TOWN OF NORWICH DEVELOPMENT REVIEW BOARD AGENDA Thursday, January 18, 2024

7:00 PM

In Person in Multipurpose Room at Tracy Hall

- 1. Call to Order, Roll Call
- 2. Approve Agenda
- 3. Approve Minutes
 - a. September 21, 2023
- 4. Public Comments
- 5. Announcements and Correspondence
- 6. Boundary Line Adjustment
 - a. 62BLA23: Transfer 3+/- Acres from 255 Bradley Hill RD (Developed) Valtin and Cox Revocable Trust, landowner, Map #11-037.000 to 00 Bradley Hill RD (Undeveloped) Alison E. Valtin and Steven C. Erwin, landowners, Map #11-037.100 and transfer 3+/- Acres from 00 Bradley Hill RD, Map #11-037.100 to 255 Bradley Hill RD, #11-037.000.
- 7. Other Business
- 8. Adjournment

Future Meeting: TBD

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

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

TOWN OF NORWICH DEVELOPMENT REVIEW BOARD Draft Minutes Thursday, September 21, 2023

Members present: Patrick Bradley (Chair), Emily Myers, Sue Pitiger, Matt Stuart, Don McCabe, Alex Orenstein
Alternates present: Jack Candon
Members absent: Linda Gray Alternate absent: Barry Rotman
Staff: Kyle Katz, Interim Zoning Administrator
Minute Taker: Matt Stuart
Public: Michael Jeremy Yamin, Jon Olsen, Kyle Katz, Toby Kravitz, Peter White, Ira Clark

1. Call to Order: by Chair Bradley at 7:09 pm. Roll call of Board members.

2. Approve Agenda: Stuart moved, Orenstein seconded a motion to approve the

agenda. Motion carried unanimously

3. Minutes – July 27, 2023: Pitiger moved, Stuart seconded a motion to approve

the July 27, 2023 minutes. Motion carried unanimously

4. Public Comment: none.

5. Announcements and Correspondence: none

6. Public Hearing:

a. #35DE23 – Development Envelope Review Application by Ira Clark, Smith and Vansant Architects, Applicant (Jon Olsen and Carole Dempsey, Landowners) for a proposed relocation of a Development Envelope site established in Zoning Permit #35BSUB06 (2-lot subdivision) for tax map parcel 15-007.000, 33.9± Acres on an undeveloped lot on Newton LN. Application to be reviewed under the Norwich Zoning Regulations.

Stuart moved and Pitiger seconded a motion to accept into evidence the exhibits submitted by the Interim Zoning Administrator and the applicants. Motion carried unanimously.

The Landowners' architect explained their desire to reconfigure their development envelope to better suit development by avoiding slopes over 25% and including a

flat house site. Being located within a designated forest block, the applicant claimed there would not be any significant impact on wildlife. The scenic overlay area would not be any more affected than its currently approved development envelope.

Pitiger moved, McCabe seconded a motion to close the hearing. Motion carried unanimously.

b. #33BRL23 - Ridgeline Protection Review Application by Michael Jeremy and Alicia Ely Yamin, applicants and landowners, to construct a dwelling on an undeveloped lot on Meetinghouse RD, 27.36+/ for tax map parcel #05-133.100. Application to be reviewed under the Norwich Zoning Regulations.

Pitiger moved and Orenstein seconded a motion to accept into evidence the exhibits submitted by the Interim Zoning Administrator and the applicants. Motion carried unanimously.

Candon took note of involvement in a real estate deal associated with the Yamin property.

McCabe recused himself due to being an abutter to Yamin.

Bradley took note of his residence being located on the same street as the Yamin property.

The property owners state they have plans to bring the driveway into conformity.

Stuart moved, Pitiger seconded a motion to close the hearing and enter into deliberative session at 8 pm. Motion carried unanimously.

7. Other Business: none

8. Meeting Adjournment: Pitiger moved, Stuart seconded a motion to adjourn. Motion carried unanimously; meeting adjourned at 8:28 pm.

