



GEORGIA VERMONT

DRB MEETING

Tuesday, March 18, 2025 at 7:00 PM

Chris Letourneau Meeting Room and via Zoom

Agenda

Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. CALL TO ORDER - 7:00 PM

[A.](#) Reorganization

2. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA

3. PUBLIC HEARINGS

[A.](#) BLA-001-25, Rudden & Goad

[B.](#) FP-002-25, Hanbury Minor Subdivision

4. APPROVAL OF MINUTES

[A.](#) DRB Meeting Minutes February 18, 2025

5. OTHER BUSINESS

6. PLAN NEXT MEETING AGENDA

A. April 1, 2025

7. DELIBERATIONS

[A.](#) VAR-001-25 Florucci Decision Letter

[B.](#) PR-001-25 Gamache Decision Letter

8. ADJOURN

Posted to the Town website, four designated places within the Town of Georgia (Town Clerk's Office, Georgia Public Library, Maplefields & Georgia Market), and e-mailed to the local media.

Signed: Douglas Bergstrom, Zoning Administrator, DRB Coordinator

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com



Town of Georgia

47 Town Common Road North. • St. Albans, VT 05478
• Phone: 802-524-3524 • Fax: 802-524-3543 • website: townofgeorgia.com

TOWN OF GEORGIA, VERMONT DEVELOPMENT REVIEW BOARD

RULES OF PROCEDURE AND CONFLICT OF INTEREST POLICY

Section I: Authority

The Development Review Board (DRB) of the Town of Georgia, Vermont, hereby adopts the following rules of procedure (hereinafter referred to as these Rules) in accordance with 24 V.S.A. § 4461(a) and 1 V.S.A. §§ 312(e), (f), and (h).

Section II: Policy

These Rules are adopted to ensure consistent and fair treatment of applicants and interested persons and participants, orderly and efficient public proceedings, and compliance with state and federal law. These Rules shall also ensure that no board member will gain a personal or financial advantage from his or her work for the board, so that the public trust in municipal government will be preserved.

Section III: Definitions

- A. “Board” means the Town of Georgia Development Review Board (DRB).
- B. “Board Member” means a regular or alternate member of the Town of Georgia DRB.
- C. “Conflict of interest” means any one of the following:
 - 1. A direct or indirect personal interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Board.
 - 2. A direct or indirect financial interest of a board member, his or her spouse, household member, child, stepchild, parent, grandparent, grandchild, sibling, aunt or uncle, brother

- or sister-in-law, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Board.
3. A situation where a board member has publicly displayed a prejudgment of the merits of a particular proceeding before the board. This shall not apply to a member's particular political views or general opinion on a given issue.
 4. A situation where a board member has not disclosed ex parte communications with a party in a proceeding before the Board, pursuant to Section XII of these Rules.
- D. "Deliberative session" means a private session of the Board to weigh, examine, and discuss the reasons for and against an act or decision, from which the public is excluded. There shall be no taking of evidence or submission of testimony, nor need a deliberative session be publicly noticed. By motion and majority vote, the Board may enter deliberative session during a hearing to consider a matter before it.
- E. "Executive session" means a session of a public body from which the public is excluded, pursuant to 1 V.S.A. § 313. Such private session may only be held for one of the reasons permitted by the statute, and no binding action may be taken in executive session.
- F. "Ex parte communication" means direct or indirect communication between a member of the Board and any party, party's representative, party's counsel or any person interested in the outcome of any proceeding before the Board, that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.
- G. "Official act or action" means any legislative, administrative, or quasi-judicial act performed by any board member.
- H. "Public deliberations" means the weighing, examining, and discussing, in a public proceeding, the reasons for and against an act or decision, but expressly excludes the taking of evidence and the arguments of parties.
- I. "Recuse" means to remove oneself from a particular Board proceeding because of a real or perceived conflict of interest.

Section IV: Regular Officers

The Town of Georgia DRB shall consist of seven regular members and two alternate members. After Town Meeting Day but prior to May 1, or at other times throughout the year as needed, the Board shall hold an organizational meeting and elect by majority vote, a Chair and Vice Chair.

- A. The Chair shall preside at all meetings, hearings, and deliberations, decide all points of order or procedure, and appoint members to any committee of the Board. The Chair may administer oaths and may request the attendance of witnesses and the production of material germane to any issue under consideration.

- B. The Vice Chair shall assume the duties of the Chair whenever the Chair is absent, or at the Chair's request.
- C. It shall be the duty of all regular members to review the minutes and other official records of Board meetings and actions, and correct and ratify these when appropriate and necessary.
- D. The Zoning Clerk or other designated individual shall take minutes of all meetings.

Section V: Term Expiration and Vacancies

The Chair of the Board shall notify the Selectboard of the expiration of the term of any member of the Board. Board members may seek reappointment to the Board upon expiration of their terms. The Chair shall promptly notify the Selectboard of any expected vacancy on the Board and request appointment of a replacement to serve the balance of the departing member's term. The Selectboard shall annually, or as needed, appoint up to three alternates who may temporarily serve as DRB members in the event of a recusal or absence of one or more members.

Section VI: Regular and Special Meetings

Regular meetings to conduct business of the Board shall be held at the Georgia Municipal Office at 7 p.m. on the first and third Tuesday of each month, or as warranted. The Chair may cancel meetings at any time.

- A. Special meetings may be called by the Chair, provided at least 48-hour notice is given to each member and the time and place of each special meeting is publicly announced at least 48 hours before the meeting.
- B. A quorum shall consist of a majority of the entire Board.
- C. Members may participate by telephone or by Zoom as long as the member can hear everything that is occurring at the meeting, and everyone present at the meeting can hear the board member.
- D. All meetings shall be open to the public unless the Board, by majority vote, has entered a deliberative or executive session. The Board may only hold an executive session pursuant to the reasons permitted by 1 V.S.A. § 313, and only after a majority vote to enter executive session.
- E. There shall be an agenda for each meeting, with time allotted for each item or group of items to be considered. Those who wish to be added to the agenda shall contact the Zoning Administrator to arrange for a convenient time. The Chair shall then determine the content of the agenda.

- F. All business shall be conducted in the same order as it appears on the agenda, except that by majority consent, the Chair may alter the order of items to be considered and/or the time allotted.
- G. The Chair shall rule on all questions of order or procedure and shall enforce these rules.
- H. At each meeting there shall be a period of time reserved for public comment. The Chair may set the amount of time reserved for such public comment and may extend, reduce, or eliminate this period of time as necessary. Speakers may participate at other times throughout the meeting but only when recognized by the Chair. The Board shall apply consistent time limits to all recognized to speak.
- I. Notice for hearings on the adoption, amendment, or repeal of the bylaw and other regulatory tools shall be pursuant to 24 V.S.A. § 4444, as amended.

