

WILLISTON DEVELOPMENT REVIEW BOARD STAFF REPORT

DP 25-04

Pre-Application

Marcotte 9-Lot Subdivision

PERMIT NUMBER

REVIEW PHASE

PROJECT NAME

Caboose Lane

27-004-220-000

Charlotte Isham Marcotte Revocable Trust

PROPERTY ADDRESS

PARCEL ID NUMBER

PROPERTY OWNER

November 26, 2024

Owner c/o John Marcotte

Bryan Currier, P.E., O'Leary Burke CEA

HEARING DATE

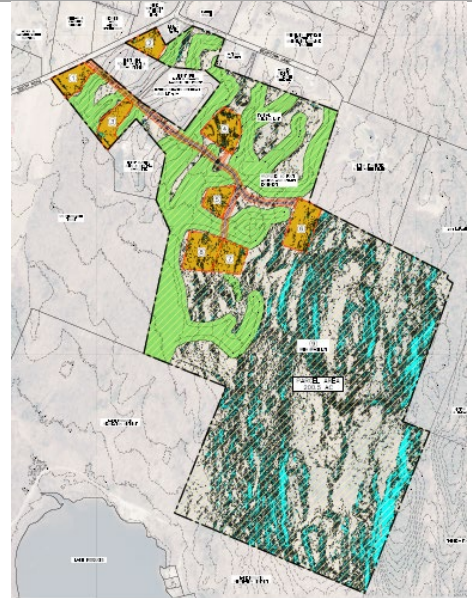
APPLICANT

REPRESENTATIVE

BRIEF SUMMARY OF REQUEST

This is a request for pre-application review of a proposed 9-lot subdivision of an existing, vacant parcel. The subject parcel is ±200.5 acres and is crossed by Caboose Lane and an existing forestry road. The parent parcel is greater than 10.5 acres, so it is subject to Williston's open space protection provision. The applicant has not decided if they will participate in Growth Management or if they plan to meet the requirements for inclusionary zoning instead. The proposed site plan shows eight (8) building lots and one (1) open space lot:

- | | |
|-------------------|-------------------------------|
| Lot 1: 1.51 Acres | Lot 6: 2.47 Acres |
| Lot 2: 1.28 Acres | Lot 7: 1.57 Acres |
| Lot 3: 1.62 Acres | Lot 8: 2.40 Acres |
| Lot 4: 2.21 Acres | Lot 9: 194 Acres (open space) |
| Lot 5: 1.26 Acres | |



| | | | |
|---------------------|---------------|---------------------|-----------------|
| ±200.5 acres | Vacant | Residential | Town Road(s) |
| PROPERTY SIZE | CURRENT USE | PROPOSED USE | ACCESS |
| Agricultural/ Rural | No | Yes | WCC |
| ZONING DISTRICT | DESIGN REVIEW | CONSERVATION REVIEW | ADVISORY BOARDS |

APPLICABLE BYLAW CHAPTERS:

- | | | |
|---|---|--|
| <input type="checkbox"/> 2. Nonconforming Lots, Uses, and Structures | <input checked="" type="checkbox"/> 16. Maintenance | <input type="checkbox"/> 24. Outdoor Lighting |
| <input type="checkbox"/> 4. Permit Exemptions | <input type="checkbox"/> 17. Non-Residential Accessory Uses and Structures | <input type="checkbox"/> 25. Signs and Public Art |
| <input type="checkbox"/> 10. Boundary Adjustments | <input type="checkbox"/> 18. Compatibility, Potential Hazards, and Nuisances | <input checked="" type="checkbox"/> 26. Street Trees |
| <input checked="" type="checkbox"/> 11. Growth Management | <input checked="" type="checkbox"/> 19. Density, Transfer of Development Rights | <input checked="" type="checkbox"/> 27. Conservation Areas |
| <input checked="" type="checkbox"/> 12. Subdivisions and Final Plans | <input type="checkbox"/> 20. Residential Improvements | <input type="checkbox"/> 28. Special Flood Hazard Areas |
| <input checked="" type="checkbox"/> 13. Access, Connectivity, Traffic Studies | <input type="checkbox"/> 21. Telecommunication Facilities | <input checked="" type="checkbox"/> 29. Watershed Health |
| <input type="checkbox"/> 14. Off-Street Parking and Loading | <input type="checkbox"/> 22. Design Review | <input checked="" type="checkbox"/> 31-42. Zoning District |
| <input checked="" type="checkbox"/> 15. On-Site Infrastructure | <input checked="" type="checkbox"/> 23. Landscaping | <input type="checkbox"/> 43-45. Impact Fees |

Chapters 1, 3, 5-9, 30, 46 and Appendices are not usually discussed in DRB staff reports.

