

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
AGENDA
Thursday, August 20, 2020

Act 92 OML compliant meeting in response to covid-19 will be conducted via ZOOM.

ZOOM Access Information:

Topic: Development Review Board

Time: August 20, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting <https://us02web.zoom.us/j/81283484805>

Meeting ID: 812 8348 4805

1. Call to Order, Roll Call

2. Approve Agenda

3. Minutes – 6-18-20 and 7-16-20

4. Public Comments and Announcements

5. Administrative Issues and Updates

6. Boundary Line of Adjustments

- a. **#26BLA20:** CashdanTrust/Pang, Applicants and Landowners, 73 Needham RD (04-037.000) and 163 Needham RD (04-038.000). The Boundary Line Adjustment proposes to transfer +/- 3.63 acres from 04-038.000 (developed) to 04-037.000 (developed).
- b. **#28BLA20:** Ainsworth-Cavin/Costa-Godek Applicants and Landowners, 80 Glen Ridge RD (10-014.000) and 64 Glen Ridge RD (10-015.000). The Boundary Line Adjustment proposes to transfer +/- 0.12 acres (5,441sf) from 10-015.000 (developed) to 10-014.000 (developed).

7. Public Hearing: 7:15 PM

- a. **#29BCU20:** Conditional Use and Site Plan Review for a Daycare and a Cultural Facility (school) with Apartment. Application by Tiny Seeds Village, LLC, Applicant and Landowner of Lot 11-093.000 at 251 US Route 5 N. Application to be reviewed under the Norwich Zoning Regulations.
- b. **#30BSUB20:** Merger of parcels and Lot Line Adjustment. Applicants Rockwell and Leber landowners, 288 Route 5 (Lot 11-108.000, 11-112.000 and an unnumbered Lot).
 - i. Boundary Line Adjustment proposes to transfer +/- 0.45 acres from Lot 11-108.000 (undeveloped) to Lot 11-112.000 (+/- 3.72 acres developed).
 - ii. Merge lots 4, 5 and the M Goodrich lot (an un-numbered lot) with parcel 11-108.000. Application to be reviewed under the Norwich Subdivision Regulations.

8. Other Business

- a. Amendment to #2BLA20 of February 2020
- b. Zoning 101: Francis
- c. Background document - Lawe

9. Adjournment

Future Meeting: TBD

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

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: manager-assistant@norwich.vt.us.

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
Thursday, June 18, 2020

Act 92 OML compliant meeting conducted via Town of Norwich Zoom account. These proceedings were recorded.

Members Present: Rotman (Chair), Lawe, Teeter, McCabe, Stucker

Alternates Present: Pitiger

Staff: Francis (Clerk)

Public: Zane Rodriguez, William Miles, Linda Cook,

1. **Call to Order,** Roll Call: 7:05pm

2. **Agenda:**

Pitiger moved and Stucker seconded a motion to approve the agenda. Motion carried 6 – 0.

3. **Minutes:**

Teeter moved and Pitiger seconded a motion to approve the minutes as amended of 5-21-20. Motion carried 6-0.

4. **Comments from Public:** None

5. **Administrative Issues:**

a) Election of Vice Chair

McCabe nominated Stucker for Vice-Chair. Motion carried 6 – 0.

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

a. **#16BSUB20:** Preliminary Plan Review of a Subdivision Application by Zane Rodriguez, Applicant and Athos J. Rassias, Helene C. Miles and Veronica Rassias Markwood, Landowners, to divide Lot 16-032.000 into 2 lots of approximately 61,873 sf (1.42 ac) and 24,094 sf (.55 ac) at 75Cliff Street. Application to be reviewed under the Norwich Subdivision Regulations.

i) **Waiver Request**

The applicant filed a waiver request under NSR 2.1(C) together with supporting documents seeking to waive the preliminary plan review because the requirements for Final Plan Review had been met. After determining that the application met the criteria the Board voted to grant the waiver and approve the final plan.

Stucker moved and McCabe seconded a motion to grant a waiver request from the applicant as provided for under Norwich Subdivision Regulations Section 2.1 (C). Motion carried 6 – 0.

Pitiger moved and Stucker seconded a motion to approve Final Plan Review for #16BSUB20. Motion carried 6 – 0.

7. Other Business

- a. Update on Open Meeting Law (OML) Covid-19. Chair Rotman provided an overview of recent changes to Open Meeting Law under covid-19
<https://www.vlct.org/municipal-assistance/municipal-topics/vermonts-open-meeting-law>
<https://www.vlct.org/municipal-assistance/municipal-topics/remote-public-meeting-toolkit>
<https://accd.vermont.gov/covid-19>
- b. Further DRB training needs: It was agreed that Francis would make a presentation to the Board on the zoning districts of Norwich first presented during the 2020 Town Plan public outreach process.

8) Adjournment:

A motion to adjourn was entertained at 8:13pm. Motion carried 6 - 0

Respectfully submitted,
Rod Francis

Future Meeting:

Thursday, July 16, 2020 at 7:00PM

DRB Minutes available at:

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

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TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
Thursday, July 16, 2020

Act 92 OML compliant meeting conducted via Town of Norwich Zoom account. These proceedings were recorded.

Members Present: Rotman (Chair), Lawe, McCabe, Stucker, Carroll

Alternates Present:

Staff: Francis (Clerk)

Public: Scott McCampbell, Nina McCampbell, Daphne McCampbell-Pageau, Justin Pageau, Nate Stearns, Jeff Goodrich, Steve Voigt, Robin Voigt, Cheryl Lindberg, Julie Kalish, Linda Cook

1. **Call to Order, Roll Call:** 7:10pm

2. **Agenda:**

Stucker moved and Lawe seconded a motion to approve the agenda. Motion carried 4 - 0.

3. **Minutes:**

Deferred to next meeting

4. **Comments from Public:** None

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

a) **#21BSUB20:** : Preliminary Plan Review of a Subdivision Application by Carmen T. McCampbell and Stuart McCampbell, Trustees of the Carmen T. McCampbell Living Trust, Applicants and Landowners, to divide Lot 10-036.200 into 2 lots of approximately 41+/- acres and 53 acres+/- at Tilden Hill RD. Application to be reviewed under the Norwich Subdivision Regulations.

i) **Hearing Participants**

DRB Rotman (Chair), Lawe, McCabe, Stucker, Carroll

Staff Francis

Applicants: Scott McCampbell, Nina McCampbell, Daphne McCampbell-Pageau, Justin Pageau, Nate Stearns, Jeff Goodrich, Steve Voigt, Robin Voigt, Cheryl Lindberg, Julie Kalish

ii) **Waiver Request**

The applicant filed a waiver request under NSR 2.1(C) together with supporting documents seeking to waive the preliminary plan review because the requirements for Final Plan Review had been met. After determining that the application met the criteria the Board voted to grant the waiver and approve the final plan.

McCabe moved and Carroll seconded a motion to grant a waiver request from the applicant of #21BSUB20 as provided for under Norwich Subdivision Regulations Section 2.1 (C). Motion carried 5 - 0.

- iii) Applicant request for waiver of Section 3.3 (D)(5) of the Subdivision Regulations.

Stearns, for the Applicants, referred the Board to page 2 of the Cover Letter for Application #BSUB20. Section 3.3 (D)(5) requires:

Access roads, including the conversion of logging roads to private roads or driveways, and utility corridors, shall use or share existing accesses and rights-of-way where feasible, follow existing contours to achieve angled ascents, and avoid areas of steep slope. (emphasis added)

Stearns and Goodrich explained that the driveway profile as shown in sheet 2 of 4 and alignment as shown in sheet 1 of 4 was responsive to the presence of wetlands (awaiting delineation by the Department of Environmental Conservation – DEC) and was a best effort at responding to the provisions of Section 3.3 (D) (5) while mitigating natural resource impacts (wetlands).

McCabe moved and Carroll seconded a motion to grant a waiver request for the steep slope provision as required under Section 3.3 (D)(5) of the Subdivision Regulations. Motion Carried 5 – 0

Carroll moved and McCabe seconded a motion to close the public hearing on #21BSUB20 and enter into deliberative session. Motion carried 5 – 0.

The board entered into deliberative session at 8:20pm. Present were Rotman, Carroll, McCabe, Stucker and Lawe. Deliberative session ended at 8:35pm. Decision forthcoming

7. Other Business

- a. Zoning Background Presentation: Deferred to next meeting

8) Adjournment:

A motion to adjourn was entertained at 8:38pm. Motion carried 5 - 0

Respectfully submitted,
Rod Francis

Future Meeting:

Thursday, August 20, 2020 at 7:00PM

DRB Minutes available at:

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

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: managers-assistant@norwich.vt.us

6a

#26BLA20

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Lisa Gay Cashdan Trust, Lisa Cashdan & Peter Stein co-Trustees
Mail Address: 73 Needham Road Town Norwich ST VT Zip 05055
Day Phone: 649-5610 Eve Phone: Email: lcashdan@gmail.com

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

Description of Proposed Development: Lot Line adjustment to annex a 3.63 acre parcel from
Sze Pui Pang Lot 4-38 to the Cashdan Lot 4-37.

RR Zoning District: RR VR I VR II VB C/I AQ
Street Address: 73 Needham Road Tax Map Lot # 4 - 37 Lot Size: 10.7 acres

Building Setbacks- Road Right-of-way: N/A 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) Date July 14, 2020

- 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
X Lot Line Adjustment
Fees:
Base Fee \$ 45.00
Sq. Ft. x \$
of Lots \$
Recording \$ 15.00
Other \$
Total \$ 60.00
Date Paid 7-27-20
To Finance

Table with columns: Action, Dates. Rows: Variance, PRD, Driveway Access, Wastewater, Received (7-27-20), Complete, Granted, Refused, Posted at Site, Appeal By, Effective, Expires.

Signature of Zoning Administrator Date
Application/Permit # 26BLA20

1 of 2

26BLA20

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Sze Pui Pang Revocable Trust, Sze Pui Pang, Trustee

Mail Address: 163 Needham Road Town Norwich ST VT Zip 05055

Day Phone: 802-649-2907 Eve Phone: 802-649-2907 Email: pangszepui@gmail.com

Applicant (If Different): same

Mail Address: Town ST Zip

Day Phone: Eve Phone: Email:

Description of Proposed Development: Lot Line adjustment to annex a 3.63 acre parcel from Sze Pui Pang Lot 4-38 to the Cashdan/Stein Lot 4-37.

