

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
AGENDA

Thursday, December 16, 2021
7:00 PM

Physical Meeting Location: Tracy Hall Multi-purpose Room

ZOOM Access Information:

Topic: Development Review Board

Time: December 16, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/89900487709>
888 475 4499 US Toll-free
877 853 5257 US Toll-free

1. **Call to Order, Roll Call**
2. **Approve Agenda**
3. **Approve Minutes – October 7, 2021**
4. **Public Comments, Announcements and Correspondence**
5. **Boundary Line Adjustment:**

#59BLA21: The Boundary Line Adjustment proposes to:
Transfer – 60 Acres from 168 Waterman Hill Road, Lot 03-003.100 to 80 Waterman Hill Road, Lot 03-003.300. Both lots are developed.

6. **Public Hearings 7:15PM:**

#62BCU21: Campbell Flats LLC, request for Flood Hazard Conditional Use Approval to construct a dwelling and barn with associated development at 636 Campbell Flats RD. Tax Map Parcel #06-026.000.

7. **Other Business**

8. **Adjournment**

Future Meeting: TBD

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

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TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
Thursday, October 7, 2021

This meeting was warned for the Multi-purpose room Tracy Hall and on-line via Zoom using the link below:

Join Zoom Meeting
<https://us02web.zoom.us/j/89900487709>

Members Present: Arline Rotman (Chair), Richard Stucker, Don McCabe, Matt Stuart, Linda Gray, Sue Pitiger, Patrick Bradley
Alternates Present: None
Staff: Rod Francis (Clerk)
Public: Linda Cook, Molly Turco, Christine Richard, Adam Madonia, Wendy Teller-Elsberg, Tony Daigle

- 1) **Call to Order:** Roll Call 7:04pm.
- 2) **Agenda:** Pitiger moved and McCabe seconded a motion to approve the agenda. Motion carried 7 – 0.
- 3) **Minutes of May 20, 2021**
 Stucker moved and McCabe seconded a motion to approve the minutes of August 19, 2021. Motion carried 6 – 0 – 1. For: Rotman, Stucker, McCabe, Stuart, Gray, Bradley. Against: none Abstain – Pitiger.
- 4) **Public Comments and Announcements:** none
- 5) **Public Hearings 7:26PM:**
#49BCU21 – Conditional Use Review to hear an application by the Norwich School District for 22 Church Street, Tax Map 20-238.000, for a proposed Trail, 63 feet x 4 feet with a drainage structure. Application to be reviewed under the Norwich Zoning Regulations.
 Chair Rotman opened the hearing and administered the oath to those who indicated that they intended to provide testimony in the hearing.
 Pitiger moved and Stucker seconded a motion to admit into evidence the exhibits from the applicants. Motion carried 7 – 0. For: Rotman, McCabe, Stuart, Stucker, Gray, Pitiger, Bradley.
 Pitiger moved and McCabe seconded a motion to admit into evidence the Staff Report by the Zoning Administrator as ZA - 2. Motion carried 7 – 0. For: Rotman, McCabe, Stuart, Stucker, Gray, Pitiger, Bradley.
 Tony Daigle Facilities Manager with SAU70 represented the Norwich School District and introduced the project to the board.
 Questions from board members followed.
 Pitiger asked why the proposed trail is not along the fence line. Daigle replied that the applicant had received input from the Zoning Administrator.
 McCabe asked whether there would be a caution sign or crosswalk added to the driveway leading to

the trail. Daigle replied that the sidewalk on the edge of the driveway provides pedestrian access for the school buildings without the need to cross the driveway.

Chair Rotman queried the applicant as to what happened at the end of the proposed Architectural Barriers Act (ABA) trail in the area of the primitive trail. Daigle replied that he had no knowledge of whether a wheelchair could navigate this section of primitive trail.

Chair Rotman then invited questions and comments from the public.

Molly Turco wanted to know the context of the project. Daigle said the purpose of the project is to allow access to an outdoor classroom space for walker and wheelchair users.

Christine Richard expressed concern about the establishment of a firepit near the beginning of the proposed trail. In response to a question from Bradley seeking clarification as to whether this topic was germane to the review Chair Rotman said that this matter was a concern of the school, not this review.

Wendy Teller-Elsberg expressed her support for the project.

Stucker moved and Bradley seconded a motion to close the hearing. Motion carried 7 - 0.

6) Other Business: none

Meeting Adjourned: 8:05PM

Respectfully submitted,

Rod Francis

Future Meetings:

TBD

DRB Minutes available at:

<http://Norwich.vt.us/development-review-board-minutes/>

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TO: Development Review Board
 FROM: Rod Francis, Planning Director
 RE: #59BLA21 Stern/Clement
 DATE: 12-1-21

Lots: 06-003.100 Stern, Lynn W.; Clement, Kristin W. and Spruck, Kathleen W. J. (developed, 168 Waterman Hill RD)
 06-003.300 Clement, Kristin W. (developed, 80 Waterman Hill RD)

The Boundary Line Adjustment proposes to:

1. Transfer — 60.00+/- acres from 06-003.100 to 06-003.300. Both parcels are developed.

	06-003.100	06-003.300	Total Acres
Existing	170.220	4.0 acres	174.220+/- acres
Transfer	-60 acres	+60 acres	
Proposed	110.220+/-acres	64.0 +/-acres	174.220+/- acres

Criteria for Boundary Line Adjustment NSR §2.1 (D)

1. Boundary line adjustments shall be reviewed under the same criteria and process as a subdivision unless, after review of the boundary line adjustment plan, the Development Review Board determines that the proposed boundary line adjustment:

#	Criterion	x/✓
a.	is a minor realignment in that	
	1) area of the land to be transferred is less than the half of the area of the original parcel to be reduced in size, or	x
	2) both parcels are already developed	✓
b.	does not change substantially the nature of any previously approved subdivision	✓
c.	does not result in the creation of any new lots	✓
d.	will not impair access to any parcel	✓
e.	will not impact adversely any valuable natural resource or result in fragmentation of agricultural or conservation lands	✓
f.	will not create a nonconforming lot or nonconforming structure, or increase the degree of nonconformity of a preexisting nonconforming lot or structure	✓

#59BLA21

TOWN OF NORWICH, VERMONT

APPLICATION FOR ZONING PERMIT

Owner(s): Kristin Clement; Lynne Stern; Kathy Sprack
Mail Address: PO Box 882 Town Norwich ST VT Zip 05855
Day Phone: 802-649-217 Eve Phone: same Email: kcclemup6@gmail.com

Applicant (If Different): _____
Mail Address: _____ Town _____ ST _____ Zip _____
Day Phone: _____ Eve Phone: _____ Email: _____

Description of Proposed Development: Tax map 6-3.1A (170.22 +/- acres) will be adjusted such that 60 +/- acres will go to tax map 6-3.3.

Zoning District: (RR) VR I VR II VB C/I AQ

Street Address: 168 Waterman Hill Road Tax Map Lot # 6-3.1A Lot Size: 170.22 +/-

Building Setbacks- Road Right-of-way: _____ Right Boundary: _____ Left _____ Rear _____

Size of Building(s)/Additions: Structure A: Width _____ Length _____ Height _____

Structure B: Width _____ Length _____ Height _____ Area: Footprint of Structure A _____

Additional Footprint of Structure B (if any) _____ Total _____ # of Parking Spaces _____

Estimated Date of Completion: _____ Estimated Value \$ _____ # of Bedrooms _____

Please Attach: Site Plan with building locations, well & septic locations, roads, driveways, and streams. Drawing of footprint of new construction and outlines of additional floors. Elevation Drawing of multi-story buildings.

The undersigned hereby agrees that the proposed development shall be built in accordance with the foregoing statements, attached plans, and in accordance with the zoning and subdivision regulations of the Town of Norwich, and certifies that the above is true, correct, and complete. The owner consents to inspections of the real estate that is the subject of the application by the Zoning Administrator at reasonable times.

Signature of Landowner (or Authorized Agent) Kristin Clement Date 11/17/2021

Zoning Office Checklist:

- ☐ Flood Hazard Area
- ☐ Wetlands
- ☐ Septic Location
- ☐ Water Supply
- ☐ Parking
- ☐ Shoreline
- ☐ Aquifer Protection
- ☐ Permit Conditions
- ☐ Agricultural Exemption

Comments: _____

Additional Permits Required:

- ☐ Subdivision
- ☐ Conditional Use
- ☐ Site Plan Review

Fees:

Base Fee \$ 100.00
Sq. Ft. x _____ \$ _____
of Lots \$ _____
Recording \$ 15.00
Other \$ _____
Total \$ 115.00
Date Paid 11-18-21
To Finance _____

- ☐ Variance
- ☐ PRD
- ☐ Driveway Access
- ☐ Wastewater

Action	Dates
Received	<u>11-18-21</u>
Complete	_____
Granted	_____
Refused	_____
Posted at Site	_____
Appeal By	_____
Effective	_____
Expires	_____

See Attached Signature pages

Signature of Zoning Administrator _____ Date _____

Nov. 11, 2021

I am one of the landowners of 168 Waterman Hill Rd. (Tax Map 6-3.1A), and I am aware of and acknowledge the submission of an application for zoning permit to the town of Norwich. For the purpose of a 60 acre boundary line adjustment to tax map 6-3.3.

