

Moretown Development Review Board
Minutes of DRB Site Visit and Hearing Held July 17, 2013

Continued Hearing on Application No. 13-16 of H&H Real Estate for Planned Unit Development

Members of the Board convened at the Gallagher Acres Subdivision at 5 PM. Present from the Board were John Riley, Jim O'Neill, and Tom Badowski.

Present for the Applicant was Nate Hayward.

The Board briefly examined the internal road network and the infrastructure the Applicant has installed such as water lines. A purpose of the site visit was to review additional acreage the Applicant is submitting as common area. The Board traveled by vehicle to the end of a future cul de sac at the southwesterly edge of the development. From there the Board walked easterly along the backside of the uppermost proposed house lots to the location of a logging road which travels uphill through a narrow gully approximately 100 yards. At that location the slope moderates and the remains of a large cistern type structure apparently used to collect spring water as part of the former Gallagher water system is visible. The site visit concluded at approximately 5:50 PM.

At 6:15 the Board reconvened for the continued hearing at the Town offices. Again, present for the Board were John Riley, Jim O'Neill, and Tom Badowski. Nate Hayward was present for the Applicant.

The Board further discussed and considered whether the Application for a planned unit development meets Section 5.3(F)(1) which requires that the number of residential units within the PUD not exceed the number which would be permitted if the parcel were subdivided into buildable lots in conformance with the regulations. Based on a further understanding of the terrain the Board is skeptical that 34 buildable lots could be created from the 40.58 acres dedicated to the PUD. However, the present application would seem to justify consideration of the density bonus allowed under the ordinance. Under that analysis the Applicant need only show that it could create 28 buildable lots on the 40.58 acres. The Board considered the subdivision map, the terrain, and the existing roads, and water system infrastructure. There is acreage being dedicated to common areas that is open and flat southerly of the utility right of way. It is true that the terrain beyond rises steeply, but lots could be laid out in that vicinity which utilize the flat open area, and a portion of the steeper terrain, to reach the one acre minimum lot size.

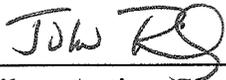
After consideration of the map and road network the Board is satisfied that working on a blank slate that twenty-eight lots which meet zoning requirements could be created. The Board is further willing to utilize its discretion to increase the amount of allowed lots by

6 additional lots (total 34) which is within the 25% density bonus threshold allowed by the ordinance. The Board is comfortable with the density bonus because of the many factors favoring the location of this subdivision. That is, the equity of there being a long established lot configuration, with the presence of municipal water, and the development being in close proximity to U.S. Route 2 and services available in Waterbury Village.

All three Board members agree that the application meets all the PUD criteria set forth in the Moretown zoning ordinance. The Board closed the evidence and will work on preparing a written decision supporting this conclusion.

The meeting adjourned at approximately 7:20 P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John Riley", written over a horizontal line.

John Riley, Acting Clerk