&6	A	639.18	3312.63
	B	692.47	3340.20
	C	699.77	3394.00
	D	620.79	3365.04
7&8	A	567.53	3277.42
	B	621.93	3302.74
	C	592.12	3348.43
	D	551.35	3330.56
9&10	A	478.46	3268.43
	B	537.72	3277.81
	C	514.27	3324.72
	D	486.28	3320.29
11&12	A	537.14	3486.40
	B	482.90	3460.75
	C	518.58	3422.32
	D	544.20	3434.44
13&14	A	608.90	3520.31
	B	554.66	3484.67
	C	690.35	3456.23
	D	615.97	3468.35
15&16	A	537.25	3518.19
	B	510.28	3571.78
	C	472.73	3535.17
	D	485.47	3509.85
17,18&19	A	439.19	3590.78
	B	357.09	3553.90
	C	392.02	3514.78
	D	445.24	3538.69
20	A	770.10	3611.04
	B	823.58	3638.24
	C	800.90	3682.81
	D	747.43	3655.60
21	A	810.13	3694.67
	B	849.28	3694.58
	C	835.56	3711.32
	D	796.51	3691.45
22	A	907.52	3574.12
	B	935.20	3590.73
	C	911.45	3630.44
	D	883.77	3613.83

FOOTPRINT LOT LOCATION KEY
 N.T.S.
 * REVISED PER NEW FOUNDATION LOCATION

REV.	DATE	DESCRIPTION	C/O	DR	CK
A	3/10/16	REV. FNDTN LOCATION FOR UNITS 15 & 16		PWH	CEB

AMENDED 'FOOTPRINT LOT' PROPERTY PLAT
TURNER ESTATES
A PLANNED UNIT DEVELOPMENT
U.S. ROUTE 7, MILTON, VERMONT

SCALE: 1" = 50' MARCH 10, 2016

Surveying + Engineering + Land Planning + Permitting + Septic Designs

FIELDSTONE
 LAND CONSULTANTS, PLLC

206 Elm Street, Milford, NH 03055
 Phone: (603) 672-5456 Fax: (603) 413-5456
 www.FieldstoneLandConsultants.com



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

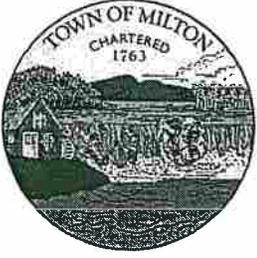
No comments

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

No comments

RECEIVED

MAR 31 2016



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Planning & Economic Development Department
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802.893.1186
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 NOORD

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



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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: Dylan 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



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: March 14, 2016	
Case No: DRB 2016-16	
Application(s): Minor Conventional Subdivision	
Application Received: March 15, 2016	
Application Deemed Complete: March 15, 2016	
Staff Report Finalized: April 11, 2016	
Applicant(s): Gordon J. LaFountain Jr. & Jenna M LaFountain 8 Moss End Drive Milton, VT 05468 802-363-7854 & 802-999-3738 GJL275@yahoo.com	Owner(s): Gordon J. LaFountain Sr. 165 Railroad Street Milton, VT 05468 802-893-0115 & 802-881-2979
Engineer/License: None	Surveyor/License: Mark Day #732, Surveyor TOH Surveying and Design, LLC PO Box 8 St. Albans, VT 05478
E-911/Postal Address: 165 Railroad Street	
Tax Map, Parcel(s): 31, 98	
School Parcel Account Number(s) (SPAN): 11903	
Deed(s): Book 109, Page 598	
Existing Size: 5.67 acres	
Zoning District(s): Milton Crossroads Marketplace Center "M1" District	
Comprehensive Plan Planning Area/Sub-Area: Town Core Planning Area/New Downtown Sub-Area	
Location: North side of Railroad Street between Barnum Street and Villemaire Lane	

INTRODUCTION

Noticed Summary of Proposal: 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.

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 Gordon LaFountain Jr. is an employee of the Town's Police Department. There are no other 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/drj.html>.

APPLICATION, JURISDICTION, NOTICE

Application: This matter comes before the Town of Milton Development Review Board (DRB) for Minor Conventional Subdivision Final 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 Gordon J. LaFountain Jr. and Jenna M. LaFountain referred to hereafter as the "applicant".

