

**PRELIMINARY PLAT, CONDITIONAL USE AND SITE PLAN REVIEW**  
**Proposed 15-Lot Residential and Commercial Development**  
**PR-001-24, CU-001-24 & SP-001-24**

<p><b>Owner:</b>        864 Ethan Allen Highway LLC        c/o Rick Bove        218 Overlake Drive        Colchester, VT 05446        PH: 802-864-3430        Email: rickbove@comcast.net</p>	<p><b>Applicant:</b>        Greenfield Growth, LLC        c/o Benjamin Avery        68 Randall Street        South Burlington, VT 05403        PH: 802-316-0004        Email: ben@greenfieldgrowthllc.com</p>
<p><b>Engineer:</b> Bryan Currier        Email: bcurrier@olearyburke.com  <b>Surveyor:</b> Doug Henson        Email: dhenson@olearyburke.com        O’Leary-Burke Civil Associates, PLC        13 Corporate Drive        Essex Junction, VT 05452        PH: 802-878-9990</p>	<p><b>Property Tax Parcel &amp; Location:</b>        864 Ethan Allen Highway        Georgia VT        Parcel#117200000        Zone: SV</p>

**BACKGROUND**

864 Ethan Allen Highway LLC, hereafter referred to as Applicant, is requesting Review for a proposed multi-unit residential and commercial development. The parcel is located at 864 Ethan Allen Highway and consists of ±12.3 acres to be subdivided into fifteen (15) Lots with proposed public road. The parcel is located within the South Village (SV) zoning district.

Applicant is proposing the creation of a 15-lot subdivision:

- Proposed Lot 1 will consist of ±.43 acres, with one mixed use building, consisting of 6,000 sf footprint, first floor commercial, 2<sup>nd</sup> floor residential with four (4) two (2) bedroom residential units and a 10-space parking lot.
- Proposed Lot 2 will consist of ±.98 acres with two five-plex 2-BR units 4,850 sf footprint, and a shared 10-space parking lot.
- Proposed Lot 3 will consist of ±.72 acres, with one mixed use building, consisting of 6,000 sf footprint, first floor commercial, 2<sup>nd</sup> floor with four (4) two (2) bedroom residential units and a parking lot with 14 parking spaces.
- Proposed Lot 4 will consist of ±.43 acres with one five-plex 2-BR units 4,850 sf footprint, and a 10-space parking lot.
- Proposed Lot 5 will consist of ±1.00 acres, with potential for future development.
- Proposed Lot 6 will consist of ±.36 acres with potential for future development.
- Proposed Lot 7 will consist of ±.87 acres with two five-plex 2-BR units 3,640 sf footprint, and a shared 10-space parking lot.
- Proposed Lots 8 will consist of ±.29 acres with one 3-BR single family home 1,920 sq ft footprint with individual septic systems and driveway with hammerhead.
- Proposed Lot 9 will consist of ±.28 acres with one 3-BR single family home 1,920 sq ft footprint with individual septic systems and driveway with hammerhead.

- Proposed Lot 10 will consist of ±.22 acres with one 3-BR single family home 1,920 sq ft footprint with individual septic systems and driveway with hammerhead.
- Proposed Lot 11 will consist of ±.24 acres with one 3-BR single family home 1,920 sq ft footprint with individual septic systems and driveway with hammerhead.
- Proposed Lot 12 will consist of ±.31 acres with one 3-BR single family home 1,920 sq ft footprint with individual septic systems and driveway with hammerhead.
- Proposed Lot 13 will consist of ±.28 acres with one 3-BR single family home 1,920 sq ft footprint with individual septic systems and driveway with hammerhead.
- Proposed Lot 14 will consist of ±3.88 acres Open Space and will contain the possible future public community water system and shared on-site wastewater disposal systems that will serve the project (other than the individual homes).
- Proposed Lot 15 will consist of ±.13 acres of open space that will contain one or more shared wells.
- Proposed 24 ft wide Public Road with 60 ft future Right-of-way (ROW).

