

Huntington Development Review Board
4930 Main Road
Huntington, Vermont

RE: Application of Betty J. (Aruzza) Wheeler
Application No. 2015-1

FINDINGS OF FACT, CONCLUSIONS, AND DECISION

FINAL SUBDIVISION HEARING FOR:
Betty J. (Aruzza) Wheeler Minor Subdivision
4340 Main Road, Huntington, VT 05462

Based upon the application of Betty J. (Aruzza) Wheeler (hereinafter the "Applicant") and the testimony and exhibits presented prior to and at the June 9, 2015 hearing pursuant to the Final Subdivision Review which was held at the Huntington Town Office in Huntington, Vermont, and, after due deliberation at its June 9, 2015 meeting, the Huntington Development Review Board (hereinafter the "Board") makes the following Findings of Fact, Conclusions, and Decision of Approval and Conditions in accordance with the Town of Huntington Subdivision Regulations, effective July 9, 2012 (hereinafter the "Regulations") which are applicable to this matter:

FINDINGS OF FACT:

1. On May 4, 2015, the Applicant filed an Application for Final Subdivision Approval for a project on 8.27 acres described as a Minor Subdivision, consisting of one residence on 3.08 acres and one residence on 5.19 acres, at 4340 Main Road, north of Huntington Center.
2. The Applicant filed the following:
 - a. The completed required Subdivision Information form filed January 7, 2015. (Exhibit A)
 - b. Survey entitled "Plat of Survey showing portion of lands belonging to Betty J. (Aruzza) Wheeler, Main Road, Huntington, Vermont" dated April 27, 2015, and prepared by Kevin R. LaRose, Licensed Land Surveyor, Bristol, Vermont. (Exhibit B)
3. On June 9, 2015, at the Final Subdivision Review hearing, the Applicant appeared before the Board and presented evidence in support of the project.
4. In accordance with the Regulations and state law, notice of this hearing, dated May 19, 2015, was published in the newspaper, posted in the community and mailed to adjacent property owners. (copy in file)

5. The project is located at 4340 Main Road, north of Huntington Center, and is located in the zoning district named the Village District, which is zoned for one acre. The project is located on Town Tax Map # 05-061.000.
6. The Applicant owns 8.27 acres with two single-family residences in Huntington on the west side of Main Road bordered, on the west side by the Huntington River, which will be divided into Lot 1 (5.19 acres) and Lot 2 (3.08 acres); each parcel will have one residence.
7. The Applicant has represented that there are no natural features of significance on the property where the two residences are located.
9. The Applicant represented that the site has no significant historic or cultural features.
10. Shared drilled well on proposed Lot 2: shown on the survey.
11. Abandoned shallow well on proposed Lot 2; shown on the survey.
12. Shared septic on Lot 1; not shown on the survey.
14. Monuments are shown on the plat. The Applicant stated that the monuments are in place.
15. Due to the existence of the two single-family residences and no plans for new residences:
 - a. Letter from Huntington Fire Chief Tate Jeffrey waived by the Board was waived by the Board upon request of the applicant;
 - b. Letter from Chittenden East Supervisory Union Superintendent John Alberghini was waived by the Board upon request of the applicant;

The Development Review members present during site visit to the property on June 9, 2015 referred to above were Joe Perella (chair), Jeanine Carr, and Britt Cummings.

The Development Review members present during the hearing and deliberations on June 9, 2015 referred to above were Joe Perella (chair), John Altermatt, Jeanine Carr, and Britt Cummings (constituting a quorum).

CONCLUSIONS:

After deliberations on June 9, 2015, the Board has concluded the Applicant has provided materials in the application and up to and during the hearing on June 9, 2015 (referred to as Exhibits A-B above) that satisfies the requirements of Section 5.1 of the Regulations (subject to the conditions set forth below). In addition, the Board has

considered the materials referred to above in the light of the requirements of Section 5.1 of the Regulations and conclude that the requirements of Section 5.1 are satisfied subject to the conditions set forth below. The Board's conclusions with regard to each subparagraph of Section 5.1 are set forth (by subparagraph number) as follows:

5.1.1. The project is suitable for subdivision as proposed and will not be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas.

5.1.2. Subject to the conditions set forth below, the proposed subdivision shows due regard for the preservation and protection of existing natural features, trees, brooks, rock outcroppings, water bodies, or other natural and/or historical resources.

5.1.3 – 5.1.6. The project satisfied the requirements of the subparagraph adequately.

5.1.7. As two residences are in existence, there is no proposed construction and potential for erosion and runoff into nearby surface waters is adequately remedied.

5.1.8 – 5.1.12. The project satisfied the requirements of the subparagraph adequately.

5.1.13. The project complies with the Huntington Town Plan, the Huntington Zoning Regulations amended July 9, 2012 and other applicable Town regulations, subject to the conditions set forth below.

In addition, the Board concluded that:

- A. The project is not in a floodplain.
- B. This area has single family residences, open areas and wooded areas. The Board concludes the project complies with the provision of compatibility with surrounding properties.
- C. The project is suitable for the proposed site density.
- D. Based on the Applicant's testimony, there will be sufficient water to meet the needs of the proposed project for the reasonably foreseeable future.
- E. This subdivision as proposed will not cause highway congestion or unsafe conditions, subject to the conditions set forth below.
- F. A waiver of a survey of letters addressing municipal services, as requested by the Applicant, has been granted.

DECISION OF APPROVAL AND CONDITIONS

Following deliberation on June 9, 2015, Final Subdivision Approval was granted on June 9, 2015 by a unanimous vote of the Huntington Development Review Board with the following conditions:

1. Within 180 days of the issuance of this decision, the Applicants shall submit for signature by the Chair of the Development Review Board and file for recording in the Town Clerk's Office an 18" x 24" mylar (otherwise in compliance with state statutes) of the survey/site plan referenced as Exhibit B above.
2. Applicants shall obtain all necessary local, state and federal permits.
3. Corrections to survey map:
 - a. Correct spelling of Chittenden
 - b. Add 4340 to address
 - c. Show wastewater site.
4. Shared driveway maintenance shown in warranty deed.
5. An effective driveway maintenance agreement will remain in effect.
6. Installation of culverts will be completed to ensure adequate drainage.
7. Exterior lighting shall be done in accordance of Section 5.11 of the Huntington Zoning Regulations.
8. The applicant shall pay the recording fees associated with the filing of the survey (referred to in Condition # 1 above), and permit decision with the Town of Huntington.
9. All buffer requirements in the Zoning Regulations related to Critical Wildlife Habitat shall be met.



Joe Perella, Chair
Huntington Development Review Board

Dated this 7th day of July 2015.