Landowner(s): The property is owned by Gordon J. LaFountain Sr. All owners are signatories to this application.

Project Consultant(s): Mark Day and Jeff Hardy of TOH Surveying and Design, LLC are consultants for this project.

Application Submission: The application form was received by the Planning and Economic Development Department on March 15, 2016. Unless otherwise noted, the associated exhibits were received the same day.

Application Completion: The application was deemed complete by staff on March 15, 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 Conventional Subdivision Final Plan 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: No waivers have been requested.

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 March 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.

EXHIBITS

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

- Tax Lot 398-123-11903 Preliminary Subdivision Plat, by TDH Surveying & Design, LLC dated 3/11/16
- Section 700 Responses emailed by Gordon LaFountain Jr., dated 3/15/2016

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

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

SITE, DISTRICT & AREA INFORMATION

Property Location: The subject property is located at 165 Railroad Street and shown on Milton's Tax Map 31 as Parcel 98. The corresponding School Parcel Account Number (SPAN) is 11903.

Size/Area: According to the evidence presented, the subject parcel is approximately 5.67 acres or 246,876 square feet. The Assessor's Grand List records this property as approximately 5.76 acres.

Deed(s): The deed is recorded on 5/27/1987 in Book 109, Page 598 of the Town of Milton Land Records to Gordon J. LaFountain Sr., Grantee.

Zoning District(s): The site is located within the Milton Crossroads Marketplace Center (M1) 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 ZR411 states that the purpose of this district is to "allow for the tallest buildings, the highest density, and the greatest extent of Mixed Use including residential, commercial, and some industrial uses. Buildings should be placed close

to the sidewalks. Street trees and green belts along sidewalks should be constructed to provide a pedestrian friendly environment.”

Comprehensive Planning Area: The site is located within the Town Core Planning Area, as delineated in Map 2 of the 2013 Comprehensive Plan. The site is located in the New Downtown Sub Area, as delineated in Figure 9.1 of the 2013 Comprehensive Plan (p.112). The Plan states the following goals about this area:

- Goal 9.1.1.** Encourage structures be placed to improve aesthetics and enhance pedestrian connections.
- Goal 9.1.2.** Enhance streetscape elements by incorporating streetlights, street trees, and signage.
- Goal 9.1.3.** Encourage commercial development including retail, restaurants, professional services, offices, hotels, and incubator spaces in the Downtown Business district. Residential uses should be encouraged in the New Downtown Center and New Downtown West district.
- Goal 9.1.4.** Develop a multi-modal transit station to incorporate pedestrians, bicycles and bus service.
- Goal 9.1.5.** Promote the development of community activities for a range of ages.
 - Objective 9.1.5.a.** Encourage the creation of a community center for such activities as a theater or performance space, arts facility, and community gatherings.
 - Objective 9.1.5.b.** Evaluate the need for expansions of educational campuses for maximum use of facilities.
 - Objective 9.1.5.c.** Encourage the creation of an indoor/outdoor recreation facility to accommodate such activities and uses as hockey, ice skating, a swimming pool, and children and adult programs (refer to the 2007-2027 Recreation Plan for prioritization of these needs).
- Goal 9.1.6.** Further evaluate and prioritize the input from the 2007 Streetscape study and the 2012 Planning Commission Enhancing Route 7 public forum and survey with the goal of implementation of priority recommendations.

Physical Characteristics/Natural Features: The subject property is generally flat, contains soils of Statewide significance, no mapped wetland, drains directly to Lake Champlain via the Lamoille River and Mallets Creek, and contains an open meadow.

Surrounding Use/Structures: The property is surrounded predominantly by single family dwellings with a multi-family apartment across Railroad Street and senior housing abutting the property to the west.

SITE HISTORY

Background: The applicant received Minor Conventional Subdivision Sketch Plan approval from the DRB in a written Decision signed March 10, 2016.

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 property currently contains one single family dwelling.

Proposed Use: The applicant proposes Lot 2 to be used for the construction of a single family home.