Section VII: Public Hearings and Order of Business

Public hearings shall be conducted as quasi-judicial proceedings pursuant to 1 V.S.A. § 310(6)(B). Hearings shall be publicly noticed in accordance with 24 V.S.A. §4464. Hearings shall not exceed three hours in length unless approved by a majority of members present.

Public comment may be offered during the hearing with the permission of the Chair. Such comment, if recognized, shall be limited to the amount of time reserved for such public comment by the Chair, unless by majority consent the Board sets a different time limit. The Board shall apply consistent time limits to all persons recognized to speak.

The Chair shall conduct the hearing in the following manner:

- A. Open the hearing by reading the warning of the hearing.
- B. Review the order of events, remind all present that the proceeding will be conducted in an orderly manner, and make copies of these Rules available.
- C. Request disclosure of conflicts of interest and ex parte communications.
- D. Review the definition of “interested persons” in 24 V.S.A. §4465(b).
- E. Explain that pursuant to 24 V.S.A. §4471(a), only an interested person who has participated in this proceeding may take an appeal of any decision issued in this proceeding.
- F. Ask all who believe they meet the definition of interested person to identify themselves and to provide contact information. The Board shall not make any determination as to party status

in all proceedings except for appeals of Zoning Administrator decisions. As these Rules do not differentiate between persons with interested person status and those without, anyone seeking to participate in a proceeding may do so, subject to these Rules and those established by the Chair.

- G. Direct the Applicant or Appellant or his/her representative and all interested persons to step forward and take the following oath: *I hereby swear that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth under the pains and penalties of perjury.*
- H. Accept written information presented to the Board.
- I. Invite the Applicant or Appellant or his/her representative to present such application, proposal, or appeal.
- J. Invite the Zoning Administrator to present information regarding the application, proposal, or appeal.
- K. Invite Board members to ask questions of the Applicant or Appellant and/or his/her representative.
- L. Invite interested persons and members of the public to present their information regarding the application, proposal, or appeal.
- M. Invite the Applicant or Applicant's representative to respond to information presented.
- N. Invite more questions or comments from members of the Board.
- O. Invite more questions from interested persons and members of the public.
- P. Allow final comments or questions from the Applicant or his/her representative, the Zoning Administrator, or members of the Board.
- Q. Upon motion and majority approval, the Chair shall either adjourn the hearing to a time certain or close the proceedings by stating that this public hearing has closed on the matter.
- R. The Board shall then conduct public deliberations or may vote to enter deliberative session.

Section VIII: Site Visits

Site visits shall be open to the public; however, no testimony shall be taken, and no ex parte communication shall occur. Site visits shall be held pursuant to the following conditions:

- A. If, prior to a hearing, the Chair determines that a site visit will be necessary, the site visit shall be scheduled immediately prior to a public hearing. Such site visits shall be publicly noticed in accordance with 24 V.S.A. §§ 4464(a)(1), (2).
- B. If necessary, the Board may recess a hearing to conduct a site visit at a property which is the subject of an application or appeal before the Board.
- C. If necessary, the Board may adjourn a hearing to a time certain to conduct a site visit at a property which is the subject of an application or appeal before the Board.
- D. The minutes of the proceeding shall reflect that a site visit was held, who was present, and the nature and duration of the site visit.

Section IX: Service List

The Clerk shall create a list of all individuals who participated in the hearing. The list shall include those who participated orally and those who participated in writing. All decisions of the Board shall be mailed to those on the list. The list shall include:

- A. The names of those who participated in the proceedings.
- B. The nature and content of participation by those who participated.
- C. The mailing address of each of these persons.

Section X: Decisions

The Board shall make its decisions by public deliberation, unless by majority vote it has determined to make a decision in deliberative session. Deliberative sessions are not open to the public and need not be warned. 1 V.S.A. §§ 312(e), (f). Members of the Board who have not heard all testimony and reviewed all evidence submitted for a particular application, proposal, or appeal shall not participate in that proceeding. Absent Board members may participate if they have reviewed the video recording of the proceedings, and any evidence submitted. The following rules shall apply to voting on decisions:

- A. Motions shall be made in the affirmative.
- B. The Chair has the same voting rights as all members and can make motions.
- C. No second shall be required for a motion to have the floor.
- D. All regular Board members present are expected to vote unless they have recused themselves.

- E. Abstentions are strongly discouraged and shall not count towards either the majority or the minority.
- F. For a motion to pass, it must receive the concurrence of a majority of the entire Board, regardless of how many are present. 1 V.S.A. § 172; 24 V.S.A. § 4461(a). In the event of a tie vote or a vote with less than a majority of the members of the Board concurring, the request for approval or appeal before the Board shall be deemed denied and the written decision shall such denial.
- G. The Board shall issue a decision within 45 days of the final public hearing.

Section XI: Conflicts of Interest

Participation, disclosure of conflicts, and recusal shall be governed by the following procedures:

- A. **Participation.** A Board member shall not participate in any official action where he or she has a conflict of interest in the matter under consideration. A Board member shall not, personally or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in any proceeding pending before the Board.
- B. **Disclosure.** At all hearings, the Chair shall request that Board members disclose all potential conflicts of interest. When recognized by the Chair, any person may request disclosure of potential conflicts of interest.

Nonetheless, after disclosing a conflict or perceived conflict, a member who believes that they are able to act fairly, objectively, and in the public interest, shall disclose the nature of the potential conflict of interest, and the reason(s) why they are able to act in the matter fairly, objectively, and in the public interest. This shall be noted in the minutes of the proceeding.

- C. **Recusal.** A Board member shall recuse themselves from any matter in which they have a conflict of interest, pursuant to the following:
 - 1. The Applicant or any person may request that a Board member recuse themselves due to a conflict of interest. Such request shall not constitute a requirement that the member recuse themselves.
 - 2. A Board member who has recused themselves from a proceeding shall not sit with the Board, deliberate with the Board, or participate in that proceeding as a Board member in any capacity.
 - 3. If a previously unknown conflict is discovered, the Board may take evidence pertaining to the conflict, and if appropriate, adjourn to a short deliberative session to address the conflict.

4. The Board may adjourn the proceedings to a time certain if, after a recusal, it may not be possible to take action through the concurrence of a majority of the Board. The Board may then resume the proceeding with sufficient members present.

Section XII: Ex Parte Communications

Ex parte communication is prohibited. Any Board member who inadvertently conducts ex parte communication must disclose such communication as required below.