**COMMENTS**

**General Subdivision Review Requirements**

1. **Dimensional Requirements.** The dimensional requirements of the South Village (SV) zoning district and the proposed dimensional measurements are as follows:

	<b>Minimum Lot Size</b>	<b>Lot Frontage (min)</b>	<b>Front Yard Setbacks (min)</b>	<b>Side Setbacks (min)</b>	<b>Rear Setbacks (min)</b>	<b>Building Size (max)</b>	<b>Building Height (min)</b>
<b>SV Zone Requirements</b>	<b>3,000 sq ft (.069 acres)</b>	<b>30 ft</b>	<b>8 ft from edge of road ROW max 16 ft</b>	<b>0* ft or 10 ft</b>	<b>10 ft</b>	<b>20,000 sf footprint</b>	<b>2-3 stories (min) &amp; 50 ft (max)</b>
<b>LOT 1</b>	±0.43 acres	±174.4 ft	±34 ft	±10 ft	±10 ft	6,000 sq ft	2 stories
<b>LOT 2</b>	±0.98 acres	±205.8 ft	±34 ft	±10 ft	±10 ft	9,700 sq ft	2 stories
<b>LOT 3</b>	±0.72 acres	±229.6 ft	±34 ft	±10 ft	±16 ft	6,000 sq ft	2 stories
<b>LOT 4</b>	±0.43 acres	±149.3 ft	±28 ft	±10 ft	±10 ft	4,850 sq ft	2 stories
<b>LOT 5</b>	±1.00 acres						
<b>LOT 6</b>	±0.36 acres						
<b>LOT 7</b>	±0.87 acres	±308.3 ft	±27 ft	±8 ft	±8 ft	9,700 sq ft	2 stories
<b>LOT 8</b>	±0.29 acres	±76.5 ft	±40 ft	±10 ft	±78 ft	1,920 sq ft	2 stories
<b>LOT 9</b>	±0.28 acres	±58.7 ft	±40 ft	±10 ft	±77 ft	1,920 sq ft	2 stories
<b>LOT 10</b>	±0.22 acres	±61.0 ft	±40 ft	±10 ft	±77 ft	1,920 sq ft	2 stories

<b>LOT 11</b>	±0.24 acres	±61.0 ft	±40 ft	±10 ft	±79 ft	1,920 sq ft	2 stories
<b>LOT 12</b>	±0.31 acres	±61.0 ft	±40 ft	±10 ft	±116 ft	1,920 sq ft	2 stories
<b>LOT 13</b>	±0.28 acres	±61.0 ft	±40 ft	±10 ft	116 ft	1,920 sq ft	2 stories
<b>LOT 14</b>	Open space totaling ± 3.88 acres						
<b>LOT 15</b>	±0.13 acres						

**\*The 0 ft setback shall apply if buildings on adjoining properties will be attached such as with townhouse-style structures. The 10 ft setbacks shall apply to all other types of development.**

**2. Waivers Requested.**

- A. Waiver to increase the maximum setback from 16 ft to 20 ft for the single-family homes on Lots 8-13 to make room for required driveway turn-arounds in front of the homes.

Section 3.7 (A) Setback Waiver (Town of Georgia Development Regulations 2/27/2023)  
*In conjunction with a subdivision and/or site plan application, the DRB may waive setback standards up to 50% in any district to allow for single story attached garages, decks, porches, and/or accessory structures if all of the following conditions are satisfied:*

