

TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
SPECIAL MEETING AGENDA
Thursday, May 9, 2024
7:00 PM

Via Zoom only:

Topic: Development Review Board

Time: May 9, 2024 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89931976970>

Meeting ID: 899 3197 6970

888 475 4499 US Toll-free

-
- 1. Call to Order, Roll Call**
 - 2. Approve Agenda**
 - 3. Approve Minutes**
 - a. January 18, 2024
 - 4. Public Comments**
 - 5. Announcements and Correspondence**
 - a. Election of Officers
 - 6. Public Hearing**

#10BLA24: Review of an application to merge an undeveloped 10.4 Acre lot (parcel10-006.000[previously 10-007.000]) into a developed 51.00 Acre lot at 980 Bragg Hill RD (parcel 10-006.000), by Little Big Tomato, LLC, applicant and landowner of the contiguous lots. Application information to be reviewed under the Norwich Subdivision Regulations.

- 7. Other Business**
- 8. Adjournment**

Future Meeting: TBD

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

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

**TOWN OF NORWICH
DEVELOPMENT REVIEW BOARD
Draft Minutes
Thursday, January 18, 2024
Tracy Hall**

Members present: Patrick Bradley (chair), Linda Gray, Don McCabe, Emily Myers, Alec Orenstein, Sue Pitiger, Matthew Stuart

Alternates present: none

Members absent: none

Staff: Kyle Katz, Interim Zoning Administrator

Minute Taker: Linda Gray

Public: None

- 1. Call to Order:** by Chair Bradley at 7:03 pm. Roll call of Board members.
- 2. Approve Agenda:** Pitiger moved, Stuart seconded a motion to approve the agenda. Motion carried unanimously.
- 3. Minutes:** Pitiger moved, Stuart seconded a motion to approve the September 21, 2023 minutes, with a spelling correction for Alec Orenstein (“Alec” instead of “Alex”). Motion carried unanimously, with Gray abstaining because she had not been present.
- 4. Public Comment:** none.
- 5. Announcements and Correspondence:** Chair Bradley acknowledged the town’s tremendous loss with the death of Jack Candon in early December. Pitiger proposed that the DRB send a card to Jack’s family to convey our sympathy and our appreciation of Jack; all agreed, and Pitiger will follow up.

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.

Gray moved, Pitiger seconded a motion that #62BLA23 meets the criteria in Section 2.1(D)(1) and therefore the Zoning Administrator may approve the filing with the Town of a final plat of the Boundary Line Adjustment. Motion carried unanimously.

7. Other Business: Chair Bradley discussed next steps for filling the Alternate position left vacant by Jack Candon's death; the DRB will await posting of the opening by the Town Manager's office.

8. Meeting Adjournment: Pitiger moved, Stuart seconded a motion to adjourn. Motion carried unanimously; meeting adjourned at 7:19 pm.

Respectfully submitted,
Linda Gray

Exhibit ZA-1

**TOWN OF NORWICH, VERMONT
DEVELOPMENT REVIEW BOARD**

DOCUMENTS AND INTERESTED PARTIES

Application Number: #10BLA24

Lot: 10-006.000

980 Bragg Hill RD

10-006.000 (previously 10-007.000)

00 Bragg Hill RD

Site Visit:

Public Hearing Date: May 9, 2024

Applicant/Landowner: Little Big Tomato LLC
5 Clamshell Avenue
East Hampton, NH 11937

Interested Parties: Candace Nattie, (abutter at 965 Bragg Hill RD)

NATURE OF APPLICATION - #10BLA24: Review of an application to merge an undeveloped 10.4+/- Acre lot (parcel 10-006.000 [previously 10-007.000]) into a developed 51.00+/- Acre lot at 980 Bragg Hill RD (parcel 10-006.000), by Little Big Tomato, LLC, applicant and landowner of the contiguous lots. Application information to be reviewed under the Norwich Subdivision Regulations.

The record in this case includes the following documents:

Submitted by Applicant

- A-1 Zoning Permit Application #10BLA24 (04-01-2024)
- A-2 Narrative and Waiver Requests (04-16-2024)
- A-3 Deed, (unmerged) 04-26-2023
- A-4 Survey, Map Slide 67B (10-12-1979 Rev)
- A-5 Deed (merger language) (04-11-2024)

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list (05-06-2024)
- ZA-2 Zoning Administrator Report (04-25-2024)

Interested Parties

- IP-1 Email and Conservation Map from Candace Nattie, (abutter at 965 Bragg Hill RD) (04-30-2024)

TOWN OF NORWICH, VERMONT
APPLICATION FOR ZONING PERMIT

Owner(s): Little Big Tomato, LLC

Mail Address: 5 Clamshell Avenue Town East Hampton ST NH Zip 11937

Day Phone: (917) 445-7384 Eve Phone: Email: writealbert@gmail.com

Applicant (If Different):

Mail Address: Town ST Zip

Day Phone: Eve Phone: Email:

Description of Proposed Development: Merger of abutting lots. Composed of a 51 acres lot and a 10.4 acre lot both transferred in a deed at Book 242, Pages 530-532. Currently both under SPAN 450-142-11694.

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

Street Address: 980 Bragg Hill Road Tax Map Lot # 10 .006 Lot Size: 61.4

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) Date 3/27/24

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 \$ 100.00
Sq. Ft. x \$
of Lots \$
Recording \$ 15.00
Other \$
Total \$ 115.00
Date Paid 3-27-24
To Finance

Action

Received 4-01-24
Complete
Granted
Refused
Posted at Site 04-23-2024 App
Appeal By
Effective
Expires

Signature of Zoning Administrator Date

TO: Town of Norwich Planning and Zoning Department

RE: Additional Merger Description

DATE: 4/16/24

Address: 980 Bragg Hill Road, Norwich, VT

Owners: Little Big Tomato, LLC / Albert and Ingrid Lee

SPAN: 450-142-11694

Additional Description

This application is for the merger of the two adjacent parcels at 980 Bragg Hill Road in Norwich. Currently, Parcel 2 is a 51 acre lot with a single family residence and Parcel 3 is a 10.4 acre lot with no residence. The merger of Parcels 2 and 3 creates a single unified lot with only a single residence (pre-existing home). There will be no new roads, utilities, or structures created, as a result of the merger.