RECOMMENDED ACTION

Take Testimony & Close

Tonight

Approve

HEARING¹

DELIBERATE²

RECOMMENDATION³

Procedural notes: ¹When continuing, the DRB must specify reason or request additional information and announce a date certain. ²The DRB cannot deliberate or decide until a hearing has been closed. ³The DRB has 45 days to issue a RECOMMENDATION after closing a hearing.

Staff recommends approval with recommendations as drafted.

HISTORY AND COMMENTS

PROJECT HISTORY

This is the first time the DRB is reviewing the request. Permit history includes:

| | | |
|-------------------------|---------------|---|
| November 7, 1995 | SUB 96-02 | Subdivision to create 1 parcel around the existing dwelling at 73 Caboose Lane (4.23 acres) and a BLA with 141-143 Caboose Lane (fka 767 South Road). Thus, the remainder of the acreage became vacant/houseless. |
| DATE OF APPROVAL | PERMIT NUMBER | DESCRIPTION |
| October 12, 2004 | SUB 04-10 | 1-Lot Subdivision to create a 5.85-acre parcel at 115 Caboose Lane |
| DATE OF APPROVAL | PERMIT NUMBER | DESCRIPTION |

ADVISORY BOARDS

Checked boxes indicate that a finding, conclusion, or RECOMMENDATION must be drafted by the DRB

| | | |
|---|-------------------|----------------|
| <input type="checkbox"/> CONSERVATION COMMISSION (WCC) | November 20, 2024 | Included |
| NAME | TRANSMITTAL DATE | RECOMMENDATION |
| <input type="checkbox"/> HISTORIC AND DESIGN ADVISORY COMMITTEE (HDAC) | N/A | N/A |
| TRANSMITTAL DATE | TRANSMITTAL DATE | RECOMMENDATION |

INTERDEPARTMENTAL REVIEW

Checked boxes indicate that a finding, conclusion, or RECOMMENDATION must be drafted by the DRB

| | | |
|--|------------------|----------------|
| <input type="checkbox"/> PUBLIC WORKS | November 6, 2024 | Included |
| DEPARTMENT | MEMO DATE | RECOMMENDATION |
| <input type="checkbox"/> FIRE | November 5, 2024 | Excluded |
| DEPARTMENT | MEMO DATE | RECOMMENDATION |
| <input type="checkbox"/> POLICE | N/A | N/A |
| DEPARTMENT | MEMO DATE | RECOMMENDATION |

NOTES:

Please be advised of the \$5,000 Engineering Fee per DPW Standard Specifications. The Fire Department Plan Review Policy is a Selectboard Policy, not an ordinance, and has no authority for enforcement. The Fire Department Comment Memo is excluded because it has many requests that do not have a parallel standard in the duly adopted Williston Unified Development Bylaw (WDB). Only two requests can be accommodated by the standards of WDB 14 – requiring a 14’ driveway width and E911 Addressing.

PUBLIC COMMENT

No comment letters were received at the time of mail out (November 21, 2024). Two were received as of 9am on November 26th.
 NAMES: (Forrester, 11/22/2024; and Whritenour, 11/23/2024)

PROJECT ELEMENTS

☒ Checked boxes indicate that a determination and/or new recommendation must be made by the DRB

Agricultural/ Rural Residential Zoning District

Standard

WDB 31

RECOMMENDATION

Dimensional Standards

Compliance anticipated.

Setbacks – For Lots 1 & 2, the Front Yard Setback from South Road is 50 feet. Proposed lots with boundary along the boundary of the original parcel are controlled by the Landscape Buffers of WDB 23 (Lots 1, 2, 3, and 6). All other proposed lot lines, including all of Lots 4, 5, 7, 8 are subject to 15-ft setbacks.

Frontage – All lots shall have a minimum of 40 feet frontage on the existing or proposed driveway.

31.7 Open Space Development

Compliance anticipated. The subject parcel is larger than 10.5 acres and required to set aside 75% as open space. The applicant has proposed to protect ±194 acres as open space, comprising 96% of the total parcel area.

