

TOWN OF CALAIS
DEVELOPMENT REVIEW BOARD

**In Re: Application 2017-28
Perennial Field Project, LLC (PFP LLC)
100 Worcester Road,
Maple Corner, Calais, Vermont**

Article 6. Major Subdivision Final Plan Review:

A hearing before the DRB was held on September 20, 2018 at the Town of Calais Town Clerk Building with the following DRB Members present: Margaret Bowen, Ruth Porter, Barbara Weedon, Walt Amses and Trey Martin, Also Present were Meg Dawkins, Spokesperson for the Perennial Field Property (PFP), Craig Chase of Chase and Chase Surveyor and Septic Design Company, Harvey George, John Rosenblum, Janice Ohlsson, Gail Graham and Rick Purchase.

Meg Dawkins presented a complete set of project information required by the Calais Land Use & Development Zoning Regulations 2017 for the Final Plan Approval Hearing.

1. FPR- Response to PPR Findings & Decision of March 2018 Document presented to the DRB in writing and verbally completing the information in the document by Meg Dawkins.

- This document addressed the two curb cuts from the Calais Selectboard on 4/9/18 and filed in the Calais Town Clerk's Office
- The document also included the EMFD meeting to evaluate the safety of the proposed driveway and private road within the subdivision for emergency vehicles
- Review and information provided regarding private driveways meeting the standards as outlined in Section 3.2 (d) standards, slopes in excess of 15% in Section 3.13 and impervious surface standards in Shoreland District Table 2.4 in the zoning regulations
- Road standards as outline in Section 6.14 to be met for the private road access to six (6) lots
- Provided a specific light plan along the north-side of the housing sleeve to address Joan Bennett's concern
- Keep all dwelling within 3.5 acre housing footprint

In reviewing this document the DRB found that it needed to address requested waivers by the applicants.

Waiver Decisions #3:

- a. Driveways setbacks (at least 10 feet from a side or rear property line) under Section 3.2 (D). *The DRB approves the locations of the proposed driveways in this major subdivision as presented in the Final Plat Plan and filed with the Town of Calais.*
- b. Minimum of road Frontage of 300 feet. *The subdivision plan map showing the entire parcel of land including the subdivision section and the agricultural pasture shows that there are 340.57 feet along the County Road and 823 feet along the Worcester*

Road. Road frontage does not consider the private drive to be developed to reach the subdivision lots, it considers road frontage along a town road access or shoreland.

Waiver Decision #5:

- c. Obtain State Approved Permits for Septic System. *The DRB approves the configuration of the lots, accesses, house sites as presented in the Final Plat Plan and the Septic Design as presented by Chase and Chase. Therefore, the document can be filed with the State of Vermont to obtain the necessary permits to file with the Town of Calais Zoning Administrators.*

Waiver Decision #Table 6.1 (B) and 6.1 (C):

- d. Environmental Impact Assessment with respect to Waiver & Nutrient Mitigation Map and Plan as submitted. *The DRB has reviewed and approves the Water & Nutrient management Plan dated 02/08/2018 and submitted to DRB.*
- e. Proposed Performance Bond or Surety: *The DRB is not requiring the owners to purchase a performance bond or surety. It is our understanding that this project will be completed and paid for by the owners of the properties as described and presented.*

2. Final Plan Review – PFP Table 6.1 Subdivision Application Requirements Document prepared from the Calais Land Use & Development Zoning Regulations 2017 as another document for Final Plan Approval Hearing. Final Plan Checklist presented and approved

- Application Form and number of copies. – approved
- Application Fees - approved
- Name of the Project - approved
- Name, Address of Applicant - approved
- Written description of proposed development plans, including number and size of lots; general timing of the development - approved
- Waiver requests in writing - reviewed those submitted and approved
- Plan/Plat Mapping Requirements
 - a. Materials – Mylar Map – approved
 - b. Project boundaries, property line, associated rights of way or easements - approved
 - c. Existing and proposed lot lines, dimension, associated rights of way or easements - approved
 - d. Proposed land set aside from development, if density averaging used – approved
 - e. The location of natural and physical features located on the site, including buildings, roads, driveways and parking areas; utilities, fences wall and slopes – approved
 - f. In excess 125% and 25% Maps showing the location or proximity to natural features on or adjacent to the site as indicated by the Agency of Natural Resources - approved
 - g. Environmental Impact Assessment – Waiver approval above