Existing Improvements: The property currently contains a single family dwelling and attached gazebo. The dwelling is serviced by municipal water and wastewater. Access is via a gravel driveway to Railroad Street.

Existing Restrictions or Covenants: The site contains an existing 50 foot electric to the east of the existing dwelling.

Proposed Restrictions or Covenants: No new restrictions or covenants have been proposed.

SUBDIVISION FINAL REVIEW

SR110.2, Subdivision Policy: Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Land shall not be subdivided until proper provision has been made for drainage, water, sewage, and capital improvements such as schools, parks, recreation facilities and transportation facilities.

SR120, Purposes: The Subdivision Regulations aim to achieve the purposes defined by this section:

- To protect and provide for the public health, safety, and general welfare of the Town of Milton.
- To guide the future growth and orderly development of the Town in accordance with the Comprehensive Plan, Zoning Regulations and all other By-Laws enacted to implement the Plan.
- To provide for adequate light, air and privacy, to secure safety from fire, flood and other danger, and to prevent over-crowding of the land and undue congestion of population.
- To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewage, schools parks, playgrounds, recreation and other public requirements and facilities.
- To provide the most beneficial relationship between the uses of land and buildings, and the circulation of traffic throughout the Town, having particular regard to the avoidance of congestion in the streets and highways.
- To insure that public facilities are available and will have a sufficient capacity to serve any proposed subdivision.
- To present the pollution of air, streams, ponds and Lake Champlain; to assure the adequacy of drainage facilities; to safeguard the water tables; and to encourage the wise use and management of natural resources throughout the Town in order to preserve the integrity; stability, and beauty of the community and the value of land.
- To preserve the natural beauty and topography of the Town and to insure appropriate development with regard to these natural features.
- To further the purposes contained in the Vermont Planning and Development Act, and in particular, those purposes set forth in Section 4302 of the Act.

SR400, Minor Subdivision Application: The section states: 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. Staff finds that the application was submitted within six months of sketch plan approval and conforms to the layout shown on the sketch plan plus recommendations made by the DRB at sketch approval.

SR610, Final Application Content: Unless otherwise stated herein, Staff has found that the draft Final Plat is in compliance with all applicable provisions of SR610.

Subdivision Standards of Evaluation, Section 700:

Final approval of any subdivision shall be based on a finding by the DRB that the subdivision is in accord with the following standards. The applicant's responses are attached to this Staff Report.

- 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

SR800, Streets: The applicant proposes no new streets.

SR810, Curbs, Sidewalks, and Pedestrian Accesses: Sidewalks already exist on this portion of Railroad Street. Staff finds that no new sidewalks are appropriate.

SR820, Outdoor Lighting: The DRB may require lighting where deemed appropriate. The Applicant proposes no new lighting. Staff finds that no additional lighting is needed in this location.

SR830, Street Trees: The section states that "the DRB may require that suitable shade trees (such as Sugar Maple, Norway Maple, Red Maple, Ash or Oak) be planted along streets where trees do not exist at intervals of forty (40) feet or less. All trees shall measure ten (10) feet in height and at least two (2) inches in diameter measured at a point six (6) inches above the finished grade level. All trees are to be planted within five (5) feet of the edge of the street right-of-way."

At the sketch approval hearing, the DRB required that street trees be planted along Railroad Street in accordance with SR830. The Plat shows 12 maple trees planted at intervals of 40 feet. Staff finds that this placement of trees is in accordance with SR830.

1. The DRB shall determine if the street trees to be planted along Railroad Street and suitable and in accordance with SR830.
2. The Applicant shall provide a landscaping surety to guarantee the completion of the approved landscaping. The Applicant must submit a written cost estimate for the proposed trees from a

landscape contractor, and a performance bond shall guarantee their survival for three years from installation. The surety must be established prior to the issuance of a Zoning Permit.

SR840, Drainage: No change to drainage on the site is proposed.

SR850, Water System: The applicant is proposing to connect to the Municipal water system. A Water and Wastewater Allocation has been received from the Department of Public Works for the subject property.

SR860, Sewage Disposal: The applicant is proposing to connect to the Municipal wastewater system. A Water and Wastewater Allocation has been received from the Department of Public Works for the subject property.