Lot 6 Reconfiguration: See Recommendation #2h(i). At DP, Lot 6 and Lot 9 Open Space must be reconfigured to provide 100-200 ft wide open space buffer between Lot 6 and the adjoining property. Per WDB 31.7.3, *“The protected open space...must also be contiguous with any open space on adjoining lots or parcels that is currently protected...”* Staff recommends a width of 100-200 ft per WDB 31.8.6 where the minimum buffer width can range from 100-500 ft and the DRB may allow a narrower buffer *“along a property boundary where there is protected open space or terrain that is unsuitable for building on the adjoining property”* per WDB 31.8.6.4.

31.8 Housing Design in Open Space Developments

Compliance anticipated. The Discretionary Permit must identify ½ acre building envelopes in compliance with 31.8.1. See Recommendations #4b and #4c. The proposal is anticipated to comply with the cluster requirements of WDB 31.8.4-31.8.6, thus the WCC did not make specific recommendations regarding those standards.

31.9 Lots and Home Sites

See Recommendations #4b and #4c. WDB 31.9.6.1 establishes a clearing limit for new homesites. Clearing existing woodland or forest vegetation for a home site, including the yard and the space occupied by any accessory structure shall be limited to a half-acre. This does not include access driveways, utility lines, or areas cleared for the underground components of on-site wastewater disposal systems, but does include on-site circulation and parking areas.

31.9.1 Provide for Adequate Wastewater Treatment – Compliance anticipated. See WDB 15.6.

31.9.2 Ensure an Adequate Water Supply – N/A. Proposed average density does not exceed 1 unit per 10 acres. See also WDB 15.10.

31.9.3 Provide for Safe Road Access – Compliance anticipated. All lots have access to South Road by at least 40 feet of frontage on an existing or proposed public or private road or drive. See also 31.3.6.

31.9.4 Respect the Terrain – Compliance anticipated. Show road profile at DP.

31.9.5 Provide Trail Connections – Compliance anticipated. See also WDB 11 and Recommendation #4g.

31.9.6 Minimize Visual Impact Using Existing Vegetation and Terrain – See also 31.8.1, a ½ acre home site and clearing limit applies. For Lots 1 & 2, see also WDB 11 and 23.

31.9.7 Minimize Visual Impacts in Open Areas – Not applicable, this is a forested area.

31.9.8 Supplement Screening or Absorption, as Necessary – See also WDB 27.9

□ **Affordable Homes and Growth Management**

Specific

WDB 11

RECOMMENDATION

This subdivision has two paths forward and the motion allows for the applicant to concurrently pursue each:

1. Proceed to Discretionary Permit review and provide one (1) dwelling affordable at 100% Area Median Income and other requirements per WDB 11.3, or,
2. Proceed to Growth Management Review in March 2025 prior to filing a Discretionary Permit.

If proceeding to Growth Management, this project is 'Outside the Sewer Service Area,' and subject to the criteria of WDB 11.9. It must score a minimum of 40 points to be eligible for allocation.

- 11.9.1 Conserve Energy, 0-30 points
- 11.9.2 Provide for Paths and Trails, 0-20 points
- 11.9.3 Conserve Open Space, 0-30 points
- 11.9.4 Minimize Visual Impact, 0-20 points

□ **Access, Connectivity, Traffic Studies**

Specific

WDB 13

RECOMMENDATION

Compliance anticipated- two exceptions are included in the recommendations. Lots 1 & 2 propose access from South Road. Lots 3-8 will have access from a shared private driveway. The existing private driveway, Caboose Lane, serves 3 separately owned lots and four (4) dwellings: 73, 115, and the duplex at 141-143 Caboose Lane. The proposed driveway extends Caboose Lane along the existing forestry road, traversing Lot 9 Open Space.

13.2.6.2 Driveway Length Exception: Compliance anticipated. This property is eligible for the length exception. Existing barriers including parent parcel configuration, wetlands, and limited frontage on South Road and Beartown Road make another point of access infeasible. The reduced density of 1 unit per 10 acres is required and proposed.

