# TOWN OF NORWICH DEVELOPMENT REVIEW BOARD AGENDA Thursday, July 27, 2023 7:00 PM

Zoom Information:

Meeting ID: 880 5185 5406 US Toll-free: 888-475-4499 https://us02web.zoom.us/j/88051855406

- 1. Call to Order, Roll Call
- 2. Approve Agenda
- 3. Approve Minutes June 1, 2023
- 4. Public Comments
- 5. Announcements and Correspondence
- 6. Public Hearing at 7:15 PM:
  - #27BSUB23 Preliminary Plan Review of a Subdivision Application by Richard and Melinda Stucker, Applicants and Landowners, to divide Tax Map Parcel #11-067.400, an 11.46+/- acre lot, into 2 lots of 3.11 acres with a development site for a primitive cabin at 110 Pattrell RD and ±8.35 acres developed with a dwelling at 70 Pattrell RD. Application to be reviewed under the Norwich Subdivision Regulations.
- 7. Other Business
- 8. Adjournment

Future Meeting: TBD

DRB Minutes available at: http://norwich.vt.us/development-review-board/

To receive copies of Town agendas and minutes, please send an email request to be added to the town email list to the Town Manager's Assistant at: <u>manager-assistant@norwich.vt.us</u>

# TOWN OF NORWICH DEVELOPMENT REVIEW BOARD Draft Minutes Thursday, June 1, 2023

Members present: Richard Stucker, Don McCabe, Linda Gray, Sue Pitiger, Patrick Bradley, Emily Myers Alternates present: Jack Candon Members absent: Matthew Stuart Staff: Kyle Katz, Interim Zoning Administrator Minute Taker: Linda Gray Public: None

**1. Call to Order:** by outgoing Vice-Chair Stucker at 7:01 pm. He asked, and all agreed, that the minutes should record the board's strong appreciation for Arline Rotman's exemplary service as chair. Board members introduced themselves.

**2. Approve Agenda:** Pitiger moved, McCabe seconded a motion to approve the agenda. Motion carried unanimously.

**3. Minutes –** November 17, 2022: McCabe moved, Pitiger seconded a motion to approve the November 17, 2022 minutes. Motion carried unanimously; Meyer and Candon abstaining, since they did not participate in the November meeting.

4. Public Comment: none.

# 5. Announcements and Correspondence

a. Election of Officers: McCabe moved, Pitiger seconded a motion to nominate Bradley as Chair. Motion carried unanimously. Pitiger moved, McCabe seconded a motion to nominate Gray as Vice-Chair. Motion carried unanimously.

# 6. Boundary Line of Adjustment:

 a. #12BLA23: Transfer +/-10 Acres from 244 Upper Loveland RD, Map 11-159.000 (Lamperti) to 252 Upper Loveland RD, Map #11-159.100 (Bushell/Lamperti). Both Lots are Developed.

Katz gave a brief overview of the application and answered questions about survey requirements in this process. Candon disclosed that in 2005 he represented Bushell/Lamperti in their purchase of the parcel; he did not feel this required him to recuse.

Gray moved, and Bradley seconded a motion that #12BLA23 meets the criteria in Section 2.1(D)(1) and therefore the Zoning Administrator may approve the filing with the Town of a final plat of the Boundary Line Adjustment. Motion carried 7-0. For: Stucker, McCabe, Gray, Pitiger, Bradley, Meyer, Candon.

7. Other Business: The board discussed holding future meetings as a hybrid or in-person and remote access. Gray confirmed that she has held hybrid BCA meetings and generally knows how the technology works. There was consensus to offer remote access, as it will help both DRB members and future participants.

The board took note that this is Richard Stucker's last DRB meeting, as he will be moving out of Norwich this summer and resigning his position. There was enthusiastic support to note the board's gratitude for his excellent service.