- A. **Disclosure.** At each hearing, the Chair shall request that members disclose any ex parte communications. Board members who have received written ex parte communications shall place in the record copies of all written communications received as well as all written responses to those communications. Members shall prepare a memorandum stating the substance of all oral communications received, all responses made and the identity of each person making the ex parte communication, which shall become a part of the record of the proceedings.

Section XIII: Removal

Upon majority vote, the Board may request that the Selectboard remove a Board member. Board members may be removed for cause by the legislative body upon written charges and after public hearing. 24 V.S.A. § 4460(c).

Section XIV: Amendments

These rules may be amended at any regular or special meeting by a majority vote, provided that each Board member has been presented a written copy of the proposed amendment at least 48 hours before the meeting at which the vote is taken.

These Rules of Procedure adopted by majority vote of the Town of Georgia Development Review Board this ____ day of _____, 2025.

Chairperson

TOWN OF GEORGIA

Development Review Board

INTERESTED PERSON INFORMATION SHEET

Who are interested persons?

Interested persons are those persons who, under Vermont law, have the right to appeal an act or decision of the Town of Georgia Zoning Administrator or the Town of Georgia Development Review Board. Interested persons include:

- The Applicant or, if the Applicant does not own the subject property, the person owning title to property.
- A municipality that has a plan or bylaw at issue in an appeal, or any municipality adjoining that municipality.
- A person owning or occupying property in the immediate neighborhood of a property that is the subject of any zoning decision or act who can demonstrate a physical or environmental impact on the person’s interest under the criteria reviewed, and who alleges that the decision or act, if confirmed, will violate the municipal plan or bylaw.
- Any ten persons, either voters or landowners, who, by signed petition to the Town of Georgia Development Review Board, allege that the decision or act, if confirmed, will violate the municipal plan or bylaw. The petitioners must designate one person to serve as their representative.
- Any department or administrative subdivision of the State owning property within the municipality, and the Agency of Commerce and Community Development.

Why is interested person status important?

Though many members of the public may be interested in a zoning permit application, only statutorily defined interested persons may appeal a decision of a Zoning Administrator or Development Review Board. If an interested person fails to make a timely appeal, all interested persons are bound by the Zoning Administrator’s or Development Review Board’s decision or act.

Interested persons must participate in a hearing to protect their appeal rights.

Only those interested persons who have participated in a Development Review hearing may appeal a decision rendered in that proceeding to the Environmental Court. Pursuant to State statute, participation consists of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.

Applicant_____Application No._____

Date of Hearing_____

TOWN OF GEORGIA

Development Review Board

INTERESTED PERSONS RECORD AND SERVICE LIST

Under the Title 24, Chapter 117, of the Vermont Statutes Annotated, the Town of Georgia Development Review Board (DRB) has certain administrative obligations with respect to interested persons. At any hearing, there must be an opportunity for each person wishing to achieve interested person status to demonstrate compliance with the applicable criteria. 24 V.S.A. § 4461(b). The Development Review Board must keep a written record of the name, address and participation of each person who has sought interested person status. 24 V.S.A. §4461(b). A copy of any decision rendered by the Development Review Board must be mailed to every person or body appearing and having been heard by the Board. 24 V.S.A. § 4464(b)(3). Upon receipt of notice of an appeal to the environmental court, the DRB or its designee must supply a list of interested persons to the appellant in five working days. 24 V.S.A. §4471(c).

This Interested Persons Record and Service List is intended to be used by the Clerk, or designated staff of the DRB, to record information regarding persons who have sought interested person status. A separate Interested Persons Record and Service List should be used for each application considered by the Board. This Interested Person Record and Service List can be used in conjunction with a separate sign in sheet.

Name Mailing Address Email Address (Please print)	Interested Person Status Requested ?	Grounds for Interested Person Status	Participated in Hearing?	Evidence/Statement of Concert Offered
	___ Yes ___ No	___ Applicant ___ Owner ___ Abutter ___ Municipal ___ State ___ 10 Person ___ Group	☐ Yes ☐ No	
	___ Yes ___ No	___ Applicant ___ Owner ___ Abutter ___ Municipal ___ State ___ 10 Person ___ Group	☐ Yes ☐ No	

Name Mailing Address Email Address (Please print)	Interested Person Status Requested?	Grounds for Interested Person Status	Participated in Hearing?	Evidence/Statement Concert Offered	of
	Yes No	Applicant Owner Abutter Municipal State 10 Person Group	Yes No		
	Yes No	Applicant Owner Abutter Municipal State 10 Person Group	Yes No		
	Yes No	Applicant Owner Abutter Municipal State 10 Person Group	Yes No		
	Yes No	Applicant Owner Abutter Municipal State 10 Person Group	Yes No		



GEORGIA VERMONT

DATE: 11/15/25 PERMIT NUMBER: BLA - 001 - 25

BOUNDARY LINE ADJUSTMENT APPLICATION

The undersigned owners/applicants hereby make application to undertake land development as defined in the Town of Georgia Development Regulations. The owners/applicants hereby swear and affirm that all of the information and representations made are true and accurate. Permit is issued based on accuracy of information provided; if false or inaccurate, permit may be revoked.

Pursuant to 24 VSA Chapter 117, Section 4463, "Before any plat is approved, a public hearing on the plat shall be held by the appropriate municipal panel after public notice." Plat will be heard by the Development Review Board (DRB) prior to recording of BLA plat.

Submission requirements: An application for Boundary Line Adjustment will consist of one full to scale paper survey, two 11"x17" copies, and supporting data which will include those items listed on this application form and the attached sheet. The application will not be deemed complete until all the applicable materials have been submitted. Failure to submit a complete application as defined shall be grounds for denial of the application by the Zoning Administrator.

Owner(s) of Parcel #1:

John & Tammy Rudden
1090 Sandy Birch Road
Georgia, VT 05468

Telephone: 802-524-5737

Owner(s) of Parcel #2:

Walter & Dayle Goad Rev. Trust
87 Mahalo Drive
Georgia, VT 05468

Telephone: 802-355-5714
802-582-4171

Location of Property #1: 1090 Sandy Birch Road

Parcel ID No.: 113130000

Zoning District: AR-3

Deed Reference: Volume 104 Page 234

Size of parcel prior to adjustment: 1.84 acres

Size of parcel after adjustment: 1.86 acres

Frontage of parcel prior to adjustment: 150'

Frontage of parcel after adjustment: 150'

47 Town Common Road North. • St. Albans, VT 05478

Location of Property #2: 87 Mahalo Drive
Parcel ID No.: 110080000
Zoning District: AR-3
Deed Reference: Volume 117 Page 255

Size of parcel prior to adjustment: 1.84 acres
Size of parcel after adjustment: 1.82 acres
Frontage of parcel prior to adjustment: 150' Sandy Birch / 550.21' Mahalo Dr.
Frontage of parcel after adjustment: 150' Sandy Birch / 550.21' Mahalo Dr.