Respectfully submitted, Matt Stuart

TO:Development Review BoardFROM:Kyle Katz, Interim Zoning AdministratorRE:#62BLA23 Valtin_CoxRevTrust/ValtinDATE:01-09-2024

Lots: 11-037.000 Valtin and Cox Revocable Trust, 255 Bradley Hill RD, (developed; +/-27 acres).
 11-037.100 Alison E. Valtin and Steven C. Erwin, 00 Bradley Hill RD, (undeveloped, +/-27 acres).

The Boundary Line Adjustment proposes to:

 The Boundary Line Adjustment proposes to transfer ±3 acres from 255 Bradley Hill RD, Tax Map Parcel #11-037.000 to 00 Bradley Hill RD, Tax Map Parcel #11-037.100 and transfer +/- 3 acres from 00 Bradley Hill RD, Tax Map Parcel #11-037.100 to 255 Bradley Hill RD, Tax Map Parcel #11-037.000. Lot #11-037.000 is developed. Lot #11-037.100 is undeveloped.

	Adjustment 1 11-037.000	Adjustment 1 11-037.100	Adjustment 1 Total Acres	Adjustment 2 11-037.100	Adjustment 2 11-037.000	Adjustment 2 Total Acres
Existing	27.00+/-	27.00+/-	54.00+/-	30.00	24.00	54.00+/-
Transfer	-3.00	+3.00		-3.00	+3.00	
Proposed	24.00	30.00	54.00+/-	27.00	27.00	54.00+/-

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	×/√
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	\checkmark
	subdivision	
C.	does not result in the creation of any new lots	\checkmark
d.	will not impair access to any parcel	\checkmark
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	 ✓

#62 BLA23

TOWN OF NORWICH, VERMONT APPLICATION FOR ZONING PERMIT

Owner(s): Thomas Valtin & margaret Cox Rev.	Trust			
Mail Address: 309 Prospect Avenue	Town San Francisc	ST CA Zip 94110		
Day Phone: 415-816-4854 Eve Phon	e: Email:	Email: tom.valtin@gmail.com		
Applicant (If Different): Alison Valtin & Steve	n Erwin			
Mail Address: _107 East Walnut Street	Town Alexandria	ST_VAZip_22301		
Day Phone: 703-899-6821 Eve Phon	e: Email:			
Description of Proposed Development: Rea				
owned by the person listed above. The lots will	remain as 27 acre lots. The Valt	in/Cox lot is improved with an		
existing home. The Valtin/Erwin lot is approved f	or a home. Zoning District: I	RR ¥RXXXRXXXRXXXBXXXXX		
Street Address: 255 Bradley Hill Road	Tax Map Lot #	11 _ 37/37.1 Lot Size: 27 acre		
Building Setbacks- Road Right-of-way:				
Size of Building(s)/Additions: Structure A:	Width Length	Height		
Structure B: WidthLength	Height Area: Foo	tprint 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, d	riveways, and streams. Drawing		

footprint of new construction and outlines of additional floors. Elevation Drawing of multi-story buildings.