A handwritten signature in black ink, consisting of a stylized 'K' followed by a long horizontal stroke.

Kathleen W. J. Spruck

To Whom It May Concern:

RE: 168 Waterman Hill Road, Norwich, VT 05055

I am one of the landowners of 168 Waterman Hill Road (tax map-6-3.1A). I am aware of and acknowledge the submission of an Application for Zoning Permit to the Town of Norwich, VT, for the purpose of a 60 acre boundary line adjustment to tax map 6-3.3.

Please contact me with any questions.

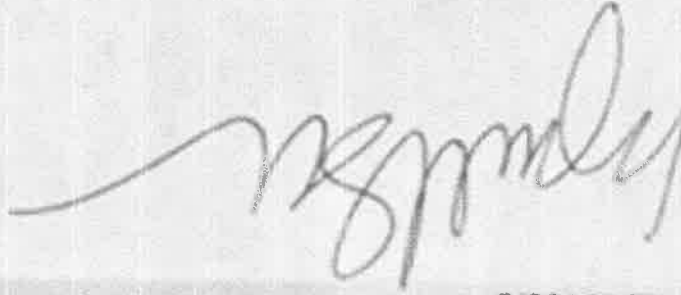
Thank you,

Lynne W. Stern

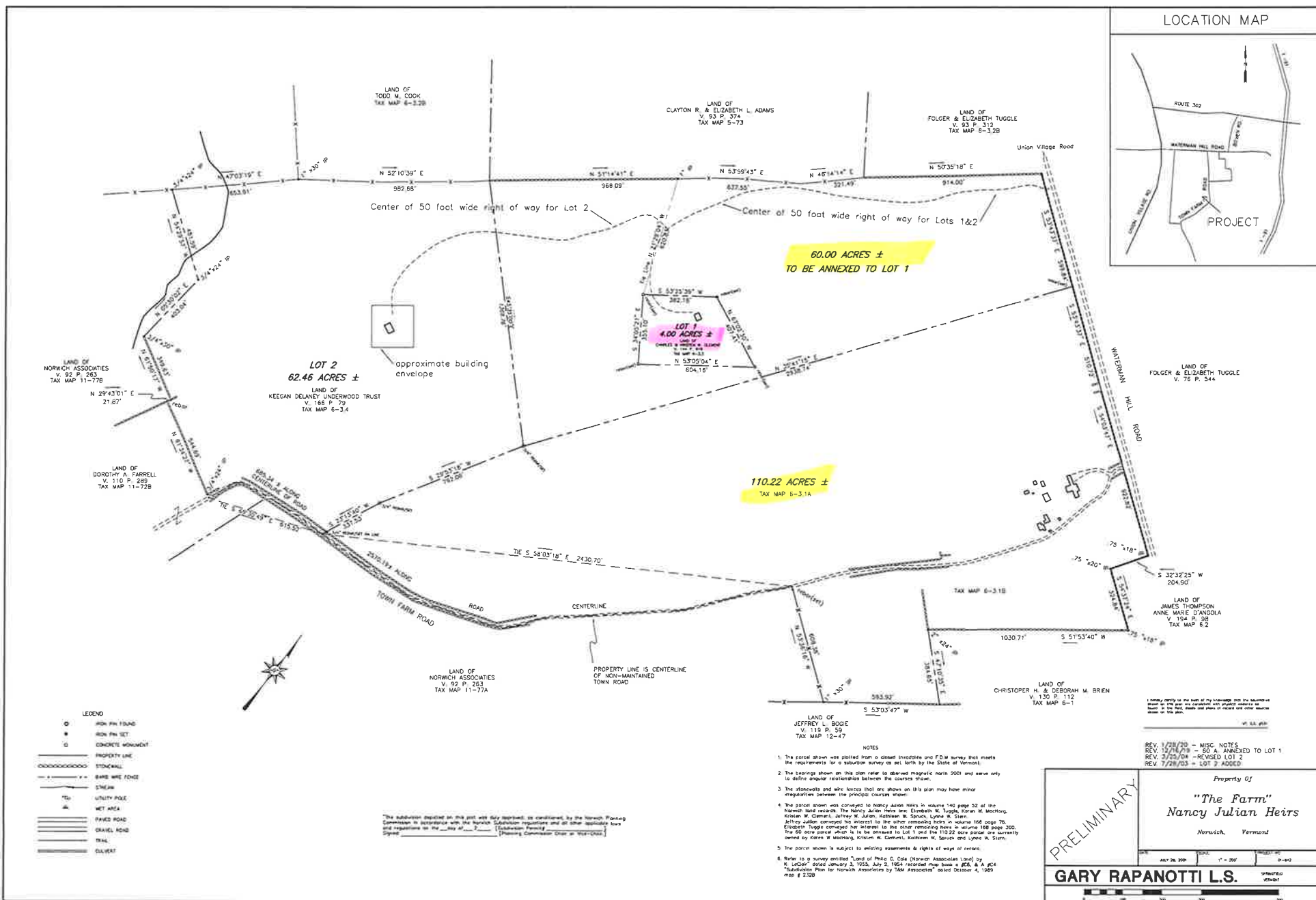
313 Amity Street

Amherst, MA 01002

413-374-5172



November 15, 2021



#62BCU21
Exh. A-1

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Campbell Flats LLC, Jonathan, Ruth, and Rebecca Kantar, Members, KMC Construction, Inc. Managing Member

Mail Address: 672 Chestnut Street Town Waban ST MA Zip 02468

Day Phone: 617.212.9689 Eve Phone: 617.212.9689 Email: jonathankantar@gmail.com

Applicant (If Different): same

Mail Address: Town ST Zip

Day Phone: Eve Phone: Email:

Description of Proposed Development: Conditional Use Review (Special Flood Hazard Area) dwelling unit, barn, site development

Zoning District: RR VR I VR II VB C/I AQ

Street Address: 636 Campbell Flats Rd. Tax Map Lot # 06 - 026.000 Lot Size: 1.24 acres

Building Setbacks- Road Right-of-way: 22' Right Boundary: 31'5" Left 10' Rear 140'10"

Size of Building(s)/Additions: Structure A: Width 27'5" Length 70' Height 25'5"

Structure B: Width 22' Length 40' Height 25'5" Area: Footprint of Structure A 1,410 sf

Additional Footprint of Structure B (if any) 880 sf Total 2,290 sf # of Parking Spaces 2

Estimated Date of Completion: Aug. 2022 Estimated Value \$ 500,000. # of Bedrooms 4

Please Attach: Site Plan with building locations, well & septic locations, roads, driveways, and streams. Drawing of footprint of new construction and outlines of additional floors. Elevation Drawing of multi-story buildings.

The undersigned hereby agrees that the proposed development shall be built in accordance with the foregoing statements, attached plans, and in accordance with the zoning and subdivision regulations of the Town of Norwich, and certifies that the above is true, correct, and complete. The owner consents to inspections of the real estate that is the subject of the application by the Zoning Administrator at reasonable times.

Signature of Landowner (or Authorized Agent) [Signature] Date 4/18/2021

Zoning Office Checklist:

- ☐ Flood Hazard Area
- ☐ Wetlands
- ☐ Septic Location
- ☐ Water Supply
- ☐ Parking
- ☐ Shoreline
- ☐ Aquifer Protection
- ☐ Permit Conditions
- ☐ Agricultural Exemption

Comments: _____

Additional Permits Required:

- ☐ Subdivision
- ☐ Conditional Use
- ☐ Site Plan Review

- ☐ Variance
- ☐ PRD
- ☐ Driveway Access
- ☐ Wastewater

Fees:

Base Fee \$ 250.00
Sq. Ft. x \$
of Lots \$
Recording \$ 15.00
Other \$
Total \$ 265.00
Date Paid
To Finance

Action

Received 11-17-21
Complete
Granted
Refused
Posted at Site
Appeal By
Effective
Expires

Dates

Signature of Zoning Administrator _____ Date _____

8/11

Application/Permit # 62BCU21

Development Review Board Public Hearing set for 12-16-21

Norwich Development Review Board ("DRB")
Attn.: Rod Francis
300 Main St., 3rd Floor
Norwich, VT 05055

Zoning Application – Rev. 11/17/21

Re: Replacement of existing dwelling and garage/barn with new structures of reduced floodplain impact at 636 Campbell Flats Road
Parcel ID: 06-026.000
Applicant: 636 Campbell Flats, LLC, Jonathan, Ruth, and Rebecca Kantar, Members ("Applicants")

Dear Mr. Francis and Members of the Norwich Development Review Board,

Enclosed please find an updated application and related plans to raze the existing structures that are floodplain impediments and replace them with new, smaller structures having no impact on the floodplain. Based on our additional discussions with Mr. John Broker-Campbell, Regional Floodplain Manager for the Vermont Dept. of Environmental Conservation Watershed Management Division Rivers Program, we are submitting this updated application for both DRB review and Final Plan approval following the Board's Denial notice of June 14, 2021, and accompanying letter from the Chair., Arlene Rotman of same date.