**8. Meeting Adjournment:** Pitiger moved, McCabe seconded a motion to adjourn. Motion carried unanimously; meeting adjourned at 7:44 pm.

Respectfully submitted, Linda Gray

P.O. BOX 376 NORWICH, VT 050551802 649-1419 x4 planner@norwich.vt.us

## TOWN OF NORWICH

### DEVELOPMENT REVIEW BOARD

### DOCUMENTS AND INTERESTED PARTIES

Application Number: #27BSUB23 Lot: #11-067.400 70 Pattrell RD

Site Visit:

Public Hearing Date: July 27, 2023

Applicants/Landowners: Richard and Melinda Stucker PO Box 201 Norwich, VT 05055

### **Interested Parties:**

NATURE OF APPLICATION – #27BSUB23 - Preliminary Plan Review of a Subdivision Application by Richard and Melinda Stucker, Applicants and Landowners, to divide Tax Map Parcel #11-067.400, an 11.46± acre lot into 2 lots of 3.11± acres with a development site for a primitive cabin at 110 Pattrell RD and 8.35± acres developed with a dwelling at 70 Pattrell RD. Application to be reviewed under the Norwich Subdivision Regulations.

The record in this case includes the following documents:

### Submitted by Applicant

- A-1 Application #27BSUB23 (6-30-23)
- A-2 Narrative and Waiver Request for Final Plan Review, by Applicant (6-30-23)
- A-3 Subdivision Plan, by Farnsworth Surveys (6-27-23)
- A-4 Access Permit #2ACC22 to Primitive Cabin Site (5-10-22)
- A-5 Zoning Permit #63BAS22 for Primitive Cabin (110 Pattrell RD) (11-21-22)

### Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties List
- ZA-2 Density Calculation Sheet (06-30-23)

# 27BSUB23 Exhibit A-1

	TOWN OF NORWICH, VERMONT				
APPLICATION FOR ZONING PERMIT Owner(s): <u>Richars 7 Meunas Jucker</u>					
Mail Address: 1.0. Voy. 701 - 101	ATTREW RA. Town Norwick	ST VT Zip ONTONT : RICHARALSTUCKERCEMAIL, Com			
		: RICHARALSTUCKER OGMAIL, COM			
Applicant (If Different):					
Mail Address:					
Day Phone: E	ve Phone: Email	:			
Day Phone: E Description of Proposed Developm	ent: APPX. Jão S.F. PRIMA	TIVE ON 3.11 Ackers,			
AS PART OF 11. 46 ACRES	WRRENTY DWNED BY STU	ICKERS Lot 2 8 25 acros +1-			
at TOPathalko (Suba	(Visim) Zoning District	RE VRI VRII VB C/I AQ			
Street Address: 116 PATTREU	۲۵۵ Tax Map Lot #	11-067- 400 Lot Size: 3,11 ACRES			
at 70 Pathal RD (Sola Street Address: <u>116 Patha</u> Building Setbacks- Road Right-of-y	ay: 300' Right Boundary: 300	2 Left 300' Rear 90			
Size of Building(s)/Additions: Struc	ture A: Width 15' Length 25'	Height $12$			
Structure B: WidthLength	HeightArea: Foo	otprint of Structure A			
Additional Footprint of Structure B (i					
Estimated Date of Completion: FAU,	20 23 Estimated Value \$ 70,000	# of Bedrooms			
******					
foregoing statements, attached plans, a Town of Norwich, and certifies that th of the real estate that is the subject of the	s of additional floors. Elevation Drawing s that the proposed development shall and in accordance with the zoning and e above is true, correct, and complete. application by the Zoning Administrator	g of multi-story buildings. be built in accordance with the subdivision regulations of the The owner consents to inspections at reasonable times.			
Signature of Landowner (or Authorized ************************************	1 Agent) flebud ftule	Date 0/30/23			
Zoning Office Checklist:	Additional Permits Required:				
Flood Hazard Area	Subdivision	PRD			
Wetlands Septic Location	Conditional Use Driveway Access Site Plan Review Wastewater				
Water Supply	Site Plan Review	wastewater			
Parking	Fees:	Action Dates			
	Base Fee \$	Received 6-30-33			
Permit Conditions	Sq. Ft. x \$	Complete			
Agricultural Exemption	# of Lots \$	Granted			
Comments:	Recording \$	Refused			
	Other\$	Posted at Site			
	Total \$	Appeal By			
	Date Paid	Effective			
	To Finance	Expires			
Signature of Zoning Administrator Date					
8/11	Application/Permit				