- Caboose Lane, existing from South Road to beginning of proposed extension: approx. 700 LF
- Caboose Lane, proposed extension to Lot 6: 1,800 LF
- Caboose Lane, existing and proposed total: 2,500 LF

13.5.1 Number of Units Served Exception: Compliance anticipated. As proposed, the private driveway will serve 10 dwellings (4 existing and 6 proposed) where typically 5 dwellings are permitted. A road (69' ROW with 26' paved travel lanes) would significantly impact on wetland and conservations areas per WDB 27 and 29. Therefore, allowing the exception will "*preserve landscape features and neighborhood character that would be adversely impacted by requiring construction of a private or public road.*" The reduced density of 1 unit per 10 acres is required and proposed. The entirety of Caboose Lane must meet the standards of 13.2.6 to utilize this exception.

Be advised, the Fire Department Plan Memo has many non-jurisdictional requests. The WDB has no regulations for, and therefore the DRB cannot require or enforce, the following requests from the FD Memo:

- Fire apparatus turnarounds shall be provided where the road is a dead end and is more than one hundred and fifty (150) feet in length.
- Curve Radius – 30' inside radius minimum
- Minimum Width of Caboose Lane shall be 24 feet
- Driveways / Roads shall have clear height unobstructed to 13'-6".
- All driveways and access roads more than 500' shall be required to have and apparatus turnoff every five hundred (500) feet. Turn off shall be designed to fit 50' fire apparatus.
- Driveways designed to allow apparatus to park within a maximum of one hundred (100) feet of the structure. Fifty (50) feet is preferred.

| BYLAW EXCERPT: | NOTES |
|--|---|
| 13.2.6 What are the additional standards for the construction of residential driveways? These standards apply to driveways that serve more than one dwelling. | |
| 13.2.6.1 <u>Grade</u> . The grade of a residential drive shall not exceed 10%. | Demonstrate compliance at DP. |
| 13.2.6.2 <u>Width</u> . Residential drives shall be no less than 12 feet in width, and no more than 16. Where the drive travels through brush, woods, or forest, there shall be a cleared area of four feet on either side of the drive. | The driveway shall be 14' wide with 4' clear. The FD request for 6' clear cannot be enforced by the bylaw. |
| 13.2.6.3 <u>Length</u> . No private driveway shall be longer than 1,320 feet. The DRB may permit an exception to this standard where physical barriers, including property ownership or difficult terrain, make provision of another point of access infeasible. Where an exception is permitted, the density of development served by the private driveway shall average 1 dwelling per 10 ten acres or less. | Compliance anticipated. See discussion above. |
| 13.2.6.4 <u>Construction</u> . Residential drives shall consist of a minimum four-inch finish course of gravel or, alternatively of asphalt or concrete paving, a minimum eight (8) inch base course, and a geotextile layer. The first 30 feet back from a paved public road shall be paved. Specifications for these materials are found in the <i>Public Works Standards</i> . Drainage shall be provided in the form of a swale, or swale, and culverts. Runoff and erosion control shall be provided as required by Chapter 29 of this bylaw. | Demonstrate compliance at DP. |
| 13.2.6.5 <u>Pull-Outs</u> . A pull-out permitting vehicles to pass shall be provided for every 400 feet of residential drive. | A 2,500 LF driveway must have 7 pull-outs ($2,500 \div 400 = 6.25 = 7$). This exceeds the FD request of every 500 LF, but the WDB cannot enforce the pull-out dimensions. |
| 13.2.6.6 <u>Natural Hazards</u> . Residential drives shall not be permitted where they would be subject to regular seasonal flooding, slope failure, or other natural hazards. | Demonstrate compliance at DP. The driveway is not mapped a flood zone, but does cross low-lying wetland areas. |
| 13.2.6.7 <u>Addresses</u> . Where the building and required building numbers are not visible from the road, dwellings served by a residential driveway must be identified with a freestanding sign displaying the address number or numbers as required by Williston's Road Name and Road Location Addressing Ordinance, which is attached as Appendix D. | Demonstrate compliance at DP. Contact the E911 Coordinator (Listers and Assessors Office) to determine location addresses per the Ordinance. |
| 13.5.1 How many dwellings may be served by a private driveway? Where a new private driveway is being established in compliance with WDB 13.2, the maximum number of dwellings it may serve is limited to five (5). There are two exceptions to this standard. | |
| 13.5.1.2 <u>Lower Density</u> . The DRB may permit an exception to this standard where doing so will preserve landscape features and neighborhood character that would be adversely impacted by requiring construction of a private or public road, where the existing driveway meets or will be improved to meet the standards of WDB 13.2.6, and where the average density of the development served will be one unit per 10 acres or less. | Compliance anticipated. See discussion above. |

On-Site Infrastructure

Standard

WDB 15

RECOMMENDATION

Compliance anticipated.