1. *The property has circumstances or conditions which prevent the applicant from meeting the setback requirement. Such circumstances or conditions may include, but are not limited to, irregular lot size, poor soil conditions, existing vegetation or historic structures, and the location of pre-existing structures.*
2. *Due to such circumstances or conditions, the property cannot reasonably be developed in conformance with the setback standard and the authorization of a waiver is necessary to enable the permitted use of the property. The applicant must show that other possible alternatives have been considered before the DRB will consider granting a waiver.*
3. *No waiver shall be granted which would have an undue adverse effect on adjacent property, the character of the area, or on public health and safety.*
4. *In the issuance of waivers, the DRB:*
  - a. *Shall consider and may require design features, screening, or some other remedy in order to mitigate anticipated impacts of any such waiver. The design feature should have a minimum height of five (5) feet above grade level and shall provide adequate privacy to the surrounding use(s). Options shall include but not be limited to a wall, a solid fence, a densely planted hedge or natural and/or man-made landforms.*
  - b. *May require that all outdoor storage of materials and equipment, including waste storage facilities, not be located within the reduced setback area.*
  - c. *Shall provide only the minimum waiver that is necessary.*
5. *Applications for waivers shall be considered by the DRB after a public hearing held in accordance with Section 8.4 (Public Hearing/Public Notice Requirements for Development Review Board Approvals)*

- B. Waiver for sidewalks on only one side of the road along Lots 7-13.

Section 7.8 (B) Public Sidewalks (Town of Georgia Development Regulations 2/27/2023)  
*The following standards shall apply to all sidewalks that are intended to serve the general public in Georgia:*

1. *Location. Sidewalks shall be required in the following locations: a. On both sides of all public roads in the South Village Core District. b. On one side of all private roads in the South Village Core District. c. On both sides of all public roads in the AR-3 Zoning Districts (with the exception of Sodom Road). d. On one side of all private roads in the AR-3 Zoning District. e. As required by the DRB within the PUD or subdivision in any zoning district. The DRB may require a sidewalk or sidewalk easement on at least one side of each road approved as a part of a PUD.*
2. *Connection. All sidewalks shall form a link to any existing sidewalks on adjoining properties. This standard shall not apply to the existing People’s Trust property (SPAN# 237-076-11372) in the South Village Core District due to the existing sidewalk on the property being located far outside of the State right-of-way.*
3. *Location Within Right-of-Way. a. Town and Private Roads. All sidewalks along town roads and private roads shall generally be built at the outer edge of the road right of way (within the right-of-way). The DRB shall also consider topographical constraints, existing structure locations, and existing easements (utility, access, etc.) when determining the location of the sidewalk. b. State Roads: The sidewalk should be built within the State right-of-way. However, if this is not possible due to State restrictions, sidewalks shall be built on private property located adjacent to the State right-of-way. If a sidewalk is located on private property, the property owner shall provide the Town of Georgia an easement over the land on which the sidewalk is located. The DRB shall also consider topographical constraints, existing structure locations, and existing easements (utility, access, etc.) when determining the location of the sidewalk and easement.*
4. *Design Standards and Maintenance. All sidewalks and pedestrian infrastructure shall be designed, constructed, and maintained according to the Town of Georgia, VT Sidewalk Ordinance and the following standards: a. Materials. Sidewalks shall be concrete and shall meet all applicable requirements of the Americans with Disabilities (ADA) standards. Base material, surface crowning, surface drainage, embankments, ditching, culverts, and erosion control shall conform to the Vermont Agency of Transportation’s A-76 standard. b. Width. Sidewalks shall be at least 5 feet wide. However, on private roads located outside the South Village Core District, sidewalks shall only be required to be 4 feet wide. c. Buffer or Curbing. Sidewalks shall be separated from adjacent roads or parking areas by a landscaped buffer, curbing, change in elevation, change in surface material and/or crosswalk or surface markings. d. Driveway Crossing. Existing sidewalks, and sidewalks that will be installed as part of the proposed development, must meet the following standards: i. The sidewalk shall continue across driveways and shall be constructed to a minimum depth of 8 inches across the driveway; OR ii. The sidewalks shall be marked with proper crosswalk markings. iii. If the installation of a driveway requires disrupting or damaging an existing sidewalk, the applicant shall be responsible for restoring or replacing the sidewalk in conformance with this standard.*

3. **Site plans.** Applicant submitted PL1: *Resubdivision of Lands from 864 Ethan Allen Highway* dated 1/25/24.