June 30, 2023

To: Members of the Norwich Development Review Board From: Richard and Melinda Stucker RE: Request for approval of subdivision

Development Review Board Members, the past several weeks have been excruciating for my wife, Melinda, and me as we discovered that the minor subdivision we sought last fall was not registered with the Town Clerk. The missing paperwork has prevented us from closing on the sale of our home and property. At this point it is important to us to not relive the weeks of trying to recover missing documents, or point fingers, but to move forward on this request to approve this minor subdivision.

If not already in your hands you will soon receive background information from Pam, including a copy of the survey of the land in question, a density calculation worksheet, and a copy of the Application For Zoning Permit.

The short version of a very long story is that over a year ago, anticipating having to sell our home, Melinda and I decided to retain a small section of our 11.46 acre property in order to eventually construct a "primitive" cabin – no water source, no electricity, no plumbing. The surveyor, Robert Farnsworth, then created two parcels, 8.35 acres that includes our home, and a bare 3.11 parcel for the future site of the primitive cabin. We were assured that it was a straightforward process, not involving state regulations and only requiring approval for a "minor" subdivision. In November, 2022, Melinda and I submitted an application for a zoning permit, which was followed by an approval to work with the Head of Public Works, Chris Kauffman, to locate the cut access on Pattrell Road that would lead to the cabin site. Chris okayed the location and we retained Graham Webster to construct the road, which has now been completed.

Then, unexpectedly, a young couple now living in a condo unit in West Lebanon, heard from friends of friends that the Stucker's might be willing to sell their home. Eventually, a deal was struck and a closing date was set for July 6, 2023. In the process of preparing for the closing, the buyer's attorney discovered that the Town Clerk's office did not have a record of our carving off the 3.11 section of land. The rest is sad history. The absence of proof of the subdivision nixed the closing. Thankfully the buyers have been willing to work with us to find a creative solution to this dilemma. At this moment we are working toward an agreement whereby the buyers will RENT our home until the subdivision is approved and the proper paperwork is filed with the Town Clerk.

Your approval of this request, therefore, is critical for Melinda and I to sell our property and continue our journey.

In closing, I must note that several Town employees have been extremely helpful in trying to uncover the missing documents, especially Pam Mullen in the ZA's office, Judy Trussell in the Town Clerk's office, and our temporary Zoning Administrator, Kyle Katz.