I believe that this new revised submission contains all the requested items #1-6 described in Chair. Rotman's letter of June 14, 2021. The new submission includes:

1. Moskow Linn Architects ("MLA") Sheet A4 Exterior Elevations now dated Nov. 15, 2021.
2. MLA Sheet A0 and A4, dated 11/15/21, that include our commitment to providing certification of compliance with
 - a. ASCE Manual 24 and NFIP requirements
 - b. Norwich Zoning Code Sec. 505 (B)(2) Development Standards
 - c. FEMA requirements
3. MLA Sheet A0 11/15/21 and Jeffrey Goodrich, PE's 10/26/21 letter showing superimposition of proposed over existing buildings, including analysis showing substantial decrease in impact on the floodplain of the proposed plan; Sheet A0 also indicates that the proposed dwelling is a substantial improvement of the existing garage/workshop in accordance with NZR page 93, thereby meeting the requirements of Sec. 5.05(B)(3)(a).
4. Steve Siegel, PE letter of 11/15/21 and Jeffrey S. Goodrich, PE's 10/26/21 analysis of footing requirements and impact on the floodplain highlight the negligible impact of the proposal on the floodplain as well as the adequacy of the foundation design under NZR Sec. 5.05 (B)(2)(a) and (b).
5. As indicated in the attached architectural plans dated 11/15/21 by MLA, we will provide a final set of plans certified by our architect and/or engineer confirming that the proposed development in the floodplain meets or exceeds the standards specified in FEMA Technical Bulletin 2, dated August 2008.

6. As a condition of approval, we are committing to provide an Elevation Certificate for post-construction conditions to document compliance with FEMA requirements (MLA Sheet A0 11/15/21).
7. Jeffrey Goodrich's Letter to Rod Francis of Oct. 26, 2021 responding to Chair. Rotman's June 14th letter along with his relevant correspondence with John Broker-Campbell through the summer and fall of 2021. This exchange indicates Mr. Broker-Campbell's concurrence with the proposal we are now submitting for approval.
8. Stamped plans from MLA including sheets A0-A4 dated 11/15/21 referenced herein.
9. Resubmitted Application for Zoning Permit to Raze the existing structure and replace it with a new, conforming structure.
10. Resubmitted Application for Zoning Permit to Demolish the existing buildings on the site, dated 11/11/21.

A note of clarification: in Mr. Goodrich's letter to Mr. Francis of 10/26/21, Mr. Goodrich references a letter from Mr. Siegel to Mr. Moskow then dated 10/14/21. Mr. Siegel's draft letter of 10/26/21 was never formally sent but was expanded to specifically address NZR Sec. 5.05(B)(2)(a) in the recent 11/15/21 version submitted herewith.

Please review this updated information and advise us if you need any additional information and on how we should proceed. We are happy to send you checks for re-filing both the demolition and the re-building Zoning Permits. I assume that we do not need to pay the Conditional Use Review fee a second time, but please confirm.

In response to the issues laid out in Chair. Rotman's letter of 6/14/21, I offer the following summary:

1. Regarding compliance with Sec. 5.05 (B)(2) – Development Standards-
 - a. 5.05(B)(2)(a) –
 - i. MLA drawing A0 depicts the structural columns that will go through the BFE. These piers, either concrete or metal, would not be affected by flood conditions. Structural engineer Siegel describes the proposed structure in his 11/15/21 letter to Mr. Moskow, noting specifically the compliance with NRZ Sec. 5.05(B)(2)(a).
 - ii. Mr. Goodrich's letter of 10/26/21 describes the extent of building in the flood plain and calculates the extremely small amount of foundation material that actually impacts the flood plain...approximately 12 cubic feet of foundation piers (Goodrich 10/26/21 letter p.2, (B) (3) and (4))
 - b. 5.05(B)(2)(b) - Goodrich's letter of 10/26/21 recommends that project approval should be conditional upon certified confirmation that the proposed development meet FEMA/NFIP and Norwich Zoning Code Section 5.05(B)(2) requirements (see Goodrich 10/26/21 letter p. 1, (B)(2) and (B)(5)). MLA provides this certification on drawing sheets A0, A1 and A4 as well.
 - c. 5.05(B)(2)(c) – MLA Drawing A4 now calls out the apron extending below the first habitable floor of the building as "blow-off" when subjected to the base flood.
 - d. 5.05(B)(2)(d) –
 - i. While not yet designed, the all-electric HVAC and electrical systems will reside within and on the buildings and will be a minimum of one (1) foot above the

- BFE, as noted on MLA plan A1 and A4. MLA sheet A1 notes possible locations for HVAC equipment.
- ii. To the extent potable water and waste systems must go through the BFE, they will be flood proofed as noted on ML sheet A1. However, both the potable water supply and the waste system will enter/leave the buildings underground and at locations outside the FEMA jurisdictional area.
 - iii. Final design will try to locate all mechanical, electrical, and water/waste systems outside the FEMA jurisdictional area.
2. NZR Sec. 5.05(B)(3)(a): MLA Sheet A0 shows extreme improvement over the existing site conditions. The existing garage/barn is a completely non-compliant structure sitting in and on the floodplain. In contrast, the proposed building is fully a fully compliant structure one (1) foot above the Base Flood Elevation ("BFE"). MLA Sheet A0 shows the proposed buildings overlayed on the existing buildings layout on the site plan. A total of 1,151 sf of the existing buildings lies directly within and on the floodplain. In comparison, 1,016 sf of the proposed replacement buildings sits over the floodplain, but one (1) foot above the BFE. The analysis in Mr. Goodrich's letter of 10/26/21 demonstrates the negligible impact of the proposed pier foundation plan on the floodplain.
3. Reinforcing the specific issues addressed above, I offer these additional items:
- a. As a condition to approval, the Kantars (applicants) will provide a post construction Elevation Certificate by a certified engineer documenting compliance with FEMA requirements.
 - b. Regional Flood Manager Mr. Broker-Campbell's correspondence with engineer Mr. Goodrich as recently as Oct. 11th, 2021, included with Mr. Goodrich's letter of 10/26/21, indicating Mr. Broker-Campbell's agreement that the materials provided herewith and the statements, certifications, and conditions of compliance contained in this submission indicate compliance with FEMA and NFIP requirements.

I believe our proposal is now in full compliance with the requirements of FEMA/NFIP and the Town of Norwich. I welcome any additional comments and questions that you may have.

Please advise. Thank you.

☞ Jonathan Kantar, member
Campbell Flats LLC

Below is the narrative that I initially submitted with our proposal back in April 2021.

May 2021 Hearing Submittal:

The subject property is located in the RR District and consists of about 1.24¹ Acres of land encumbered with a one-story, single-family home with a detached barn/garage building. The existing dwelling includes a full basement for most of its footprint and a holding/leaching tank type waste disposal system set into the land at grade.

The property is generally a flat grassy area with an operational farm and hay fields to the north, Campbell Flats Road (dirt) to the west and south, and an intermittent stream cutting across the rear of the property to the east. (See Site Plan, Fig. 1, photos North, West, South, and East at link here: <https://www.amazon.com/photos/shared/dGOkhdutRxmGkQ6Izetosg.3QIV10yklSaTyV2LNnBNYi>)

As detailed on the Site Plan and in the Table 1, below, the property is a non-conforming lot on account of its size (under 2 acres). The existing buildings appear to be non-conforming with respect to both front and side setbacks. The existing home and barn on the site have a combined footprint of about 2,430 sf. The proposed replacement buildings would comprise about 2,290 sf and the new house would be built on piers, limiting its impact on the terrain. They would also comply with current setback requirements.

The existing site plan (Fig. 2) shows much of the site is situated within the FEMA Mapped 100-year Special Flood Hazard Area Limits. We are proposing to reduce the impact of improvements on the floodplain at the property by locating the buildings principally out of the jurisdictional area and raising them one (1) foot above the Baseline Flood Elevation ("BFE"). Since portions of the house, the deck, and the wastewater treatment area fall in the FEMA defined jurisdictional area as well as both the Norwich Flood Hazard Overlay and Shoreline Protection Overlay Districts, we believe our site plan needs approval from the Development Review Board.

This plan optimizes the use of this site for our family while at the same time removing the existing Flood Area impediments. Upon studying the FEMA maps, we have tried to locate the building structures primarily within the areas outside of the FEMA demarcated Special Flood Hazard Area designation (see amoeba-like, bold red bubble on site plan, Fig. 1). In fact, the barn, patio, pool, most of the deck and wastewater treatment area, and some of the house would reside outside of the FEMA jurisdictional area. In all cases, we propose that the bottom of the structures would be raised one foot above the FEMA baseline flood elevation ("BFE"), either through insignificant grade adjustments (barn and patio) or construction techniques such as building on piers as proposed for the house and deck.

This low impact, net zero construction would represent significant improvement to the environment over the current buildings on the site. The proposed buildings would have a smaller footprint than what is currently built on site. The existing house has a full basement below the BFE. And the existing barn

¹ Recent research at Norwich Town Hall resulted in a change of boundaries as depicted on previous plans. The result is immaterial for the purposes of this Review but decrease the overall area of the property to 1.24 acres, primarily due to establishment of the east property boundary at the existing stone wall.

Kantar Residence
636 Campbell Flats Rd., Norwich, VT
Zoning Application Narrative, 11/17/21

and garage are generally at elevations below the BFE. The house is woefully energy inefficient and has a substandard wastewater facility. The proposed buildings have none of these issues.