15.4 Private Utilities – Compliance anticipated. Discretionary permit must identify underground utilities.

15.6 On-Site Sewage Disposal – Compliance anticipated. This property is outside the Sewer Service Area. The discretionary permit must include plans for on-site sewage disposal.

15.10 On-Site Water Supply – Compliance anticipated. This discretionary permit must demonstrate that groundwater sufficient to support the development is available.

| | | |
|---|---|-----------------|
| □ | Maintenance | Specific |
| | WDB 16 | RECOMMENDATION |
| | Compliance anticipated. | |
| | 16.7 Solid Waste – If an area for shared solid waste containers is proposed and within public view (i.e. can be seen from South Road), then it must be screened and located in compliance with WDB 16.7. | |

| □ | Density, Transfer of Development Rights | Standard | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------------------------------------|--|--|---------------------|------------|-------|--------------------------------|---------------------|---------------|-------|--|----------|-------------------|-------|----------------|---|-----------------|-------|-------------------------------------|----------|-------------------------|-------|----------------|---|-----------------|--------|-------------------------------------|-----------|--------------------------------------|--|--|----------|
| | WDB 19 | RECOMMENDATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | NOTES: Compliance anticipated. The Discretionary Permit shall include a density analysis based upon the confirmed wetlands delineation. At the base density of 0.55 dwellings per acre, a theoretical maximum is 54 units. This subdivision proposes a reduced density to 1 unit per 10 acres to utilize the driveway exemptions (see WDB 13 above). | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Preliminary Density Calculation per Table 19.A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Constraint</th> <th style="width: 15%;">Acres</th> <th style="width: 40%;">Mx. Allowable Density per Acre</th> <th style="width: 20%;">Max Allowable Units</th> </tr> </thead> <tbody> <tr> <td>Unconstrained</td> <td>~90.8</td> <td>1 unit per 10 acres; Reduced density per WDB 13.2.6.3 and 13.5.1.2</td> <td>9 (9.08)</td> </tr> <tr> <td>Watershed Buffers</td> <td>~45.7</td> <td>0 Due per acre</td> <td>0</td> </tr> <tr> <td>Slopes 15-29.9%</td> <td>~47.2</td> <td>1 DUE per 10acres (0.10 DUE / acre)</td> <td>4 (4.72)</td> </tr> <tr> <td>Slopes greater than 30%</td> <td>~16.8</td> <td>0 Due per acre</td> <td>0</td> </tr> <tr> <td>Total Land Area</td> <td>100..5</td> <td style="text-align: right;">Total Dwelling Units Allowed</td> <td>13</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Dwelling Units Proposed</td> <td>9</td> </tr> </tbody> </table> | | | Constraint | Acres | Mx. Allowable Density per Acre | Max Allowable Units | Unconstrained | ~90.8 | 1 unit per 10 acres; Reduced density per WDB 13.2.6.3 and 13.5.1.2 | 9 (9.08) | Watershed Buffers | ~45.7 | 0 Due per acre | 0 | Slopes 15-29.9% | ~47.2 | 1 DUE per 10acres (0.10 DUE / acre) | 4 (4.72) | Slopes greater than 30% | ~16.8 | 0 Due per acre | 0 | Total Land Area | 100..5 | Total Dwelling Units Allowed | 13 | Total Dwelling Units Proposed | | | 9 |
| Constraint | Acres | Mx. Allowable Density per Acre | Max Allowable Units | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unconstrained | ~90.8 | 1 unit per 10 acres; Reduced density per WDB 13.2.6.3 and 13.5.1.2 | 9 (9.08) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Watershed Buffers | ~45.7 | 0 Due per acre | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Slopes 15-29.9% | ~47.2 | 1 DUE per 10acres (0.10 DUE / acre) | 4 (4.72) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Slopes greater than 30% | ~16.8 | 0 Due per acre | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Land Area | 100..5 | Total Dwelling Units Allowed | 13 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Dwelling Units Proposed | | | 9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| □ | Landscaping | Specific | | | | | | | | | | | | | | | |
|-------------------------------------|--|--|--|--|---|-------------------|--------------------|---|--|--|---|-------------------------------------|---------------|--|--|--|--|
| | WDB 23 | RECOMMENDATION | | | | | | | | | | | | | | | |
| | Compliance anticipated. The standards of WDB 23 apply to exterior parcel boundaries. Given the vast size of the parcel and the unique layout, the required landscaping is discussed based on proposed building lot. Everywhere else, the 50-ft Existing Vegetation (forested) buffer is required. | | | | | | | | | | | | | | | | |
| | Lots 1, 2, 3, and 6 should maintain a 50-ft Type I Existing Vegetation Buffer along exterior parcel boundaries. The applicant should also be advised that to score points in WDB 11 for Minimally Visible, the landscaping along South Road may need to be supplemented to comply with a Type I buffer. | | | | | | | | | | | | | | | | |
| | <i>23.3.2.2 Type I - Existing Vegetation. A landscaped buffer composed primarily of existing woodland or forest that must be of sufficient height and density to provide an effective visual buffer. Where this type of buffer is proposed, the landscaping plan shall include photographic documentation of the buffer's effectiveness. The landscaping plan shall also propose supplemental new plantings where the existing vegetation is too thin to be an effective visual buffer. This type of buffer must be relatively wide to sustain its habitat value and to function as a woodland or forest that needs only minimal maintenance. Other types of buffers may be narrower but are assumed to require regular maintenance.</i> | | | | | | | | | | | | | | | | |
| | Required Landscaped Buffers per WDB 23.A | | | | | | | | | | | | | | | | |
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Proposed Land Use</th> <th style="width: 20%;">Adjoining Land Use</th> <th style="width: 15%;">Type I Existing Vegetation¹</th> <th style="width: 15%;">Type II Dense Plantings²</th> <th style="width: 15%;">Type III Informal Plantings³</th> <th style="width: 15%;">Type IV Formal Plantings³</th> </tr> </thead> <tbody> <tr> <td>Open space residential, ARZD</td> <td>Any other use</td> <td colspan="4"><i>Open space developments must provide ample buffers. See Chapters 31 and 39 of this bylaw.</i></td> </tr> </tbody> </table> | | | | | Proposed Land Use | Adjoining Land Use | Type I Existing Vegetation ¹ | Type II Dense Plantings ² | Type III Informal Plantings ³ | Type IV Formal Plantings ³ | Open space residential, ARZD | Any other use | <i>Open space developments must provide ample buffers. See Chapters 31 and 39 of this bylaw.</i> | | | |
| Proposed Land Use | Adjoining Land Use | Type I Existing Vegetation ¹ | Type II Dense Plantings ² | Type III Informal Plantings ³ | Type IV Formal Plantings ³ | | | | | | | | | | | | |
| Open space residential, ARZD | Any other use | <i>Open space developments must provide ample buffers. See Chapters 31 and 39 of this bylaw.</i> | | | | | | | | | | | | | | | |
| | <p>(1) Minimum 50 feet width for Type I is based on typical tree height and reflects the protection of habitat values and low maintenance needs of remnant woodland or forest.</p> <p>(2) Type II buffer heights are based on the width of a hedge plus an 8-foot planting strip. Type II is permitted only where space limitations preclude use of the other types.</p> <p>(3) Type III and IV buffer heights are based on the maximum building height, or fractions thereof.</p> <p>(4) All outdoor storage and work areas are to be treated as heavy commercial/industrial.</p> | | | | | | | | | | | | | | | | |