With thanks and appreciation,

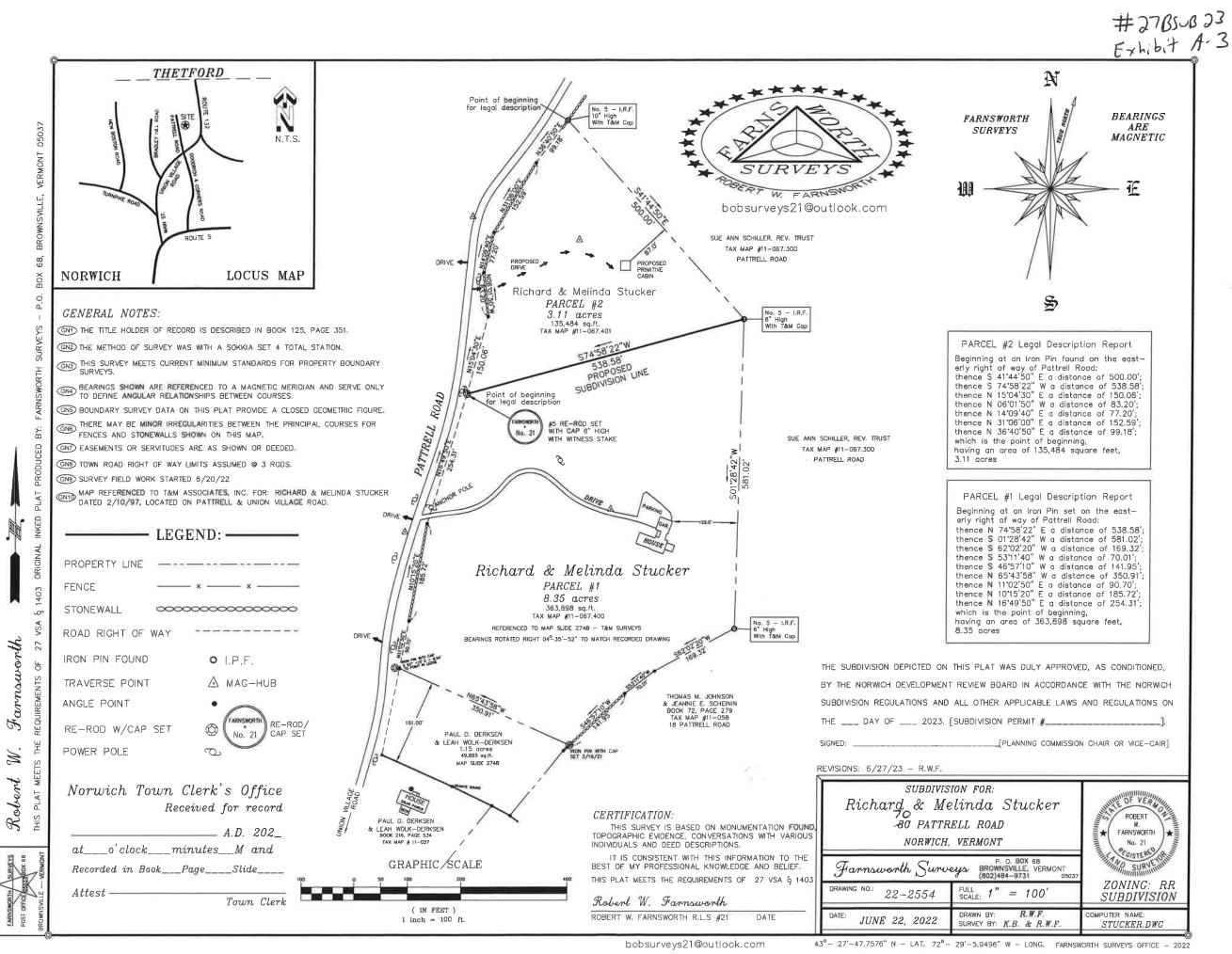
Richard

July 5, 2023 Additional Information:

On July 5, 2023, Richard spoke with Terry Shearer, Southern District Supervisor and Regional Engineer, Vermont Department of

Environmental Conservation, and received confirmation that the subdivision was exempt from needing a State wastewater permit. At Shearer's request, we have let our attorney know.

THIS CONSTITUTES A REQUEST FOR A WAIVER UNDER SECTION 2.1(C) TO WAIVE PRELIMINARY PLAN REVIEW AND HEAR THIS APPLICATION UNDER FINAL PLAN REVIEW. WE BELIEVE THIS APPLICATION AND PLAN ARE COMPLETE INCLUDING THE REQUIRED INFORMATION FOR A FINAL HEARING.