RR

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

Street Address: 163 Needham Road Tax Map Lot # 4 - 38 Lot Size: 43+/- acres

Building Setbacks- Road Right-of-way: N/A Right Boundary: Left Rear

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

N/A Structure B: Width Length Height Area: Footprint of Structure A

N/A Additional Footprint of Structure B (if any) Total # of Parking Spaces

N/A 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) [Signature] Date 7.14.2020

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

X Lot Line Adjustment

Fees:

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

Action

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

Dates

Signature of Zoning Administrator Date

8/11

Application/Permit # 26BLA 20

2 of 2

TO: Development Review Board
 FROM: Rod Francis, Planning Director
 RE: #26BLA20 Cashdan Trust/Pang
 DATE: 7-27-2020

Lots: 04-037.000 Lisa Gay Cashdan Trust (Lisa Cashdan and Peter Stein co-Trustees), (developed; +/-10.7 acres, 73 Needham RD).
 04-038.000 Sze Pui Pang Revocable Trust (Sze Pui Pang, Trustee), (developed, +/-43 acres, 163 Needham RD).

The Boundary Line Adjustment proposes to:

1. Transfer — +/-3.63 acres from 04-038.000 to 04-037.000. Both properties are developed.

	04-037.000	04-038.000	Total Acres
Existing	10.7	43	53.70
Transfer	+3.63	-3.63	
Proposed	14.33	39.37	53.70

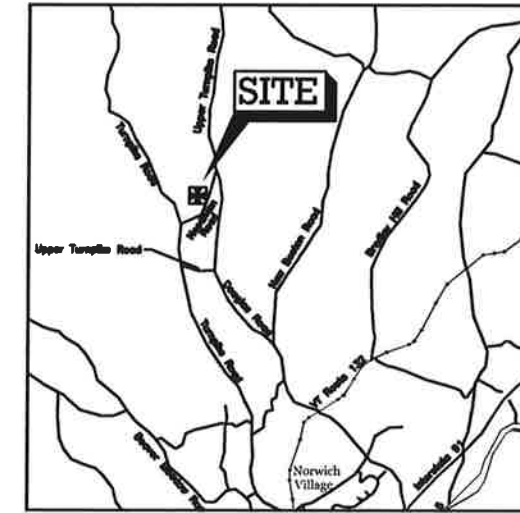
Criteria for Boundary Line Adjustment NSR §2.1 (D)

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	✓
	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	✓

CORNER MONUMENT DESCRIPTIONS

- No. 1 FOUND a 7/8" Iron Pipe with 6" of reveal on the road side of a 16" Basswood Tree with barbed wire fence and on the edge of the gravel Highway, firm, straight and in good condition - Used locate for alignment but not as an edge of the Highway's limits.
- No. 2 SET a 5/8x42" Blue Rebar with Orange Plastic Cap firm and straight with 12" of reveal next to large rock and a 38" Maple tree
- No. 3 SET a 5/8x42" Blue Rebar with Orange Plastic Cap firm and straight with 12" of reveal next to 15" Basswood tree
- No. 4 FOUND a 7/8" Iron Pipe with 14" of reveal at a corner of a stone wall, firm, straight and in good condition
- No. 5 SET a 5/8x42" Blue Rebar with Orange Plastic Cap firm and straight with 12" of reveal



NORWICH LOCUS n.t.s.

SURVEY NOTES AND REPORT

1. The purpose of this Lot Line Adjustment Plat is to annex 3.63 Acres, Subject Parcel A, from Parcel 4-38 to 4-37. After the annexations are complete Parcel 4.38 will have 39.3± remaining acres and Parcel 4-37 will increase in size to be 11.6± acres. The structure and driveway locations are approximately shown on the Total Parcel Inset. There are no structures or improvements on Subject Parcel A.
2. SURVEYOR'S REPORT: The corner monuments located and boundary lines for the Subject Parcel were found to be consistent with the record deeds and plans. The Bearings for the two tracts are on different headings. Lot 4-37 is a True Bearing and Lot 4-38 appears to be Magnetic. No survey plan was obtained for Lot 4-38 however the deed contained metes and bounds. I was not able to tie into and reference to Lot 4-38's bearing system.
3. The lands shown are located in the Norwich (RR) Rural Residential Zoning District. The setback limits shown are 20 feet along the highway and 10 feet along the side and rear boundary lines.
4. Deeds and Plans used as reference sources are noted within the Abutter's information.
5. Corner Monuments noted as SET were placed on June 2, 2020. All monument sizes are outside dimensions. The created boundary lines for the Subject Parcel were marked with blue flagging and blue paint on trees.

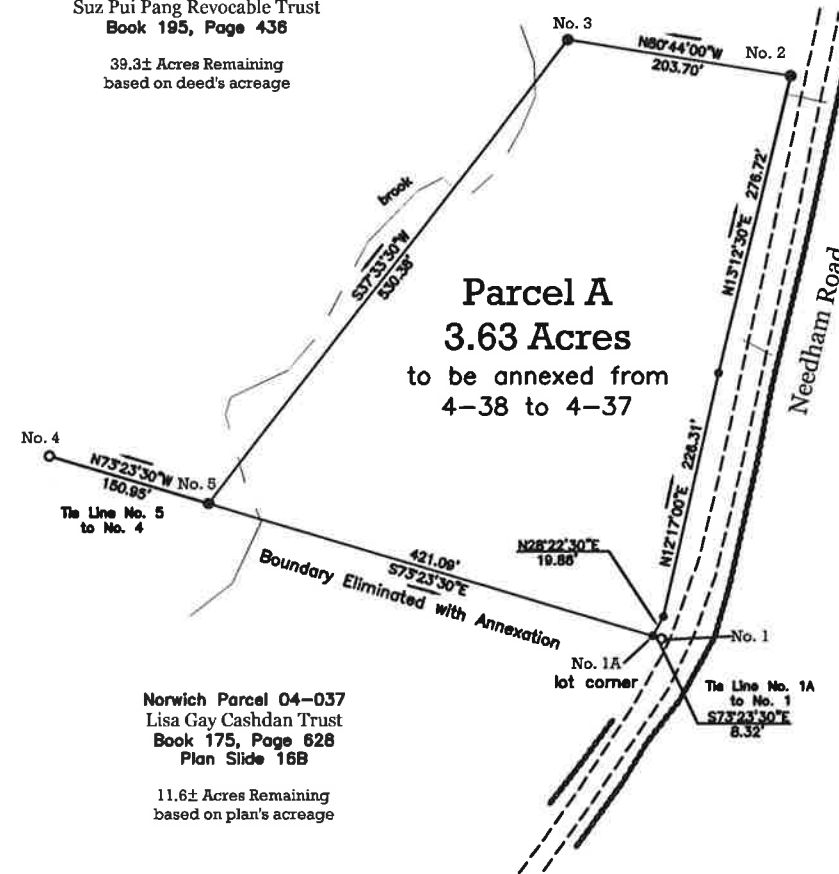
PARCEL 04-037.000
Owner of Record
Lisa Gay Cashdan Trust Under
Agreement Dated October 28, 2005
73 Needham Road
Norwich, VT 05055

Deed Reference:
Book 175, Page 628
Plan Slide 16B
SPAN 450-142-13128

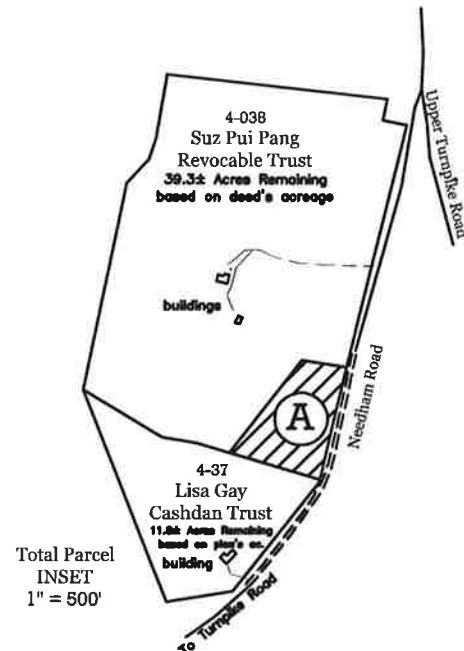
PARCEL 04-038.000
Owner of Record
Suz Pui Pang Revocable Trust
Dated January 20, 2010
163 Needham Road
Norwich, VT 05055

Deed Reference:
Book 195, Page 436
SPAN 450-142-13127

Norwich Parcel 4-038
Suz Pui Pang Revocable Trust
Book 195, Page 436
39.3± Acres Remaining
based on deed's acreage



Norwich Parcel 04-037
Lisa Gay Cashdan Trust
Book 175, Page 628
Plan Slide 16B
11.6± Acres Remaining
based on plan's acreage



Site improvements are taken from an aerial image. Buildings and driveway as shown are approximate.

LEGEND

- Found Iron Pipe or Rebar ○ as described
- Set Capped Rebar ● as described
- Computed Point *
- Boundary Line —————
- Boundary Line eliminated - - - - -
- Stone Wall ○○○○○○○○○
- Deed Reference Book, Page
- Plan Reference Plan Slide
- SET Rebar Plastic Cap Label ROCKWOOD VT 537 NH 618

The boundary line adjustment depicted on this plat was duly approved by the Norwich Development Review Board in accordance with the Norwich Subdivision Regulations and all other applicable laws and regulations on the ___ day of ___, 2020.

Boundary Line Adjustment Permit No. _____

Signed _____, Chairman.

I hereby certify that to the best of my belief and knowledge a Vermont Rural Class Survey was completed on Subject Parcel A, a portion of Norwich Parcel 4-37, in accordance with the requirements of 27 VSA 1403(b)-(8) and, except as noted, is consistent with the deeds, plans, and notes on this plat that are the basis for this surveyor's opinion of the boundary line locations.



