

**TOWN OF GEORGIA
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT, CONCLUSIONS & ORDER**

**NOTICE OF DECISION
FP-003-25**

**Owner/Applicant: Anthony & Lillian Gamache
Final Plat for a (4) Duplex/ (8) Unit PUD Duplex Development**

This matter came before the Georgia Development Review Board (DRB) on the application of Anthony & Lillian Gamache, hereafter referred to as Applicants, for Final Plat review of a four (4) duplex/eight (8) unit Planned Unit Development (PUD) duplex development located in the AR-2 zoning district. A Notice of Public Hearing was duly published on April 18, 2025, in the St. Albans Messenger, and all adjoining property owners were notified.

The DRB held a public hearing on May 6, 2025. Applicants' engineer, Justin Holmes, Pinnacle Engineering, PLC, was present at the hearing.

Applicant has submitted two site plans titled "Detailed Site Plan" prepared Pinnacle Engineering, PLC dated 11/20/2024 (Revised 1/20/2025); and an "Overall Site Plan" prepared by Pinnacle Engineering, PLC dated 11/20/2024 (Revised 1/20/2025). Applicants have also provided a Grading and Utility Plan, Details & Specifications.

Based on the above-mentioned public hearing, plans submitted, and additional documents contained in the planning file for this proposal, the DRB enters the following Findings of Fact, Conclusions and Order.

FINDINGS OF FACT

NOTE: The application, any and all relevant evidence presented to the Development Review Board, and the minutes of the hearings conducted by the Town of Georgia DRB on March 18, 2025, January 7, 2025, and December 19, 2023, shall be considered part of the Findings of Fact and kept as part of the permanent record of the Applicants. This official record shall provide an additional basis for the DRB's decision.

1. The applicant is requesting final plat approval for a four (4) duplex/eight (8) unit Planned Unit Development (PUD) duplex development on the property owned by Applicant near 147 Georgia Middle Road, Georgia, Vermont, and located in the AR-2 zoning district. Sketch plan review was conducted on December 17, 2024, and the associated sketch plan letter was mailed to the Applicant on January 8, 2025. Preliminary Plat review was conducted on March 18, 2025 and the associated preliminary plat decision letter was mailed on March 19, 2025.
2. The subject parcel is ±20.66 acres and is entirely located within the AR-2 zoning district. As proposed, the land meets the requirement for the PUD subdivision with acreage and use as required by the current Town of Georgia Development Regulations dated February 27, 2023.

3. Applicant is proposing the four (4) duplexes on one parcel of land as a PUD project with common interest community language. The Open Space easement will include ± 4.15 acres at the western edge of the lot, half the lot is wooded and half will remain hayfield.
4. The units are proposed to be serviced by a private road located off Georgia Middle Road.
5. Applicant has requested three (3) Waivers: (1) Waiver to allow multiple principal structures/ uses on a single lot. (6.6.C.2, Georgia Development Regulations 2/27/2023). (2) Waiver to allow the reduction of front building setbacks to as little as 33' as measured from the centerline of the new private road to allow homes to be clustered. (3) Waiver to allow backing of motor vehicles into a private road to allow homes to be clustered. (5.2.B.2.d, Georgia Development Regulations 2/27/2023)
6. Applicant shall provide an "Ability to Serve" letter from the Town of Georgia Fire Chief indicating the ability to provide emergency services to the proposed subdivision.
7. Applicant shall submit an application for private road name to the Zoning Administrator for Town of Georgia and E911 compliance.
8. Applicant shall submit all necessary water/wastewater, stormwater discharge, and stormwater construction permits.
9. The following members of the DRB were present for the Final Plat public hearing on May 6, 2025, constituting a quorum: Charles Cross, Gilles Rainville Jr, James Powell, Glenn Sjoblom, and Leigh Horton. See meeting minutes for a list of others present.
10. The regulations in effect at the time of the decision: **Municipal Town Plan**, last amended January 6, 2025; **Town of Georgia Development Regulations**, approved February 27, 2023.

CONCLUSIONS

1. The Applicant has submitted all relevant final plat information required by the Georgia Development Regulations.
2. This application was reviewed as a major PUD subdivision pursuant to the requirements and standards outlined in Article 4, Subdivision Approval; Article 2, Zoning Districts and Land Uses and Dimensional Standards; and Article 7, Planning and Design Standards, of the Town of Georgia Development Regulations. The application was deemed consistent with the above-mentioned standards and requirements.

3. The approval of the final plat based on all prior plans contained in the Gamache FP-005-23, SK-005-24 and PR-001-25 folders in the DRB files.