TOWN OF NORWICH PRIVATE ROAD ACCESS PERMIT APPLICATION

2 6 D #27BSUB23 Exhibit A-4

2 ACC22

City: Noncord       State: Y+Zip 0.551 Eve. Phone: SAME         Landowner (ff Different):	City: NOAWLONG State: Yes box 201 Day Phone: Source of the spin of the state of Applicant: Provide Applicant Applicant: Provide Applicant Applicant: Provide Applicant Applicant Provide Applicant Applicant Provide Applicant Provide Applicant Provide Applicant Provide Applicant Pr	Applicant	Mame: KICHARA + MULINDA STUCKER_	
Induced the set of the s	State: V_Zip OGALS_EVE. Brone:	Mailing A	Address: P.O. Box 201	
$\begin{split} \text{Mapi}:= Loti:=$	Map#:       Lot#:	City: No.	Awyert State: V+Zin a C	
Map#:Lot#:Town Road:       PATTRETL ROADPATTRETL ROADPATTRETL ROADN"         Location of Private Road: Distance 3E0(Feet, Miles) from: 70PATTRETR ROAD(Known Landmark).         The Private Road will access:A Single-Residential totPATTRE CAMP TO REMAIN NO	Map#:Lot#:Town Road:       PATTRENC_ROADPARCEL_ROADPARCEL_IST       In - c67.4         Location of Private Road:       Distance SEG(Rect, Miles) from: ToPATTRENK_ROAD(Known Landmark).      (Known Landmark).         The Private Road will access:      Asingle-Residential tot.      RIMPTIVE_CAMP_TS_REMAN_NOM	Landowne	ar (If Different):	
Interview Dimance Sac	Image: State Private Road will access:	Map#:	Lott: Town Road: Parkets P	
(Known Landmark). 	(Known Landmark).	Location o	of Private Road: Distance 380' - (Feet, Miles) from: To Paralle Road	1.4
Commercial or Industrial interview many No. Commercial or Industrial LoggingGravel extractionAgriculture Width of Private Road: ~ Length: Goo Feel Miles) PLEASE NOTE: Any Private Road serving two or more lots may require additional Town or State Permits. Please check with the Norwich Zoning Administrator (649-1204) and District Environmental Coordinator (886-2215) prior to the start of construction. Signature of Applicant:		and the second sec		
Commercial or Industrial		The	e Road will access: _ A Single Residential lot. PRIMATIVE CAMP TO REMAIN	iN
Commercial or industrialLoggingGravel extractionAgriculture     Width of Private Road: ~_12Length: -300 [Fee] Miles)     PLEASE NOTE: Any Private Road serving two or more lots may require additional Town or     State Permits. Please check with the Norwich Zoning Administrator (649-1204) and District     Environmental Coordinator (886-2215) prior to the start of construction.     Signature of Applicant:			OWNER THE TOTAL	
PLEASE NOTE! Any Private Road serving two or more lots may require additional Town or State Permits. Please check with the Norwich Zoning Administrator (649-1204) and District Environmental Coordinator (886-2215) prior to the start of construction. Signature of Applicant:	PLEASE NOTE: Any Private Road serving two or more lots may require additional Town or State Permits. Please check with the Norwich Zoning Administrator (649-1204) and District Environmental Coordinator (886-2215) prior to the start of construction.         Signature of Applicant:	Comme	TCIAL OF Industrial	
FileANSE NOTE: Any Private Road serving two or more lots may require additional Town or State Permits. Please check with the Norwich Zoning Administrator (649-1204) and District Environmental Coordinator (886-2215) prior to the start of construction.         Signature of Applicant:	Allense NOTE: Any Private Road serving two or more lots may require additional Town or Environmental Coordinator (886-2215) prior to the start of construction.         Signature of Applicant:		Length: ~ ( De Length: ~ ( On (Feet) Miles)	
This permit is issued in accordance with Title 19, Section 1111, V.S.A. relative to all highways within the control and of the statutes, ordinances, rules and regulations administered by other governmental agencies. The permit will be present land use continues. any change of the present land use will require a new permit. This permit is issued subject to the directions, restrictions, and conditions contained herein and on the reverse of this form and any attachments hereto, and ubject to the penalties set forth in Title 19, Section 1111, V.S.A., for fines of not less than \$111.00, nor more than 10,000,00, for each violation. <b>EEE BACK PAGE OF THIS APPLICATION FOR IMPORTANT ENFORMATION!</b> NSPECTIONS: reconstruction Inspection: Date $\frac{5}{1/0}\sqrt{2^{3}By}$ irections, Conditions and Restrictions: 3262 + 3276 + 5276 +	This permit is issued in accordance with Title 19, Section 1111, V.S.A. relative to all highways within the control and urisdiction of the Town of Norwich. The issuance of this permit DOES NOT release the applicant from any requirements affective upon compliance with such of these requirements as are applicable and continues in effect for as long as the resent land use continues. any change of the present land use will require a new permit. This permit is issued subject to overs only the work described in this application, and then only when the work is performed as directed. Violations are abject to the penalties set forth in Title 19, Section 1111, V.S.A., for fines of not less than \$111.00, nor more than 10,000.00, for each violation. <b>EE BACK PAGE OF THIS APPLICATION FOR IMPORTANT ENFORMATION!</b> VSPECTIONS: reconstruction Inspection: Date $\frac{5}{10}\sqrt{2^{12}By}$ irections, Conditions and Restrictions: 322 + 326 + 5	Environme	ntal Coordinator (886-2215) prior to the contractor (649-1204) and District	
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	al Inspection : DateBy			
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al Inspection : Data				
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# Richard and Melinda Stucker Private Road Access Permit Application