As indicated on the attached Site Plan (Fig. 1), we would like to improve the property with a tennis court while also being good stewards of the environment and reducing impacts on the riparian buffer. We have several avid tennis players in our family and this accessory would be an important amenity to the house for our family's health and use of the property. While trying to optimize the site for the least impact on the Flood Plain, we felt the best location for a tennis court would be at grade at the end of the house and somewhat parallel to the intermittent stream at the east and southeast of the property. It would pose no impediment to the floodplain.

Due to the size of the lot and its triangular shape as well as the various site and wastewater treatment setback requirements and our intentions to avoid impact on the floodplain, the tennis court sits adjacent to but just outside of the 25' intermittent stream setback area. We are sensitive to this but believe this accessory improvement should be permitted for the following reasons:

- It is consistent with the Norwich Flood Hazard Overlay District Principles because it meets all the stated objectives of the FHO District's stated purpose at Table 2.7(A).
- It is consistent with the Norwich Shoreline Protection Overlay District Principles since the court will have negligible impact on the intermittent stream by employing various water control methods, as needed, such as:
 - cultivation of native species plantings to prevent erosion
 - controlled drainage and the use of bioswales and natural retention areas
- This request is consistent with both Norwich Zoning Regulations Article II, Table 2.8, (F) and the Development Standard Variance requirements described in Article V. Section 5.05 (D)(2).

After reviewing the attached Site Plan and building layout, we hope that the Development Review Board will grant us a FHO District Conditional Use for the proposed improvements that are replacing existing non-compliant structures. And we hope that the DRB will grant us a waiver or variance as appropriate under the SPO District rules.

I am attaching the following documents for your information:

Fig. 1 - most current Site Plan, dated 4/20/21 by Moskow Linn Architects, Inc. with zoning information and architectural elevation drawings A3.0 and A4 dated 4/20/2021 by Moskow and Linn Architects, Inc.

Fig. 2, Existing Conditions Site Plan dated 3/18/21 by Pathways Consulting, LLC

Fig. 3 - FIRM Panel Blow Up plan

Zoning Application Form, Town of Norwich

I look forward to discussing this project with you. Please contact me if you have any questions or concerns or need additional information.

Jonathan Kantar, Member
Campbell Flats, LLC

Table 1: Zoning and Dimensional Requirements:

The property is in the RR – residential rural zone.

Description	Requirement	Existing	Proposed	Comment
Lot size (acres)	2	1.24 ¹	1.24	No change
Building Height (ft)	35	18 +/-	25.5'	
Min. Lot Frontage (ft)	90	176'	176'	Frontage opposite front elevation
Min. Front Setback	20	13.5' +/-	20'	
Min. Side Setback	10	9' +/-	10'	To bottom of porch stairs
Min. Setback from Stream	25	n/a	123'9"/33' 3" (2)	(2) 123'9" to house; 33'3" to edge of proposed tennis court
Min. Setback from Rivers	75	n/a	n/a	n/a
Min. Setback from Wetlands	50	n/a	n/a	n/a
Size (footprint: house/barn)		1444/984	1410/880	
Area above 1 st fl (house/barn)		0/497	1040/420	

Notes:

- (1) Per Section 3.05 and 3.08, this is an existing non-conforming small lot
 (2) 123'9" to house; 33'3" to edge of proposed tennis court

Proposed Building Information:

- Size of Building(s) and Areas: The single-family house will have a footprint of 1,410 sf and a second-floor level containing 1,040sf of habitable area. The barn will have a footprint of 880 sf with a 420-sf loft space above the first floor. There are no basements.
- Estimated Date of Completion: Fall, 2022.
- Estimated Construction Cost: \$500,000
- # of Bedroom: four (4)
- See Attachments:
 - Fig. 1 - most current Site Plan, dated 4/20/21 by Moskow Linn Architects, Inc. with zoning information and architectural elevation drawings A3.0 and A4 dated 3/25/2021 by Moskow and Linn Architects, Inc.
 - Fig. 2, Existing Conditions Site Plan dated 4/19/21 by Pathways Consulting, LLC
 - Fig. 3 - FIRM Panel Blow Up plan

PATHWAYS CONSULTING, LLC

Planning • Civil & Environmental Engineering • Surveying • Construction Assistance
240 Mechanic Street • Suite 100
Lebanon, New Hampshire 03766
(603) 448-2200 • Fax: (603) 448-1221

Exh. A-3

November 17, 2021

Rod Francis, Zoning Administrator
Town of Norwich
Post Office Box 376
Norwich, Vermont 05055

RE: APPLICATION TO CONSTRUCT A NEW KANTAR RESIDENCE, 636 CAMPBELL
FLATS ROAD, NORWICH, VERMONT (Project No. 13088)

Dear Rod:

Please accept this revision to my October 26, 2021 letter to you about the Kantar residence. This letter is intended to document my interaction with John Broker-Campbell (John), Regional Floodplain Manager pursuant to the June 14, 2021 letter of denial from Arlene Rotman, Chair, Norwich Development Review Board (DRB), which concluded with a request to direct any questions to you. Since the DRB denied the initial application without prejudice, I understand the Kantars can resubmit application materials with updated information to address the items outlined in the DRB's letter of denial. The Kantars have been working with Moskow Linn Architects, Siegel Associates, and our firm to prepare plans for the demolition of existing facilities and construction of a new home with amenities on their property at 636 Campbell Flats Road. In this context, I understand that Jonathan Kantar (Jonathan) will be submitting draft information to seek your guidance about materials for DRB review at another public hearing.

Following the DRB's denial, I was able to speak with John on a July 1 telephone call, which I summarized in a July 7 email to John. In an October 11 email to me, John acknowledged that my July 7 summary "appears to answer all the questions that were raised during the DRB hearing." A PDF of this email exchange is attached. John's October 11 response to me also included his June 11, 2021 letter to you (attached), which we had not previously seen. The following paragraphs are intended to refine my communication with John for consideration by the DRB:

- A. Paragraph two of the DRB's letter of denial references not having the benefit of testimony from the Kantar's engineer to discuss proposed piers supporting structures or comments from John at the May 20, 2021 public hearing.
 - 1. One of the goals of this letter is to provide the DRB with John's comments prior to the public hearing for the updated project.
 - 2. As a result of the DRB's concerns about piers, the Kantars have engaged Steven Siegel, P.E., to provide you with conceptual foundation design.
- B. Regarding items 1 through 6 in the DRB's letter, I offer the following:
 - 1. The Kantars will resubmit Sheet A4 Exterior Elevations and other plans to reflect the current status of the proposed project.
 - 2. Approval of the project should include a condition that addresses certification of compliance with ASCE Manual 24 and NFIP requirements, which are addressed in general notes on Moskow Linn's Sheets A0 and A4.

- a. Subsurface (below-grade) project elements will have no bearing on flood considerations.
 - b. The Kantars and their team will certify that materials used in the flood plain below one foot above the base flood elevation (BFE) will comply with these standards.
3. Moskow Linn's Sheet A0 shows the proposed buildings superimposed on existing buildings with FEMA flood information and square footages for both existing and proposed impacts in the flood plain for comparison.
 - a. The existing home and barn occupy approximately 1,151 square feet (sf) in the flood plain. All of the floor area for existing buildings is below the BFE.
 - b. The proposed home will occupy approximately 1,016 sf in the flood plain with all of the floor area more than one foot above the BFE.
4. Steve Siegel's November 15, 2021 letter suggests the need for 30 concrete piers, 12-inches in diameter (or less if micro-helical piles are used), extending from a new footing and foundation to support the proposed Kantar home at a bottom of structure elevation of 412.0. In order to assess cumulative impacts in the flood plain, it is necessary to understand the ground elevation below the BFE of 411.0 as shown on Sheets A3 and A4.
 - a. Our topographic surveying indicates that the ground surface at the west end of the proposed home is at an elevation of approximately 411.0. The ground slopes downward to approximately 410.0 near the east end of the proposed home, with a low grade of approximately 409.5 at the south east corner. The average ground elevation from west to east appears to be approximately 0.5 feet below the BFE.
 - b. Assuming all 30 concrete piers will be placed in the flood plain with an average ground surface 0.5 feet below the BFE, cumulative impacts may be calculated as follows:
 - i. The pier area is 0.785 sf.
 - ii. 30 piers = 23.56 sf.
 - iii. 23.56 sf x 0.5-foot (average height of piers above ground surface in the flood plain) = 11.8 cubic feet (CF). This volume is less than a hole in the ground that measures 3-feet by 4-feet at one foot of depth.
 - c. Ignoring impacts from existing structures in the flood plain, pier volume calculations indicate that proposed buildings will create negligible and insignificant flood plain impacts. When existing buildings are considered, the proposed project demonstrates unequivocally significant improvement for uses in the flood plan.
5. In accordance with item 2 in the DRB's letter, a condition of approval should require drawings stamped (certified) by a registered architect or engineer that confirms proposed development in the flood plain meets or exceeds the standards

specified in FEMA Technical Bulletin 2, dated August 2008.

6. With regard to item 6 in the DRB's letter, we will provide, as a condition of approval, an Elevation Certificate for post-construction conditions to document that new development complies with FEMA requirements.

Please let Jonathan or me know if you have any questions about this summary following my interaction with John and following your review of information Jonathan will provide under separate cover.