TIMOTHY W. ROCKWOOD
LLS NO. 537

Lot Line Adjustment Plat
Lisa Gay Cashdan Trust
and
Suz Pui Pang Revocable Trust
73 & 163 Needham Road, Norwich, Vermont

Project No. 1618 SCALE: 1" = 100' Date: July 13, 2020
Rockwood Land Services, LLC
PO BOX 347 (802) 436-1039
HARTLAND, VT 05048 rock@vermont.net

65

#28BLA20

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Helen Ainsworth-Cavin

Mail Address: 80 Glen Ridge Road Town Norwich ST VT Zip 05055

Day Phone: 510 769 0625 Eve Phone: Email: helenainsworth@me.com

Applicant (If Different):

Mail Address: Town ST Zip

Day Phone: Eve Phone: Email:

Description of Proposed Development:

Boundary Line Adjustment - see attached survey - Add 0.12 acres (5,441sq.ft) to property 80 Glen Ridge Rd - Costa/Godek is taking off 0.12 of their land and Ainsworth-Cavin is adding 0.12 to her land

64 Glen Ridge Rd, 10-015-000 1.76 A/- Zoning District: (RR) VR I VR II VB C/I AQ

Street Address: 80 Glen Ridge Rd, Tax Map Lot # 10-014.000 Lot Size: 1.57

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 80 Glen Ridge Rd, Norwich Helen Ainsworth-Cavin Date: 7/31/2020

Signature of Landowner 64 Glen Ridge Rd, Norwich Michael K. Costa Date: 7/31/2020

Signature of Landowner 64 Glen Ridge Rd, Norwich Kristina M. Godek Date: 7/31/2020

Zoning Office Checklist: Flood Hazard Area, Wetlands, Septic Location, Water Supply, Parking, Shoreline, Aquifer Protection, Permit Conditions, Agricultural Exemption

Additional Permits Required: Variance, Subdivision, PRD, Conditional Use, Driveway Access, Site Plan Review, Wastewater

Fees: Base Fee \$45.00, Sq. Ft. x \$, # of Lots \$, Recording \$15.00, Other \$, Total \$60.00, Date Paid, To Finance

Action Dates: Received 8-3-20, Complete, Granted, Refused, Posted at Site, Appeal By, Effective, Expires

Comments:

Signature of Zoning Administrator Date Application/Permit # 28BLA20

TO: Development Review Board
 FROM: Rod Francis, Planning Director
 RE: #28BLA20 Ainsworth-Cavin_Costa/Godek
 DATE: 8-4-2020

Lots: 10-014.000 Helen E. Ainsworth-Cavin, (developed; 1.57+/- acres, 80 Glen Ridge RD)
 10-015.000 Michael K. Costa and Kristina M. Godek, (developed, 1.76+/- acres, 64 Glen Ridge RD)

The Boundary Line Adjustment proposes to:

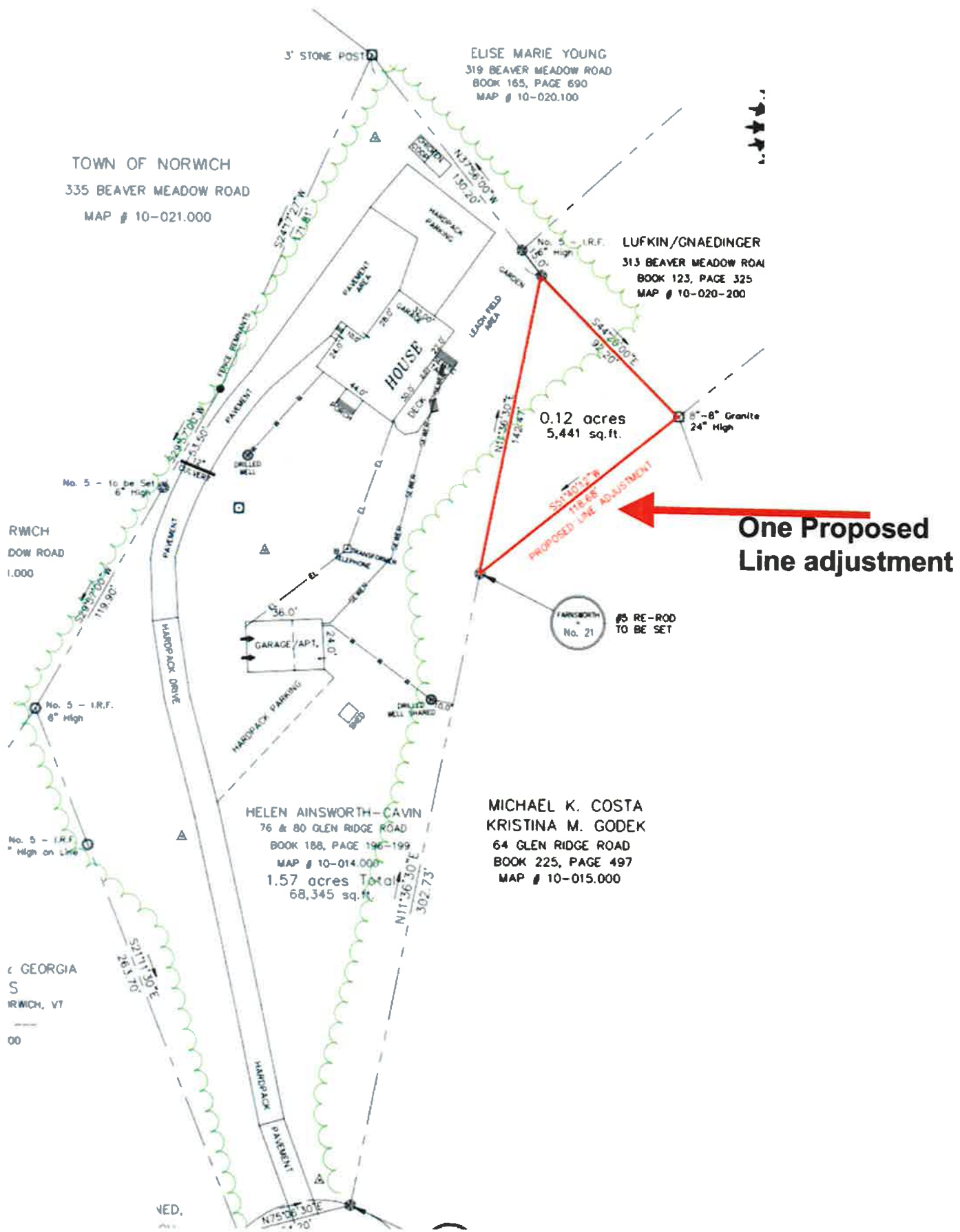
1. Transfer — +/-0.12 acres (5,441 sf) from 10-015.000 to 10-014.000. Both properties are developed.

	10-014.000	10-015.000	Total Acres
Existing	1.57	1.76	3.33
Transfer	+0.12	-0.12	
Proposed	1.69	1.64	3.33

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	✓
	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	



**One Proposed
Line adjustment**

ELISE MARIE YOUNG
319 BEAVER MEADOW ROAD
BOOK 165, PAGE 690
MAP # 10-020.100

TOWN OF NORWICH
335 BEAVER MEADOW ROAD
MAP # 10-021.000

LUFKIN/GNAEDINGER
313 BEAVER MEADOW ROAD
BOOK 123, PAGE 325
MAP # 10-020-200

0.12 acres
5,441 sq. ft.

PROPOSED LINE ADJUSTMENT

RE-ROD
TO BE SET

HELEN AINSWORTH-CAVIN
76 & 80 GLEN RIDGE ROAD
BOOK 188, PAGE 196-199
MAP # 10-014.000
1.57 acres Total
68,345 sq. ft.

MICHAEL K. COSTA
KRISTINA M. GODEK
64 GLEN RIDGE ROAD
BOOK 225, PAGE 497
MAP # 10-015.000

GEORGIA
S
NORWICH, VT

7a

**NORWICH
DEVELOPMENT REVIEW BOARD**

Notice is hereby given that a public hearing will be held on Thursday, August 20, 2020 at 7:15 PM held via Zoom* to hear the following applications:

#29BCU20: Conditional Use and Site Plan Review for a Daycare and a Cultural Facility (school) with Apartment, Application by Tiny Seeds Village, LLC, Applicant and Landowner, of Lot 11-093.000 at 251 US Route 5 N. Application to be reviewed under the Norwich Zoning Regulations.

#30BSUB20: Review of an application to merge lots 4, 5 and the M Goodrich lot (an un-numbered lot) into parcel 11-108.000. Application by Drew Rockwell and Bartlett Leber, landowners at 288 Route 5. Application information to be reviewed under the Norwich Subdivision Regulations. ***WILL ALSO REVIEW A BOUNDARY LINE ADJUSTMENT – PROPOSED TO TRANSFER +/- 0.45 ACRES FROM LOT 11-108.000 (UNDEVELOPED) TO Lot 11-112.000 (+/- 3.72 ACRES DEVELOPED)**

The hearing information and application documents can be obtained ONLY by emailing a request to planner@norwich.vt.us. Persons wishing to be heard may do so in person by appearing in the Zoom meeting or in writing.

*Zoom Access information

Join Zoom Meeting <https://us02web.zoom.us/j/81283484805>

Meeting ID: 812 8348 4805

Rod Francis
Zoning Administrator
Box 376
Norwich, VT 05055

August 5, 2020

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD

DOCUMENTS AND INTERESTED PARTIES

Application Number: #29BCU20

Lot: #11-093.000
251 US Route 5 N

Site Visit:

Public Hearing Date: August 20, 2020

Applicant/ Landowner: Tiny Seeds Village, LLC
251 Route 5 N
Norwich, VT 05055

Interested Parties:

NATURE OF APPLICATION - **#29BCU20**: Conditional Use and Site Plan Review for a Daycare and a Cultural Facility (school) with Apartment, Application by Tiny Seeds Village, LLC, Applicant and Landowner, of Lot 11-093.000 at 251 US Route 5 N. Application to be reviewed under the Norwich Zoning Regulations.

The record in this case includes the following documents:

Submitted by Applicant

- A-1 Application #29BCU20 (7-31-20)
- A-2 Cover Letter, by Nate Stearns, Hershensen, Carter, Scott and McGee, PC (7-31-20)
- A-3 Project Proposal (7-14-20)
- A-4 Site Plan (submitted 7-31-20)

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list, dated 8-5-20

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Tiny Seeds Village, LLC
Mail Address: 251 Rte 5 Town Norwich ST VT Zip 05055
Day Phone: _____ Eve Phone: _____ Email: contact@tinyseedsvillage.com

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

Description of Proposed Development: See attached Cover Letter, Project Description and Site Plan: Conditional Use and Site Plan Review for Day Care and Cultural Facility w/apartment Zoning District: (RR) VR I VR II VB C/I AQ

Street Address: 251 Rte 5 Tax Map Lot # 11 - 093 Lot Size: 17 acres

Building Setbacks- Road Right-of-way: 200' Right Boundary: 200' Left 200' Rear 600'

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 27

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) [Signature] Date 07/31/20

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	\$ <u>500.00</u>
Sq. Ft. x _____	\$ _____
# of Lots	\$ _____
Recording	\$ <u>15.00</u>
Other	\$ _____
Total	\$ <u>515.00</u>
Date Paid	_____
To Finance	_____

Action

Received	<u>7-31-20</u>
Complete	_____
Granted	_____
Refused	_____
Posted at Site	_____
Appeal By	_____
Effective	_____
Expires	_____

Signature of Zoning Administrator _____ Date _____
Application/Permit # 29BC020

Public Hearing August 20, 2020

HERSHENSON, CARTER, SCOTT and McGEE, P.C.