Waiver Requests

We would also like to respectfully request the waiver of two items:

1. Waiver of preliminary application review, since there will be no new roads, utilities, or structures.
2. Waiver of the requirement for a new survey. There is a new recorded deed describing the new parcel boundaries of the merged lots. The deed was recorded by the Norwich Town Clerk on March 18, 2024 - Book 244, Page 303.

We thank you all very much for your consideration and time in this matter.

Please let us know if you have any further questions at all.

Very best,
Albert & Ingrid Lee

Vermont Property Transfer
32V.S.A Chap 231
- ACKNOWLEDGMENT -
RETURN RECEIVED

(INCLUDING CERTIFICATES AND IF REQUIRED ACT
250 DISCLOSURE STATEMENT)

Return No. 2023-38
Signed Judy Russell
Date March 30, 2023

WARRANTY DEED

RECEIVED
March 30 A.D. 2023
AT 1 O'CLOCK 30 MIN. P.M.
AND RECORD IN Land Records
BOOK 242 PAGE 530-532
WITNESSES
Judy Russell not.
TOWN CLERK, NORWICH, VERMONT

KNOW ALL PERSONS BY THESE PRESENTS THAT we, ALBERT LEE AND INGRID FETELL LEE, a married couple, of East Hampton, in the County of Suffolk and State of New York, Grantors, in the consideration of ONE DOLLAR and other valuable consideration, paid to our full satisfaction by LITTLE BIG TOMATO LLC, a New York limited liability company, of East Hampton, in the County of Suffolk and State of New York, Grantee, by these presents do freely GIVE, GRANT, SELL, CONVEY and CONFIRM unto the said Grantee, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns forever, a certain piece of land in the Town of Norwich, in the County of Windsor and State of Vermont, described as follows, viz:

Being all and the same lands and premises conveyed to Albert Lee and Ingrid Fetell Lee by Warranty Deed of Stuart McCampbell and Carmen McCampbell, Co-Trustees of the Lynn W. Tidman 2006 Trust, said deed being dated December 19, 2022, and recorded in the Norwich Land Records at Book 242, Pages 86-90, and being more particularly described as follows:

Two (2) certain tracts or parcels of land, together with the buildings and improvements thereon, and appurtenances thereto, situated in the Town of Norwich, County of Windsor, and State of Vermont, bounded and further described as follows:

Tract 1:

A certain piece of land in Norwich, in the County of Windsor, and State of Vermont, which is called "Parcel 2" in this deed and which is described as follows:

A parcel of land lying on the northeasterly side of Bragg Hill Road, so-called, and being more particularly described as follows:

Beginning at a point in the northerly sideline of Bragg Hill Road, marked by an iron rod set in the ground, which is also the most southeasterly corner of lands previously conveyed by Hans R. Huessy and Marietta G. Huessy to Milton Frye & Carolyn Frye; thence continuing in a course N 35° 31' 30" E, 1,748.2 feet to a point; thence deflecting to the right and continuing in a course S 50° 33' 30" E, 809.9 feet to a point marked by an iron rod set in the ground; thence continuing in a course S 48° 41' 30" E, 542.0 feet, more or less, to a point; thence deflecting to the right and continuing in a course S 34° 38' W, 1,551.4 feet, more or less, to a point; thence deflecting to the right and continuing in and along the northerly side of Bragg Hill Road, 586.6 feet, more or less, to a point marked by an iron rod set in the ground; thence continuing in and along the northerly sideline of Bragg Hill Road, 790 feet, more or less, measured along the road to the point or place of beginning.

Reference is hereby made to a Plan of Lands prepared by K. A. LeClair Associates, Inc. of Hanover, NH entitled "Hans R. Huessy, Bragg Hill Road, Norwich, Vt., Proj. No. 9279" dated

February 15, 1979, as revised October 12, 1979, and recorded at Map Slide 67B of the Land Records of the Town of Norwich. The property is identified as "Parcel 2" on said Plan.

Tract 1 (Parcel 2) comprises 51.0 acres, more or less.

Reference is hereby made to the above instruments, the records thereof and the references therein made, in aid of this description.

Tract 2:

A certain piece of land in the Town of Norwich, Windsor County, Vermont, which is called "Parcel 3" in this deed, and which is described as follows:

The property is shown as Parcel 3 on a plan (the "Plan") entitled "Hans R. Huessy, Bragg Hill Road, Norwich, Vt.," dated 15 February 1979, as revised 12 October 1979, as Project No. 9279 by K. A. LeClair Associates, Inc. and recorded at Map Slide 67B. This is a metes-and-bounds description of the property as shown on the Plan:

Beginning at an iron rod set in the ground on 12 October 1979 near a utility pole on the northerly or easterly side of Bragg Hill Road at the most southerly corner of Parcel 2, and at the most westerly corner of Parcel 3;

Then running in a line along Parcel 2 North 34° 38' East a distance of 1,551.4 feet to an iron rod set in the ground on 12 October 1979 in a wire fence and red-blazed line in the line of land now or formerly of Norwich Water Company, at the most northerly corner of Parcel 3, and the most easterly corner of Parcel 2;