Sincerely,

PATHWAYS CONSULTING, LLC



Jeffrey S. Goodrich, P.E.
President

JSG:sef

Enclosures

cc: Jonathan Kantar w/enclosures
Keith Moskow w/enclosures

Sarah Finley

From: Broker-Campbell, John <John.Broker-Campbell@vermont.gov>
Sent: Monday, October 11, 2021 9:21 AM
To: Jeff Goodrich
Subject: RE: Norwich DRB Ruling, Kantar, 636 Campbell Flats Road, Norwich, Vermont (Project No. 13088)
Attachments: 636CampbellFlatsRd_ANRComments.pdf

Hi Jeff

I apologize, I thought this was all set.

I am unclear what is still needed from me for 636 Campbell Flats Road, I have provided written comments (attached) to the town as required by 24 VSA 4424 and I have not received feedback from the town or ZBA looking for additional information or clarity. Your email below appears to answer all the questions that were raised during the DRB hearing.

Thanks

John Broker-Campbell | CFM | Regional Floodplain Manager
Vermont Department of Environmental Conservation
Watershed Management Division | Rivers Program
100 Mineral Street | Springfield | VT 05156
802-490-6196
<https://dec.vermont.gov/watershed/rivers>

Flood Hazard Area & River Corridor Permit Applications are available here: <https://dec.vermont.gov/watershed/rivers/river-corridor-and-floodplain-protection/state-permits>

Division staff contact information can be found online here: <https://dec.vermont.gov/watershed/contacts>

You may now submit permit applications, compliance reports and fee payments through the new online form to expedite its receipt and review: https://anonline.vermont.gov/?formtag=WSMD_Intake

From: Jeff Goodrich <Jeff.Goodrich@pathwaysconsult.com>
Sent: Sunday, September 26, 2021 2:30 PM
To: Broker-Campbell, John <John.Broker-Campbell@vermont.gov>
Cc: Sarah Finley <Sarah.Finley@pathwaysconsult.com>
Subject: RE: Norwich DRB Ruling, Kantar, 636 Campbell Flats Road, Norwich, Vermont (Project No. 13088)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

John, any chance we can get your thoughts soon so our client can resubmit to the DRB? At this point, any approval would be beyond the construction season, but I/we would sure appreciate your thoughts.

Hope all is well!

Jeff

From: Jeff Goodrich
Sent: Monday, July 12, 2021 7:42 AM
To: John Broker-Campbell (john.broker-campbell@vermont.gov) <john.broker-campbell@vermont.gov>
Subject: RE: Norwich DRB Ruling, Kantar, 636 Campbell Flats Road, Norwich, Vermont (Project No. 13088)

John, I saw your email to Jo-Ann... thanks. Which reminded me to ask you to respond to this email (correction, concurrence, etc.). Thanks.

Jeff

From: Jeff Goodrich

Sent: Wednesday, July 07, 2021 11:50 AM

To: John Broker-Campbell (john.broker-campbell@vermont.gov) <john.broker-campbell@vermont.gov>

Cc: Rod Francis (norwichvtplanner@gmail.com) <norwichvtplanner@gmail.com>; Jonathan Kantar (jonathan@sagebuilders.com) <jonathan@sagebuilders.com>; Sarah Finley <Sarah.Finley@pathwaysconsult.com>

Subject: RE: Norwich DRB Ruling, Kantar, 636 Campbell Flats Road, Norwich, Vermont (Project No. 13088)

John, thanks for taking the time last Thursday upon your return (to the "office") to discuss the June 14, 2021 letter that Arlene Rotman (Norwich DRB Chair) sent to Jonathan Kantar. To summarize our discussion, I offer the following:

In paragraph two, Arlene references not having the benefit of the Kantar's engineer's testimony to discuss proposed piers supporting structures and your comments. As we discussed, neither of us has encountered a review board request for structural or geotechnical design at this stage of regulatory review. I shared that, as a result of Arlene's letter, the Kantars have engaged Steven Siegel, P.E., to initiate conceptual foundation design in an attempt to address DRB concerns.

While paragraph three may not address your understanding of your communication with Rod Francis, we both inferred that Rod (as an experienced Planning and Zoning Director) is trying to document DRB concerns for the benefit of the Kantars and we agreed that the bullets in Arlene's letter help establish a good baseline to address the DRB going forward. Regarding items 1 through 6 in Arlene's letter:

1. The Kantars will resubmit Sheet A4 Exterior Elevations, dated June 10, 2021.
2. Foundation and footing design will require considerable effort and cost, which the Kantars would like to provide as a condition of approval including certification of compliance with ASCE Manual 24 and NFIP requirements.
 - a. Subsurface (below grade) project elements have no bearing on flood considerations and this certification may be reasonably conditioned.
 - b. The Kantars, their architect, and their structural engineer will certify that materials used in the flood plain below one foot above the based flood elevation (BFE) will comply with these standards.
3. The Kantar's architect has prepared a drawing that shows the proposed buildings superimposed on existing buildings with FEMA flood information and square footages for both existing and proposed impacts in the flood plain for comparison.
 - a. My understanding is that the existing home and barn occupy approximately 1,151 square feet (SF) in the flood plain. All of the floor area is below the BFE.
 - b. The proposed home will occupy approximately 1,016 SF in the flood plain with all of the floor area more than one foot above the BFE.
4. Steve Siegel's preliminary analysis of piers suggests the need for 32 concrete piers, 12-inches in diameter, extending from a new footing and foundation to support the proposed home. Sheet A4 shows a BFE of 411.0 for the proposed home with an existing and finished grade at the west end of the home at 411.0 (on the West Elevation). The East Elevation on Sheet A3 shows the existing ground at the south corner at 409.5 and at the north corner at approximately 410.0. The bottom of the structure is shown at 412.0 on each of the elevations for the new home. I estimate the total, cumulative encroachment in the flood plain as follows:
 - a. Even though Steve indicates that 32 piers will likely be necessary for the new home and approximately one quarter of the new home will be outside the flood plain (approximately eight piers will be outside the flood plain), I will conservatively calculate impacts as if all 32 piers will be installed in the flood plain.
 - b. For the purpose of conservatively estimating the average existing grade from west to east, I will assume an existing grade of 410. That means I need to assume that each of the 32 piers will extend one foot into the flood plain (the difference between the BFE of 411 and an average existing/proposed grade of 410).
 - i. Pier area = $\pi \times R^2 = 3.14 \times 0.5 \text{ feet squared} = 0.785 \text{ square feet (SF)}$.

- ii. 32 piers x 0.785 SF = 25.12 SF.
 - iii. The volume = 25.12 SF x 1.0 foot (average above the flood plain) = 25.12 cubic feet (CF). This is approximately equivalent to a hole in the ground that measures 5-feet by 5-feet that is one foot deep.
5. Like item 2 in Arlene's letter, I would suggest a condition of approval that requires drawings stamped (certified) by a registered architect or engineer that confirms proposed development in the flood plain meets or exceeds the standards specified in FEMA Technical Bulletin 2, date August 2008.
6. With regard to item 6 in Arlene's letter, I appreciate your suggestion that we (Pathways) provide an Elevation Certificate for post-construction conditions to document that new development complies with FEMA requirements as a condition of approval.

Please let me know if I missed anything from our discussion last Thursday.

Jeff

Jeffrey S. Goodrich, P.E.
President

Pathways Consulting, LLC

Planning • Civil & Environmental Engineering • Landscape Architecture • Surveying • Construction Assistance

Main Office:

240 Mechanic Street, Suite 100
Lebanon, New Hampshire 03766

Phone: (603) 448-2200 Ext. 105 Fax: (603) 448-1221

Vermont Office:

2060 Hartford Avenue
Wilder, Vermont 05088
Phone: (802) 295-5101

www.pathwaysconsult.com

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Vermont Department of Environmental Conservation
Watershed Management Division
100 Mineral Street
Springfield, Vermont 05156



June 11, 2021

Rod Francis
Planning & Zoning Director
Town of Norwich
P.O. Box 376
Norwich, VT 05055

Subject – Development Application – 636 Campbell Flats Road

Mr. Francis

The Vermont Agency of Natural Resources River Corridor and Floodplain Protection Program received the application materials for the above referenced application on May 10, 2021, with supplemental information provided on June 10, 2021. Based on the information provided by the applicant and engineer, a portion of the single-family residence proposed to be constructed at 636 Campbell Flats Road in Norwich, VT is within the FEMA mapped Special Flood Hazard Area (SFHA) as shown on the most recent Flood Insurance Rate Maps (FIRMs) for the Town of Norwich, effective September 28, 2007; panel 50027C0242E.

For all development located within the FEMA mapped SFHA, the National Flood Insurance Program (NFIP) minimum regulations **require** that all new development be reasonably safe from flooding and be:

- Designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood; see FEMA guidance *Managing Floodplain Development Through the NFIP* <https://www.fema.gov/media-library/assets/documents/6029>
- Constructed with materials resistant to flood damage such as pressure treated lumber, see FEMA Technical Bulletin 2-08: *Flood Damage Resistant Materials Requirements* <https://www.fema.gov/media-library/assets/documents/2655>
- Constructed by methods and practices which will minimize flood damage
- Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and / or anchored to prevent water from entering or accumulating within the design components during conditions of flooding.