| | | |
|---|--|-----------------|
| □ | Street Trees | N/A |
| | WDB 26 | RECOMMENDATION |
| | <p>Not applicable. Per WDB 26.1.2.1, “The DRB may waive this chapter’s requirement for street trees where a road passes through existing woods and for open space developments in which formal planting plans are inappropriate.”</p> | |
| □ | Conservation Areas | Specific |
| | WDB 27 | RECOMMENDATION |
| | <p>Compliance anticipated.</p> | |
| | <p>27.5 Significant Wildlife Habitat Areas (SWHA) - See WCC Recommendation #4a. A Habitat Disturbance Assessment (HDA) must be prepared by a qualified wildlife biologist contracted through the Town for the Discretionary Permit application. The HDA should focus on the northern portion of the parcel where development is proposed. The subject parcel is within a Significant Wildlife Habitat Area (SWHA) due to its designation as both Core Habitat and Wildlife Travel Corridor on the Significant Wildlife Habitat Official Map, adopted as part of WDB 27.</p> | |
| | <p>27.9 Scenic Viewshed – Lot 6 is proposed within the Secondary Background/Horizon. Lots 1 and 2 are proposed in the secondary Foreground Viewshed area. The WCC discussed this with the applicant but made no specific recommendations regarding viewshed.</p> | |
| | <p>Not applicable – WDB 27.6 Unique Natural Communities (mapped at SW corner – far away from proposed development), WDB 27.7 Uncommon, Rare, Threatened, and Endangered (UTRE) Species, WDB 27.8 Farmlands of Local Importance</p> | |
| □ | Watershed Health | Specific |
| | WDB 29 | RECOMMENDATION |
| | <p>29.5 Runoff and Erosion Control Standards – Compliance anticipated. See WCC Recommendation #4f. The proposal disturbs land greater than 2 acres and is therefore high risk. WDB 29.3.1 requires that for high-risk developments the discretionary permit application be accompanied by a professionally prepared Erosion Prevention and Sediment Control Plan that shows how compliance with the performance standards of WDB 29.5 will be attained both during the construction of the proposed development and the continuing use of the site. The applicant should refer to WDB 29.5 for specific runoff and erosion control standards.</p> | |
| | <p>29.8 and 29.9 Wetlands Protection and Watershed Protection Buffer – Compliance anticipated. See WCC Recommendations #4d and #4e. There are Class II, Class III, and two (2) unnamed streams on the subject property. The proposed driveway (the existing forestry road) crosses the watershed and buffer areas. WDB 29.8.2 states that wetlands must remain in their natural vegetation, but may be crossed by roads, trail, or utility lines where there is no feasible alternative to such a crossing and where all work is conducted in compliance with an approved runoff and erosion control plan and a Conditional Use Permit approved by the Agency of Natural Resources.</p> | |
| | <p>29.10 Source Water Protection – Compliance anticipated. See Recommendation #5. This property is mapped as a Surface Water Source Water Protection Area (SPA) in the Lake Iroquois and Patrick Brook Watersheds. Lake Iroquois is part of the watershed for Shelburne Bay, the source for Champlain Water District. Per WDB 29.10.2, no specific standards apply but the Administrator shall refer this application to CWD for comment.</p> | |