3. The Applicant shall obtain a water & wastewater connection permit prior to obtaining a zoning permit for the proposed Single Family Residence.

SR870.1, Utilities: Easements of sufficient width shall be provided so as to serve the proposed subdivision.

4. If the applicant is proposing any new utility easements, they shall be indicated on the Final Plat.

SR880.1, Zoning Regulations: The layout of lots shall conform to the requirements of the Town’s Zoning Regulations.

ZONING REGULATION LOT CONFORMANCE

ZR620, Reduction of Lot Size: “No lot shall be so reduced in area so that the total area, setback areas, lot width, frontage, coverage, or other requirements of these Regulations shall be other than herein prescribed for the district in which the lot is located.”

District Dimensional Requirements, ZR414: The tables below show the required dimensional requirement for the subject property's applicable Zoning District and proposed compliance.

Lot 1 (Containing Existing Dwelling)	Required	Proposed
Minimum LOT AREA (sq. ft.)	5,000	221,701
Minimum Road FRONTAGE (linear ft.)	0	381
Minimum FRONT SETBACK (linear ft.)	0 -20	90
Minimum SIDE SETBACK (linear ft.)	0	28
Minimum REAR SETBACK (linear ft.)	0	Over 200
Maximum BUILDING COVERAGE	40	2
Maximum LOT COVERAGE (%)	80	3

Lot 1 would conform to the dimensional standards of the M1 District.

Lot 2	Required	Proposed
Minimum LOT AREA (sq. ft.)	5,000	25,175
Minimum Road FRONTAGE (linear ft.)	0	100
Minimum FRONT SETBACK (linear ft.)	0 - 20	90
Minimum SIDE SETBACK (linear ft.)	0	>30
Minimum REAR SETBACK (linear ft.)	0	72
Maximum BUILDING COVERAGE	40	<40
Maximum LOT COVERAGE (%)	80	<80

Lot 2 would conform to the dimensional standards of the M1 District. Staff finds that the applicant has estimated the setbacks for a house that conform to the dimensional standards of the M1 District. Dimensional conformance of any proposed dwelling would be further evaluated for compliance prior to the issuance of a Zoning Permit.

SR880.5, Access: The applicant proposes driveway access to Railroad Street.

5. The Applicant shall apply for a Town Highway Access permit as part of the Zoning Permit Application for the new driveway, per ZR594, *Highway Access Permit*
6. The proposed driveway shall be constructed according to ZR593 and the driveway specifications as defined in the Public Works Specifications.

Legal Escrow, SR910: The Applicant has submitted \$500 with the Final application to cover the legal review of the deeds and any other required legal instruments by the Town Attorney. Any funds not expended on the legal review will be refunded to the Applicant.

Legal Review, SR920: The applicant has submitted draft deeds for review by the Town Attorney.

7. The applicant shall submit any other associated legal instruments for all impacted lots for review and approval by the Town Attorney. All requested revisions must be complete before the Plat may be recorded. Only instruments approved by the Town may be recorded in the Town of Milton Land Records.

TECHNICAL REVIEW COMMITTEE

The Technical Advisory Committee reviewed this application and had no comments or concerns.

STAFF RECOMMENDATION

The Planning Staff recommends that the DRB **approve** the Final Plan for a proposed 2-lot Minor Conventional Subdivision located at 165 Railroad Street, described as Tax Map 31, Parcel 98 and SPAN #11903, subject to the conditions above.

Respectfully Submitted:



Jeffrey Castle, Town Planner

ATTACHMENTS:

- Tax Lot 398-123-11903 Preliminary Subdivision Plat, by TDH Surveying & Design, LLC dated 3/11/16
- Section 700 Responses emailed by Gordon LaFountain Jr., dated 3/15/2016
- Technical Advisory Committee (TAC) School Review Sheet dated 3/29/2016;
- TAC Police Review Sheet dated 3/23/2016;
- TAC Recreation Review Sheet dated 3/23/2016.