- h. A general indication of land cover, including forested areas and land in current or recent (prior 3 years) agricultural production - approved
 - i. Proposed roads, accesses (curb cuts), driveways, paths and parking areas – all maps and documents approved
 - j. Proposed utilities – approved maps
 - k. Existing and proposed elevation, contour lines – approved
 - l. Proposed building sites and building impact zones – approved maps
 - m. Road profiles, road, intersection and parking are geometry and construction schematics - waiver approved above and maps approved
 - n. Proposed landscaping and screening – approved
 - o. Proposed conservation buffer and/or open space easement areas – approved
- Supporting Information & Documentation
 - a. Statement of compliance with the Calais Town Plan and applicable municipal regulations – approved
 - b. Engineering reports (water & wastewater systems) - approved
 - c. Existing and proposed traffic generation rates, volumes - approved
 - d. Off-site phasing schedule – approved
 - e. Proposed covenants and/or deeds restrictions - approved
 - f. Proposed homeowner or tenant association or agreements – Waiver approved above
 - g. Proposed performance bond or surety – Waiver approved above

Findings of Fact:

The DRB reviewed all of the documents submitted and reviewed at the meeting by Meg Dawkins. The DRB believes that the documentation filed defines the entire project and therefore we are attaching to this decision the following documents approved by the DRB:

Final Plan Review: Response to PPR Findings & Decision (March 2018) – 6 pages

Water & Nutrient Management Plan – 3 pages

Final Plan Review: Fire Department Decision – 3 pages

Final Plan Review – Table 6.1 Subdivision Application Requirements - 5 pages

Conclusions:

This major subdivision has been designed to take up a minimum amount of land in the lower section of a 28.75 acre parcel of land located in Maple Corner on the Worcester Road. The parcel of land has road frontage on the County Road and Worcester Road, with the two curb cuts off from said Worcester Road. The 3.5 acres housing footprint sits within the shoreland district and the village district and has been designed completely by the owners. The remainder of the property is being proposed as agricultural land and will be used as such in the future.

The DRB in reviewing all of the plans and documentation submitted felt this project has been planned consistent with the requirements of the Calais Land Use & Development Zoning Regulations 2017. The DRB has reviewed and approved the Maps and Plans already filed in the Town of Calais Land Records.

Order:

Therefore, the DRB hereby reviewed the major subdivision information submitted by the owners of Perennial Field Project LLC and the final Subdivision Plat Plans and grants the requested major subdivision on the following conditions:

1. Any subsequent development of the parcel not depicted on the plans and maps enumerated above, including development associated with planned agricultural operations (e.g. greenhouses or other outbuildings), must be reviewed and approved by the DRB prior to commencement.
2. Wooded buffers along property lines shall be managed to retain current stocking levels and density. The age class and species currently present shall be maintained to the greatest extent possible.

[DRB Signatures on the Next Page]

Margaret L. Bowen

Margaret L. Bowen, Member

Dated: 10/8/18

Ruth K. Porter

Ruth K. Porter, Member

Dated: 10/14/2018

Barbara Weedon

Barbara Weedon, Member

Dated: 10-14-18

Walt Amses

Walt Amses, Member

Dated: 10/10/18

Trey Martin, Member

Dated: _____

Notice of Right to Appeal:

In accordance with 24 VSA sections 4471 and 4772, the decision may be appealed within 30 days of the date to the Vermont Environmental Court. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy to the Calais Zoning Administrator and to every interested person who appeared at the DRB hearings. Failure of any interested person to appeal within the specified 30 day period shall result in the interested person being bound by this decision. Thereafter, the interest person shall not contest, either directly or indirectly, the decision of the DRB in any subsequent proceeding, including any enforcement action brought under the provisions of 24 VSA Chapter 117. See also Town of Calais Land Use and Development Regulations, Section 1.7, Appeals.