Then turning and running in a line along land now or formerly of Norwich Water Company, along a fence and red-blazed line South 50° 06' 30" East a distance of 296.1 feet to an existing iron rod set in the ground at an intersection of wire fences at the most easterly corner of Parcel 3;

Then turning and running in a line along land now or formerly of Norwich Water Company, following a fence and a red-blazed line a distance of approximately 1,524 feet to an existing iron rod set in the ground on the northerly or easterly side of Old School House Road at the most southerly corner of Parcel 3; for reference, a closure line runs from the existing iron rod set in the ground at the most easterly corner of Parcel 3 South 34° 38' West a distance of 1,524.0 feet to the existing iron rod set in the ground at the most southerly corner of Parcel 3; the boundary of Parcel 3 follows the fence and red-blazed line as shown on the Plan;

Then turning and running in a line along Old School House Road and along Bragg Hill Road North 55° 26' West a distance of 295.0 feet to the iron rod set in the ground on 12 October 1979 that was described above as the point of beginning.

Also included in this conveyance are any rights that the Grantors may have from the boundary that was described in the last paragraph to the center of Old School House Road or Bragg Hill Road, subject, however, to the rights of the public, if any, to use Bragg Hill Road and Old School House Road as public highways.

Tract 2 (Parcel 3) comprises 10.4 acres, more or less.

All bearings and distances are given with reference to true north.

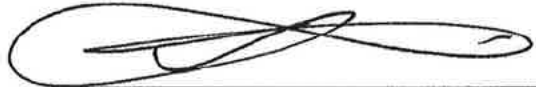
According to the records of the Town of Norwich, Vermont, the premises conveyed hereby (Tract 1 and Tract 2) have a collective street address of 980 Bragg Hill Road and collectively contain 61.40 acres, more or less.

Subject to all easements, covenants, restrictions and encumbrances of record, if any.

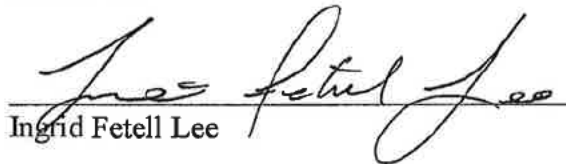
Subject to all undischarged mortgages conveyed by the Grantors prior hereto, if any.

TO HAVE AND TO HOLD said granted premises, together with all the privileges and appurtenances hereof, to the said Grantee, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns, to their own use and behoof forever. And we, the said Grantors, ALBERT LEE AND INGRID FETELL LEE, for ourselves and our heirs, executors and administrators, do covenant with the said Grantee, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns, that until the ensealing of these presents we are the sole owners of the premises, and have good right and title to convey the same in the manner aforesaid, and that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid. And we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, we hereunto set our hands and seals this 26 day of March, 2023.