P. Scott McGee
Nathan H. Stearns *
Micaela Tucker

Of Counsel
Peter H. Carter *

ATTORNEYS AT LAW
P. O. Box 909
Norwich, Vermont 05055-0909
802-295-2800

FAX 802-295-3344
www.hcsmlaw.com

General Practice of Law
Vermont and New Hampshire *

June 31, 2020

BY EMAIL

Norwich Development Review Board
Attn: Rod Francis
300 Main Street, 3rd Floor
Norwich, VT 05055

Re: Tiny Seeds Village, LLC, 251 Rte 5, Norwich, Vermont
Conditional Use and Site Plan Review for Day Care (Cradle and Crayon) and
Cultural Facility (Tiny Seeds Montessori School)

Ladies and Gentlemen:

Enclosed please find an application for Conditional Use Approval and Site Plan Review submitted on behalf of Tiny Seeds Village, LLC (“Tiny Seeds”) and Cradle and Crayon, Inc. (“Cradle and Crayon”) for the property at 251 Rte 5, Norwich, Vermont. The applicants are seeking approval to use the property for a state-licensed child Day Care facility, a Montessori School, and a residential apartment. The Day Care will be operated by Cradle and Crayon. The Montessori School will be operated by Tiny Seeds, and the apartment will be owned by Tiny Seeds and occupied by a staff member of the School. A detailed Project Description is attached hereto as Exhibit A and includes a Site Plan. The state-licensing applications for both the Day Care and the Montessori School are in-process, and the applicants ask that the Development Review Board review the Project with the understanding that any approval would include a condition that the state licensing process be completed and licenses obtained.

The Project proposes to re-use the existing buildings on the site. No new construction is proposed other than the four-foot high fencing shown on the site plan attached to the Project Description. The Site Plan included with the application has not been prepared by an engineer, but applicants are requesting that the Development Review Board waive this application requirement given that no new construction is proposed and the existing site features are clearly identified on the aerial imagery that serves as the base map for the Site Plan. In addition, no new landscaping, grading, drainage or exterior lighting is proposed. The applicants are working quickly to meet the high community demand for day care and schooling opportunities in the current COVID-19 world, and has opted to submit the attached Site Plan without delaying the application for full plans to be prepared by an engineer. The applicants appreciate any flexibility that the Board can grant under these circumstances.

The application requirements in Table 5.1 also ask for an estimate of the traffic to be generated by the Project on a peak and daily basis. The maximum occupancy for the project is

up to 8 staff and 35 students for the Montessori School, 8 staff and 30 children for the Day Care, and one family in the residential apartment. On a daily basis, the anticipated traffic is one pickup and one dropoff per student, one a.m. trip and one p.m. trip per staff, and several trips per day for the apartment (which will be living space for a single faculty member), or approximately 170 trips per day. The dropoff and pickup times for the School and the Day Care will be staggered so that they do not occur simultaneously, and peak hour traffic is estimated at approximately 50 to 60 trips. Students and Day Care attendees will access the Project from the existing driveway access on Rte 5. Staff will also use the Rte 5 access, but some staff may use the existing driveway onto Goodrich Four Corners Road, which will likely reduce the number of peak hour trips through the Rte 5 access.

In addition to the foregoing, the proposed Project satisfies the Site Plan Review standards set forth in Section 5.3 of the Zoning Regulations and the Conditional Use criteria set forth in Section 5.4 of the Zoning Regulations as follows (Regulations are set forth in plain type, discussion of the Project's compliance with the regulations is set forth in *italics* after each applicable section):

Section 5.03
Site Plan Review

(1) Maximum safety of vehicular circulation between the site and the street network.

The project will utilize an existing curb cut on Route 5 as the main access point. A second existing curb cut on Goodrich Four Corners Road will also be used for access to the farm buildings and for additional employee parking.

(2) Adequacy of circulation, parking and loading facilities with particular attention to safety.

For Day Care use, Table 3.3 requires 1 space per employee plus 0.2 spaces per child, based upon the highest expected occupancy. The proposed Day Care includes a maximum of 8 employees and 30 children, for a total of 14 parking spaces.

For Educational Facility use Table 3.3 requires 3 spaces per 10 children enrolled at the facility. The proposed School would have a maximum enrollment of 35 children, for a total of 11 spaces.

For Dwellings, Table 3.3. requires 2 spaces per dwelling unit.

The total number of spaces required by Table 3.3. for all combined uses is 27 spaces.

The project proposes to locate parking in the garage and on the existing paved areas on the property (Parking B as shown on the Site Plan), and on the existing gravel driveway from Goodrich Four Corners Road (Parking A as shown on the Site Plan). Two spaces

are available in the garage, and will be used as parking for the dwelling. A total of 10 spaces (using a 10'x20' parking space and two accessible parking spaces) are available in the large, paved area outside of the main structure on the property, which has dimensions of approximately 60' x 70'. An additional 10 spaces are available along the west side of the driveway heading from the house toward Rte 5. An additional 5 spaces staff parking will be provided in Parking A. In addition, the applicants will schedule its programming such that the Day Care and the School pickup, drop off, and special event times do not overlap, thereby eliminating the need for all parking spaces at the same time. The applicants also propose that four of the spaces in front of the garage will be used for pickup and dropoff with staff present to direct traffic and to allow drivers to drop off and pick up their students without having to park and get out of their car.

d. Clearances and turning radii shall be sufficient to accommodate all service and delivery vehicles required for the normal activities on the site, and fire trucks and other emergency vehicles.

The large 60' x 70' paved area in front of the garage provides a large area for service and delivery vehicles as well as fire trucks and other emergency vehicles. In addition, adjacent to the paved area is a flat area that can be available for use as a hammerhead turnaround for large vehicles.

e. Loading and delivery areas within the site shall be provided in accordance with Section 3.09(D), and shall be adequate to meet the anticipated needs of the use in a manner that does not interfere with parking, internal circulation and landscaping.

The large 60' x 70' paved area in front of the garage will provide area for loading and delivery. As noted above, four of the parking spaces in front of the garage will be reserved for pickups and drop-offs. Deliveries will not be scheduled during pickup and dropoff times.

(3) Landscaping.

No new landscaping is proposed.

(4) Screening.

The existing landscaping and screening will be maintained. The existing natural vegetation on the property provides screening that shield the structures and outdoor areas that will be used for the project from views from the surrounding properties and public roads.

(5) Bicycle & Pedestrian Access.

Bicycle and Pedestrian Access is possible using existing bicycle and pedestrian routes on Rte 5. No new bicycle and pedestrian access is proposed.

(6) Outdoor Storage & Display.

No outdoor storage and display is proposed except that certain playsets and large toys may be stored outside in areas that will be screened from view from surrounding properties and public roads by the existing natural vegetation.

(7) Building Design.

The project seeks to re-use existing buildings. No new buildings are proposed as part of the project.

(8) Lighting.

No new outdoor lighting fixtures are proposed. Existing outdoor lighting will only be in use during hours of operation, except for the residential apartment.

(9) Stormwater Management.

If the Board approves the project with the 22 parking spaces (instead of 27) as proposed, no new impervious surfaces will be created and all areas of existing vegetation will be retained as well.

(10) Protection of Natural Resources.

The project involves the re-use of existing structures. No new development is proposed and as a result no development will impact natural resources.

(11) Historic Structures.

The project involves only the re-use of existing structures.

(12) Fire and Public Safety.

The fire marshal has reviewed the proposed project and has required certain modifications to the structures for the proposed uses. The applicants will make all of the fire marshal's required modifications.

(13) Underground Utilities.

The project will utilize the existing utility connections at the property. No new underground utilities are proposed as part of the project.

(D) **District Standards.** (4) Rural Residential (RR) District(s). Development within the RR District(s) shall meet the following standards:

- a. Site design shall be configured to reinforce the district's rural character and historic working landscape, characterized by wooded hillsides and knolls, open fields, and a visual and functional relationship of structures to the surrounding landscape.
- b. Buildings shall be designed in a manner that is compatible with architectural styles within the district with regard to building scale, size, massing and materials.
- c. Buildings shall be sited in a manner that avoids placement on primary agricultural soils or other open farmland, and shall be blended into the site by appropriate landscaping and/or the use of topographic features, or may be required to be screened from view.
- d. Parking for non-residential uses shall be screened from public view and shall not be located within 75 feet of a property boundary.

The Project will re-use existing structures. The existing structures and proposed parking areas are shielded from view from surrounding properties and public roads by topography and existing, natural vegetation. The proposed parking is also located more than 75 feet from all property boundaries.

Section 5.04 Conditional Use Review

(D) **General Standards.** Conditional use approval shall be granted by the Development Review Board upon finding that the proposed development will not result in an undue adverse effect on the following:

(1) The capacity of existing or planned community services or facilities.

The Project will not adversely effect existing or planned community services or facilities. The Project will be complimentary to existing public school offers by offer programs that the schools do not offer. The Day Care portion of the Project will target children ages 2 to 7: Day care is an essential service that is not offered by any public institutions in Norwich. Day care will enable community members to have child care so they can go to work.

The Montessori School will offer full day preschool and will also offer foreign language immersion for ages 2 to 6. These are programs that the public schools do not currently offer. (Marion Cross does offer half day preschool, but the Project will create a supplemental alternative to that program as opposed to overstraining the resources by

creating additional students for the public preschool program. In addition, the public schools do not currently offer foreign languages for ages 2 to 6. In addition to the foregoing, the Project will offer educational programming in small groups at a facility with extensive outdoor and indoor space that will enable students to learn in space that allows for compliance with COVID-19 social distancing requirements and recommendations.

(2) The character of the area affected.

The property is located in the Rural Residential District. The purpose of the Rural Residential District is as follows:

The purpose of the Rural Residential District is to allow low density development in a rural setting, while protecting the natural resources and limiting development in those areas of town accessed by unimproved or substandard roads. The Rural Residential District is intended principally for agriculture, forestry, residential dwellings and associated home-based uses. Residential development is encouraged in appropriate locations in a manner that preserves open space and protects natural resources. Only limited commercial uses are allowed, and then only in a manner that avoids unreasonable burdens on town roads and services or other adverse impacts on the rural, residential character of the district.

The project will not have any undue adverse impact on the character of the area as defined by the purpose of the Rural Residential District. The property is approximately 17 acres, and is screened on all sides by existing natural vegetation. The main uses are located in the center of the property, which will help minimize any impact on neighboring properties.