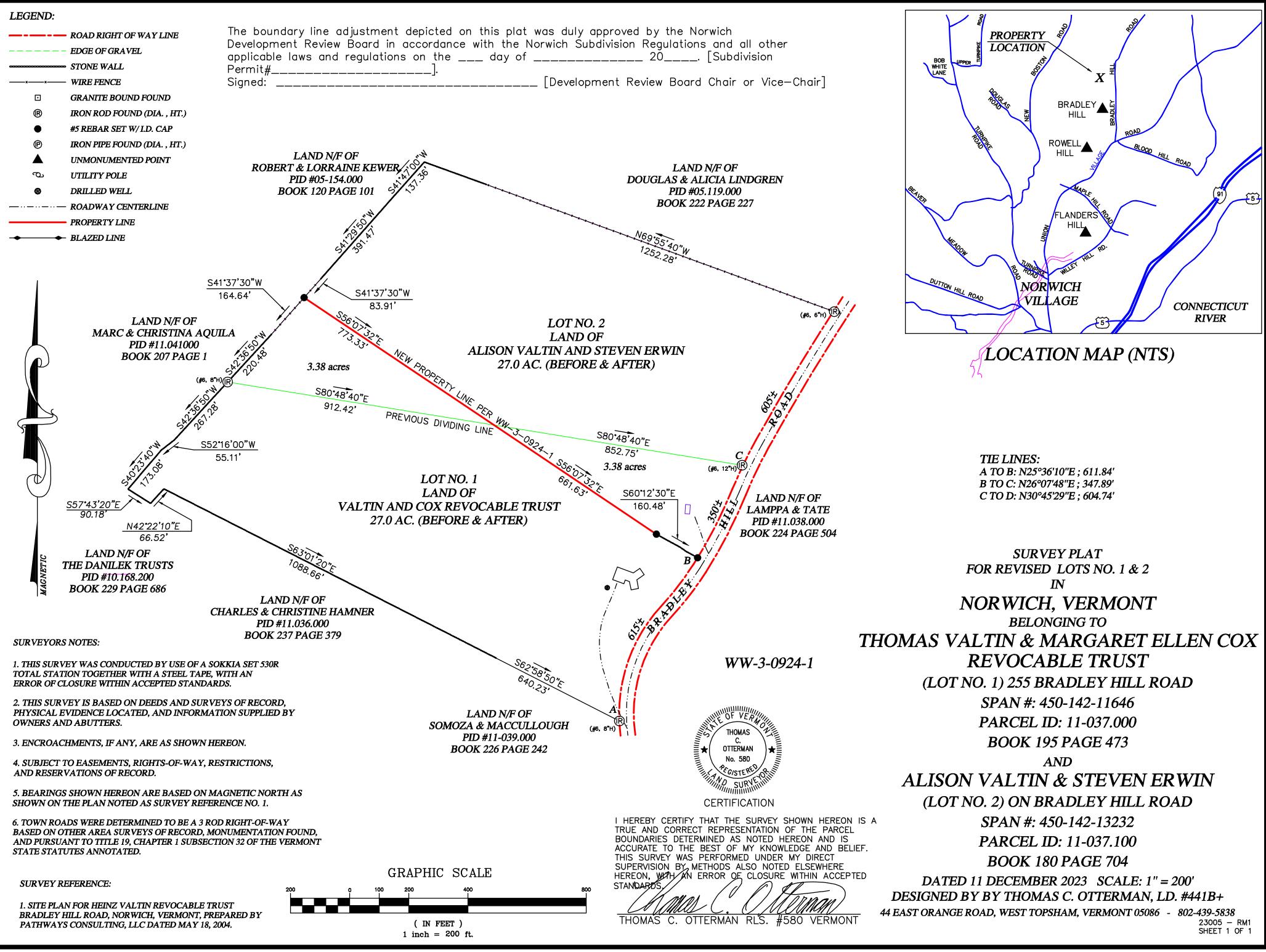
The undersigned hereby agrees that the proposed development shall be built in accordance with the foregoing statements, attached plans, and in accordance with the zoning and subdivision regulations of the Town of Norwich, and certifies that the above is true, correct, and complete. The owner consents 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)	See attached page for signatures.	Date
***************************************	***************************************	******

Zoning Office Checklist: Flood Hazard Area Wetlands Septic Location Water Supply	Additional F Subdivision Condition Site Plan	al Use	Variance PRD Driveway XX Wastewa	Access
Parking Shoreline Aquifer Protection Permit Conditions Agricultural Exemption Comments:	Fees: Base Fee Sq. Ft. x # of Lots Recording Other Total Date Paid To Finance	\$ 1600 BLA \$ 15.00 recordens \$ 115.00 due now \$ 25 Tar Clurk \$ due hat 2000 \$ 140 115 due now 01-11-2024 -01-11-2024	Action Received Complete Granted Refused Posted at Site Appeal By Effective Expires	Dates 2-14-23
Signature of Zoning Administrator 8/11	ł	Application/Permit	Date # 62 BLA) 3