Date: May 10, 2022

Site Location: Parcel #10, 380 feet north of 70 Patrell Road Norwich, Vermont 05055

### Issue:

Per the Private Road Access Permit Application dated April 25, 2022, the following are the directions, conditions, and restrictions that will apply.

### **Existing Conditions:**

Within the undeveloped section of the parcel owned by Richard and Melinda Stucker, they plan to build a primitive camp. Access to the primitive camp would be a private access road/drive to be located approximately 380 linear feet north of their main driveway at 70 Patrell Road. There is not any existing access, and therefore the owners will have to cut and remove trees as well as import fill, excavate and grade the topography to allow for the development of a private driveway. There is deep drainage swale that runs northward along the east side of the roadway in which stormwater flows.

# Directions, Conditions, and Restrictions:

A new driveway access shall be constructed according to the Norwich Driveway Access Ordinance Specifications Design, Layout and Construction Standards as well as per Vermont Agency of Transportation (VTrans) Construction Standard Details A-76 and B-71A, with note of the following:

- 1. Due to the significant flows in the existing ditch along one side of the roadway, a 24-inch diameter culvert should be installed with stone headwall reinforcement on each end of the culvert within the ditch line under the new driveway.
- 2. The driveway width shall not exceed 24 feet, nor be less than 12 feet within the Patrell Road right of way.
- 3. The driveway shall be constructed so that drainage slopes away from away from Patrell Road and towards the ditch line.
- 4. The driveway shall intersect Patrell Road at a minimum of a 75-degree angle.
- 5. See VTrans Standard Specifications (attached) for driveway construction details.
- A final inspection is required before a final certificate is issued.