(3) Traffic on roads and highways in the vicinity.

The Board shall consider the projected impact of traffic resulting from the proposed development on the capacity, safety, efficiency and use of affected public roads, bridges, and intersections. The Board will rely on accepted transportation standards in evaluating traffic impacts, and shall not approve a project that would result in the creation of unsafe conditions for pedestrians, bicyclists, or motorists, or unacceptable levels of service for roads, highways and intersections, unless such conditions or levels of service can be mitigated by the applicant through physical improvements to the road network and/or traffic management strategies, or improvements in public transportation.

The primary access for the Project will be on Rte 5. Rte 5 is a U.S. highway and has capacity to handle the expected traffic from the Project. The existing driveway has good sight distance in both directions along Rte 5. Pickup and dropoff times for the Day Care and the Montessori School will be staggered to minimize the traffic at any one point

during the day. Staff may also access the project by way of the existing driveway on Goodrich Four Corners Road.

(4) Ordinances, Bylaws and Regulations in effect.

The Board shall consider whether the proposed development complies with all ordinances, bylaws, and regulations in effect at the time of application, including other applicable provisions of this bylaw, other municipal permit and/or approval conditions (e.g., subdivision, highway access). Conditions may be imposed or incorporated as appropriate to ensure compliance with other municipal regulations, bylaws and ordinances in effect.

The Project has been reviewed by the Fire Marshal. The Project is also in the process of obtaining a state permit review and state licensing for the Day Care and for the Montessori School.

(5) The utilization of renewable energy resources.

The project will not interfere with the utilization of renewable energy resources.

The applicants look forward to presenting the Project and answering any questions for the Development Review Board at its next public hearing. Please contact me if you need additional information. Thank you.

Yours truly,

/s/Nathan H. Stearns

Nathan H. Stearns

cc: Laura Golnabi
Brenda Danielson
Renee Harvey, Esq.

Project Proposal

07/14/2020

Use of the Property

The goal of Tiny Seeds Village is to use the property located at 251 US Route 5 in Norwich, VT as an educational farm and campus. The descriptions and uses of indoor and outdoor spaces are outlined below.

The indoor space of the property will be divided into three units with the following description and uses:

- **Unit A:**
 - Location: Main level of house
 - Use: Preschool and Kindergarten program with up to 35 children and 8 staff members. Parents would arrive with staggered arrival times within the school schedule between the hours of operation noted below.
 - Used by: Immersion Montessori School
 - Hours of Operation: 8:30 am - 5:00 pm Monday through Friday
 - Parking Location: Parking A would be used with staff parking as needed in Parking B (see map).

- **Unit B:**
 - Location: Lower level floor of house
 - Use: Residential.
 - Used by: Immersion Montessori School staff member and their family
 - Hours of Operation: 24/7
 - Parking Location: Private garage of house

- **Unit C:**
 - Location: Pool house
 - Use: Child Day Care center with up to 30 children and 8 staff members. Parents would arrive with staggered arrival times within the school schedule between the hours of operation noted below.
 - Used by: Cradle & Crayon
 - Hours of Operation: 7:30 am - 6:30 pm
 - Parking Location: Parking A would be used with staff parking in Parking B (see map).

The outdoor space of the property consists of the following areas that have corresponding intended uses as outlined below:

- **Four Barns and two wooden fences:**
 - To be used to house 8-10 livestock (donkeys, cows, sheep, chickens).
- **Pool and Tennis Court:**
 - Tennis Court to be used for outdoor programming activities and classroom space by school and daycare. Pool is fenced and will be used for recreation by residential tenants.
- **Open space:**
 - Approximately 3 acres will be used for growing crops.
 - Approximately 4 acres will be used for rotational grazing for livestock. .
 - Two fenced-in areas (one by pool house and one in front of main house) will be used for child care programs.
 - Outdoor educational programs for various ages will run during the spring, summer, and fall months.

Changes to the Property

The following changes will be made to the indoor space of the property:

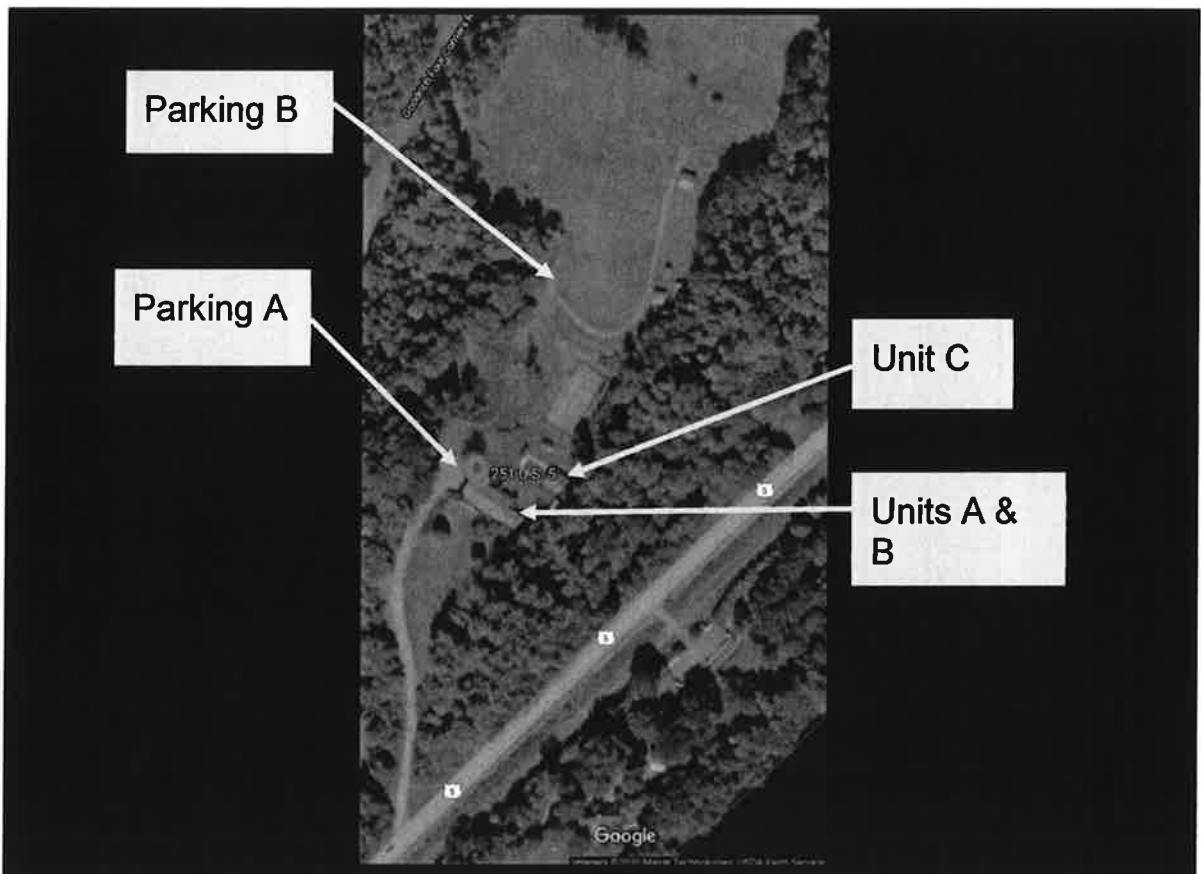
- **Unit A:**
 - Cover both fireplaces with wood frame.
 - Add doors to all openings to kitchen.
 - Add doors with fire barrier in two places to divide Unit A and Unit B as required by Fire Marshall.
 - Replace adult toilet in two bathrooms with a child toilet.
 - Replace carpet in two rooms.
 - Install fire alarms as required by Fire Marshall.
 - One deck will be repaired to meet Vermont Child Care Licensing requirements.
 - A small porch will be covered with wood and railing will be replaced.
 - Front entrance and walkway will be covered with wood and/or other material to reduce injury hazard.
- **Unit B:**
 - Install a kitchenette.
 - Add doors with fire barrier in two places to divide Unit 1 and Unit 2 as required by Fire Marshall.
 - Install fire alarms as required by Fire Marshall.

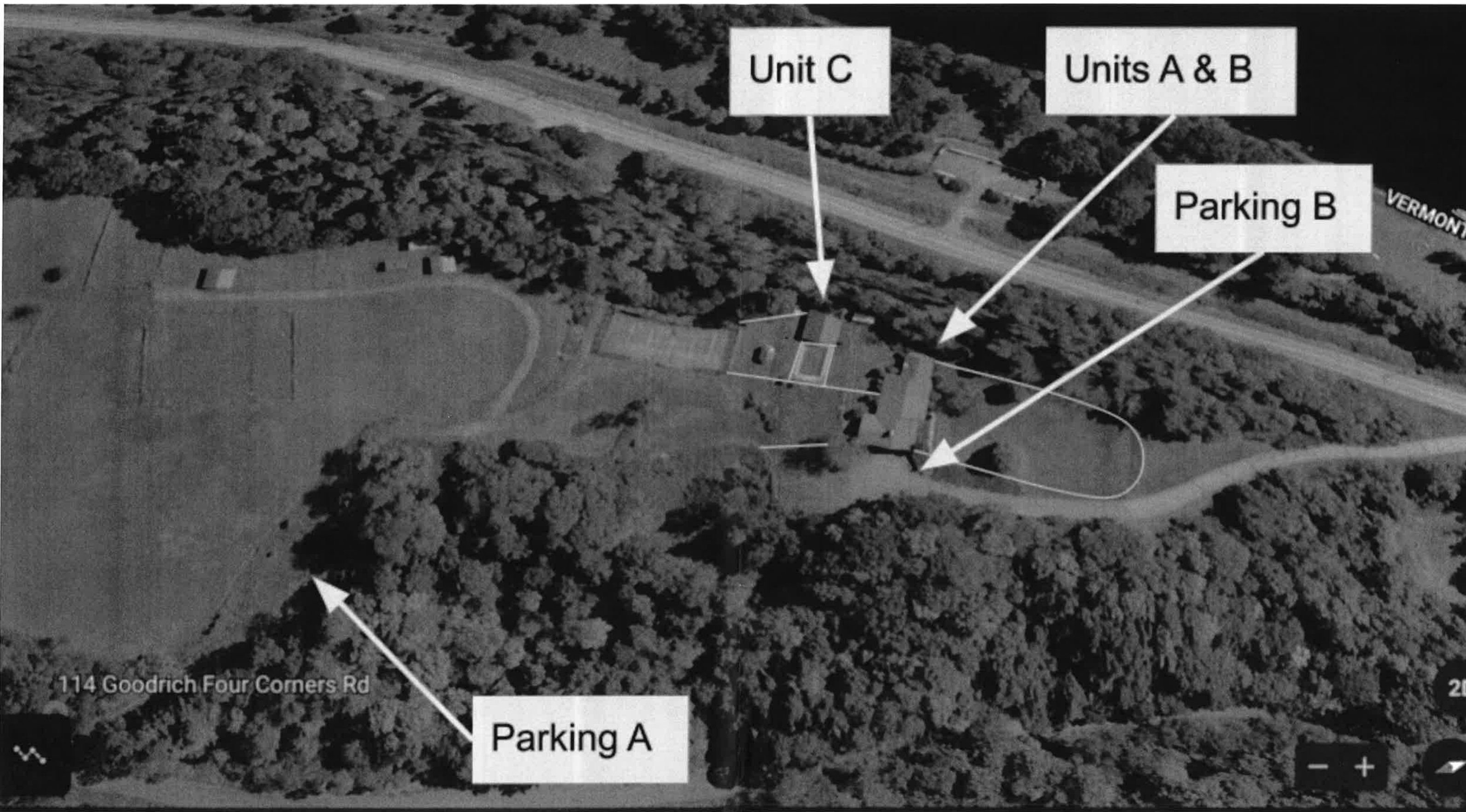
- **Unit C:**
 - Replace shower and changing space with two child toilets and sinks.
 - Replace carpet in one area.
 - Install fire alarms as required by Fire Marshall.