Applicant has submitted 17 site plans prepared by O’Leary-Burke, Civil Associates, PLC dated 1/18/2024:

- Plan 1- *Existing Conditions*
- Plan 2- *Overall Plan*
- Plan 3- *20-Scale Plan “A”*
- Plan 4- *20-Scale Plan “B”*
- Plan 5- *20-Scale Plan “C”*

- Plan 6- 20-Scale Plan “D”
- Plan 7- Plan & Profile
- Plan 8- Landscaping Plan
- Plan 9- Lighting Plan
- Plan 10- Roadway Details
- Plan 11- Individual Sewage Disposal Details
- Plan 12- Shared Sewage Disposal Details
- Plan 13- Pump Station “A” Details and Specifications
- Plan 14- Pump Station “B” Details and Specifications
- Plan 15- Water and Sewer Details and Specifications
- Plan 16- Erosion Control Details and Specifications
- Plan 17- Stormwater Details and Specifications

The site plans submitted collectively address the following areas:

- i. The proposed property lines
  - ii. The proposed boundaries for Lots 1-15
  - iii. The location of proposed Open Spaces
  - iv. Proposed Public Road
  - v. Existing structures and wells
  - vi. Existing wastewater system with proposed access for maintenance
  - vii. Natural features of the land
  - viii. Proposed mounds and proposed wells
  - ix. Proposed driveways, parking spaces and sidewalks
  - x. Proposed landscaping
  - xi. Proposed lighting
4. **Lot layout.** As proposed, the boundary lines are linear and proposed lots are generally regular in shape.
5. **The land is suitable for subdivision or development.** The land meets the requirements for the subdivision with acreage and use, with waiver requests for setbacks and sidewalks.
6. **The proposed development will not result in undue water or air pollution.** Applicant should submit to the Zoning Administrator a state Act 250 permit navigator.
7. **Legal language.** Existing deed of subject parcels and a draft of all newly created or revised deeds, covenants, homeowner agreements, tenant association agreements, or other legal documents associated with the proposed subdivision.
8. **Access permit.** A new access is proposed off Ethan Allen Highway with a 24-foot-wide private/ proposed public road serving the project. (See attached Overall Plan Sheet #2 and Plan & Profile sheet 7.)
9. **State permits.** This project will require the following State permits: Water and wastewater; Erosion Control; Stormwater; Act 250 and possibly a community water system permit for the well to potentially serve the future senior living building. The applicant is responsible for identifying any state additional permits for this proposal. Applicants will need to submit

Permit Navigator Results with their Final Plat application for Act 250 compliance. Copies of all required state permits shall be submitted to the Zoning Administrator upon receipt.

10. **Wastewater Disposal and Water Supply.** The six (6) single-family homes on Lots 8-13 are to be served by individual on-lot sewage disposal systems. All other proposed uses shall be served by two (2) shared sewage disposal systems located on common land Lot #14 in the rear of the parcel. See attached site plans, sewage details and pump station detail sheets.
11. **Easements.** An access easement is to be provided over Lot #3 to the abutting Dollar General store for future access through the proposed project should it be required by VTrans. (See Plan Sheet 2 and Survey Plat).
12. **Fire protection** – The Applicant will need to obtain an Ability to Serve letter from the Town of Georgia Fire Chief.
13. **Financial surety** – As determined by the Development Review Board/Town of Georgia Selectboard.
14. **Performance Standards** - The use must conform to the Performance Standards in Section 3.6 of the Georgia Development Regulations (2/27/2023).
15. **Road Name-** Road name must conform with Town of Georgia regulations as well as State and VTrans standards.
16. **Driveway Standards** – All driveways must conform with Town of Georgia Private Road and Driveway Standards and VTrans B-71A residential and B-71B commercial standards.