COPIES TO:

- Applicant(s)
- Owners(s)
- Engineer/Surveyor

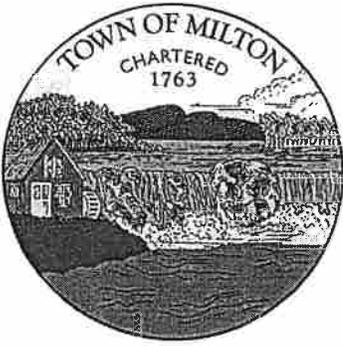
WHAT'S NEXT?

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.



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.

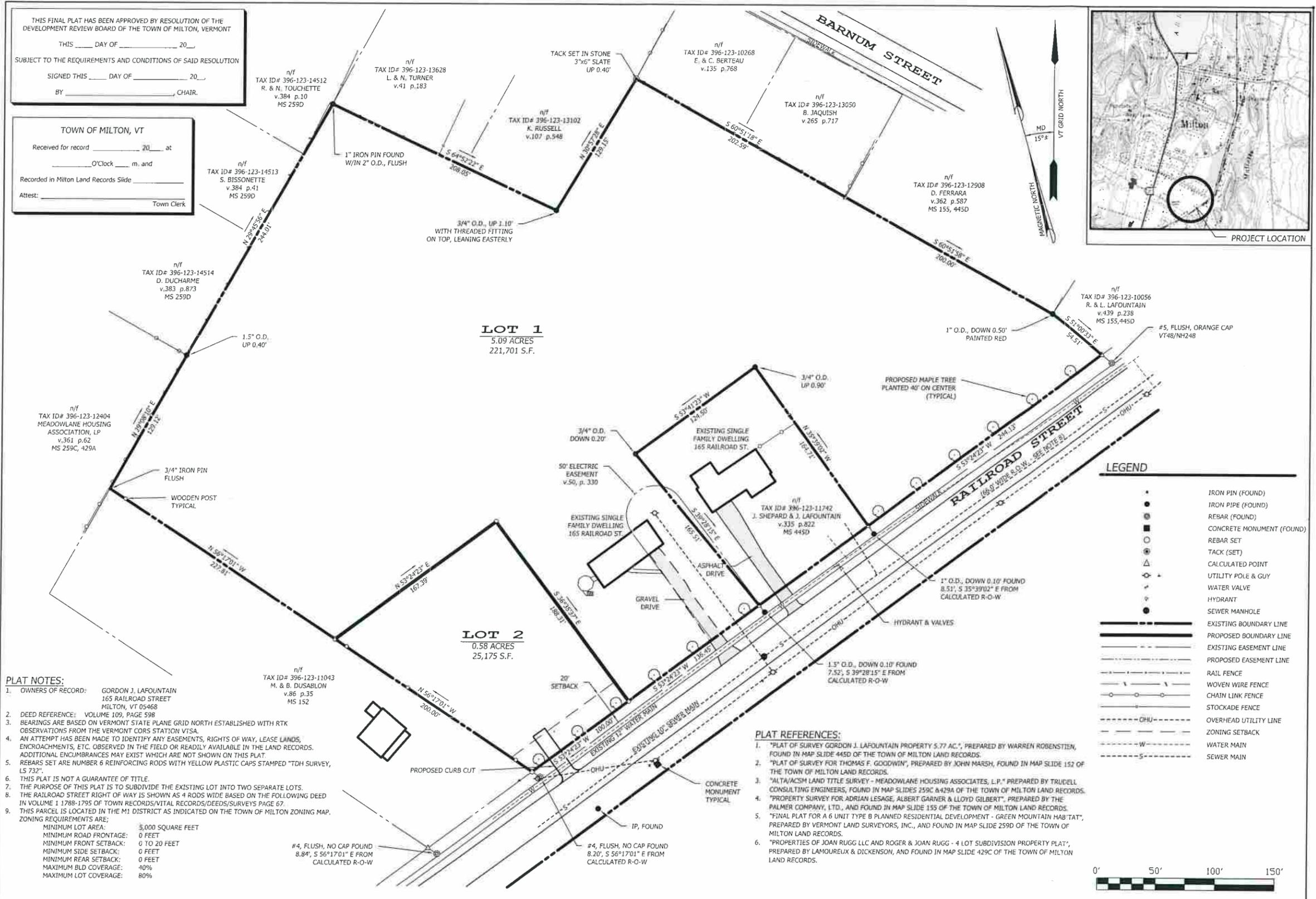
6(B). Erwin Devino, Owner/Applicant requests Sketch Plan approval for a proposed 2-lot Minor Conventional Subdivision located at 242 North Road, described as Tax Map 15, Parcel 119-1 and SPAN #10952. A single family home currently exists on the lot and a new single family home is proposed. The subject 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.