The following changes will be made to the outdoor space of the property:

- **Four Barns and two wooden fences:**
 - A wire fence will be installed around the smallest barn to house the chickens and rooster.
 - An electric wire will be installed around the wooden fence to keep livestock safe at night.
 - A portable electric fence will be used to ensure safe rotation grazing of livestock.
- **Pool and Tennis Court:**
 - Tennis court cracks will be filled.
 - A 4-ft fence will be installed around the pool.
- **Open space:**
 - Approximately 3 acres will be used for growing crops.
 - A wooden playground is built consisting of wooden boards and fallen trees from the property.
 - Two 4-ft fences will be installed with two gates each.

Map





Unit C

Units A & B

Parking B

Parking A

114 Goodrich Four Corners Rd

VERMONT

76

**NORWICH
DEVELOPMENT REVIEW BOARD**

Notice is hereby given that a public hearing will be held on Thursday, August 20, 2020 at 7:15 PM held via Zoom* to hear the following applications:

#29BCU20: Conditional Use and Site Plan Review for a Daycare and a Cultural Facility (school) with Apartment, Application by Tiny Seeds Village, LLC, Applicant and Landowner, of Lot 11-093.000 at 251 US Route 5 N. Application to be reviewed under the Norwich Zoning Regulations.

#30BSUB20: Review of an application to merge lots 4, 5 and the M Goodrich lot (an un-numbered lot) into parcel 11-108.000. Application by Drew Rockwell and Bartlett Leber, landowners at 288 Route 5. Application information to be reviewed under the Norwich Subdivision Regulations.

The hearing information and application documents can be obtained ONLY by emailing a request to planner@norwich.vt.us. Persons wishing to be heard may do so in person by appearing in the Zoom meeting or in writing.

*Zoom Access information

Join Zoom Meeting <https://us02web.zoom.us/j/81283484805>

Meeting ID: 812 8348 4805

Rod Francis
Zoning Administrator
Box 376
Norwich, VT 05055

August 5, 2020

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD

DOCUMENTS AND INTERESTED PARTIES

Application Number: #30BSUB20

Lot: #11-112.000 – 288 US Route 5 N

#11-108.000 – US Route 5 N

Site Visit:

Public Hearing Date: August 20, 2020

Applicant/ Landowner: Bartlett F. Leber and Andrew R. Rockwell
(11-112.000) PO Box 442
Norwich, VT 05055

Landowner (11-108.000): Barn Farm II, LLC
c/o Bartlett Leber
PO Box 442
Norwich, VT 05055

Interested Parties:

NATURE OF APPLICATION - **#30BSUB20:** Review of an application to merge lots 4, 5 and the M Goodrich lot (an un-numbered lot) into parcel 11-108.000. Application by Drew Rockwell and Bartlett Leber, landowners at 288 Route 5. Application information to be reviewed under the Norwich Subdivision Regulations.

Administrative Review: Boundary Line Adjustment - Proposes to transfer +/-0.45 acres from Lot 11-108.000 (undeveloped) to Lot 11-112.000 (+/-3.72 acres, developed). To be reviewed under the Norwich Subdivision Regulations Section 2.1(D).

The record in this case includes the following documents:

Submitted by Applicant

- A-1 Application #30BSUB20 (8-3-20)
- A-2 Boundary Line Adjustment (Annexation) Survey and Lot Merger Survey, by Lawrence E. Swanson, L.S. (1-8-20)

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list, dated 8-18-20
- ZA-2 Memorandum by ZA re: Boundary Line Adjustment, dated 8-18-20

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Bartlett F. Leber and Andrew R. Rockwell ; Barn Farm II, LLC.

Mail Address: P.O. Box 442 Town Norwich ST VT Zip 05055

Day Phone: (617) 312-2668 Eve Phone: same Email: drewrockwell56@gmail.com

Applicant (If Different):

Mail Address: Town ST Zip

Day Phone: Eve Phone: Email:

Description of Proposed Development: The purpose of this Boundary Line Adjustment is to annex 0.45 acres from Parcel 11-108 (Barn Farm II LLC) to Parcel 11-112 (Bartlett F. Leber and Andrew R. Rockwell). Once the adjustment is complete, the four lots (lot 4, 5, lot 8 and the M. Bestwick lot) that make up Parcel 11-108 will be merged into 1 lot.

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

Street Address: 288 Route 5 North, Norwich, VT Tax Map Lot # 11 - 112 Lot Size:

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) Andrew R. Rockwell Date 8/6/2020

Zoning Office Checklist: Flood Hazard Area Wetlands Septic Location Water Supply Parking Shoreline Aquifer Protection Permit Conditions Agricultural Exemption
Additional Permits Required: Subdivision Conditional Use Site Plan Review Variance PRD Driveway Access Wastewater

Fees: Base Fee Sq. Ft. x # of Lots Recording Other Total Date Paid
Action Dates: Received 08/06/2020 Complete Granted Refused Posted at Site Appeal By Effective

Signature of Zoning Administrator

NOTES:

- The purpose of this Boundary Line Adjustment Survey is to annex 0.45 acres from Parcel 11-108 (Barn Farm II, LLC) to Parcel 11-112 (Bartlett F. Leber and Andrew R. Rockwell). Once the Boundary Line Adjustment is complete the four (4) individual lots (Lot 4, Lot 5, Lot B and the M. Goodrich Lot) that make up Parcel 11-108 will be merged into one (1) lot.
- A No Build Area is to be established in the remaining area of Lot 4 after the Boundary Line Adjustment (Annexation) and in a portion of Lot B. The portion of Lot B to have the No Build Area is to go from computed point #1467 to rebar set #1464 to computed point #663 to computed point #1408 back to computed point #1467.
- An offset radial survey was performed using a Trimble 5603 Total Station. Bearings are reported to the nearest second of arc and distances are reported to the nearest 0.01 feet for mathematical closure purposes and they are consistent with the adjusted final coordinates. The measurements are actually precise to the nearest 30 seconds of arc and 0.05'.
- A Spectra Precision EPOCH 50, Dual Frequency GNSS receiver and the Vermont AOT Real Time Network (VRS) system was used to establish control traverse stations. Bearings are referenced to Vermont State Plane Grid North (NAD 83).
- This property is subject to, or benefited by all easements and rights of record, unwritten or implied.
- The surveyed property extends to the Vermont/New Hampshire state boundary. On May 29, 1933 the Supreme Court of the United States established the state boundary line as the low water mark on the western side of the Connecticut River. The 1933 low water mark is now located in the river due to impoundment from dam construction.
- Plot reference:

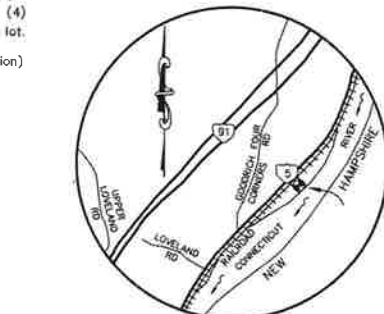
A.) SUBDIVISION OF IRVING & VIOLET GOODRICH NORWICH, VT SCALE 1"=100' DECEMBER 1977 PROJ. NO. 73077 REVISED FEB 14, 1978 T & M SURVEYS, INC. MORGAN E. GOODRICH, RLS #95 RECORDED: SLIDE 89A	B.) SITE PLAN CRYSTAL GOODRICH NORWICH, VT SCALE 1"=100' JULY 7, 1997 PROJ. NO. 73077 T & M SURVEYS, INC. MORGAN E. GOODRICH, RLS #95 RECORDED: SLIDE 280B
--	---
- Lot number/letter identification as shown hereon is from the T & M Surveys, Inc. plot noted above as plat 7B (recorded: slide 280B).
- This boundary line adjustment (annexation)/merger survey was performed based in part upon information provided by Andrew Rockwell.