## **ARTICLE 7 PLANNING and DESIGN STANDARDS:**

**Section 7.1 Energy Efficient Design** – Developments are encouraged to incorporate energy-efficient siding of buildings.

**Section 7.2 Farm and Forestland Preservation** – Not Applicable.

**Section 7.3 Site Design** – Lots 1 and 3 will contain 6,000 square feet mixed use buildings. Lot 2, 4 and 7 will contain 5-plex buildings with footprints of approximately 4,850 square feet. The six (6) single-family homes will have footprints of roughly 1,920 square feet.

**Section 7.4 Exterior Storage of Materials or Equipment** – Not Applicable.

**Section 7.5 Landscaping and Screening** – Street trees are proposed along both sides of the public road with spacing of 40 feet on center. Landscaping shrubs are proposed around the 5-plex units. A row of cedars is proposed along the southern border of the project to provide screening for abutting homes. See landscaping plan sheet 8.

**Section 7.6 Outdoor Lighting** – Five (5) pole mounted streetlights are proposed along the public road. See Overall Plan sheet 2 and Lighting Plan sheet 9. Exterior lighting shall be

avoided except as required for safe facility operation, and shall incorporate energy-efficient, shielded light fixtures that are cast downward to minimize light trespass, glare and sky glow to the maximum extent feasible.

**Section 7.7 Vehicular Circulation** – Lots will be accessed by use of private/ proposed public road.

**Section 7.8 Pedestrian Accessibility** – Sidewalks will be available on both sides of the proposed public road, with sidewalks on one side of the road only along Lots 7-13.

Section 7.8 (B)(4) Design Standards and Maintenance (Town of Georgia Development Regulations 2/27/2023) *All sidewalks and pedestrian infrastructure shall be designed, constructed, and maintained according to the Town of Georgia, VT Sidewalk Ordinance and the following standards:*

- a. Materials. Sidewalks shall be concrete and shall meet all applicable requirements of the Americans with Disabilities (ADA) standards. Base material, surface crowning, surface drainage, embankments, ditching, culverts, and erosion control shall conform to the Vermont Agency of Transportation's A-76 standard.*
- b. Width. Sidewalks shall be at least 5 feet wide. However, on private roads located outside the South Village Core District, sidewalks shall only be required to be 4 feet wide.*
- c. Buffer or Curbing. Sidewalks shall be separated from adjacent roads or parking areas by a landscaped buffer, curbing, change in elevation, change in surface material and/or crosswalk or surface markings.*
- d. Driveway Crossing. Existing sidewalks, and sidewalks that will be installed as part of the proposed development, must meet the following standards: i. The sidewalk shall continue across driveways and shall be constructed to a minimum depth of 8 inches across the driveway; OR ii. The sidewalks shall be marked with proper crosswalk markings. iii. If the installation of a driveway requires disrupting or damaging an existing sidewalk, the applicant shall be responsible for restoring or replacing the sidewalk in conformance with this standard.*

**Section 7.9 Parking, Traffic Access, and Circulation** – There are five (5) separate parking areas serving the 5-plex buildings and/or mixed-use buildings. Each parking area has ten (10) parking spaces except the parking area behind the mixed-use building on Lot 3 which has 14. There are also eight (8) parallel parking spaces on the public road in front of 5-plex buildings “C”, “D”, and “E”. (62) spaces total.

**Section 7.10 Street Signs** – Street signs will be installed in accordance with Town of Georgia and VTrans regulations.

**Section 7.11 Public and Private Road Standards** – Applicant shall follow VTrans regulations and the Town of Georgia's Private Road and Driveway Standards.

**Section 7.12 Site Preservation and Erosion Control** – See Plan 16.

**Section 7.13 Stormwater** – Stormwater runoff for the proposed project shall be collected by a network of catch basins and roadside swales (where the road is not curbed). Stormwater will be conveyed to an infiltration basin in the southern corner of the parcel. See plan sheets 2, 4 and 17.

