



October 18,2024

Emily Heymann  
Town of Williston Planning and Zoning  
Williston Town Office  
7900 Williston Road  
Williston, VT 05495

Subject: Discretionary Permit *Application Submission*  
T.M. # 23:026:071.000  
DP 24-09  
Benedetto Subdivision, 1318 Butternut Road

Dear Emily:

On behalf of Anna Benedetto, TCE is submitting a Discretionary Permit Application for a proposed 3-lot subdivision. The project involves an existing 10.76 acre parcel located at 1318 Butternut Road in Williston, VT. The parcel is currently developed with a single-family home, a stable, horse pasture, and minor outbuildings. The project parcel is within the Agricultural and Rural Residential Zoning District (ARZD), and is outside both the water and sewer service areas.

This project was reviewed by the Williston Development Review Board (DRB) on December 12, 2023. This project received pre-application approval from the DRB on December 13, 2023.

Subsequent to the Pre-Application approval, TCE performed field surveys and land record research associated with the perimeter boundary of the subject parcel. It was determined that the actual area of the parcel is 10.76 acres. The Sketch plan application used an area of 10.38 acres, while the Town listers data has it shown as 9.2 acres.

As a result, since this parcel is in the ARZD Zoning District, and is greater than 10.50 acres, it is subject to Section 31.7 of the Williston Development Bylaw which requires that the project be designed as an "Open Space Development". The project plans now reflect open space lots with a combined area totaling 75% of the overall parcel area. Each of the three "Building Lots" are proposed to have their own associated open space lots, whereby the purchaser of the "Building Lot" also would be required to purchase the open space lot. The open space lot will be restricted through deed language to those uses outlined in Section 31.7.5 of the WDB. These open space lots are platted as separate lots as shown on the Plat, and in accordance with Section 31.7.7 and 31.7.8.

The following narrative is offered for information and to address items found in the Recommendations and Motion section of the Pre-Application approval. TCE responses to the comments are in red:

1. The proposed development and use(s) can meet the development standards of WDB Chapter 31. **No response required.**

2. A discretionary permit application shall be in conformance with all the WDB requirements and standards, and subject RECOMMENDATIONS of approval as required by the DRB, including but not limited to:

a. The applicant may choose, but is not required, to develop using an open space pattern. **This project is now being proposed as an "Open Space Development".**

b. The applicant should consider additional plantings to thicken the screening from Butternut Road provided by the roadside vegetation per WDB 31.9.6 and 31.9.8. **Evergreen plantings have been added to the plans along the frontage of Lot #2. Given the substantial distance between the proposed house site on Lot #3 from Butternut Road, additional vegetation was not added along the frontage of Lot #3. However, the plans include notes restricting the cutting of existing trees along the front property lines of both lots #2 and #3 to aid in screening the new homes for Butternut Road.**

c. There should be a shared driveway for the two new dwellings per WDB 13.2.1. **A shared driveway is now proposed along the common sideline of proposed Lots #2 and #3. The shared portion of this drive meets the standard outlined in Section 13.2.6.**

d. Compliance with the design standards for points of access per WDB 13.2.3. **The shared drive meets the requirements of these standards. Sight distances are depicted on the plans.**

e. Utilities should be underground per WDB 15.4; wastewater system to meet the requirements of WDB 15.6 and on-site water to meet the requirements of 15.10. **Proposed utilities are depicted on the plans and are shown to be underground. The wastewater systems have been designed in accordance with the Vermont EPR Rules as have the water wells.**

f. An accurate density calculation per WDB19. **A density calculation is depicted on plan sheet C2-01, resulting in an allowable number of house site of four (4).**

g. Relocation of the home in Lot #2 further from the wetland buffer. **The northerly line of Lot #2 was moved northerly approximately 30' to allow for the building envelope and house to move further from the wetland buffer.**

3. The discretionary permit application must address the comments of the following Town departments but only to the extent that they can be enforced by and do not conflict with the Williston Development Bylaws.

a. Williston Public Works Memo dated November 21, 2023: **The new shared driveway curb-cut will require a Right-of-Way Permit. The plans include notes requiring that the driveways meet the minimum DPW standards. It is anticipated that the individual drives, beyond**

the shared section, will have grades of between 10% and 15% given the existing slopes on the site.

b. Williston Fire Department Memo dated November 17, 2023: Where applicable, the Fire Department comments will be implemented. The DPW standards allow for private individual drives to be a maximum of 15% slope. As a result, the individual drives serving Lots #2 and #3 may be in excess of 10% slope. The drives are depicted as being 14' wide.