LEGEND:

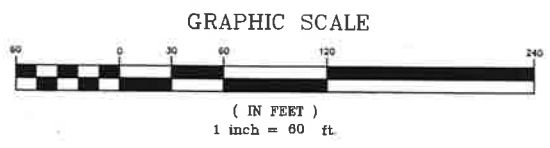
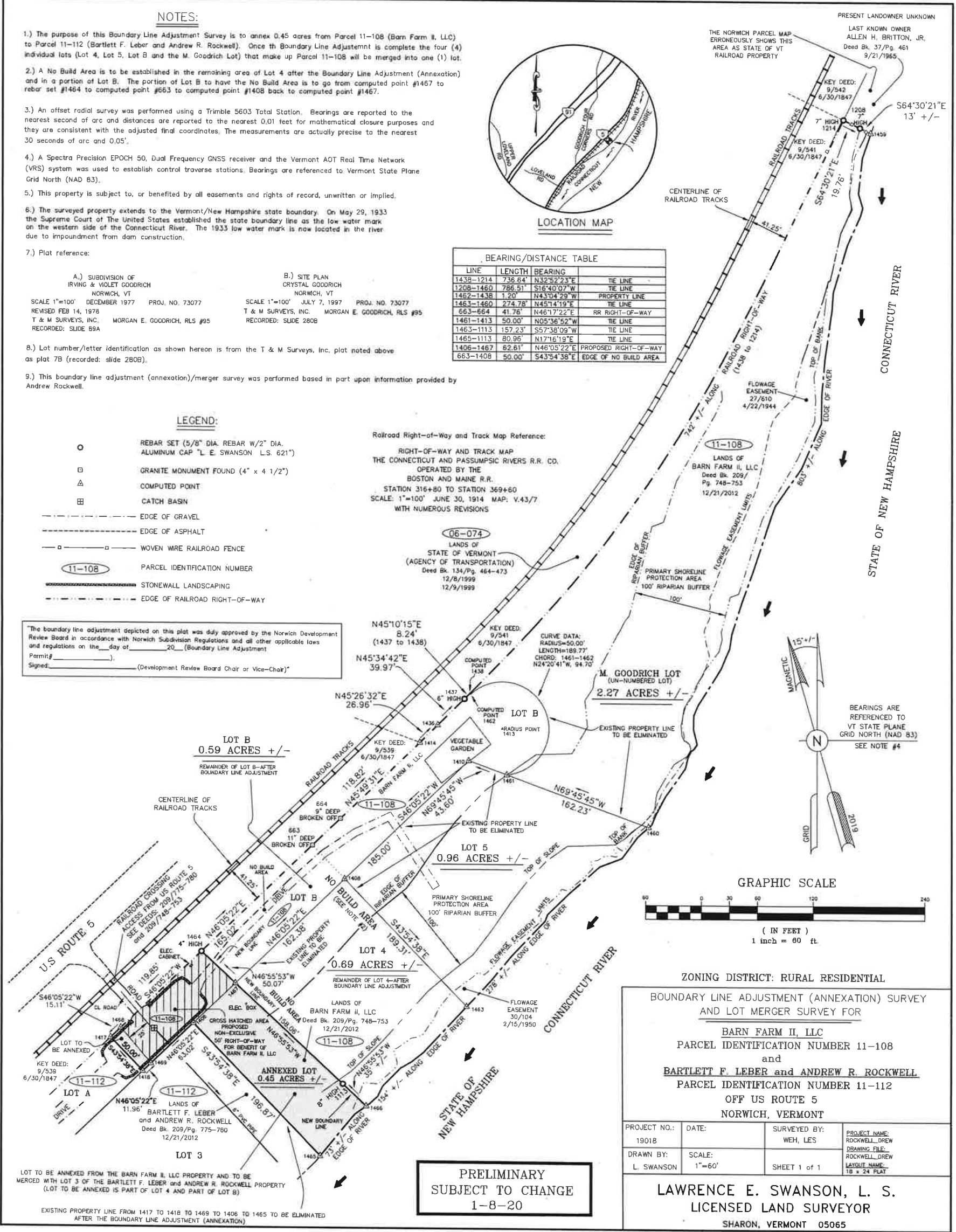
- REBAR SET (5/8" DIA. REBAR W/2" DIA. ALUMINUM CAP "L. E. SWANSON L.S. 621")
- GRANITE MONUMENT FOUND (4" x 4 1/2")
- △ COMPUTED POINT
- ▣ CATCH BASIN
- EDGE OF GRAVEL
- - - EDGE OF ASPHALT
- - - - - WOVEN WIRE RAILROAD FENCE
- 11-108 PARCEL IDENTIFICATION NUMBER
- ▨ STONEWALL LANDSCAPING
- - - - - EDGE OF RAILROAD RIGHT-OF-WAY

Railroad Right-of-Way and Track Map Reference:
 RIGHT-OF-WAY AND TRACK MAP
 THE CONNECTICUT AND PASSUMPSIC RIVERS R.R. CO.
 OPERATED BY THE
 BOSTON AND MAINE R.R.
 STATION 316+80 TO STATION 369+60
 SCALE: 1"=100' JUNE 30, 1914 MAP: V.43/7
 WITH NUMEROUS REVISIONS

"The boundary line adjustment depicted on this plat was duly approved by the Norwich Development Review Board in accordance with Norwich Subdivision Regulations and all other applicable laws and regulations on the day of 20____ (Boundary Line Adjustment Permit #____).
 Signed: _____ (Development Review Board Chair or Vice-Chair)"



LINE	LENGTH	BEARING	TYPE
1438-1214	736.64'	N32°52'23"E	THE LINE
1208-1460	786.51'	S16°40'07"W	THE LINE
1463-1438	1.20'	N43°04'29"W	PROPERTY LINE
1463-1460	274.78'	N45°14'19"E	THE LINE
663-664	41.76'	N46°17'22"E	RR RIGHT-OF-WAY
1461-1413	50.00'	N05°38'52"W	THE LINE
1463-1113	157.23'	S57°38'09"W	THE LINE
1465-1113	80.96'	N17°16'19"E	THE LINE
1406-1467	62.61'	N46°03'22"E	PROPOSED RIGHT-OF-WAY
663-1408	50.00'	S43°54'38"E	EDGE OF NO BUILD AREA



ZONING DISTRICT: RURAL RESIDENTIAL

BOUNDARY LINE ADJUSTMENT (ANNEXATION) SURVEY AND LOT MERGER SURVEY FOR

BARN FARM II, LLC
 PARCEL IDENTIFICATION NUMBER 11-108
 and
BARTLETT F. LEBER and ANDREW R. ROCKWELL
 PARCEL IDENTIFICATION NUMBER 11-112
 OFF US ROUTE 5
 NORWICH, VERMONT

PROJECT NO.: 19018	DATE:	SURVEYED BY: WEH, L.E.S.	PROJECT NAME: ROCKWELL_DRAW
DRAWN BY: L. SWANSON	SCALE: 1"=60'	SHEET 1 of 1	DRAWING FILE: ROCKWELL_DRAW
			LAYOUT NAME: 18 x 24 PLAT

LAWRENCE E. SWANSON, L. S.
 LICENSED LAND SURVEYOR
 SHARON, VERMONT 05065

PRELIMINARY
 SUBJECT TO CHANGE
 1-8-20

TO: Development Review Board
 FROM: Rod Francis, Planning Director
 RE: #30BSUB20 Leber-Rockwell/Barn Farm II, LLC
 DATE: 8-18-2020

Lots: 11-112.000 Bartlett F. Leber and Andrew R. (developed; 3.72+/- acres, 228 US Route 5N)
 11-108.000 Barn Farm II, LLC (undeveloped, 5.33+/- acres, US Route 5 N)

The Boundary Line Adjustment proposes to:

1. Transfer — +/-0.45 acres from 11-108.000 (undeveloped) to 11-112.000 (developed).

	11-112.000	11-108.000	Total Acres
Existing	3.72	5.33	9.05
Transfer	+0.45	-0.45	
Proposed	4.17	4.88	9.05

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	✓
	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	✓

TO: Development Review Board
FROM: Rod Francis, Planning Director
RE: #2BLA20 Stern/Clement
DATE: 8-18-2020

Lots: 06-003.100 Stern, Lynn et al. and Macharg, Karen (developed, 168 Waterman Hill RD)
06-003.300 Clement, Charles and Kristin W. Clement (developed, 80 Waterman Hill RD)

This documents a requested amendment to a previously approve Boundary Line Adjustment, the plat for which was not filed. This amendment proposes to:

- 1. Transfer — 55.00+/- acres from 06-003.100 to 06-003.300. Two of the three parcels are developed.

	06-003.100	06-003.300	06-003.400	Total Acres
Existing	170.22	4.0	62.46	236.68
Transfer	-60	+55	+5	
Proposed	110.22	59.0	67.46	236.68

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	x
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	✓

Please accept this letter as evidence of agreement between all parties involved in the proposed revision of a boundary line adjustment.

Parties involved:

- **Original Lot:** 170.22 Acre Parcel located on Waterman Hill Road.
Owners: Lynne Stern, Karen Julian, Kristin Clement, and Kathleen Spruck;
Parcel ID: 06.003.100; Tax Map 6-3.1A
- **Lot 1:** 4.00 Acre Parcel located on Waterman Hill Road.
Owners: Kristin and Charles Clement
Parcel ID: 06.003.300; Tax Map 6-3.3
- **Lot 2:** 62.46 Acre Parcel located on Town Farm Road.
Owner: Keegan Delany Underwood Trust
Parcel ID: 06.003.400; Tax Map 6-3.4

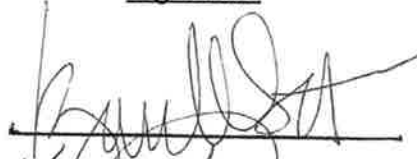




Original proposed boundary line adjustment included:

An agreement between the owners of the **Original Property** to annex 60 acres to **Lot 1**.

Revised boundary line adjustment:

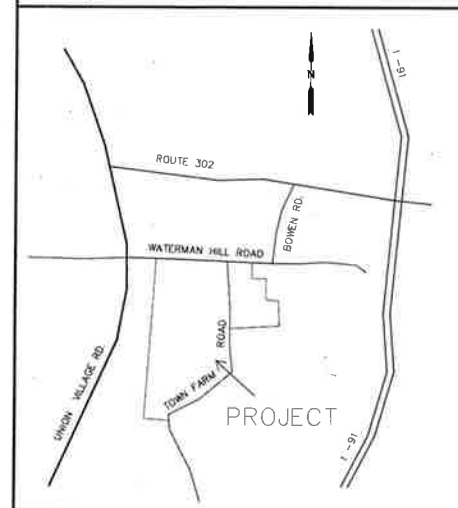
Provides for the annex of 55 acres from the **Original Property** to **Lot 1**, and 5 acres to **Lot 2**.