Previous subdivision of parcel(s) (if applicable):
Permittee name: _____
Date: _____ Map # _____

Previous Site Plan Approval(s) (if applicable):
Permittee name: _____
Date: _____ Map # _____

List of plans, sketches, or other information submitted with this application:
John F. Rudden JR & Tammy Rudden REvocable Trust & Walter & Dayle Goad Revocable Living Trust

Description of proposed project: Boundary Line Adjustment - resolve issue with property line

Existing and/or proposed means of access to each lot: existing access is unchanged

Existing and/or proposed easements and rights-of-way for each lot: existing is unchanged

Location of existing infrastructure (i.e. wells, primary & replacement waste water disposal, etc.) for each lot: existitng unchanged

List of abutting properties to the two parcels and stamped envelopes addressed to the listed abutters. Please leave the return address area blank as it will be stamped with the Town Office address in the event of a returned notice.

State permits required and/or obtained for this project (Applicants are responsible for obtaining necessary State permits. Applicants should contact the Permit Specialist at the District 6 office of the Department of Environmental Conservation at 802-879-5676 to determine if a Wastewater and Potable Water Supply Permit is required in accordance with 10 VSA Chapter 64 and the Wastewater System and Potable Water Supply Rules. If, according to the DEC, a Wastewater System and Potable Water Supply Permit is NOT required, applicants shall provide written proof from the DEC of such to the Zoning Administrator. If a Wastewater System and Potable Water Supply permit IS required, applicants shall provide a copy of same):

none

The undersigned hereby certify and affirm that the information submitted in this application is true, accurate and complete.

Date: 1/15/2025 [Signature]
Owner(s) of Parcel #1

Date: 1/16/2025 Walt Zoch
Owner(s) of Parcel #2

NOTE: Upon approval of this application, a Mylar of the survey must be signed by the DRB Chair and recorded in the land records. Mylar must include those applicable items listed on the following page and two signature blocks as follows:

TOWN OF GEORGIA, VT
RECEIVED FOR RECORD

Received for record _____ A.D. 20 ____
At _____ O'clock ____ M and recorded on
Slide # _____ Map # _____
Attest: _____

This Subdivision Plat has been approved by resolution of the
Development Review Board of the Town of Georgia, VT
This _____ day of _____ 20____

Subject to the requirements and conditions of said resolution.
DRB Application # _____

Signed this _____ day of _____ 20____
By _____, DRB Chair

NOTE: Permit may be appealed within 15 days of issuance pursuant to 24 VSA Chapter 117, Section 4465. This permit expires one year from date of issuance if Mylar is not properly recorded.

FOR TOWN USE ONLY

Section 3. Item #A.

Date Received	11/5/25	Complete/Incomplete	
Permit Number	BLA-661-25	Approved/Denied	
Fee Paid	\$500	Permit Valid	
Check #	5220 /	Recording Fee Paid	\$250 / \$250
Hearing Date			

Boundary Line Adjustment Review Checklist

This checklist is intended to be used as an aid in developing a complete application for a Boundary Line Adjustment Permit. An application for a Boundary Line Adjustment shall consist of one (1) full to scale paper survey, two (2) 11"x17" copies, and supporting data which will include the following information. The Zoning Administrator may require additional information as necessary to determine compliance with the regulations.

1. Address of the subject properties.
2. Name and address of the owners of record of the subject properties.
3. Name and address of the owners of record of adjoining lands.
4. Stamped and addressed envelopes for mailing of Notice of Public Hearing
 - a. Please leave return address section blank.
5. A survey created by a registered land surveyor, drawn to scale, showing structures, roads, easements, rights of way, deed restrictions, name and address of person or firm preparing the map, scale of map, north point, date of map/revisions, and legend, current lot lines (labeled as such), proposed lot lines (labeled as such), current acreage of each lot, proposed acreage of each lot, means of accessing each lot, existing sewage disposal area for each lot, and existing water source for each lot.
6. A site location map showing the location of the project in relation to nearby town/state highways and developed areas at scale of one-inch equals one thousand feet.

Decisions:

The Zoning Administrator shall act to approve or disapprove Boundary Line Adjustment applications for review by the DRB within thirty (30) days after receipt of a complete application. Failure to act within the 30-day period shall constitute deemed approval on the 31st day.

Boundary Line Adjustment Exemption Form

Exemption 1-304(9) - Wastewater System and Potable Water Supply Rules

Section 3. Item #A.

Step 1: Please provide the following information:

Landowner 1 - Name(s): John and Tammy Rudden Revocable Trust		Landowner 2 - Name(s): Walter and Dayle Goad, Trustees of the Goad Revocable Living Trust	
Landowner 1 - Mailing Address: 1090 Sandy Birch Rd Georgia, VT 05468		Landowner 2 - Mailing Address: 87 Mahalo Drive, Georgia, VT 05468	
Property 911 Address, if different than Mailing Address: 1090 Sandy Birch Road, Georgia, VT 05468		Property 911 Address, if different than Mailing Address: 87 Mahalo Drive, Georgia, VT 05468	
Landowner 1 - Email: trudden@comcast.net		Landowner 2 - Email: walt_vt@yahoo.com	
Landowner 1 - Phone Number: 802-524-5737		Landowner 2 - Phone Number: 802-582-4171	
Landowner 1 - Current Acreage: 1.84 acres	Landowner 1 - New Acreage: 1.86 acres	Landowner 2 - Current Acreage: 1.84 acres	Landowner 2 - New Acreage: 1.82 acres
Town(s): Georgia		Previous State Permit #'s (if any):	
		Lot Number(s) (if any):	

**please note: 27 V.S.A § 341- requires a survey plat for a boundary line change*

Step 2: Please check the box or boxes that apply to the lot line adjustment and attach any requested supporting information.

Check the boxes that apply to this land conveyance:

- ☒ (i) a lot being reduced in size is being reduced by no more than two percent, please include calculations showing percent of lot size reduction. Example: 5.9 acres take away 0.1 acres = 0.1 divided by 5.9 = 0.017 = 1.7 % reduction.; or
- ☐ (ii) a lot is increased in size;
- ☐ (iii) the boundary line being adjusted is located, after adjustment, at least 500 feet from the footprint of the building or structure on an improved lot (Please include the footprint of all buildings –except storage buildings- on the diagram that shows the original and the new proposed property lines and show the distance from the building(s) to the new proposed property line.)
- ☐ (iv) the Secretary, on a case-by-case basis, makes a written determination that the proposed adjustment will not have an adverse effect on any existing potable water supply or wastewater system on the affected lots.