Chris Kaufman

Norwich Public Works Director 26 New Boston Road Norwich, Vermont 05055

43\*45'37.9"N 72\*16'42.5"W



43°45'37.9"N 72°16'42.5"W 43.760515, -72.278470

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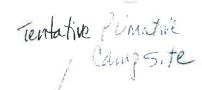
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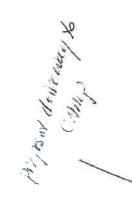
• • • QP6C+6J2 Norwich, Vermont

Photos



43°45'37.9"N 72°16'42.5"W-Google Maps Tentative Frinktive Camp Site Google Imagery @2022 Maxar Technologies, USDAV BAC/GEO, Mep data \$2022 200 ft proposed drivenay to Camp theker residence Mi pattrell Rd https://www.google.com/maps/place/43°4537.9"N+72°16'42.5"W/@43.760515.-72.2806591,751m/data=!3m2!1e3!4b1!4m5!3m4!1s0x0:0x224b3e2a62b89be2!8m2!3d43.760515!4d-72.2784704?hl=en-US







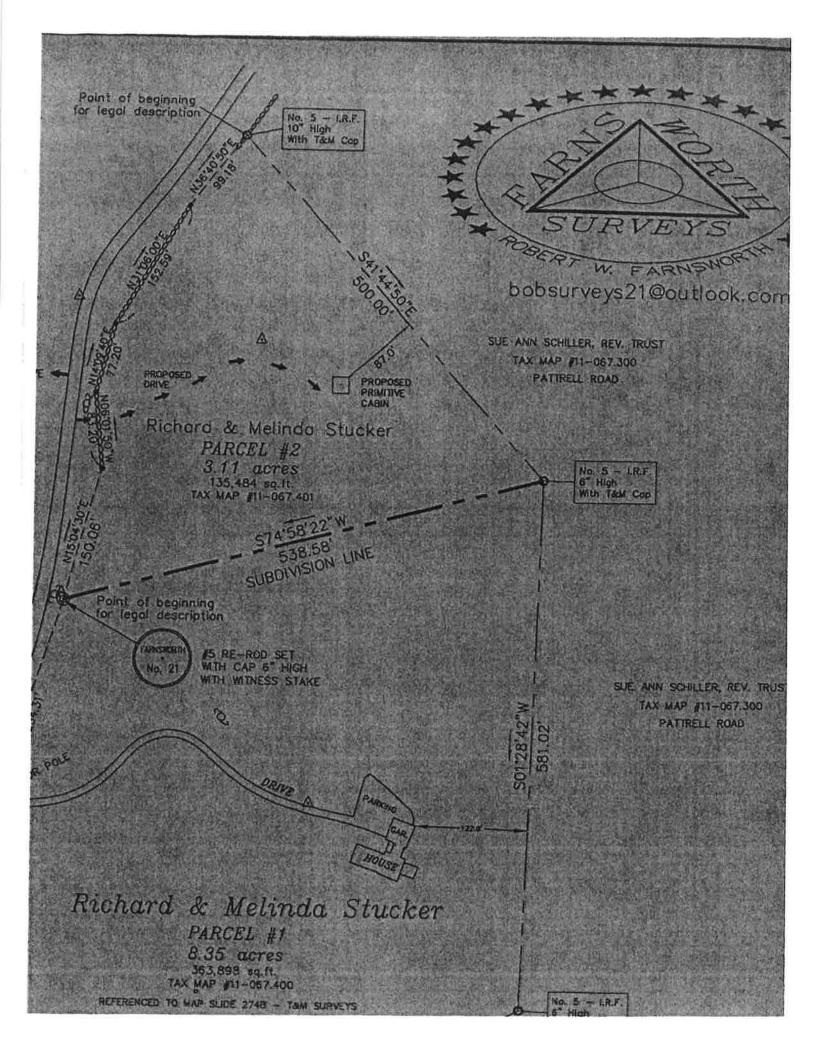
#27 BSUB23 Exhibit A-5 #(31A)22

### TOWN OF NORWICH, VERMONT APPLICATION FOR ZONING PERMIT

121

1

Owner(s): Mag t	ELINAA ST	WCKER		
Owner(s): $\int c HARA + v$ Mail Address: $\int o Box 20$ ,	To GATTRELL	Town No Reul	CI STV	Zin avoit
Day Phone:(チャン) 6リタ・パップ H	ve Phone:	Email	: RICHADALS	TUERCER & GMILL COM
Applicant (If Different):				
Mail Address:			ST	Zin
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Description of Proposed Developm	ient: A P P	a st Binit	AUE CABIN	
-	A-1-1-1-1-1-2		<u></u>	
		Zoning District: (	RRVRIVRI	VB C/L AO
Street Address: 70 Rattrell	RD	Tax Map Lot #	11 - 667-78	Size: 11. 450
Building Setbacks- Road Right-of-	vav: 300 1 +/- Ris	ht Boundary: 300	H- Left 200 " H-	Rear $87'$
Size of Building(s)/Additions: Strue	cture A: Width	h∧ Lenoth i	Height (r	
Structure B: WidthLength _				
Additional Footprint of Structure B (	IIOIGIU	Alca, Pot	# of Doubing	Suppose
Additional Footprint of Structure B ( Estimated Date of Completion: FAU	2023 Entimated	Value 6 fee and	# of Parking	spaces