4. The discretionary permit application must address the Conservation Commission (WCC) recommendations from their memo dated December 6, 2023:

a. The site plan submitted with the Discretionary Permit Application shall show all wetlands and their buffers on the property as shown on a wetland delineation for the proposed development prepared by a professional wetlands scientist and confirmed by the Vermont Wetlands Office. The Plans now include the location of class II wetlands and their buffers, and class III wetlands, as delineated by a qualified wetlands scientist from TCE, and confirmed by the State Wetlands Office personnel.

b. Proposed development must not encroach into watershed protection buffers other than the exceptions listed in 29.8.2. Watershed protection buffers must be clearly demarcated on the site plan and on the ground to prevent future disturbance. The applicant shall work with staff to decide on the method by which the watershed protection buffer is demarcated on the ground. There are no improvements proposed within the watershed protection buffers. Wetland signage is proposed along the edges of these buffers.

c. The applicant needs to submit a professionally-prepared runoff and erosion control plan as part of the discretionary permit application. The plans include a runoff and erosion control plan prepared by TCE.

d. A Habitat Disturbance Assessment is not recommended since no construction is proposed in the SWHA. No response needed.

e. A trail easement is not required. No response needed.

5. The Board recognizes the concerns of the neighbor Mr Richard Park located at 1259 Butternut Road, and requests that the applicant consider the relevant portions of his comment letter. The following comments are offered to address the Park letter:

- Lot Area- The proposed density of the project is in accordance with the WDB. 75% of the project will remain as "open space".
- Driveway – The driveway location for Lot #2 has been re-located to the south. A shared driveway is also now proposed. Driveway grades proposed are in accordance with the DPW standards.
- Drainage- A new 15" culvert is proposed at the shared driveway location. Large existing culverts exist both to the north and south of this parcel, conveying stormwater across Butternut Road from east to west.

- Potable Water Supply- The drilled well serving 1259 Butternut Road has been shown in its correct location on the plans. The well isolation zone from this well is depicted on the plans. There are no wastewater systems proposed within this well isolation zone.

Enclosed for review and approval include:

- Discretionary Permit Application Form
- \$500 application fee
- DP application checklist
- Civil site plans
- Site Photos
- ANR map with water well data
- Runoff and Erosion Control Checklist
- Abutters list & stamped envelopes
- Two (2) full size and eleven (11) copies of this letter and 11" x 17" copies of the plan set.

Should you have any questions, please do not hesitate to contact me directly.