Albert Lee

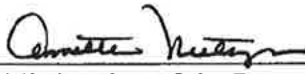


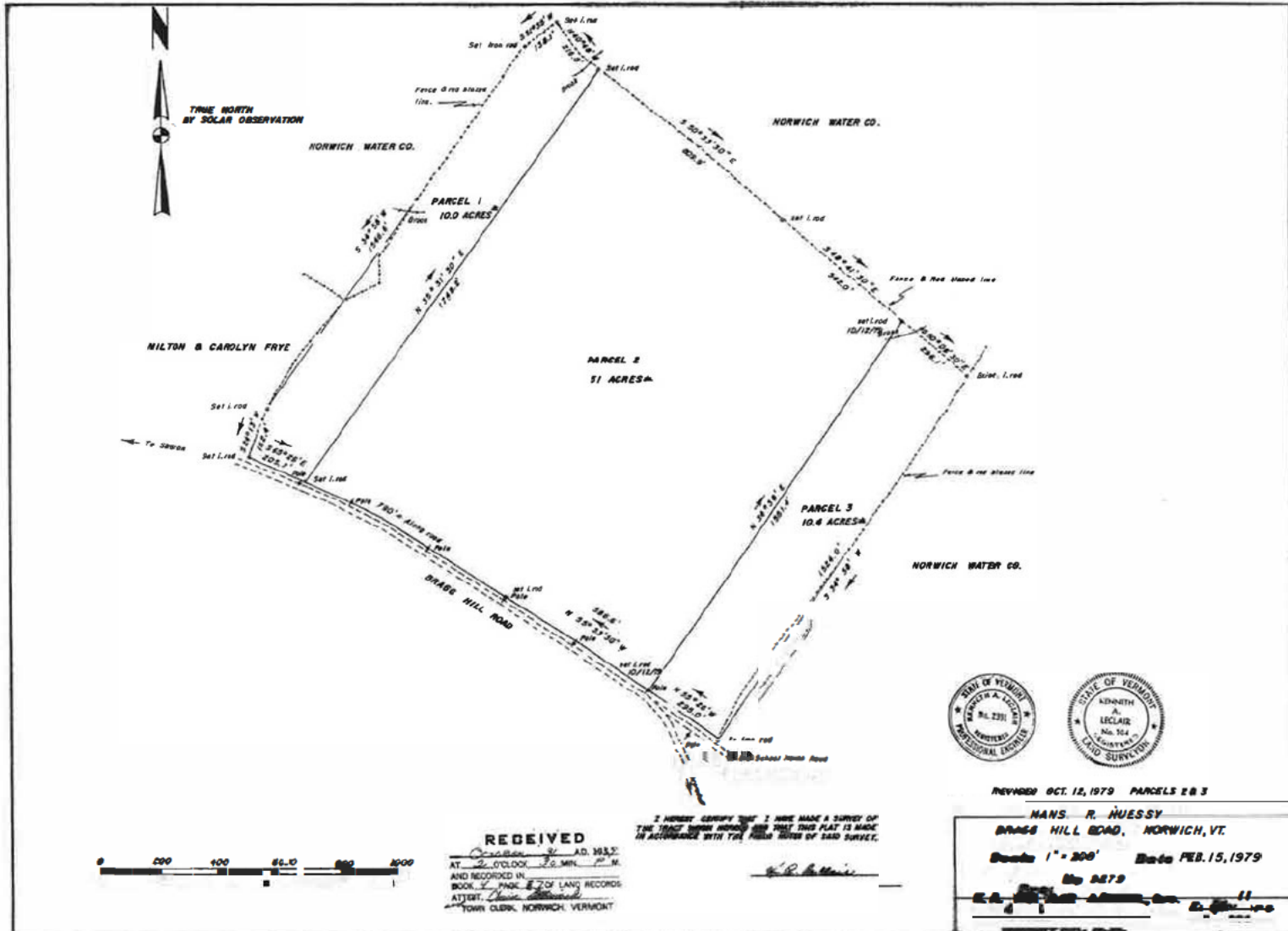
Ingrid Fetell Lee

STATE OF NEW YORK
COUNTY OF SUFFOLK, ss

At East Hampton, NY (city/town) this 26th day of March, 2023, personally appeared Albert Lee and Ingrid Fetell Lee, and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.

ANNETTE METZGER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01ME002508
Qualified in Suffolk County
My Commission Expires: 3/8/2027

Before me, 
Notary Public/Justice of the Peace
My commission expires: 3/8/2027



RECEIVED
 On Feb 15 AD. 1979
 AT 2 O'CLOCK 30 MIN. P.M.
 AND RECORDED IN
 BOOK 2 PAGE 87 OF LAND RECORDS
 AT/TXT. None Attached
 TOWN CLERK, NORWICH, VERMONT

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF
 THE TRACT SHOWN HEREON AND THAT THIS PLAT IS MADE
 IN ACCORDANCE WITH THE FIELD NOTES OF SAID SURVEY.
 M. R. Huessey



REVISED OCT. 12, 1979 PARCELS 2 & 3
MANS. R. HUESSEY
 DRABE HILL ROAD, NORWICH, VT.
 Scale 1" = 200' Date FEB. 15, 1979
 No. 0479

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT, LITTLE BIG TOMATO LLC, a New York limited liability company, of East Hampton, in the County of Suffolk and State of New York, Grantor, in the consideration of ONE DOLLAR and other valuable consideration, paid to our full satisfaction by LITTLE BIG TOMATO LLC, a New York limited liability company, of East Hampton, in the County of Suffolk and State of New York, Grantee, by these presents do freely GIVE, GRANT, SELL, CONVEY and CONFIRM unto the said Grantee, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns forever, a certain piece of land in the Town of Norwich, in the County of Windsor and State of Vermont, described as follows, viz:

Being all and the same lands and premises conveyed to Little Big Tomato, LLC by Albert Lee and Ingrid Fetell Lee dated 26 March 2023 and recorded at Book 242, Page 530 in the Norwich Vermont Land Records; and further being and the same lands and premises conveyed to Albert Lee and Ingrid Fetell Lee by Warranty Deed of Stuart McCampbell and Carmen McCampbell, Co-Trustees of the Lynn W. Tidman 2006 Trust, said deed being dated December 19, 2022, and recorded in the Norwich Land Records at Book 242, Pages 86-90.

This is a perimeter description of those two certain tracts or parcels of land, together with the buildings and improvements thereon, and appurtenances thereto which are referred to as Tract 1 and Tract 2 in the aforementioned deeds and depicted on a plan entitled Plan of Lands prepared by K. A. LeClair Associates, Inc. of Hanover, NH entitled "Hans R. Huessy, Bragg Hill Road, Norwich, Vt., Proj. No. 9279" dated February 15, 1979, as revised October 12, 1979, and recorded at Map Slide 67B of the Land Records of the Town of Norwich (the "Plan"). According to the records of the Town of Norwich, Vermont, the premises conveyed hereby (Tract 1 and Tract 2) have a collective street address of 980 Bragg Hill Road and collectively contain 61.40 acres, more or less.

Beginning at a point in the northerly sideline of Old School House Road, marked by an existing iron rod, which is also the most southerly corner of lands herein conveyed, and the southerly corner of Parcel 3 as shown on said Plan, and running N 55 26' W a distance of 295.0 feet along the northerly sideline of Old School House Road to a pole near the intersection of Old School House Road and Bragg Hill Road;

Then continuing N 55 33' 30" W a distance of 586.6 along the northerly side of Bragg Hill Road to a set iron rod; thence continuing along the northerly sideline do Bragg Hill Road, 790 feet, more or less, measuring along the road, to a set iron rod;

Then turning and running N 35 31' 30" E a distance of 1748.2 feet to an iron rod set in a fence and red blazed line;

Then turning and running S 50° 33' 30" E a distance of 809.9 feet long said fence to a set iron rod;

Then continuing in a course S 48° 41' 30" E a distance of 542.0 feet along said fence to a set iron rod;

Then continuing and running in a line along land now or formerly of Norwich Water Company, and along said fence and red-blazed line, South 50° 06' 30" East a distance of 296.1 feet to an existing iron rod set in the ground at an intersection of wire fences at the most easterly corner of Parcel 3 and the parcel herein conveyed;

Then turning and running in a line along land now or formerly of Norwich Water Company, following a fence and a red-blazed line a distance of 1,524.0 feet to an existing iron rod set in the ground on the northerly side of Old School House Road at the most southerly corner of Parcel 3 the point or place of beginning.

Also included in this conveyance are any rights that the Grantor may have from the boundary along Old School House Road or Bragg Hill Road to the center line of Old School House Road or Bragg Hill Road, subject however, to the rights of the public, if any to use Bragg Hill Road and Old School House Road as public highways.