Step 3A: For adjustments that meet (i) – (iii) above, please complete this form and submit this form with a plan showing the existing and proposed boundaries to the Regional Office and to the town for recording and indexing in the Town land records. When this is complete, you are exempt, and no written confirmation is required.

Step 3B: For adjustments being submitted for review under (iv) above, please complete this form and submit the form and a plan showing the existing and proposed boundaries and the location of all buildings and existing water supplies and septic systems on the affected lot(s) to the appropriate Regional Office. The Secretary will provide a written determination whether condition iv applies. If the Secretary determines that condition (iv) applies, deliver the written determination and plan to the town for recording and indexing in the town land records. If the Secretary determines Exemption §1-304(9)(A)(iv) does not apply, a Wastewater System and Potable Water Supply permit will be required prior to adjusting the boundary line(s).

By signing this form, the landowner is certifying the boundary line adjustment meets the exemption in section §1-304(9) (A) of the Wastewater System and Potable Water Supply Rules, effective April 12, 2019.

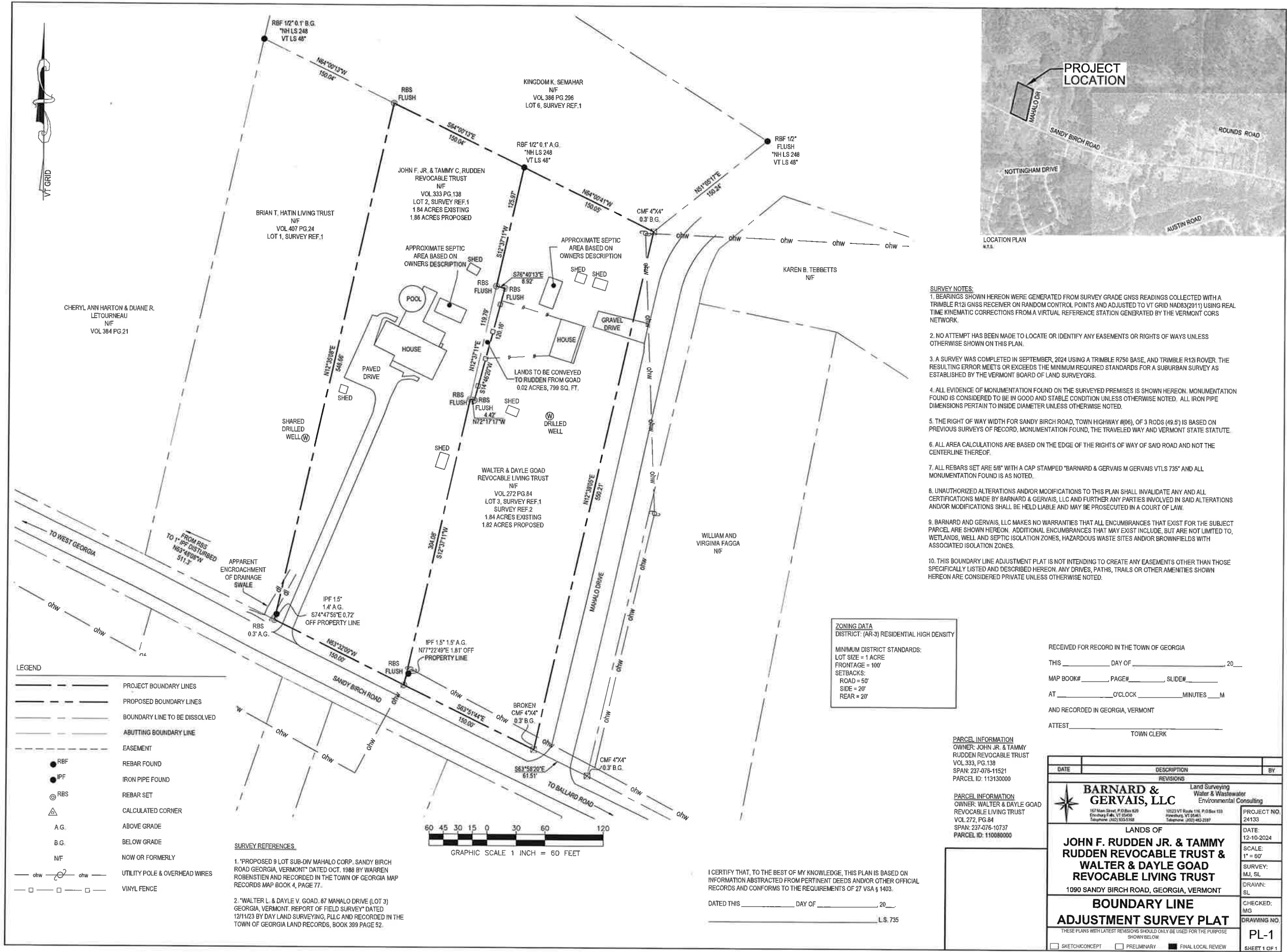
[Signature: John and Tammy Rudden]
 Landowner 1 Signature(s)

[Signature: Walter and Dayle Goad]
 Landowner 2 Signature(s)

Date 10/15/2024

Date 10/16/2024

Form Date: March 27, 2020



**Boundary Line Adjustment
BLA-001-25**

Owner Parcel #1: John & Tammy Rudden 1090 Sandy Birch Road Georgia, VT 05468 PH: 802-524-5737	Owner Parcel #2: Walter & Dayle Goad Rev. Trust 87 Mahalo Drive Georgia, VT 05468 PH: 802-355-5714/ PH: 802-582-4171
Property Tax Parcel & Location #1: 1090 Sandy Birch Road Georgia, Vermont Parcel ID#113130000 Zoning District AR-3	Property Tax Parcel & Location #2: 87 Mahalo Drive Georgia, Vermont Parcel#110080000 Zoning District: AR-3
Surveyor/Engineer: Barnard & Gervais, LLC 167 Main Street, Enosburgh Falls, VT 05450 #802-482-2597	

BACKGROUND

Boundary Line Adjustment for John and Tammy Rudden, located at 1090 Sandy Birch Road (Parcel ID #113130000) sized at ± 1.84 acres prior to adjustment and will be ± 1.86 acres once adjusted. The road frontage of the parcel is at $\pm 150'$ and will not change with adjustment.

Walter and Dayle Goad, located at 87 Mahalo Drive (Parcel ID#110080000) sized at ± 1.84 acres prior to adjustment and will be ± 1.82 acres once adjusted. Frontage of parcel will not change with the adjustment.

The boundary line adjustment will resolve the dispute over the property line.

COMMENTS

1. Legal Description of adjusted area and boundary line adjustment plat-

See Exhibit A, Legal Description and Exhibit B, Boundary Line Adjustment Plat.