THIS FINAL PLAT HAS BEEN APPROVED BY RESOLUTION OF THE DEVELOPMENT REVIEW BOARD OF THE TOWN OF MILTON, VERMONT
 THIS ____ DAY OF _____ 20____
 SUBJECT TO THE REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION
 SIGNED THIS ____ DAY OF _____ 20____
 BY _____, CHAIR.

TOWN OF MILTON, VT
 Received for record _____ 20____ at _____ O'Clock ____ m. and
 Recorded in Milton Land Records Slide _____
 Attest: _____ Town Clerk



- PLAT NOTES:**
- OWNERS OF RECORD: GORDON J. LAFOUNTAIN, 165 RAILROAD STREET MILTON, VT 05468
 - DEED REFERENCE: VOLUME 109, PAGE 598
 - BEARINGS ARE BASED ON VERMONT STATE PLANE GRID NORTH ESTABLISHED WITH RTK OBSERVATIONS FROM THE VERMONT CORS STATION VTSA.
 - AN ATTEMPT HAS BEEN MADE TO IDENTIFY ANY EASEMENTS, RIGHTS OF WAY, LEASE LANDS, ENCROACHMENTS, ETC. OBSERVED IN THE FIELD OR READILY AVAILABLE IN THE LAND RECORDS. ADDITIONAL ENCUMBRANCES MAY EXIST WHICH ARE NOT SHOWN ON THIS PLAT.
 - REBAR SET ARE NUMBER 6 REINFORCING RODS WITH YELLOW PLASTIC CAPS STAMPED "TDH SURVEY, LS 732".
 - THIS PLAT IS NOT A GUARANTEE OF TITLE.
 - THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE EXISTING LOT INTO TWO SEPARATE LOTS.
 - THE RAILROAD STREET RIGHT OF WAY IS SHOWN AS 4 RODS WIDE BASED ON THE FOLLOWING DEED IN VOLUME 1 1788-1795 OF TOWN RECORDS/VITAL RECORDS/DEEDS/SURVEYS PAGE 67.
 - THIS PARCEL IS LOCATED IN THE M1 DISTRICT AS INDICATED ON THE TOWN OF MILTON ZONING MAP. ZONING REQUIREMENTS ARE:
 MINIMUM LOT AREA: 5,000 SQUARE FEET
 MINIMUM ROAD FRONTAGE: 0 FEET
 MINIMUM FRONT SETBACK: 0 TO 20 FEET
 MINIMUM SIDE SETBACK: 0 FEET
 MINIMUM REAR SETBACK: 0 FEET
 MAXIMUM BLD COVERAGE: 40%
 MAXIMUM LOT COVERAGE: 80%

- PLAT REFERENCES:**
- "PLAT OF SURVEY GORDON J. LAFOUNTAIN PROPERTY 5.77 AC.", PREPARED BY WARREN ROBENSTIEN, FOUND IN MAP SLIDE 445D OF THE TOWN OF MILTON LAND RECORDS.
 - "PLAT OF SURVEY FOR THOMAS F. GOODWIN", PREPARED BY JOHN MARSH, FOUND IN MAP SLIDE 152 OF THE TOWN OF MILTON LAND RECORDS.
 - "ALTA/ACSM LAND TITLE SURVEY - MEADOWLANE HOUSING ASSOCIATES, L.P.", PREPARED BY TRIDELL CONSULTING ENGINEERS, FOUND IN MAP SLIDES 259C & 429A OF THE TOWN OF MILTON LAND RECORDS.
 - "PROPERTY SURVEY FOR ADRIAN LESAGE, ALBERT GARNER & LLOYD GILBERT", PREPARED BY THE PALMER COMPANY, LTD., AND FOUND IN MAP SLIDE 155 OF THE TOWN OF MILTON LAND RECORDS.
 - "FINAL PLAT FOR A 6 UNIT TYPE B PLANNED RESIDENTIAL DEVELOPMENT - GREEN MOUNTAIN HABITAT", PREPARED BY VERMONT LAND SURVEYORS, INC., AND FOUND IN MAP SLIDE 259D OF THE TOWN OF MILTON LAND RECORDS.
 - "PROPERTIES OF JOAN RUGG LLC AND ROGER & JOAN RUGG - 4 LOT SUBDIVISION PROPERTY PLAT", PREPARED BY LAJOURLEUX & DICKENSON, AND FOUND IN MAP SLIDE 429C OF THE TOWN OF MILTON LAND RECORDS.