ORDER

Based on the Findings of Fact and Conclusions set forth above, the Georgia DRB approves the Final Plat for a four (4) duplex/eight (8) unit Planned Unit Development (PUD) duplex development subject to the conditions listed below:

1. The submitted plans shall indicate the following:
 - a. Identifying information of the subdivision, boundaries, and general location in relation to existing streets; scale; date; true north point; zoning district designation; name and address of record owners; and the name, license number and seal of the licensed land surveyor and licensed engineer or site tech.
 - b. Lots within the subdivision shall be numbered.
 - c. Building envelopes showing proposed setbacks.
 - d. Calculated metes and bounds for all rights of way and easement areas.
 - e. Wastewater details with associated isolation areas, calculated metes and bounds of any easements.
 - f. Drilled wells and well isolation areas.
 - g. Drainage details.
 - h. Erosion control details.
 - i. Stormwater details.
 - j. Proposed contour lines at 5' intervals.
 - k. Existing and proposed utilities
 - l. Existing and proposed driveways.
 - m. Existing landscaping details.
 - n. Typical cross sections of the proposed grading of roadways.
 - o. Natural features of the proposed site including wetlands with associated required buffers, streams with associated required buffers, prime agricultural soils, rock outcroppings, and slopes > 25%.
 - p. Include the general outline of abutting properties to get the full scope of the location.
 - q. Town Clerk and DRB Chairperson signature blocks, a new version of this signature block is available on the Town of Georgia website (under Zoning Resources).
2. The final plat plan shall be accompanied by a vicinity map drawn at the scale of not over four hundred (400) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area.
3. The Final Plat submitted on Mylar measuring 18" by 24" with signature, shall be filed by the subdivider with the Town Clerk within 180 days of the DRB's signed written decision. Final approval shall expire if the Final Plat is not filed by the subdivider within the 180-day period. One ninety (90) day extension may be granted pursuant to Title 24 Ch. 117, Section 4463(b)(1), Vermont Statutes Annotated.

- a. Final approval includes any provisions listed under PR-001-25.
 - b. Approval expires November 20, 2025.
4. All Waivers listed in number 5 in the Finding of Fact above have been approved.
5. In the future event of sale of units as condominiums or other lots, the Applicants shall submit draft deed and HOA language for the eight (8) units. All documents will require legal review by the Town of Georgia. The HOA Documents for this PUD shall include maintenance and use of the private road, shared well, septic, landscaping, and maintenance of open space. HOA documents should also include language restricting the use of motorized vehicles in the open space, as well as restricting the cutting of trees and mowing on the property wetlands and buffer.
6. Prior to the commencement of any construction of the units, Applicants shall obtain requisite zoning permit(s) from the Town Zoning Administrator. All structures shall meet the setback requirements of the zoning district as identified in the Dimensional Standards for Structures and Lots Section, 2.3 Town of Georgia Development Regulations.
7. Beyond what is noted in this letter, the Applicants are responsible for securing any and all necessary permits to complete this project and follow the orders as delineated in the permits.
8. This project shall be completed, operated, and maintained as set forth in the plans and exhibits as approved by the DRB and on file in the Town Office, and in accordance with the conditions of this approval.
9. The current proposed road is being handled as a private road. A 24-foot-wide private road will be paved and constructed to comply with the Town of Georgia Private Roads and Driveway Policy (February 28, 2020) and A-76 standards.
10. All general improvements shall be completed (road paving, screening, signage, E911, etc.) before the final Certificate of Occupancy will be issued or after three (3) years- May 6, 2028- whichever comes first or with an application for extension submitted to the Zoning Administrator.
11. Prior to issuance of any Certificate of Occupancy for any lot, Applicant shall submit to the Zoning Administrator a letter from a licensed engineer stating that the private road has been constructed to pursuant to Public and Private Road Standards as outlined in Section 7.11 Town of Georgia Development Regulations.
12. Prior to issuance of any Certificate of Occupancy for the last house to be built within this 8-unit PUD subdivision or 3 years from the date the Mylar is filed in the town records,

whichever comes first, a letter by a licensed engineer shall be submitted to the Zoning Administrator stating that the private road has been paved.

13. No changes, erasures, modifications, or revisions other than those required by this decision shall be made on the subdivision plat after Final Plat approval, unless said plat is first resubmitted to and approved by the DRB. In the event the subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void.
14. All plans, drawings, and conditions/requirements etc. listed above or submitted at the hearing and used as the basis for the decision to grant this permit shall be binding on the applicants, and their heirs and assigns. Projects shall be completed in accordance with such approved plans and conditions. Any deviation from the approved plans shall constitute a violation of permit and be subject to enforcement action by the Town.

Dated at Georgia, Vermont, this 20th day of May, 2025.

By _____
Charles Cross
Georgia DRB Chair

DRB members participating in this decision: Charles Cross, James Powell, Gilles Rainville, Jr., Lisa Faure, Glenn Sjoblom, Chris Caspers and Leigh Horton.

Vote to approve: In favor - 0, Opposed - 0, Abstain – 0, Absent 0.

30 Day Appeal Information:

An “interested person”, who has participated in this proceeding, may appeal this decision to the Vermont Environmental Court within 30 days of the date this decision was signed. Participation shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding. See V.S.A. Title 24, Chapter 117, Section 4465b for clarification on who qualifies as an “interested person”.

Notice of the Appeal, along with applicable fees, should be sent by certified mail to the Vermont Environmental Court. A copy of the notice of appeal should also be mailed to the Town of Georgia.