As shown on the provided site plans and drawings, the proposed single family residential structure and associated barn will constitute a substantial improvement to the existing structure on the property. The NFIP defines a substantial improvement as any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the work begins. To be fully compliant with the 2009 Norwich Zoning Regulations, the new residential structure within the mapped SFHA must be constructed to have the lowest floor a minimum of one foot above the determined base flood elevation (BFE).

The site plan provided with the application dated 4/20/2021 determines the BFE to 411.0' and the proposed lowest floor elevation of the structure to be 413.24' or greater than 1' above the BFE thereby meeting the minimum standards within the regulations. The structure is to be built on concrete sonotubes as shown and the area beneath the lowest floor shall not be enclosed with rigid materials;

the enclosure of the space would create a non-compliant enclosed area below the lowest floor. The space may be utilized for storage, building access, and parking only.

I encourage the town to request a completed FEMA Elevation Certificate post-construction to ensure the substantially improved structure is fully compliant. The attached deck is proposed to be built above the BFE and therefore in compliance with the flood hazard regulations.

The tennis court within the SFHA also represents development under the NFIP and Norwich Zoning Regulations and shall meet the All-Development standards listed above and in Section 5.05(B)(2).

Please be aware that where local flood hazard regulations exceed the minimum NFIP requirements, the more restrictive regulations will apply. Additional federal, state, and local permits may be required; please contact a VT Agency of Natural Resources Permit Specialist for more information on other applicable environmental permits. These comments are offered in accordance with 24 VSA 4424.

If you have any questions or concerns, please contact me at 802-490-6196 or john.broker-campbell@vermont.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "John Broker-Campbell". The signature is fluid and cursive, with the first name "John" being the most prominent.

John Broker-Campbell, CFM
Regional Floodplain Manager
Department of Environmental Conservation
Watershed Management Division
Rivers Program
100 Mineral Street
Springfield, VT 05156

SIEGEL
ASSOCIATES
STRUCTURAL ENGINEERS

November 15, 2021

Mr. Keith Moskow
Moskow Linn Architects, Inc.
88 Broad Street
Boston, MA 02110

Re: Foundation Narrative
New Residence at 636 Campbell Flats Road
Norwich, VT

Dear Keith,

Please note that this letter is an update of a 10.14.2021 draft by us and referenced by Jeff Goodrich in his letter to the Norwich DRB and dated 10.26.2021.

Siegel Associates has reviewed the 11.15.2021 Moskow Linn drawing set of plans, elevations and sections for the above-referenced project, and performed a preliminary structural analysis in order to develop a foundation plan. The purpose of this work has been (1) to assist the design team in understanding the foundation element's impact on the flood plain over which the residence is to be set, and (2) ensure that the proposed design would adequately anchor, prevent from floatation or lateral movement the structure situated in the Flood Hazard Overlay Floodway Fringe, and fully comply with Sec. 5.05(B)(2)(a) and table 2.7(A)(2) of the Norwich Zoning Regulations.

We have determined that the residence can be supported on approximately 30 concrete piers, measuring 12" in diameter, bearing on 2'x2'x1' deep concrete spread footings set at 5'-0" below finished grade, and extending 12" above grade. An alternate that is structurally acceptable is to install approximately 30 micro-helical piles that would also extend 12" above grade to receive a wood deck above. This is generally described on Moskow Linn Architects drawings sheet A0 and A4, dated 11/15/2021.

Please let me know if we can provide you with any additional information about the foundation design and options.

Very truly yours,
SIEGEL ASSOCIATES, INC.



Steven P. Siegel, P.E., Principal

tel 617.244.1612
www.siegelassociates.com
860 Walnut Street
Newton Centre, MA 02459

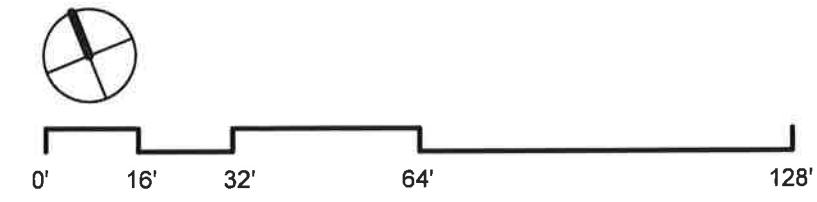


GENERAL NOTES:

ALL CONSTRUCTION AND SITE IMPROVEMENTS TO MEET OR EXCEED ASCE 24, FLOOD RESISTANT DESIGN AND CONSTRUCTION STANDARDS AND NATIONAL FLOOD INSURANCE PROGRAM (NFIP) REQUIREMENTS.

ADDITIONALLY, ALL DEVELOPMENT WILL MEET OR EXCEED THE NORWICH ZONING CODE SEC. 5.05 (B)(2) DEVELOPMENT STANDARDS.

A COMPLETED FEMA ELEVATION CERTIFICATE POST-CONSTRUCTION WILL BE PROVIDED TO THE TOWN OF NORWICH AS EVIDENCE OF COMPLIANCE WITH THE ABOVE FLOOD HAZARD REGULATIONS.

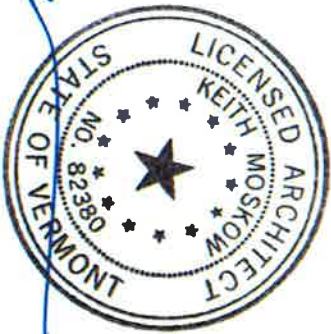
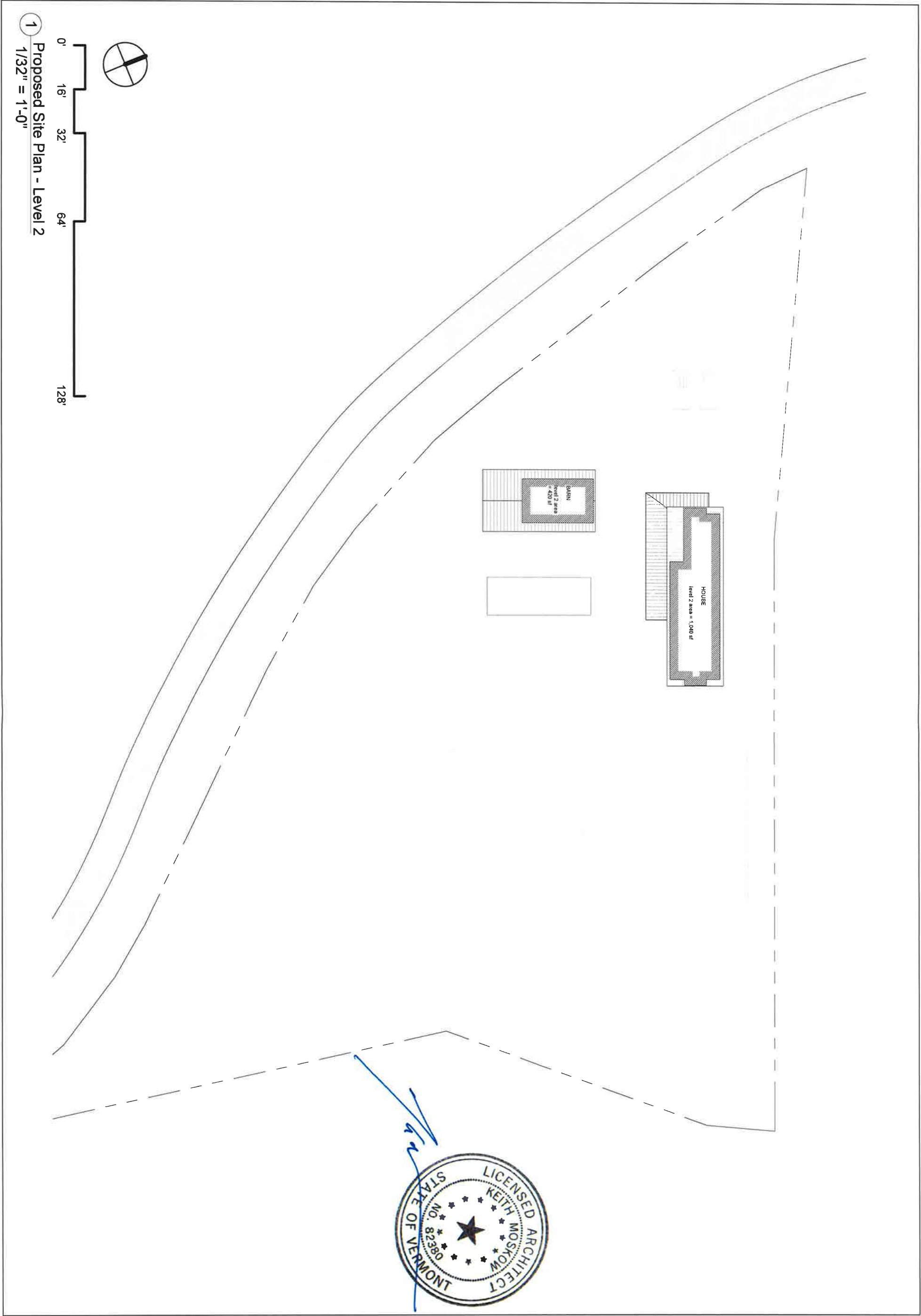