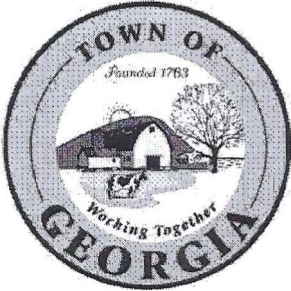
2. Means of Access- Existing access is unchanged.

3. No new proposed easements or rights-of-way for each lot. Not applicable.

4. Location of existing infrastructure for each lot- Not applicable.

Respectfully submitted,

Douglas Bergstrom
Zoning Administrator
Planning, DRB & 911 Coordinator



Town of Georgia

47 Town Common Road North. • St. Albans, VT 05478
• Phone: 802-524-3524 • Fax: 802-524-3543 • website: townofgeorgia.com

Final Plat Application Application # FP -002-25__

Submission Requirements: Within six months of Preliminary Plat approval for a major subdivision, or classification at Sketch Plan review as a minor subdivision, submit this application with all required elements from the attached outline & fees. Submit one set 11"x17" site plan maps plus a digital file in *.pdf format which includes scale, north arrow, legend, abutters, title block and following the approved layout as shown on the preliminary plat, incorporating any recommendations made by the DRB in their preliminary plat approval decision. The application will not be deemed complete until all required materials have been submitted. Failure to submit a complete application, as defined herein, shall be grounds for denial of the application by the DRB.. Applicant must also submit a list for all abutters, including those across a public or private right of way. **Incomplete applications will be returned and will delay scheduling your hearing.**

SECTION 1: OWNER/APPLICANT INFORMATION (complete all)

Owner(s): Mari Jo Hanbury Applicant(s): Same
Address: 450 Plains Rd Address: _____
Georgia, VT
Zip Code 05478 Telephone 802-578-1965 Zip Code _____ Telephone _____
Email mjhanbury17@gmail.com Email _____

Tax Parcel ID: 104370000 Zoning District: Residential PUD ☐ Yes ☒ No

CERTIFICATION OF APPLICANT(S)

AFFIRMATION: The undersigned hereby certifies that the information submitted in this application is true, accurate, and complete.

Signature of Applicant: [Signature] Date: 9/24/24
Signature of Applicant: _____ Date: _____

PROPERTY OWNERS' AUTHORIZATION

The undersigned property owner(s) hereby certify that the information submitted in this application regarding this property is true, accurate and complete and that the Applicant(s) have full authority to request approval for the proposed use of the property and any proposed structure(s).

Signature of Owner: [Signature] Date: 9/24/24
Signature of Owner: _____ Date: _____

Location of Property: Plains Road
Parcel ID No.: 104370000 **Zoning District:** Residential **Is this a PUD?** Yes ☒ No
Deed Reference: Volume 204 Page 671 **Size of Parcel:** 24.43 acres

Previous subdivision of parcel (if applicable)
Permittee name: _____
Date: _____ **Map #** _____

Previous Site Plan Approval (if applicable)
Permittee name: _____
Date: _____ **Map #** _____

If applicable:
Engineer: _____ **Surveyor:** _____
Phone: _____ **Phone:** _____
Email: _____ **Email:** _____

Project Description: Provide a detailed narrative, on a separate sheet of paper, describing the scope and layout of the proposed development. The narrative should explain the proposed use of the property & all key elements, as presented on the site plan. Please address each of the following elements: building size(s) and type, landscaping and screening, road and driveway access to the property, impact on traffic, internal circulation of vehicular and pedestrian traffic, parking (# of spaces), stormwater and erosion control measures, lighting (size, type, location, and number), and signage, if any. Summarize all details below:

Number and size of proposed lots:
Lot 1: 14.43 acres of remaining lands
Lot 2: 10 acres with proposed house, septic, and well

Names and addresses of abutting property owners:
EDWARD SHAMY & KIMBERLY ASCH , 2 PATTEE HILL RD MILTON, VT, 05468 CHAS & JOCELYN LYFORD, 236 PLAINS RD GEORGIA, VT, 05478
EMANUEL & MARY CHIAPPINELLI , 72 PATTEE HILL RD MILTON, VT, 05468 KEITH & AMBER BAKER 321 PLAINS RD GEORGIA, VT, 05478
TERRY & ROBERT ROONEY , PO BOX 138 SWANTON RD SAINT ALBANS, VT, 05478 MARC & SANDRA FOISY, 467 PLAINS RD SAINT ALBANS, VT, 05478

Susan & Malcolm Baker Family Trust, 599 Plains Rd, Milton VT 05468

Existing and/or proposed means of access to the site:
Proposed driveway access off Plains Road for Lot 2

List of plans, sketches, or other information submitted with this application:
PL-1 Boundary Retracement Plat

Location of parking and proposed number of spaces: _____ N/A
Page 2 of 5

Existing and/or proposed road & driveway access to site:

Proposed driveway access off Plains Rd for Lot 2

Existing and/or proposed easements and rights-of-way:

N/A

Proposed and/or existing wastewater disposal and water supply:

Proposed mound wastewater system and drilled well on Lot 2.

Existing wastewater system and drilled well on Lot 1. Proposed replacement septic area.

Proposed drainage/storm water runoff (if required):

N/A

Proposed landscaping (if applicable):

N/A

Size and location of proposed and/or existing buildings:

Existing house and outbuildings on Lot 1.

Proposed house on Lot 2

State permits required and/or obtained for this project:

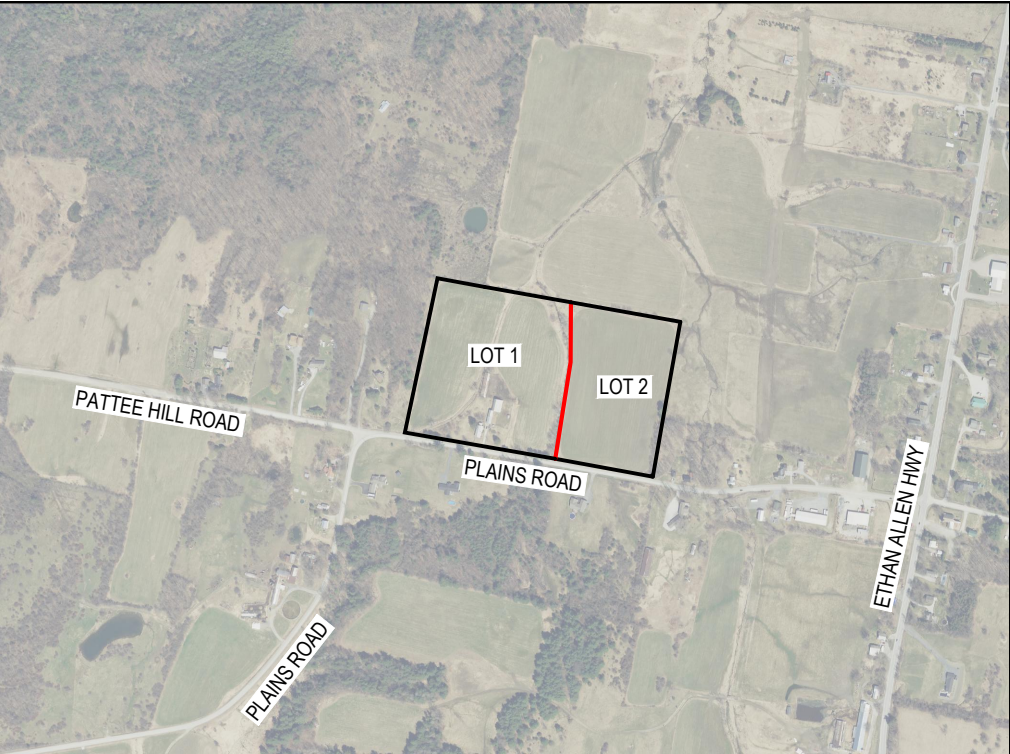
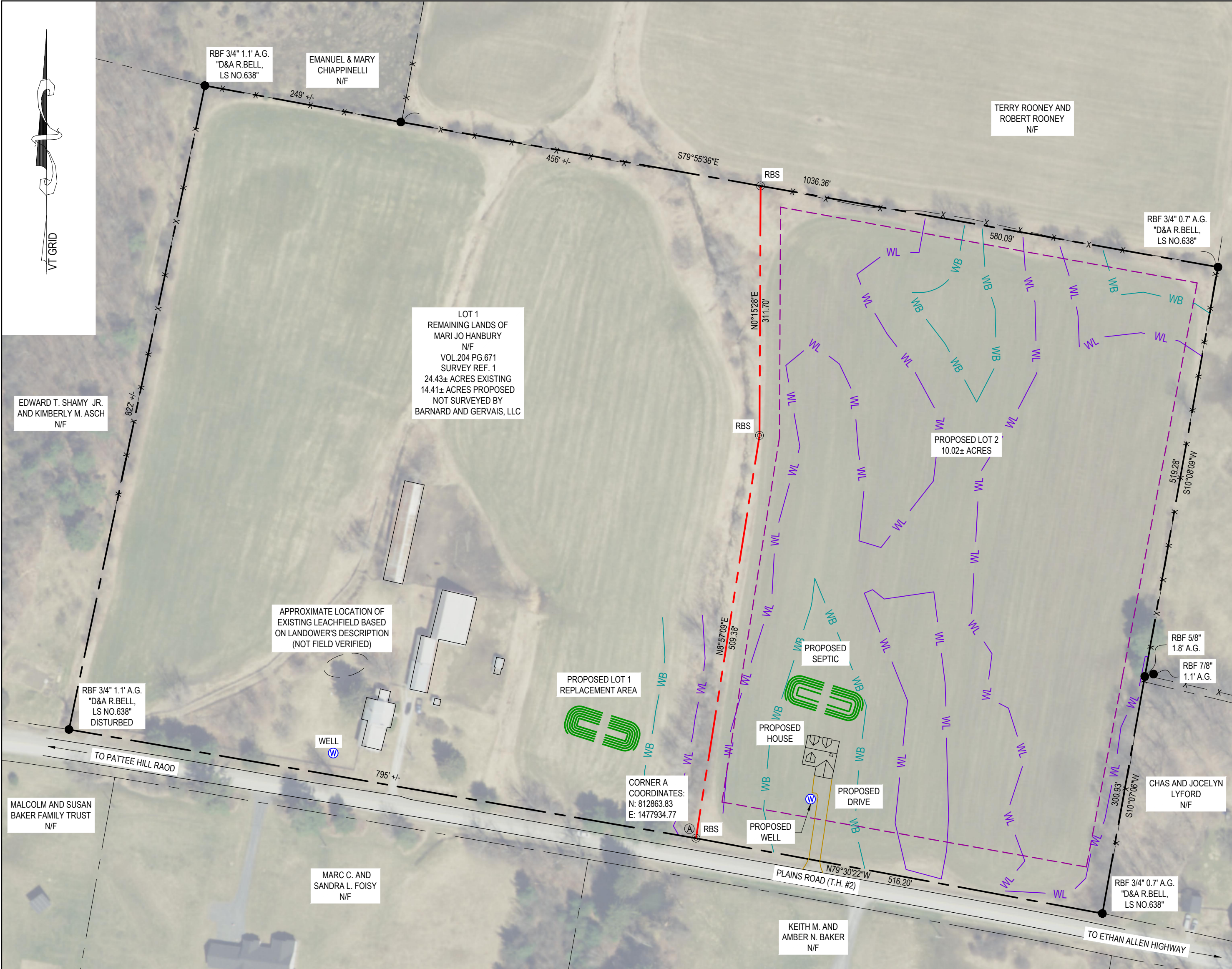
Wastewater

Proposed lighting (if any):

N/A

Notes

- 1) * Per Sec. 3.5.B.2, major subdivisions in the AR-1, AR-2, AR-3, and L-2 districts must be submitted under Planned Unit Development (PUD) rules. PUDs optional in other districts.
- 2) Application standards for subdivision approval appear in the Georgia Development Regulations as Article 4. Site Plan Review and Approval standards appear in Article 3.