□ **Impact Fees**

N/A – FYI Only

WDB 43-45

RECOMMENDATION

Recreation and Parks Impact Fee and Transportation Impact Fee are assessed with the Administrative Permit. In FY2025, these fees are just below \$4,000. As of November 18, 2024, the School Impact Fee has been retired.

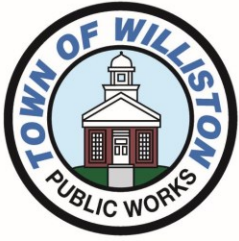
RECOMMENDATIONS AND MOTION

1. The proposed development and use(s) can meet the development standards of WDB Chapter 31.
2. A discretionary permit application shall be in conformance with all the WDB requirements and standards, and subject to these recommendations of the DRB, including but not limited to:
 - a. WDB 11 – A discretionary permit in compliance with the Inclusionary Zoning Requirements per WDB Chapter 11 or Growth Management (questionnaires sent in January 2025; due February 29, 2025; hearing is March 25, 2025)
 - b. WDB 12 – A subdivision plat in compliance with WDB 12.
 - c. WDB 13 Access – The driveway can proceed with the length and unit count exceptions. Provide specifications and details to demonstrate compliance with the standards of WDB 13.2.6.
 - d. WDB 15 On-Site Infrastructure – Underground utilities, on-site water and on-site wastewater in compliance with the requirements of WDB 15. Well testing not required due to reduced density of 1 unit per 10 acres
 - e. WDB 16 Maintenance – Solid waste containers in compliance with WDB 16.7 if visible from South Road
 - f. WDB 23 Landscape – 50-ft Existing Vegetation Buffers along exterior parcel boundaries on Lots 1, 2, 3, and 6. Standard 15’ setbacks for all internal new boundaries.
 - g. WDB 26 Street Trees – Not applicable due to open space development.
 - h. WDB 31 – Demonstrate compliance with dimensional standards and minimum lot size requirements.
 - i. Reconfigure Lot 6 and Lot 9 Open Space to provide open space, minimum 100-200 ft in width, between Lot 6 and the adjoining property (Forrester, ID 27-028-025-000).
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 6, 2024
4. The discretionary permit application must address the Conservation Commission (WCC) recommendations from their memo dated November 20, 2024:
 - a. A Habitat Disturbance Assessment (HDA) must be prepared by a qualified wildlife biologist contracted through the Town for the Discretionary Permit application. The HDA should focus on the northern portion of the parcel where development is proposed. The applicant should contact staff following DRB review of the pre-application to discuss procurement of the HDA
 - b. Limit the extent of forest clearing to the greatest degree possible to reduce impacts to the Significant Wildlife Habitat Area.
 - c. Site plan should show defined building envelopes of ½ acre or less for the proposed building lots. No structures or forest clearing should be allowed outside the building envelope.