The sole purpose of this deed is effect a merger of lots into one lot with one SPAN number, and by merging these parcels, we understand that we are giving up the sub-division rights that currently exist and that we will need to request sub-division approval in the future.

TO HAVE AND TO HOLD said granted premises, together with all the privileges and appurtenances hereof, to the said Grantee, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns, to their own use and behoof forever. And we, the said Grantors, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns, do covenant with the said Grantee, LITTLE BIG TOMATO LLC, a New York limited liability company, and its successors and assigns, that until the ensealing of these presents we are the sole owners of the premises, and have good right and title to convey the same in the manner aforesaid, and that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid. And we hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

[Signature Page Follows]

IN WITNESS WHEREOF, we hereunto set our hands and seals this 11th day of March, 2024.

Little Big Tomato, LLC



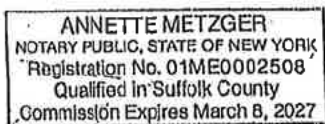
Albert Lee, Member



Ingrid Fetell Lee, Member

STATE OF NEW YORK
COUNTY OF SUFFOLK, ss

At East Hampton, NY (city/town) this 11th day of March, 2024, personally appeared Albert Lee and Ingrid Fetell Lee, duly authorized members of Little Big Tomato, LLC and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.



Before me,



Notary Public/Justice of the Peace

Annette Metzger

My commission expires: 3/8/2027

**TOWN OF NORWICH, VERMONT
DEVELOPMENT REVIEW BOARD**

DOCUMENTS AND INTERESTED PARTIES

Application Number: #10BLA24

Lot: 10-006.000
980 Bragg Hill RD
10-006.000 (previously 10-007.000)
00 Bragg Hill RD

Site Visit:

Public Hearing Date: May 9, 2024

Applicant/Landowner: Little Big Tomato LLC
5 Clamshell Avenue
East Hampton, NH 11937

Interested Parties:

NATURE OF APPLICATION - #10BLA24: Review of an application to merge an undeveloped 10.4+/- Acre lot (parcel 10-006.000[previously 10-007.000]) into a developed 51.00+/- Acre lot at 980 Bragg Hill RD (parcel 10-006.000), by Little Big Tomato, LLC, applicant and landowner of the contiguous lots. Application information to be reviewed under the Norwich Subdivision Regulations.

The record in this case includes the following documents:

Submitted by Applicant

- A-1 Zoning Permit Application #10BLA24 (04-01-2024)
- A-2 Narrative and Waiver Requests (04-16-2024)
- A-3 Deed, (unmerged) 04-26-2023
- A-4 Survey, Map Slide 67B (10-12-1979 Rev)
- A-5 Deed (merger language) (04-11-2024)

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list (04-25-2024)
- ZA-2 Zoning Administrator Report (04-25-2024)

Application Number: #10BLA24

Lot: 10-006.000
 980 Bragg Hill RD
 10-006.000 (previously 10-007.000)
 00 Bragg Hill RD

Public Hearing Date: 05-09-2024

Applicant/Landowner: Little Big Tomato LLC
 5 Clamshell Avenue
 East Hampton, NH 11937

DATE: April 25, 2024

TO: Development Review Board

RE: Zoning Administrator Report

FROM: Kyle Katz, Interim Zoning Administrator

The Boundary Line Adjustment proposes to:

1. Merge – Transfer approximately 10.4 acres from 10-006.000 (undeveloped, Bragg Hill RD), Little Big Tomato, LLC, Landowner to 10-006.000 (developed, 980 Bragg Hill RD) Little Big Tomato, Landowner, Boundary Line Adjustment to merge two contiguous lots into one lot under the Norwich Subdivision Regulations.

	10-006.000 (previously 10-007.000) - Undeveloped [Tract 2]	10-006.000, 980 Bragg Hill RD – Developed [Tract 1]	Total Acres
Existing	10.4+/- acres	51.0+/- acres	61.4+/- acres
Transfer	-10.4+/- acres	+10.4+/- acres	
Proposed	0+/- acres	61.4+/- acres	61.4+/- acres

Waiver Requests

In accordance with the Norwich Subdivision Regulations Article 2(C) the Applicants have requested a waiver to not require development of a new survey for the final plat. In lieu of a survey, the applicant will record a deed, citing the volume and page in the land records indicating where the new parcel boundaries have previously been recorded. See Exhibit A-2 and A-4

Subdivision Regulation Requirements

Subdivision Standards

(A) Suitability of Land for Subdivision. All land to be subdivided must be, in the judgment of the Development Review Board, of such a character that it can be used for intended purpose(s), as stated in the application, without danger to public health or safety, the environment, neighboring properties, or the character of the area or district in which it is located. To this end, each application for subdivision shall provide a detailed site analysis which identifies all fragile features and natural and cultural resources described below, identify the impact of the proposed subdivision on those resources, and sets forth the protection measures proposed to avoid or mitigate those impacts.

This proposal is for the merging of two adjacent parcels, described as Tract 1 (51 acres) and Tract 2 (10.4 acres) in the deed dated 03/26/2023. No other development is proposed. Tract 1 is already developed.

(B) Establishment of Development Envelopes. All lots shall have one or more designated development envelopes, unless waived by the Board in the case of small lots. Development envelopes shall be designated to identify and limit the location of principal and accessory structures, parking areas, and associated site development (excluding road and utility rights-of-way or easements) on one or more portions of a parcel. The maximum size and shape of the development envelope shall be determined by district setback requirements unless otherwise specified in these regulations. The Board may require the identification of specific building footprints if, in its judgment, such information is required to meet the standards set forth in these regulations. Where the Board deems it appropriate to do so for the purposes of this Section 3.3, the Board may consider features of immediately adjacent properties that are relevant to the Board's evaluation of the proposed development envelope.