**************************************			# of Bedr	ooms NONC
Please Attach: Site Plan with building I footprint of new construction and outline The undersigned hereby agree foregoing statements, attached plans, a Town of Norwich, and certifies that th of the real estate that is the subject of the Signature of Landowner (or Authorize ****************************	es of additional floor s that the proposed and in accordance e above is true, cor application by the 2	s. Elevation Drawing I development shall with the zoning and irrect, and complete. Zoning Administrator	g of multi-story bu be built in accord subdivision regu The owner conset at reasonable time	aildings. <b>Jance with the</b> <b>Jations of the</b> ants to inspections es.
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Zoning Office Checklist: Flood Hazard Area Wetlands Septic Location Water Supply Particle	Subdivision Conditional U	nits Required: se ew	Variance PRD Driveway A Wastewater	
Parking Shoreline	Fees:	75	Action	Dates 1- )2
Aquifer Protection	Base Fee $\$$ Sq. Ft. $x \le C \$$	50	Received Complete	1.0100
Permit Conditions Agricultural Exemption	# of Lots $\$$		Granted	11-21-22
Comments:	Recording \$	15	Refused	
#JACC J2	Other\$_	00	Posted at Site	11-21-22 App
	Total \$ Date Paid 7	$\frac{510}{112122}$	Appeal By Effective	12-6.22
	To Finance	1-21-22	Expires	12-6-24
Signature of Zoning Administrator 8/11		Dication/Permit	Date	11,21/2022



### TOWN OF NORWICH DEVELOPMENT REVIEW BOARD

### DOCUMENTS AND INTERESTED PARTIES

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- A-5 Zoning Permit #63BAS22 for Primitive Cabin (110 Pattrell RD) (11-21-22)

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties List
- ZA-2 Density Calculation Sheet (06-30-23)

### EXH. ZA-2 #27BSUB23

### NORWICH PLANNING OFFICE Density Calculation Sheet

Date		Last	First	Parcel # 11-	Size	Address	
	06/29/23	Stucker	Richard	067.400	11.45	70 Pattrell	Road
Densi	ty Factor						Calculation
		Paved	CL 3 Gravel =	CL 3 Sub			
Road	Туре	= 2	4	= 8	Class 4 = 12		2
Dist. t	o TH -				4.5 to		8
Miles		< 1.5	1.5 - 3	3 to 4.5	5.5	> 5.5	
		x 1	x 1.5	x 2	x 2.5	х З	2
Contiguous to NFD Agreement Land or AT land 1							
		Yes = x					
No = x	1	2					
					Density Fa Density - I		4

Developable Area Slopes Water Floodplain Wetland Stream	> 25% 2 Acres	15 - 25% 2.3 Setback/Buffe	Total r	11.45 Deduct 3.15 0 0 0	Calculation
			Net Acres	8.3	
		Total Maximu	m Lots	2.08	2
		Maximum PU[	O Units	5.73	6