Signatures For Norwich Zoning Application

Thomas Valtin: Tolan Date: 12/6/03 $\frac{2}{Date} = \frac{12/6}{2023}$ $\frac{12/12}{2023}$ $Date = \frac{12/12}{2023}$ Le Margaret Cox: Alison Valtin: Steven Erwin:





State of Vermont Department of Environmental Conservation

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

Permittee(s): Thomas Valtin &

Permit Number: WW-3-0924-1

Margaret Ellen Cox Revocable Trust 309 Prospect Ave San Francisco, CA 94110

Alison Valtin & Steven Erwin 107 East Walnut St Alexandria, VA 22301

This permit affects the following property/properties in Norwich, Vermont:

Lot	Parcel	SPAN	Acres	Book(s)/Page(s)#
1 (existing)	11-037.000	450-142-11646	27.00	Book:195 Page(s):473
1			27.00	
2 (existing)	11-037.100	450-142-13232	27.00	Book:180 Page(s):704
2			27.00	

This application consisting of the reconfiguration of the property line for the previously permit lots, located at 255 Bradley Hill Road in Norwich, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions. Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

1. GENERAL

- 1.1. The permittee is responsible for recording this permit in the Norwich Land Records within 30 days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.2. The permittee is responsible for recording the design and installation certifications and other documents that are required to be filed under these Rules or under a permit condition in the Norwich Land Records.
- 1.3. Each assign or successor in interest shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s) prior to the conveyance of a lot.
- 1.4. The wastewater system includes the use of an Innovative/Alternative component. Each prospective owner of a lot that utilizes an Innovative/Alternative component shall be shown a copy of Innovative/Alternative System Approval # 2004-02-R10 for General Use of Presby Environmental Advanced Enviro-Septic® and Enviro-Septic® prior to conveyance of the lot.
- 1.5. The land deeds that establish and transfer ownership of the approved lot(s) shall allow future owner(s) the right to construct, maintain, and repair the wastewater and/or potable water supply systems as stated in each signed "permission" document and as shown on the stamped plans approved herein. If the landowner does not properly execute said permission(s), this permit becomes null and void for any subject lot conveyed without the required permissions(s).
- 1.6. By acceptance of this permit, the permittee agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining



compliance with the Vermont environmental and health statutes and regulations, and permit conditions.

- 1.7. All conditions set forth in WW-3-0924 shall remain in effect except as amended or modified herein.
- 1.8. This permit does not relieve the landowner from obtaining all other approvals and permits from other State Agencies or Departments, or local officials prior to construction.
- 1.9. The Drinking Water and Groundwater Protection Division relied in part, upon the Vermont Licensed Designer's certification that the design-related information submitted is true and correct and complies with the Wastewater System and Potable Water Supply Rules. This permit may be revoked if it is determined the design of the wastewater system or potable water supply does not comply with these rules.

2. CONSTRUCTION

2.1. Construction shall be completed as shown on the plans and/or documents prepared by Thomas C. Otterman, with the stamped plans listed as follows:

Title	Sheet #	Plan Date	Revision
Overall site plan of land	1 of 4	07/11/2023	
Topographic site plan and septic	2 of 4	07/11/2023	9/15/23
system designs on lots 1 & 2			
Construction standards and	3 of 4	07/11/2023	9/15/23
details of septic system design on			
Lot 1			
Construction standards and	4 of 4	07/11/2023	9/15/23
details of septic system design on			
Lot 2			

- 2.2. Construction of wastewater systems or potable water supplies, or buildings or structures (as defined by the Wastewater System and Potable Water Supply Rules), or campgrounds, not depicted on the stamped plans, or identified in this permit, is not allowed without prior approval by the Drinking Water and Groundwater Protection Division.
- 2.3. No buildings, roads, earthwork, re-grading, excavation, or other construction that might interfere with the operation of the wastewater system or potable water supply are allowed on or near the site-specific wastewater system, wastewater replacement area, or potable water supply depicted on the stamped plans. Adherence to all isolation distances that are set forth in the Wastewater System and Potable Water Supply Rules is required.