1 Superimposed Existing and Proposed Site Plan
1/32" = 1'-0"

Moskow Linn Architects, Inc. 88 Broad Street Boston, Massachusetts 02110 tel. 617.292.2000 fax. 617.426.4701 www.moskowlinn.com		Kantar Residence 636 Campbell Flats Road, Norwich VT	
A0		Superimposed Existing & Proposed Site Plan	
SCALE:	1/32" = 1'-0"		
DATE:	11.15.2021		
DRAWN BY:	MLA		

FXh. A-55

SCALE: 1/32" = 1'-0"	A1	Moskow Linn Architects, Inc. 88 Broad Street Boston, Massachusetts 02110 tel. 617.292.2000 fax. 617.426.4701 www.moskowlinn.com	Kantar Residence 636 Campbell Flats Road, Norwich VT
DATE: 11.15.2021			Proposed Site Plan - Level 1
DRAWN BY: MLA			

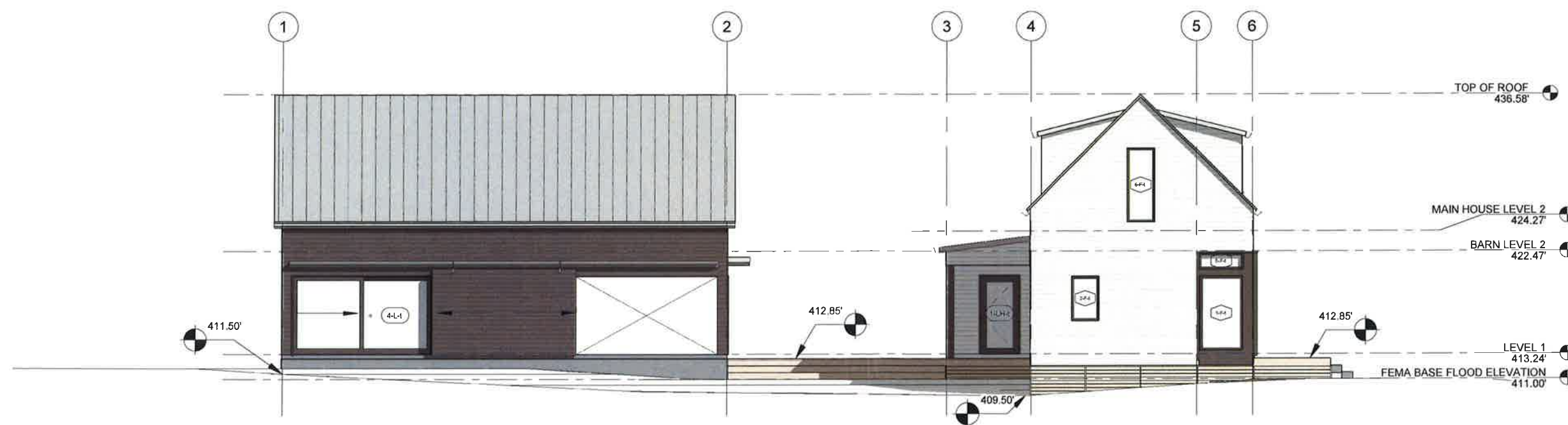


SCALE: 1/32" = 1'-0"	A2	Moskow Linn Architects, Inc. 88 Broad Street Boston, Massachusetts 02110 tel. 617.292.2000 fax. 617.426.4701 www.moskowlinn.com	Kantar Residence 636 Campbell Flats Road, Norwich VT
DATE: 11.15.2021			Proposed Site Plan - Level 2
DRAWN BY: MLA			

Exh. A-5c

$$E_{\pi h}, A-Sd$$


① North Exterior Elevation
3/32" = 1'-0"



② East Exterior Elevation
3/32" = 1'-0"

Kantar Residence
636 Campbell Flats Road, Norwich VT

Exterior Elevations

Moskow Linn Architects, Inc.
88 Broad Street Boston, Massachusetts 02110
tel. 617.292.2000 fax. 617.426.4701 www.moskowlinn.com

Δ₃

SCALE: $3/32" = 1'-0"$

DATE: 11.15.2021

DRAWN BY: MLA

Exh. A.5e

GENERAL NOTES:
ALL CONSTRUCTION AND SITE IMPROVEMENTS TO MEET OR EXCEED ASCE 24, FLOOD RESISTANT DESIGN AND CONSTRUCTION STANDARDS AND NATIONAL FLOOD INSURANCE PROGRAM (NFIP) REQUIREMENTS, INCLUDING FEMA TECHNICAL BULLETIN 2, AUGUST 2008 "FLOOD DAMAGE-RESISTANT MATERIALS REQUIREMENTS".

ADDITIONALLY, ALL DEVELOPMENT WILL MEET OR EXCEED THE NORWICH ZONING CODE SEC. 5.05 (B)(2) DEVELOPMENT STANDARDS.

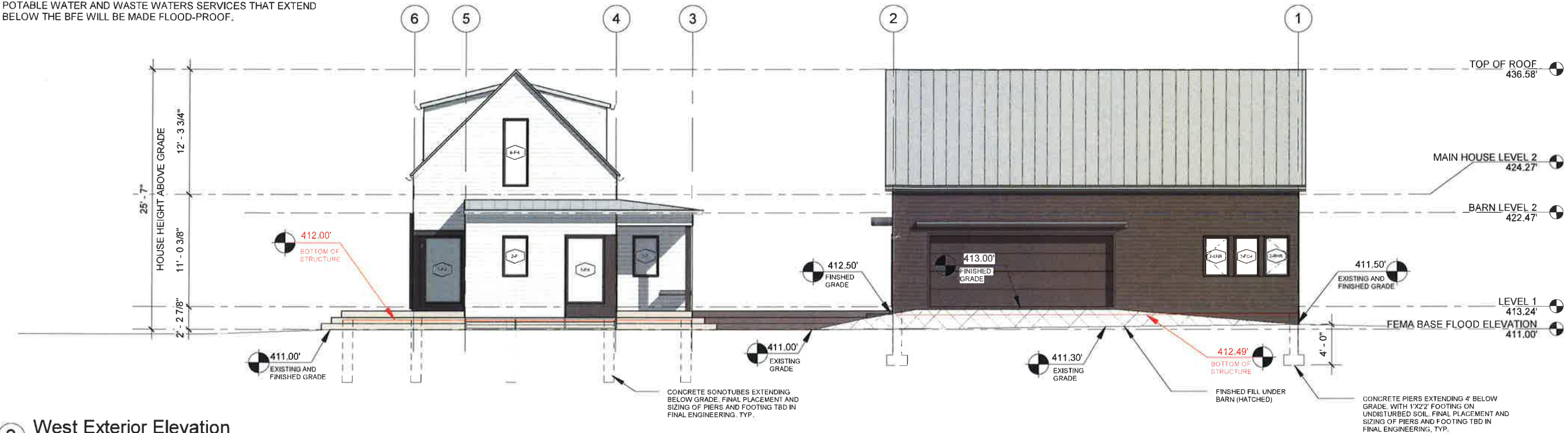
A COMPLETED FEMA ELEVATION CERTIFICATE POST-CONSTRUCTION WILL BE PROVIDED TO THE TOWN OF NORWICH AS EVIDENCE OF COMPLIANCE WITH THE ABOVE FLOOD HAZARD REGULATIONS.



1 South Exterior Elevation
3/32" = 1'-0"

GENERAL NOTES:
THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED WITH ELECTRICAL, HEATING, VENTILATION AND AIR CONDITIONING (HVAC), PLUMBING, AND OTHER SERVICE FACILITIES THAT ARE DESIGNED AND/OR ANCHORED TO PREVENT WATER FROM ENTERING OR ACCUMULATING WITHIN THE DESIGN COMPONENTS DURING CONDITIONS OF FLOODING.

POTABLE WATER AND WASTE WATERS SERVICES THAT EXTEND BELOW THE BFE WILL BE MADE FLOOD-PROOF.



2 West Exterior Elevation
3/32" = 1'-0"

Kantar Residence
636 Campbell Flats Road, Norwich VT

Exterior Elevations

Moskow Linn Architects, Inc.
88 Broad Street Boston, Massachusetts 02110
tel. 617.292.2000 fax. 617.426.4701 www.moskowlinn.com

A4

SCALE: 3/32" = 1'-0"

DATE: 11.15.2021

DRAWN BY: MLA

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD

Jonathan Kantar
Campbell Flats LLC
672 Chestnut ST
Waban, MA 02468

June 14, 2021

Dear Mr. Kantar,

RE: **11BCU21**: Campbell Flats LLC, request for Flood Hazard Conditional Use
Approval to construct a dwelling and barn with associated development at 636
Campbell Flats RD. Tax Map Parcel #06-026.000

The Norwich Development Review Board (DRB) has reached a decision on application 11BCU21 (see attached). Our decision is issued 'without prejudice' which in this matter means that you may resubmit the application materials already presented, along with the additional information we seek.

During the public hearing we did not have the benefit of your engineer's testimony, diagrams illustrating the proposed piers supporting the structures, or comments from the Department of Environmental Conservation (DEC) Regional Floodplain Manager (John Broker-Campbell).

Subsequent to the hearing Mr. Broker Campbell reviewed additional information provided by your architects and has been able to provide written comments.