Regards,



Doug Goulette, P.E.  
Project Engineer



1 Looking northwest toward road from project driveway



2 Looking southeast along project parcel driveway. Barn in view on right



3 Looking southeast along driveway with barn just behind. Residence in view



4 Looking south driveway across project parcel field. Accessory building out of frame on right



5 Looking southeast at project parcel residence building



6 Looking northwest along driveway. Residence building behind

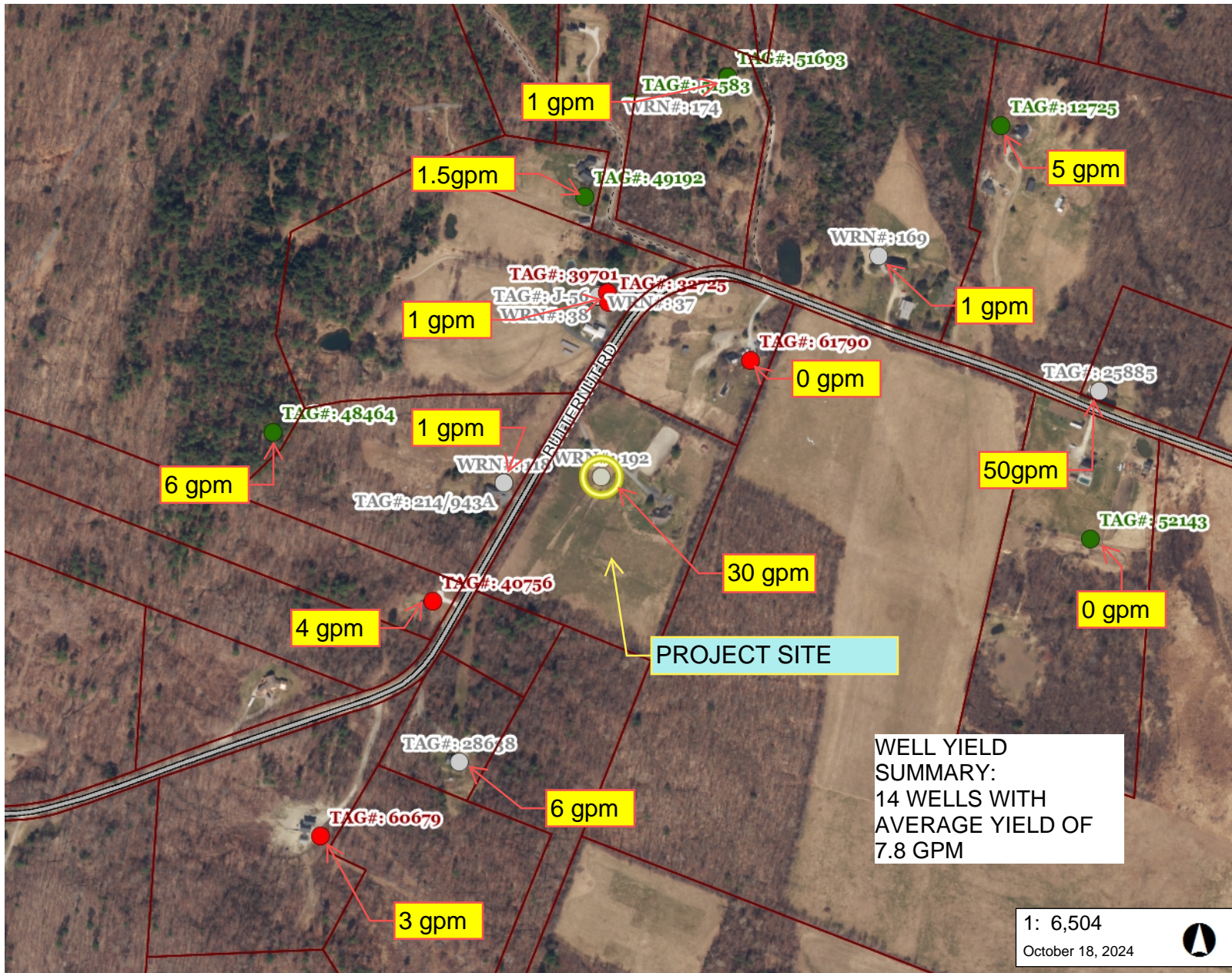


7 Looking south beyond residence building across project parcel field



8 Looking north across field at residence building



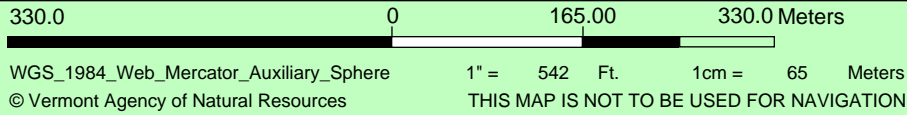


### LEGEND

- Private Wells**
  - GPS Located
  - Screen Digitized
  - E911 Address Matched
  - Welldriller/Clarion
  - Unknown Location Method
  - Incorrectly Located
- Parcels (standardized)
- Roads**
  - Interstate
  - US Highway; 1
  - State Highway
  - Town Highway (Class 1)
  - Town Highway (Class 2,3)
  - Town Highway (Class 4)
  - State Forest Trail
  - National Forest Trail
  - Legal Trail
  - Private Road/Driveway
  - Proposed Roads
- Town Boundary

### NOTES

Map created using ANR's Natural Resources Atlas



DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

1: 6,504  
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