## CONDITIONAL USE GUIDELINES

Per Town of Georgia Development Regulations, dated February 27, 2023, Sections 2.2 and 3.6.

1. **Public facilities and services** *are reasonably available to serve the proposal or are planned and included in the Town Capital Budget and program to serve the proposal at the time anticipated for its completion:* Fire protection, schools, roads and municipal infrastructure.
2. **The character of the neighborhood, area, or district affected will not be adversely impacted and that:** *A nuisance or hazard will not be created to the detriment of the health, safety, or welfare of the intended users, neighbors, or citizens of the town.* The request for mixed residential and commercial use will fit the intended purpose and character of the South Village zoning district. The proposed 12,000 square foot of commercial space and thirty-nine (39) residential units will not create a nuisance or hazard to the detriment of the health, safety or welfare of the users, neighbors, or citizens of Georgia.
3. **The proposed use or building and the relationship between the buildings and the land will be compatible with the purposes of the district and the character of the surrounding neighborhood and will not unduly detract from abutting residences or other properties:** The proposed project is in line with the South Village district’s purpose of creating a compact settlement of small-scale business, civic and residential uses with pedestrian-friendly streetscapes. The proposed commercial and residential uses are compatible with the existing surrounding commercial and residential uses.
4. **Appropriate use or development of adjacent property will not be impeded, i.e., the scale of the proposed development in relation to the existing and proposed uses and buildings and the effect of the proposed use on the continued enjoyment of and access to existing and approved uses in the vicinity of the proposed use will not be adversely impacted.** This project will not impede the development of adjacent properties. The proposed project includes a public road that extends to the property of the abutting parcel to the north as well as sidewalks that will vehicle and pedestrian access to that property. The project also includes an easement providing access to the abutting Dollar General store. All other surrounding uses are existing residential homes.
5. **Traffic generated or patterns of ingress or egress will not cause congestion, hazard or detriment to the neighborhood or nearby intersections (the DRB may require a traffic study to determine compliance with this standard.)** A traffic study by Wall Consultant Group (attached) has determined that the proposed development will not cause congestion, hazard, or detriment to the neighboring or nearby intersection and does not warrant turning lanes or a traffic light.
6. **The proposed use is consistent with the purpose of the district, the Town Plan, the Town of Georgia Development Regulations, and other bylaws and ordinances adopted by the Town of Georgia.** The purpose of the South Village district is to create compact, pedestrian-friendly mixed-use developments containing commercial and residential uses. The proposed project is mixed use with 12,000 square feet of commercial space and 39 residential units. The utilization of renewable energy resources will not be adversely affected.



7. **Phasing.** Phasing and review timeline should be discussed, as outlined in the Town of Georgia Development Regulations.

*Section 4.9 (G) Master Plan Review and Phasing (Town of Georgia Development Regulations 2/27/2023) In its sole discretion, the DRB may require a sketch and description of the potential layout of the entire parcel and adjacent parcels (Master Plan) during sketch plan review for the purpose of promoting orderly development of the Town. The DRB may require the subdivision to be divided into two or more phases to be developed at separate times and may impose such conditions as necessary to assure orderly development in compliance with these Regulations (see Section 4.4 (E)(4) - Sectionalizing and Phasing).*

*1. Any required Master Plan shall include an indication of proposed roads, driveways or streets, the future probable lot lines and building envelopes of the remaining portion of the parcel, and a description of the probable uses. The Master Plan may be drawn in a sketch plan format. The DRB may require that the Master Plan and any phasing schedule be submitted as part of an extended sketch plan review, or as a part of the final plan/plat review.*

*2. Review and consideration of a Master Plan as part of any subdivision review does not constitute final approval of all phases of the full Master Plan*

Respectfully submitted,

Douglas Bergstrom  
Zoning Administrator  
Planning, DRB & 911 Coordinator

cc: Applicant and Engineer