



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 amend a previously approved subdivision

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 to amend a previously approved subdivision (3 additional lots, one common area lot and two developable lots) located at 368 VT Route 15 (VT368). This parcel is located in the Village Center Zoning District and the CD 4 Character Based District.

After review of the application, the Board **unanimously** voted to approve your request with conditions. Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on October 10, 2019:

FINDINGS OF FACT

1. The DRB finds that the proposal is to amend a previously approved three lot subdivision to re-subdivide lot 2B into two developable lots and one common area lot. The parcel is located in the Village Center Zoning District and the CD 4 Character Based District.
2. The DRB finds that there is an existing structure located on lot 2A and site improvements on Common Area 2.
3. The DRB finds that the proposed common area lots are to be shared.
4. The DRB finds that the proposed lot 2B is now in conformance with the Land Use and Development Regulations.
5. The DRB finds that the applicant had requested and was granted a temporary waiver for the proposed lot #2B as per section 10.12.4 of the Land Use and Development Regulations.
6. The DRB finds that a *Performance Guarantee* is in place to ensure future compliance to the zoning regulations as it relates to the request for the granting of a temporary waiver for lot #2B.
7. The DRB finds that the proposed lots for development 2B & 2C will receive municipal water.
8. The DRB finds that there are no proposed public roads within this submission.
9. The DRB finds that wastewater permits will be required for lots 2B & 2C.
10. The DRB finds no septic designs or location were provided.



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11. The DRB finds that the applicant will be required to receive a Wastewater System & Potable Water Supply Permit from the State of Vermont Department of Environmental Conservation.
12. The DRB finds that all utilities are proposed to be underground.

CONDITIONS

1. That the waiver requested is only granted for a period of two years from the filing of the subdivision plat and that the filing of the new plat will terminate the temporary waiver.
2. That the applicant's *Performance Guarantee* (letter of credit, performance bond, escrow) and provided to the Town in the amount of \$30,000.00 is still effectively in place. This *Performance Guarantee* shall be in place for no more than three years from its signed date and it shall cover future development costs and landscaping as it relates to lot 2B.
3. That prior to granting of a zoning permit for the proposed lots the applicant will receive and provide a copy of the State Wastewater System & Potable Water Supply Permit from the State of Vermont Department of Environmental Conservation associated with lots 2B & 2C.
4. The applicants will develop and record deeds for the proposed lots as well as the easement, restriction and maintenance agreements associated with the lots and the proposed subdivision.
5. The applicants will obtain and abide by the conditions of all other required local and State permits.
6. The project will be constructed and subsequently operated consistent with all Findings of Fact and Conditions set forth above as well as with the plans submitted and in any other permit obtained by the applicant for this project.
7. Substantial revisions to this plan shall require the further review and approval of the Development Review Board at a publicly warned hearing.
8. By acceptance of these conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this decision shall run with the land and shall be binding and enforceable.
9. Within 180 days of approval by the Development Review Board, a Mylar copy of the Final Plat shall be submitted for recording by the applicant which will list all easements, rights of way, covenants or restrictions on it. It will be signed by the Chair of the Development Review Board and filed with the Jericho Town Clerk.
10. The reconfigured and newly formed lots shall be monumented in accordance with the *Town of Jericho Land Use & Development Regulations*, Section 11.4.10.
11. All other improvements shall adhere to the requirements of the *Town of Jericho Land Use & Development Regulations* in effect as of this date.

Motion by Jeff York to approve the request by Tatro 368 Route 15 Properties LLC to amend the previously approved subdivision. Seconded by Phyl Newbeck. Those in favor: All. Opposed: none. Abstained: None. Absent: Andrew Chardin: Motion carried 4-0.



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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