Tract 1 is already developed with a single-family residence. When Tracts 1 and 2 are merged, they will constitute a developed lot. No new structures are being proposed.

(C) Protection of Wetlands, Flood Hazard Areas, and Surface Waters. Subdivision boundaries, lot layout and development envelopes shall be located and configured to avoid undue adverse impact to wetlands, flood hazard areas, and surface waters, including streams, rivers and all shoreline as defined in the Norwich Zoning Regulations. **No development envelope is required as Tract 1 is already developed.**

(1) Wetlands. Development envelopes and the layout of roads, driveways and utilities shall be located and sized to comply with all state and federal wetland regulations. Compliance with these regulations will be evidenced by approved state and federal permits or letters from the state and federal authorities indicating compliance.

No new roads, driveways, and utilities are proposed as Tract 1 is already developed as a residential use.

(2) Flood Hazard Area. Development envelopes shall be located to comply with the Flood Hazard Area sections of the Norwich Zoning Regulations (Table 2.7, Section 5.05) **Neither parcel is in the Flood Hazard Area.**

(3) Surface Waters (Streams, rivers and all shorelines as defined in the Norwich Zoning Regulations). Development envelopes shall be located to comply with the Shoreline Overlay District sections of the Norwich Zoning Regulations (Table 2.8) and any additional state and federal water quality regulations that apply. **No new structures, utilities, roads or other development is proposed.**

(D) Protection of Steep Slopes, Prominent Knolls and Ridgelines. Development envelopes shall be located and configured to minimize adverse impacts to slopes, especially those greater than 15%, and to avoid the placement of structures on prominent knolls and ridgelines. Methods for avoiding such adverse impacts may include, but not be limited to, the following:

(1) Development envelopes shall be located to exclude these features. In the event that development of an area with slopes greater than 15% is necessary to achieve the most desirable subdivision design for a site, the Board shall limit clearing, excavation and filling on such lands to the greatest extent practical, and may require the preparation and implementation of an erosion and sedimentation control plan for the property, in accordance with Section 3.5, as a condition of approval. **No new development is proposed. Tract 1 is already developed. The merger of tracts 1 and 2 will create a single, developed lot. No development envelope is required.**

(2) Development envelopes shall be located and configured so that the height of any structure placed on the site after subdivision will not visually exceed the height of the adjacent tree canopy serving as the visual backdrop to the structure, and shall be located down-slope of ridgelines and prominent knolls. **No development envelope required.**

(3) On wooded sites, forest cover shall be maintained or established adjacent to proposed structures to interrupt the facade of buildings, provide a forested backdrop to structures, and/or soften the visual impact of new development as viewed from public roads and properties. The Board shall consider the location of proposed structures relative to existing vegetation, and may require additional planting and/or limit the amount of clearing adjacent to proposed development to provide screening and maintain a forested backdrop. A tree cutting, landscaping and/or forest management plan may be required to ensure that ridges and hill tops remain wooded, and to ensure that trees remain standing immediately adjacent to buildings to visually interrupt facades and reduce reflective glare, as viewed from off site. Such a plan shall address specific measures to be taken to ensure the survival and, if necessary, replacement of designated trees during or after site development and the installation of all site improvements. **No new development proposed. There will be no impact on forest cover or wooded areas.**

(4) The location of development envelopes and associated development within the Ridgeline Protection Overlay District shall comply with the standards in Table 2.9 NZR, either in conjunction with the subdivision application process or as a condition for obtaining a zoning permit for

development of structures. On ridgelines and prominent knolls that have been cleared prior to subdivision, the Board shall take into account the location of buildings and development patterns on surrounding properties in evaluating the proposed location of development envelopes and associated development. **The parcels to be merged are not located in the ridgeline protection overlay.**

(5) 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. **No new roads or utilities are proposed. One of the parcels to be merged is already developed with a single-family residence. The merger will result in the creation of a single lot with pre-existing development. There are no plans for additional development.**

(E) Protection of Wildlife Habitat and Natural Areas. Development envelopes shall be located and configured to minimize adverse impacts on valuable wildlife habitat, including travel corridors and crossings, and natural areas identified in Norwich Conservation Commission inventories, by Vermont Department of Fish & Wildlife inventories, or through site investigation. Methods for minimizing such adverse impacts include, but may not be limited to, the following:

(1) Development envelopes shall be located to minimize impact on identified valuable natural areas and wildlife habitat. A buffer area of adequate size shall be established to ensure the protection of these habitats. **No development envelope required.**

(2) To avoid the fragmentation of natural areas and wildlife habitat, including large tracts of forest land and undeveloped corridors serving as wildlife travel corridors between larger tracts of core habitat, the Board may require the submission of a wildlife habitat assessment, prepared by a wildlife biologist or comparable professional, to identify the function and relative value of impacted habitat and provide recommended management strategies to maintain or enhance those values and function. The Board may also consult with Vermont Fish and Wildlife Department staff prior to issuing a decision. **There will be no impact on the fragmentation of natural areas and wildlife habitat as a result of the merger of the two tracts.**

(3) Roads, driveways and utilities shall be designed to minimize the fragmentation of identified natural areas and wildlife habitat. **There will be no new roads and/or utilities.**

(4) Identified natural areas and wildlife habitat should be excluded from development envelopes. **No development envelope required.**

(F) Protection of Historic & Cultural Resources. Development envelopes shall be located and configured to minimize adverse impacts to historic and archaeological sites and resources identified in Norwich historical and archeological resource inventories, by the Vermont Division for Historic Preservation, or through site investigation. Methods to minimize adverse impacts include, but may not be limited to, the following:

(1) Historic features, including stone wall and cellar holes, should be preserved and integrated into the subdivision design (e.g., driveways may follow stone walls) to the extent practical. **There will be no impact on these features. No new development is taking place.**

(2) Prior to development on sites that have been identified as being archaeologically sensitive in town or state inventories, or through site investigation, the Board may require a site assessment to identify the presence and relative value of archaeological resources on the site, and to document the archaeological resource and/or recommend strategies for its protection. **There will be no impact on these features.**

(3) The subdivision of land shall be designed to maintain the historic context of the site, as defined by historic structures located on the property and in the immediate vicinity of the site, and to minimize the impact of new development on the historic and architectural integrity of historic resources. **There will be no impact on these features.**

(G) Protection of Farm Land. Development envelopes shall be located and configured to minimize adverse impacts to farm land and areas with “prime” and “statewide” agricultural soils suitable for farming. **There will be no impact on these features.**

Methods for avoiding such adverse impacts include but may not be limited to the following:

(1) Development envelopes shall be located at field and orchard edges or, in the event that no other land is practical for development in such a way as to minimize the impact on productive agricultural land, impacts on existing farm operations, and disruption to the scenic qualities of the site. **No development envelope required. The merger will result in a single, already developed lot.**

(2) Buildings and associated building lots should be clustered to avoid fragmentation of productive farm land. **No new buildings are being created.**

(3) Vegetated buffer areas may be required to buffer agricultural operations from other uses to minimize land use conflicts. **There are no land conflicts associated with the merger.**

(4) Access roads, driveways and utility corridors shall be shared to the extent feasible; and, where sites include linear features such as existing roads, tree lines, stone walls, and/or fence lines, shall follow these to minimize fragmentation of agricultural land and visual impacts. **No new structures, roads, and/or utilities are proposed.**

(5) Intact parcels of productive farmland shall be designated as open space; conservation easements, limitations on further subdivision, or comparable site protection mechanisms may be required. **There is minimal farmland located on the southern and northern edges of the tracts. The farmland will not be impacted by the merger.**

(H) Protection of Forest Resources. Development envelopes shall be located and configured to minimize adverse impacts to productive forest land, including large (e.g., 50+ acres) tracts of forest, forest land contiguous to other large, undeveloped tracts that have either been protected through public or private land conservation initiatives or are subject to use value appraisal contracts, and

forest land that possesses natural areas, valuable wildlife habitat, wildlife travel corridors, and/or exceptional recreational resources.

Methods for minimizing such adverse impacts include, but may not be limited to, the following:

(1) The subdivision of forest land shall, to the extent practical, be configured to allow for ongoing forest management of the parcel after subdivision. Lot boundaries and development envelopes should be laid out to avoid unnecessary fragmentation of distinct timber stands, and provision for forest management access should be a consideration of the final plan. **The management of existing forest land will not be impacted by the merger of the two parcels.**

(2) In order to protect recreation areas, conserved open space, and critical wildlife habitat, and to avoid conflict between new residential development and existing forest management activities on land enrolled in the current use program, the Board may require setbacks and buffers from adjacent forest land greater than the setbacks and buffers set forth in the Norwich Zoning Regulations. **These features will not be impacted by the merger of the two parcels.**

(I) Protection of Scenic Resources. Development envelopes shall be located and configured to avoid undue adverse impacts to scenic resources identified in the scenic resource mapped areas created in conjunction with the Inventory of Scenic Resources prepared by the Scenic Resources Committee of the Norwich Conservation Commission and dated January 2000. Methods for avoiding such undue adverse impacts include, but may not be limited to, the following: **The two parcels to be merged are not located in a mapped scenic resource area.**

(1) Subdivisions within view of scenic roads, as identified in the aforementioned planning documents, shall be designed to avoid undue adverse impact to the identified scenic resources.

(2) Development envelopes located within view of identified scenic roads or within identified scenic view sheds shall be located to avoid prominent placement within the view shed.

(3) Subdivisions, development envelopes and lots should be designed to maintain the contrast between compact village centers and surrounding countryside.

(J) Modifications for Norwich Village and Cluster Development. The Board may waive or modify one or more of the Section 3.3 standards within the Village Residential or Business District, or within a Planned Unit Development, in the event the Board determines that the benefits of modification would result in a more desirable settlement pattern, and the impacts on identified resources can be mitigated either on or off site. **Not applicable.**

From: candace Nattie <[REDACTED]>
Sent: Thursday, May 2, 2024 5:49 PM
To: Pam Mullen <PMullen@norwich.vt.us>
Subject: Re: Town of Norwich RE: plans, #10BLA24, 980 Bragg Hill RD

Hello Pam,
Yes that is very thoughtful of you.
Many thanks,
Candace

On Thu, May 2, 2024 at 1:25 PM Pam Mullen <PMullen@norwich.vt.us> wrote:

Hi, Candace,

Would you like your April 30, 2024 at 4:11 PM email with map attachment to be included in the documents for the Development Review Board Public Hearing on #10BLA24 set for May 9, 2024 at 7:15 PM?

I have reached out to the Upper Valley Land Trust.

Let us know if you have any questions.

Sincerely,
Pam Mullen, Assistant
Norwich Planning and Zoning
Tracy Hall, 300 Main ST
PO Box 376
Norwich, VT 05055
802-649-1419 ext. 4
Office Hours M, W, TH 9:00 – 4:00

From: Pam Mullen
Sent: Wednesday, May 1, 2024 9:25 AM
To: candace Nattie <[REDACTED]>; Kyle Katz <KKatz@norwich.vt.us>
Subject: RE: plans, #10BLA24, 980 Bragg Hill RD

Hi, Candace,

We have received the conservation map.