- d. A wetland delineation for the proposed development must be prepared by a professional wetlands scientist and the site plan submitted with the discretionary permit application shall show wetlands in and within 100ft of the development lots (if present).
 - e. Proposed development must not encroach into watershed protection buffers except as provided under WDB 29.9.6.3. Watershed protection buffers must be clearly demarcated on the site plan and on the ground to prevent future disturbance.
 - f. The applicant must submit a professionally prepared runoff and erosion control plan as part of the discretionary permit application.
 - g. The applicant should work with staff and the WCC to explore options to create a trail connection between the Lake Iroquois Recreation District and both South Road and parcels to the northeast.
5. The Zoning Administrator shall refer this development to the Champlain Water District for comment per WDB 29.10.
 6. Per the Road Names and Location Addressing Ordinance Section V(A), contact the E911 Coordinate regarding addresses and provide a plan with the Discretionary Permit application.

MOTION

As authorized by WDB 6.6.3, I _____, move that the Williston Development Review Board, having reviewed the application submitted and all accompanying materials, including the recommendations of the town's staff and the advisory boards required to comment on this application by the Williston Development Bylaw, and having heard and duly considered the testimony presented at the public hearing of November 26, 2024, accept the recommendations for DP 25-04 and authorize this application to move forward to Growth Management and/or discretionary permit review.



Town of Williston
7900 Williston Road
Williston, VT 05495

1763

Public Works
(802) 878-1239

MEMORANDUM

To: Planning & Zoning
From: Christine Dougherty, PW Assistant Director
CC: Bruce K. Hoar, Public Works Director
Date: 11/6/2024
RE: DP 25-04

Public works was provided with a copy of the Pre-application and has the following questions and/or comments which should be addressed by the applicant when submitting plans for review as part of the Discretionary Permit application process.

- 1) All materials, design, and workmanship must meet nationally accepted standards and practices along with all applicable standards of the Town of Williston, including the Town's Public Works Standards and the Unified Development Bylaws. See section 1.1 of the Standards and Specifications for more information.
- 2) Town Engineering Service Charge (retainer) in the amount of \$5000 will be required when the Discretionary Permit application is submitted. See Section 1.18 of the DPW Standards and Specifications for more information.

The applicant must obtain the signature of DPW staff on the Final plans Checklist showing that the final plans address the above comments prior to submitting final plans to the Planning and Zoning staff for review and approval.

MEMO

To: DRB Staff
From: Ryan Prouty, Lieutenant
Date: November 5, 2024
Re: DP 25-04 Caboose Lane Subdivision

The Fire Department has completed review of the above referenced project and at this time offers the following;

Access

Fire apparatus turnarounds shall be provided where the road is a dead end and is more than one hundred and fifty (150) feet in length.

Driveway shall have a solid base of fourteen feet in width

Curve Radius – 30' inside radius minimum

Minimum Width of Caboose Lane shall be 24 feet

All driveways and roads shall have at least a six-foot-wide zone on each side of the driveway/road clear of encumbrances.

Driveways / Roads shall have clear height unobstructed to 13'-6".

All driveways and access roads more than 500' shall be required to have an apparatus turnoff every five hundred (500) feet. Turn off shall be designed to fit 50' fire apparatus.

Driveways designed to allow apparatus to park within a maximum of one hundred (100) feet of the structure. Fifty (50) feet is preferred.

Building Identification

State Fire Prevention Code, and local Williston ordinance, cite that all buildings have their assigned street address numbers placed in a position to be plainly visible from the street or road fronting the property. Numbers shall contrast with their background and be reflective.

I encourage the applicant to access this Standard so that these needs can be addressed. I also encourage the applicant to meet with the Fire Department in order to ensure that all requirements within the Standard are met.

Thank you for including the Fire Department in the review process.