LEGEND

●	IRON PIN (FOUND)
○	IRON PIPE (FOUND)
⊙	REBAR (FOUND)
■	CONCRETE MONUMENT (FOUND)
○	REBAR SET
⊙	TACK (SET)
△	CALCULATED POINT
⊕	UTILITY POLE & GUY
⊕	WATER VALVE
⊕	HYDRANT
⊕	SEWER MANHOLE
---	EXISTING BOUNDARY LINE
---	PROPOSED BOUNDARY LINE
---	EXISTING EASEMENT LINE
---	PROPOSED EASEMENT LINE
---	RAIL FENCE
---	WOVEN WIRE FENCE
---	CHAIN LINK FENCE
---	STOCKADE FENCE
---	OVERHEAD UTILITY LINE
---	ZONING SETBACK
---	WATER MAIN
---	SEWER MAIN

THIS PLAT IS BASED ON A FIELD SURVEY WHICH MEETS OR EXCEEDS THE MINIMUM STANDARDS AS SET FORTH BY THE VERMONT BOARD OF LAND SURVEYORS. FIELD MEASUREMENTS, PERTINENT RECORD INFORMATION AND PAROLE EVIDENCE WAS USED IN THE CALCULATION AND DETERMINATION OF THE BOUNDARIES SHOWN ON THIS PLAT. ANY INCONSISTENCIES ARE SHOWN HEREON TO THE BEST OF MY KNOWLEDGE THIS PLAT MEETS THE REQUIREMENTS OF 27 V.S.A. 4403.



TDH SURVEYING & DESIGN, LLC
 Land Surveyors - Septic Designers
 P.O. BOX 8 ST. ALBANS, VERMONT 802-524-4460

NO.	DATE	ORB COMMENTS	BY
1	3/11/16	ORB COMMENTS	JH
		REVISION	BT

GORDON J. LAFOUNTAIN		DRAWN BY:	ST/MD	CHECKED BY:	MD
RAILROAD STREET		SCALE:	1"=50'	FIELD BOOK:	DC
MILTON, VERMONT		DATE:	1/5/16	DATE OF SURVEY:	12/23/15
TAX LOT 396-123-11903		JOB NUMBER:	15060	SURVEY BY:	TCE
SUBDIVISION PLAT		DRAWING:	15060SPAT	SHEET	1 of 1

RECEIVED
MAR 15 2016
 Planning & Economic Development
 Milton, Vermont

JCastle

From: Gordon L [gjl275@yahoo.com]
Sent: Tuesday, March 15, 2016 12:38 PM
To: JCastle
Subject: Section 700 answers

700.1

The site is generally flat with municipal water and sewer available at the front of the property.

700.2

Street trees are going to be planted along the front of the property. No major changes are proposed to any existing aesthetic features.

700.3

Lot 1 will contain several acres of open space suitable for recreation.
Lot 2 will have sufficient open space for recreation.

700.4

The property is flat and should not have run-off. Silt fence can be placed around earth disturbance or stock piles during construction.

700.5

The proposal is in line with the comprehensive plan and town regulations.

700.6

Waste disposal will be a municipal connection.

700.7

The property is surrounded by single family dwellings, multi-family apartments, and senior housing.

700.8

The proposed single family home will meet all setbacks.

700.9

There is an existing sidewalk along the front of the property.

700.10

The lot is surrounded by existing single family dwellings.

700.11

The proposed water will be a municipal connection.

700.12

The proposal is for 1 single family home which should not cause unreasonable traffic congestion or unsafe conditions.