You are invited to resubmit your application along with additional information as described below:

1. Sheet A4 Exterior Elevations, dated June 10, 2021.
2. Drawings stamped by a registered engineer depicting the location, depth, and diameter of the piers and footings, and a written confirmation certifying that the structure as proposed meets or exceeds standard American Society of Civil Engineers (ASCE) 24, "Flood Resistant Design and Construction" and National Flood Insurance Program (NFIP) requirements
3. A drawing showing the proposed dwelling footprint superimposed on the footprint of the garage/workshop
4. Calculations that show the total cumulative encroachment of the piers in the Floodway Fringe (see NZR Table 2.7(A)(2))
5. Drawings stamped by a registered architect or engineer and a written confirmation certifying that the proposed development meets or exceeds the standards specified in FEMA Technical Bulletin 2, August 2008 "Flood Damage-Resistant Materials Requirements", including the tennis court which meets the definition of 'development' in the NZR and is thus subject to Section 5.05(B)(2)
6. Drawings stamped by a registered architect or engineer and a written confirmation certifying that the proposed development will be constructed with electrical, heating, ventilation and air conditioning (HVAC), plumbing and other service facilities that are designed and/or anchored to prevent water from entering or accumulating within the design components during conditions of flooding

If you have any questions, please contact Zoning Administrator Rod Francis
norwichvtplanner@gmail.com

Sincerely,

A handwritten signature in black ink, reading "Arline S. Rotman". The signature is fluid and cursive, with the first name "Arline" and last name "Rotman" clearly legible.

Arline Rotman
Chair, Norwich Development Review Board

TOWN OF NORWICH, VERMONT
DEVELOPMENT REVIEW BOARD

Notice of Decision

Flood Hazard Conditional Use Review

Application Number: #11BCU21
Public Hearing Date: May 20, 2021
Applicant/Landowner: Campbell Flats LLC
c/o Jonathan, Ruth and Rebecca Kantar

Lot #06-026.000
636 Campbell Flats RD
672 Chestnut Street
Waban, MA 02468

Interested Parties

NATURE OF APPLICATION - #11BCU21 Campbell Flats LLC, request for Flood Hazard Conditional Use Approval to construct a dwelling and barn with associated development at 636 Campbell Flats RD. Tax Map Parcel #06-026.000.

The record in this case includes the following documents:

Submitted by Applicant

- A-1 Application #11BCU21 (4-18-21)
- A-2 Narrative Letter, by Applicant (4-21-21)
- A-3 Plans by Pathways Consulting, LLC (4-9-21)
 - a. Existing Conditions Plan
 - b. Boundary Plan
- A-4 Plans by Moskow Linn Architects, Inc. (4-20-21)
 - a. A1 – Proposed Site Plan - Level 1
 - b. A2 – Proposed Site Plan - Level 2
 - c. A3 – Exterior Elevations (North and East)
 - d. A4 – Exterior Elevations (South and West)

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list, (4-29-21)

A. FINDINGS OF FACT AND CONCLUSIONS OF LAW

General Findings

1. This application ("Application") is for Flood Hazard Conditional Use Approval to construct a dwelling and barn with associated development situated on lands in the Flood Hazard Overlay District. The application is to be reviewed under the Norwich Zoning Regulations (NZR).
2. The property is a ±1.24acre parcel in the Rural Residential district at 636 Campbell Flats RD.
3. The primary land use of abutting properties is residential.
4. The property is characterized by a near flat parcel (less than four feet of elevation change across the parcel), with an unnamed stream on the eastern boundary. The Ompompanoosuc River is to the west of the property.

Review of Development Criteria

This application is reviewed under Table 2.7 Flood Hazard Overlay (FHO) District of the NZR and NZR Section 5.05 Flood Hazard Review.

5. NZR §5.05 Flood Hazard Review.

(A) Review Procedures.

Permitted uses within the underlying district (Rural Residential), which would otherwise not be subject to conditional use review are not required to meet conditional use standards under Subsections 5.04(D), (E) and (F). A dwelling is a permitted use in the Rural Residential District.

6. (B) Development Standards

(2) Floodway Fringe Areas: (i.e., special flood hazard areas outside of the floodway). All development shall be reasonably safe from flooding and:

a. designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood.

Applicant testified that the dwelling will be constructed on piers. No testimony was received from a registered professional engineer certifying that the design would adequately anchor, prevent flotation or lateral movement of the structure which is situated in the Flood Hazard Overlay (FHO) Floodway Fringe.

No information was provided on the method of anchoring the dwelling to the piers. No information was provided on the piers design, including how they would serve to resist collapse or lateral movement of the structure during the occurrence of the base flood.

No information was provided on the total encroachment in the Floodway Fringe caused by locating the piers for the proposed dwelling in the Floodway Fringe. Applicants provided testimony that the DEC Regional Floodplain Manager had described the proposed impact as 'negligible'.

Conclusion:

The criteria for §5.05(B)(2)(a) are not met. See also NZR Table 2.7 (A) (2).

b. constructed with materials resistant to flood damage.

The material choice for the piers, their dimensions and location in the Floodway Fringe were not included in the application.

Conclusion:

The criteria for §5.05(B)(2)(b) are not met.

c. constructed by methods and practices that minimize flood damage.

The submitted plans show that the portion of the structure occupying the Floodway Fringe will have the lowest habitable floor more than one foot above BFE. Applicant testified that the dwelling will be constructed on piers.

The submitted sketches show an apron extending below the first habitable floor of the dwelling. No information was submitted confirming that these panels are a decorative element designed as 'blow-off' panels that when subjected to the base flood will not impede flood waters from flowing under the first habitable floor of the dwelling, thus minimizing flood damage.

Conclusion:

The criteria for §5.05(B)(c) are not met.

- d. constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

The submitted sketches do not include the location of heating, ventilation, plumbing and air conditioning equipment and other service facilities (hereafter mechanicals) or specify component choices for any such mechanicals that are floodproof. The application did not include confirmation that no mechanicals will be at or below BFE. The application did not include confirmation that if wastewater and potable lines are below BFE, they will be floodproofed.

Conclusion:

The criteria for §5.05(B)(d) are not met.

7. §5.05(B)(3) Residential Development:

- a. Construction of new residential structures is not permitted.

The existing dwelling lies mostly outside the delineated Floodway Fringe. The western edge encroaches on the delineated Floodway Fringe. Applicants propose to demolish the dwelling and replace it with an accessory structure (barn) and associated deck/patio all to be located outside the delineated Floodway Fringe.

The existing garage/workshop is in the Floodway Fringe. This application proposes to demolish this structure and replace it with a dwelling.

The proposed dwelling may be reviewed as a **substantial improvement** (of the existing garage/workshop) in accordance with NZR page 93 where it can be demonstrated that the footprint of the new structure is within the existing structure footprint.

No plans were submitted to demonstrate that portion of the proposed dwelling which is in the Floodway Fringe lies entirely within the footprint of the existing garage/workshop.

The submitted plans show that portion of the structure subject to the Floodway Fringe requirements has a first inhabited floor that is one foot or more above BFE (411 feet).

Conclusion:

The criteria for §5.05(B)(3)(a) are not met.

- b. Existing buildings to be substantially improved that are located in Zones A, A1-30 and AE shall have the lowest floor, including basement, elevated to at least one foot above the BFE.

The application reviewed involves demolition of existing structures. The proposed dwelling is to be located where the existing garage/workshop stands (see 7.a., above) which is situated in the Floodway Fringe. The application is being reviewed as a substantial improvement (see 7.a., above). The submitted plans show the first habitable floor to be more than one foot above BFE.

Conclusion:

The criteria for §5.05(B)(3)(b) are met.

B. Decision

The Norwich Development Review Board hereby DENIES this application for Flood Hazard Conditional Use Approval without prejudice.

Norwich Development Review Boards



Arline Rotman, Chair

Norwich Development Review Board

Members participating: Rotman, McCabe, Stucker, Stuart

Approve:

Deny: Rotman, McCabe, Stucker, Stuart

List of Interested Persons:

APPEALS OF DECISIONS OF THE DEVELOPMENT REVIEW BOARD

Title 24 V.S.A. §4471. Appeal to environmental court:

(a) Participation required. An interested person who has participated in a municipal regulatory proceeding authorized under this title may appeal a decision rendered in that proceeding by an appropriate municipal panel to the Environmental Division. Participation in a local regulatory proceeding shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding. An appeal from a decision of the appropriate municipal panel, or from a decision of the municipal legislative body under subsection 4415(d) of this title, shall be taken in such manner as the Supreme Court may by rule provide for appeals from State agencies governed by 3 V.S.A. §§ 801-816, unless the decision is an appropriate municipal panel decision which the municipality has elected to be subject to review on the record.

(b) *Not applicable to Norwich.*

(c) Notice. Notice of the appeal shall be filed by certified mailing, with fees, to the Environmental Division and by mailing a copy to the municipal clerk or the administrative officer, if so designated, who shall supply a list of interested persons to the appellant within five working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person, and, if any one or more of those persons are not then parties to the appeal, upon motion they shall be granted leave by the Division to intervene.

Vermont Superior Court
Environmental Division
32 Cherry Street
2nd Floor, Suite 303
Burlington, VT 05401
Voice: 802-951-1740

www.vermontjudiciary.org/GTC/Environmental/default.aspx

Notice of the appeal shall be filed within 30 days of the date of the DRB Final Plan Review.