Sincerely,
Pam Mullen, Assistant
Norwich Planning and Zoning
802-649-1419 ext. 4

From: candace Nattie [REDACTED]
Sent: Tuesday, April 30, 2024 4:11 PM
To: Pam Mullen <PMullen@norwich.vt.us>; Kyle Katz <KKatz@norwich.vt.us>
Subject: Re: plans, #10BLA24, 980 Bragg Hill RD

Hello Pam and Mr. Katz,

I just communicated with two staff members of the Upper Valley Land Trust, Jenie McIntyre and Jason Berard . Please see the attached map that they sent me.

There are 51 total acres of the Tidman property 980 Bragg Hill Rd., Norwich, Vt. of which 46.4 are protected property from development. The 4.6 acres around the house are not protected. Conservation means no development other than allowed. We have been assured by the Upper Valley Land Trust that the original intent of the conservation can not be broken. Conservation is never mentioned in the upcoming merger of lots. We will be at the meeting.

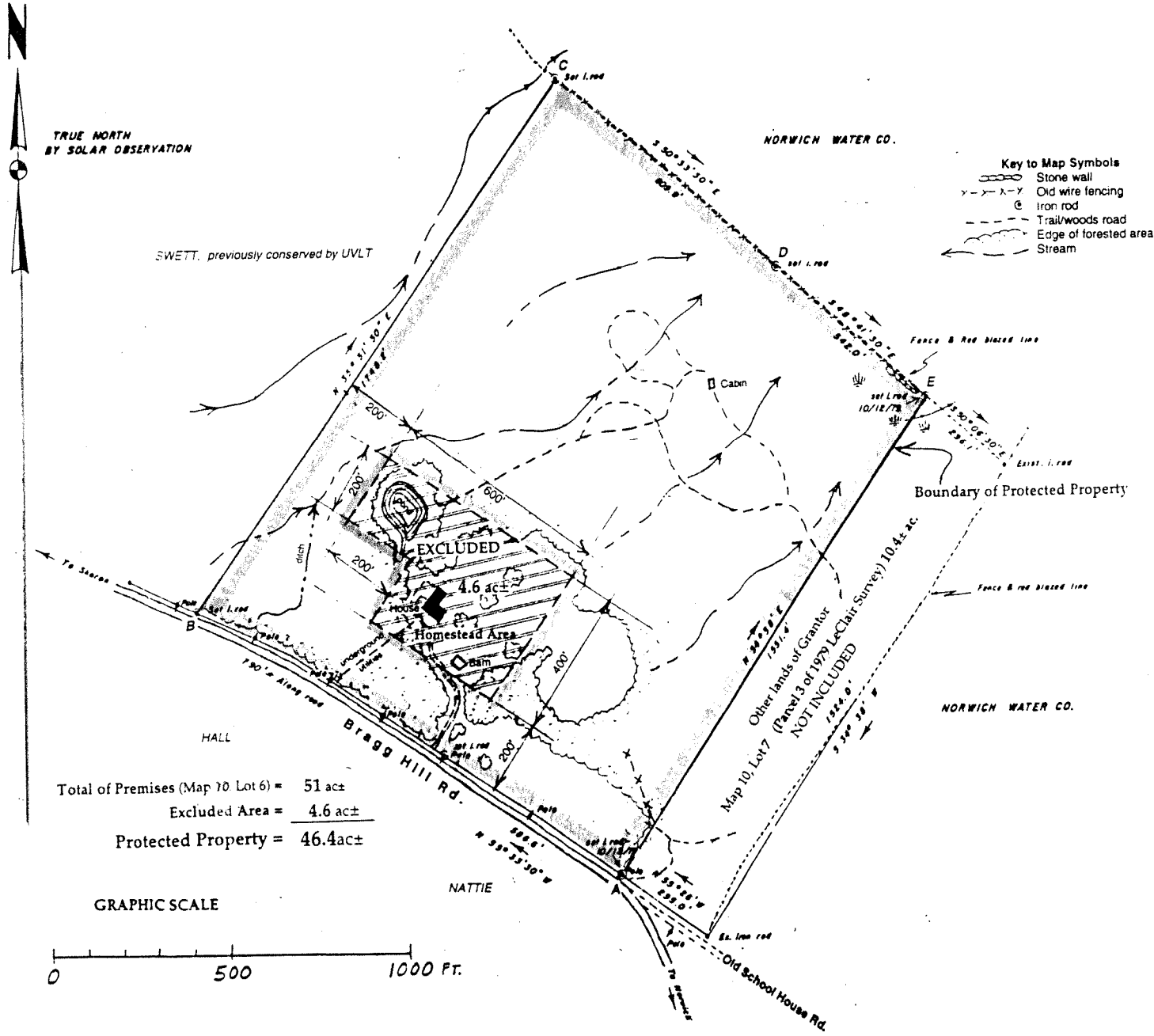
Please let us know that you received this map. Should we have a member of the Upper Valley Land Trust invited to the meeting also?

Thank you,

Candace Nattie

SCHEDULE "B"

CONSERVATION MAP:
Property of
Lynn W. Tidman
980 Bragg Hill Rd.
Norwich, VT



Total of Premises (Map 10 Lot 6) = 51 ac±
 Excluded Area = 4.6 ac±
 Protected Property = 46.4 ac±

GRAPHIC SCALE

0 500 1000 Ft.

Prepared by the Upper Valley Land Trust, September, 2003.
 Metes and bounds of perimeter from survey for "Hans R. Huessy, Bragg Hill Rd., Norwich, VT"
 by K.A. LeClair Assoc., Inc., Hanover, NH, 2/15/1979, rev. 10/12/79, #9279.
 Bearings are referenced to true north.

This is NOT A SURVEY and should not be used for conveyance