3. INSPECTIONS

3.1. No permit issued by the Secretary shall be valid for a substantially completed residence, potable water supply and wastewater system for lot #2, until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) on a Secretary-approved form that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply and wastewater system were installed in accordance with the permitted design and all permit conditions, were inspected, were properly tested, and have successfully met those performance tests."

And for lot #1 wastewater disposal system:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the wastewater system was installed in accordance with the permitted design and all permit conditions, was inspected, was properly tested, and has successfully met those performance tests."

or which satisfies the requirements of §1-311 of the referenced rules.

3.2. Prior to the use of the proposed potable water supply on lot #2, the permittee shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. The Lead sample shall be a first-draw. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use or within 60 days of the submission of the Installation Certification required in Condition 3.1, whichever comes first.

4. DESIGN FLOW

4.1. Lot use and design flows (gpd) shall correspond to the following:

Lot	Building	Building Use / Design Flow Basis	Wastewater	Water
1	Existing	4-bedroom single family residence/7-person	490	490
		maximum occupancy		
2	Proposed	4-bedroom single family residence/7-person	490	490
		maximum occupancy		

5. WASTEWATER SYSTEM

- 5.1. Prior to the construction or site work, a designer shall flag the proposed leachfield, and the owner shall maintain the flags until commencement of construction of the system.
- 5.2. Should a wastewater system fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified Licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.
- 5.3. Lot #1 includes the approval of the design for a replacement wastewater system. Prior to construction of that system, a Licensed Designer shall inspect the designated replacement area to ensure the area has not been disturbed and the native soil remains suitable for the construction of a wastewater system. The corners of the proposed replacement wastewater system shall be accurately staked out and flagged prior to construction with the flagging/staking being maintained until construction is complete. The construction of the replacement wastewater system shall be routinely and reliably inspected during construction by a Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #3.1 herein.
- 5.4. Should the replacement wastewater system for lot #2, after being installed, experience future performance issues, including but not limited to failure, the landowner shall engage a qualified Licensed Designer who will contact one the technology's listed Service Providers regarding the performance issue and permit the Service Provider to inspect the site to ensure reporting requirements of the Innovative/Alternative Approval may be met.
- 5.5. This permit does not relieve the permittee of the obligations of Title 10, Chapter 48, Subchapter 4, for the protection of groundwater.

6. POTABLE WATER SUPPLY

- 6.1. Prior to construction or site work on lot #2, a designer shall flag the center of the proposed potable water source and the owner shall maintain the flag until commencement of construction of the source.
- 6.2. Lot #1 is authorized to utilize the existing on-site water supply system provided the potable water supply is operated at all times in a manner that keeps the supply free from contamination. No changes shall be made to the existing water system, and no other means of obtaining potable water shall be allowed, without prior review and approval by the Drinking Water and Groundwater Protection Division unless otherwise exempt. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".

- 6.3. Lot #1 is approved with an existing on-site water supply system. The Drinking Water and Groundwater Protection Division assumes no liability for the adequacy of this on-site water supply system.
- 6.4. Should a potable water supply fail and not qualify as a minor repair or for an exemption, the landowner shall engage a qualified licensed Designer to evaluate the cause of the failure and submit an application to the Drinking Water and Groundwater Protection Division, and obtain approval thereof, prior to correcting the failure.

Julia S. Moore, Secretary Agency of Natural Resources

By Terrul A. Sha

Terry Shearer, Environmental Analyst VII Springfield Regional Office Drinking Water and Groundwater Protection Division

Enclosure: I/A Approval Letter

cc: Thomas C. Otterman

Dated September 22, 2023