



Town of Jericho
Jericho Development Review Board

Via Certified Mail

October 15, 2019

Tatro 368 Route 15 Properties LLC
P.O. Box 339
Jeffersonville, VT 05464

RE: 368 VT Route 15 site plan review for the construction of a 7,015 sq. ft multi-use building to be located on lots 2B & 2C.

Dear Mr. Tatro:

At a meeting of the Jericho Development Review Board held on August 28th and September 11, 2019, the Board heard your request for site plan review and associated site improvements located at 368 VT Route 15 (VT368). This parcel is located in the Village Center and CD 4 Character Based Districts.

After review of the application, the Board voted to deny your request. Listed below are the Findings of Fact and decision that were approved by the Development Review Board on October 10, 2019:

FINDINGS OF FACT

1. The DRB finds that the applicant has received an approval to amend a previous subdivision which now creates lots 2B & 2C.
2. The DRB finds that the proposal is for the construction of a 7,015 sq. ft. single-story multi-use building and associated site improvements located on approved lots 2B & 2C and Common Areas 2 & 3 in the Village Center and the CD 4 Character Based Districts.
3. The DRB finds that the proposed lots 2B & 2C are in conformance with the Land Use and Development Regulations.
4. The DRB finds that additional site improvements associated with the multi-use building are proposed on Common Area 2 & 3, contiguous affiliated property, and the State of Vermont Route 15 ROW.
5. The DRB finds that additional site improvements associated with the multi-use building include the following:
 - Proposed head in parking, vehicular circulation and access, limited pedestrian access, exterior lighting, dumpster enclosure, cooling tower, electrical charging station, catch basins, landscaping and stormwater infiltration gallery to be located on Common area 2.
 - Pedestrian access and catch basins and drainage to be located on Common Area 3.
 - Vehicular circulation and access, landscaping catch basins and drainage, force main sewer line, exterior lighting, electrical transformer and additional site infrastructure (gas, water) to be located on contiguous affiliated property.
 - Pedestrian access to be in the State of Vermont Route 15 ROW.
6. The DRB finds that multi-use building will have primary frontage along VT Route 15 and secondary frontage along the northerly access road which leads to what will be called Old Mill Green and will be consider and be established as a thoroughfare.




Town of Jericho
Jericho Development Review Board

7. The DRB finds that with the proposed vehicular circulation and access improvement associated with the contiguous affiliated property and the building of what is to be Old Mill Green that Common Area 2 will now have primary frontage along the proposed Old Mill Green access drive which will become a thoroughfare.
8. The DRB finds that with the new proposed vehicular circulation and access associated with the multi-use building a thoroughfare is being created on Common Area 2.
9. The DRB finds that the proposed parking layout (head in parking) is not an allowable design on a thoroughfare in the CD 4 Character Based District.
10. The DRB finds that the proposed location of the cooling tower on Common Area 2 is not on compliance because it is not allowed within the first lot layer.
11. The DRB finds that §11.8.4 and §13.4.18.4 of the Land Use and Development Regulations state when abutting a public way that street trees are required.
12. The DRB finds that there are no proposed street trees.
13. The DRB finds that application does not meet the requirements of §11.8.4 and §13.4.18 of the Land Use and Development Regulations.
14. The DRB finds that the applicant does have a height encumbrance associated with a GMP easement, but it does not prevent the installation of landscaping and street trees.
15. The DRB finds that the proposed bollard (rebranded Protective Post) material is not allowed in the CD 4 Character Based District.
16. The DRB finds that finished septic designs were not provided.

Based on the findings of fact a motion by Barry King to deny the request by Tatro 368 Route 15 Properties LLC Site plan approval for the construction of a 7,015 sq.ft. multi-use building and associated site improvements was made. Seconded by Jeff York. Those in favor: King, York & Flynn. Opposed: Newbeck. Abstained: None. Absent: Chardain. Motion carried 3-1.

In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho. Address: *Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, Vermont 05401*. The current filing fee for an appeal is \$295.00, payable to Vermont Superior Court, and it must be sent in with the notice of appeal. Anyone with questions about an appeal can call the Court at 802-951-1740.

Sincerely,


Barry King, Chair
Jericho Development Review Board

cc: Interested Parties Town Clerk Selectboard Lister –Town of Jericho