All Parties involved, and named below, are in full agreement to the revisions of the original boundary line adjustment:

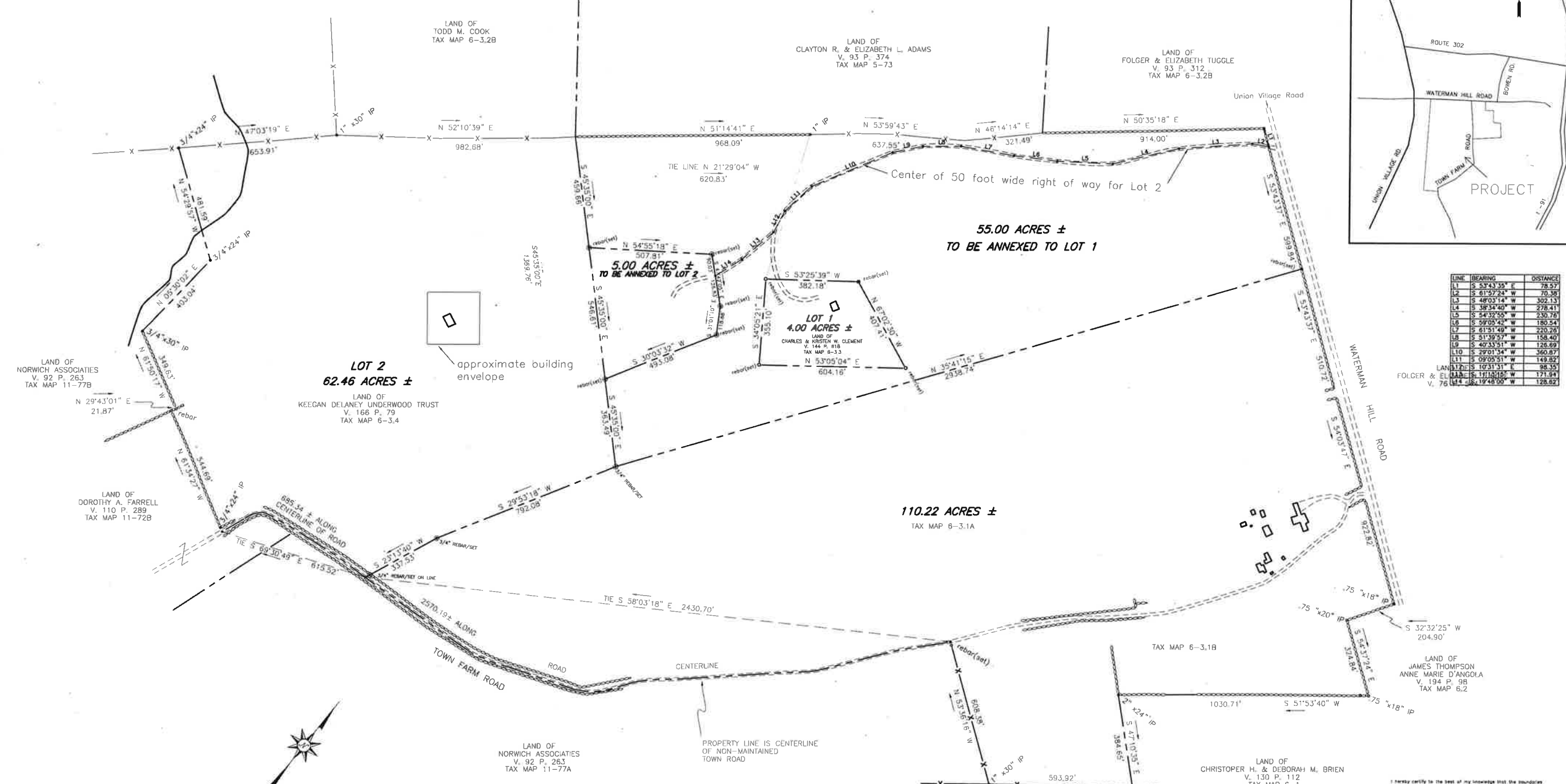
	<u>Printed Name</u>	<u>Signature</u>	<u>Dated</u>
Lynne Stern:	Lynne Stern		8/7/20
Karen Julian:	Karen Julian		8/11/2020
Kristin Clement:	Kristin Clement		8/11/2020
Kathleen Spruck:	Kathleen Spruck		8/11/2020
Keegan Julian:	Keegan Julian		8/11/2020

8a

LOCATION MAP



LINE	BEARING	DISTANCE
L1	S 53°43'55" E	78.57
L2	S 61°57'24" W	70.98
L3	S 48°03'14" W	302.13
L4	S 38°34'40" W	278.41
L5	S 54°32'55" W	230.78
L6	S 59°05'42" W	180.54
L7	S 61°51'49" W	223.28
L8	S 51°39'57" W	158.40
L9	S 40°33'51" W	128.69
L10	S 29°01'54" W	360.87
L11	S 09°05'51" W	149.82
L12	S 10°31'51" E	88.35
L13	S 17°12'15" W	171.94
L14	S 6°19'48" W	128.62



- LEGEND
- IRON PIN FOUND
 - IRON PIN SET
 - CONCRETE MONUMENT
 - PROPERTY LINE
 - STONEWALL
 - x-x- BARB WIRE FENCE
 - STREAM
 - UTILITY POLE
 - WET AREA
 - PAVED ROAD
 - GRAVEL ROAD
 - TRAIL
 - CULVERT

"The boundary line adjustment depicted on this plat was duly approved by the Norwich Development Review Board in accordance with the Norwich Subdivision Regulations and all other applicable laws and regulations on the day of 20 Boundary Line Adjustment Permit# Signed, [Development Review Board Chair or Vice-Chair]

- NOTES
- The parcel shown was plotted from a closed theodolite and F.D.M survey that meets the requirements for a suburban survey as set forth by the State of Vermont.
 - The bearings shown on this plan refer to observed magnetic north 2001 and serve only to define angular relationships between the courses shown.
 - The stone walls and wire fences that are shown on this plan may have minor irregularities between the principal courses shown.
 - The parcel shown was conveyed to Nancy Julian Heirs in volume 140 page 52 of the Norwich land records. The Nancy Julian Heirs are: Elizabeth W. Tuggle, Karen W. MacHarg, Kristen W. Clement, Jeffrey W. Julian, Kathleen W. Spruck, Lynne W. Stern. Jeffrey Julian conveyed his interest to the other remaining heirs in volume 166 page 76. Elizabeth Tuggle conveyed her interest to the other remaining heirs in volume 168 page 300. The 60 acre parcel which is to be annexed to Lot 1 and the 110.22 acre parcel are currently owned by Karen W. MacHarg, Kristen W. Clement, Kathleen W. Spruck and Lynne W. Stern.
 - The parcel shown is subject to existing easements & rights of ways of record.
 - Refer to a survey entitled "Land of Philip C. Cole (Norwich Associates Land) by K. LeDor" dated January 3, 1955, July 2, 1954 recorded map book #06, & A #C4, "Subdivision Plan for Norwich Associates by T&M Associates" dated October 4, 1989 map # 232B.

REV. 6/30/20 - 55 A, ANNEXED TO LOT 1, 5 A, TO LOT 2
 REV. 1/28/20 - MISC. NOTES
 REV. 12/16/19 - 60 A, ANNEXED TO LOT 1
 REV. 3/25/04 - REVISED LOT 2
 REV. 7/28/03 - LOT 2 ADDED

Property Of

"The Farm"
Nancy Julian Heirs

Norwich, Vermont

DATE: JULY 26, 2001

SCALE: 1" = 200'

PROJECT NO.: 09-042

GARY RAPANOTTI L.S.

SPRINGFIELD, VERMONT

8a
#2BLA20

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Lynne Skow, Karen M Julian, Kris Clement, Kathy Spruck
Mail Address: PO Box 882 Town Norwich ST VT Zip 05055
Day Phone: 802-649-2117 Eve Phone: same Email: k.clemwpl@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 VRI 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) [Signature] Date 1/27/20

- Zoning Office Checklist:
- Flood Hazard Area
 - Wetlands
 - Septic Location
 - Water Supply
 - Parking
 - Shoreline
 - Aquifer Protection
 - Permit Conditions
 - Agricultural Exemption

- Additional Permits Required:
- Subdivision
 - Conditional Use
 - Site Plan Review
 - Variance
 - PRD
 - Driveway Access
 - Wastewater

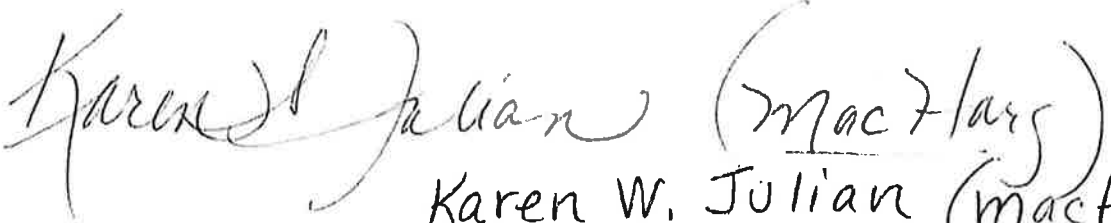
Fees:


Base Fee	\$ <u>45.00</u>
Sq. Ft. x	\$ _____
# of Lots	\$ _____
Recording	\$ <u>15.00</u>
Other	\$ _____
Total	\$ <u>60.00</u>
Date Paid	_____
To Finance	_____

Action	Dates
Received	<u>1-31-20</u>
Complete	<u>1-31-20</u>
Granted	<u>2-20-20</u> DRB Adm.
Refused	_____
Posted at Site	_____
Appeal By	_____
Effective	_____
Expires	_____

Signature of Zoning Administrator Rod Francis Date 2-20-20
Application/Permit # 2BLA20

 (Kathleen Spruck) 1/27/2020

 (MacHarg) 1-27-2020
Karen W. Julian (MacHarg)

 1/27/2020
(Krishi Clement)

John E. Lawe

(80)

7/17/20



Bob,

Enclosed is my
brief history of the
DRB mentioned
by Adam last night

Other members of
the DRB might be
interested as well.

Peace
John Lawe

THE GREATEST CASUALTY IS BEING FORGOTTEN.®

Brief history of the the DRB.

Until the late 1970s the Planning Commission (PC) reviewed all major development projects and heard requests for variances, appeals and enforcement actions. Then the PC responsibilities were split into the Planning function and the Administrative function. A new Board, the Zoning Board of Adjustment (ZBA) was created to perform the Administrative functions. This separation of functions avoided a potential conflict of interest between the PC who wrote the Ordinances and Rules and the ZBA who implemented them. The Boards did not have any common members (although it took a while to fully separate the memberships). Members of the ZBA were recommended by the Planning Commission (PC) and confirmed by the Select Board.

MAPA. In 1982 the Vermont Legislature enacted the Municipal Administrative Procedures Act (MAPA). This law permitted Towns to create Appropriate Municipal Panels (AMPs) independent from the Planning Commission including a Development Review Board (DRB) to administer the Town's Land Use Regulations.

MAPA sections included:

- Procedures
- Evidence
- Ex Parte Communications
- Membership
- Decisions
- Appeals including "On the Record" status.

In 2003 the Select Board created an advisory committee "Norwich Development Review Board Committee" who filed a final report on 11 February 2003. Subsequently the Select Board created the DRB in 2003.

A MAPA study Committee advised the Select Board that it felt that the Town should not adopt MAPA town-wide but that individual Boards should adopt it where appropriate. THE DRB decided to adopt MAPA