- SURVEY NOTES:**
1. BEARINGS SHOWN HEREON WERE GENERATED FROM SURVEY GRADE GPS READINGS COLLECTED WITH A TRIMBLE R12i GNSS RECEIVER ON RANDOM CONTROL POINTS AND ADJUSTED TO VT GRID NAD83(2011) USING REAL TIME KINEMATIC CORRECTIONS FROM A VIRTUAL REFERENCE STATION GENERATED BY THE VERMONT CORS NETWORK.
 2. NO ATTEMPT HAS BEEN MADE TO LOCATE OR IDENTIFY ANY EASEMENTS OR RIGHTS OF WAYS UNLESS OTHERWISE SHOWN ON THIS PLAN.
 3. A SURVEY WAS COMPLETED IN OCTOBER, 2023 USING A TRIMBLE BASE AND ROVER. THE RESULTING ERROR MEETS OR EXCEEDS THE MINIMUM REQUIRED STANDARDS FOR A SUBURBAN SURVEY AS ESTABLISHED BY THE VERMONT BOARD OF LAND SURVEYORS.
 4. ALL EVIDENCE OF MONUMENTATION FOUND ON THE SURVEYED PREMISES IS SHOWN HEREON. MONUMENTATION FOUND IS CONSIDERED TO BE IN GOOD AND STABLE CONDITION UNLESS OTHERWISE NOTED. ALL IRON PIPE DIMENSIONS PERTAIN TO INSIDE DIAMETER UNLESS OTHERWISE NOTED.
 5. THE RIGHT OF WAY WIDTH FOR PLAINS ROAD, TOWN HIGHWAY #2, OF 3 RODS (49.5') IS BASED ON PREVIOUS SURVEYS OF RECORD, MONUMENTATION FOUND, THE TRAVELED WAY AND VERMONT STATE STATUTE.
 6. ALL AREA CALCULATIONS ARE BASED ON THE EDGE OF THE RIGHTS OF WAY OF SAID ROAD AND NOT THE CENTERLINE THEREOF.
 7. ALL REBARS SET ARE 5/8" WITH A CAP STAMPED M.GERVAIS VTLS 735 AND ALL MONUMENTATION FOUND IS AS NOTED.
 8. UNAUTHORIZED ALTERATIONS AND/OR MODIFICATIONS TO THIS PLAN SHALL INVALIDATE ANY AND ALL CERTIFICATIONS MADE BY BARNARD & GERVAIS, LLC AND FURTHER ANY PARTIES INVOLVED IN SAID ALTERATIONS AND/OR MODIFICATIONS SHALL BE HELD LIABLE AND MAY BE PROSECUTED IN A COURT OF LAW.
 9. BARNARD AND GERVAIS, LLC MAKES NO WARRANTIES THAT ALL ENCUMBRANCES THAT EXIST FOR THE SUBJECT PARCEL ARE SHOWN HEREON. ADDITIONAL ENCUMBRANCES THAT MAY EXIST INCLUDE, BUT ARE NOT LIMITED TO, WETLANDS, WELL AND SEPTIC ISOLATION ZONES, HAZARDOUS WASTE SITES AND/OR BROWNFIELDS WITH ASSOCIATED ISOLATION ZONES.
 10. THIS SUBDIVISION PLAT IS NOT INTENDING TO CREATE ANY EASEMENTS OTHER THAN THOSE SPECIFICALLY LISTED AND DESCRIBED HEREON. ANY DRIVES, PATHS, TRAILS OR OTHER AMENITIES SHOWN HEREON ARE CONSIDERED PRIVATE UNLESS OTHERWISE NOTED.

RECEIVED FOR RECORD IN THE TOWN OF GEORGIA

THIS _____ DAY OF _____, 20____

MAP BOOK _____ PAGE _____ SLIDE# _____

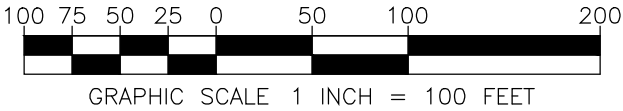
AT _____ O'CLOCK _____ MINUTES _____ M

AND RECORDED IN GEORGIA, VERMONT

ATTEST _____ TOWN CLERK

THIS IS A PRELIMINARY PLAN
AND SHOULD NOT BE
USED FOR CONVEYANCES

LEGEND	
	PROJECT BOUNDARY LINES
	ABUTTING BOUNDARY LINES
	PROPOSED BOUNDARY LINE
	BUILDING ENVELOPE
	REBAR FOUND
	IRON PIPE FOUND
	REBAR SET
	CALCULATED CORNER
	ABOVE GRADE
	BELOW GRADE
	NOW OR FORMERLY
	WETLAND BOUNDARY
	WETLAND BUFFER BOUNDARY



ZONING DATA
DISTRICT: (AR-2) RESIDENTIAL
MED DENSITY

MINIMUM DISTRICT STANDARDS:
LOT SIZE = 2 ACRES (SINGLE)
FRONTAGE = 150'
SETBACKS:
ROAD = 75'
SIDE = 25'
REAR = 25'

SURVEY REFERENCES:
1. "PLAT OF LANDS OF THOMAS AND BARBARA SARGENT TRUST"
DATED 5-17-06 BY DUFRESNE & ASSOCIATES, PC AND
RECORDED IN THE TOWN OF GEORGIA MAP RECORDS MAP
SLIDE #155.

I CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THIS PLAN IS BASED ON
INFORMATION ABSTRACTED FROM PERTINENT DEEDS AND/OR OTHER OFFICIAL
RECORDS AND CONFORMS TO THE REQUIREMENTS OF 27 VSA § 1403.

DATED THIS _____ DAY OF _____, 20____.

_____. L.S. 735

PARCEL INFORMATION
OWNER: MARI JO HANBURY
VOL. 204, PG. 671
SPAN: 237-076-11547
PARCEL ID: 104370000

DATE	DESCRIPTION	BY
REVISIONS		
BARNARD & GERVAIS, LLC		
Land Surveying Water & Wastewater Environmental Consulting		
167 Main Street, P.O. Box 820 Enosburg Falls, VT 05450 Telephone: (802) 833-5188		PROJECT NO. 24154
10523 VT Route 116, P.O. Box 133 Hinesburg, VT 05401 Telephone: (802) 482-2597		DATE: 09-23-2024
LANDS OF		SCALE: 1" = 100'
MARI JO HANBURY		SURVEY: SL
450 PLAINS ROAD, GEORGIA, VERMONT		DRAWN: SL
BOUNDARY RETRACEMENT SURVEY PLAT		CHECKED: MG
THESE PLANS WITH LATEST REVISIONS SHOULD ONLY BE USED FOR THE PURPOSE SHOWN BELOW:		DRAWING NO. PL-1
☒ SKETCH/CONCEPT		☐ PRELIMINARY
☐ FINAL LOCAL REVIEW		SHEET 1 OF 1

**FINAL PLAT REVIEW
Two-Lot Minor Subdivision
FP-002-25**

Owner/Applicant: Mari Jo Hanbury 450 Plains Road, Georgia VT 05478 PH: 802-578-1965 Mjhanbury17@gmail.com	Property Tax Parcel & Location: 450 Plains Road Georgia, VT 05478 Parcel#104370000 Zoning District: AR-2
Engineer/Surveyor: Michael Gervais, Barnard & Gervais, LLC PH: 802-933-5168	

Background

Mari Jo Hanbury, hereafter referred to as Applicant, is requesting Final Plat review for a two-lot Minor Subdivision at 450 Plains Road and consisting of ± 24.43 acres. The parcel is located in the AR-2 zoning district. Said parcel is benefitted by $\pm 1,311$ ft of road frontage along Plains Road.

Applicant is proposing a subdivision of the ± 24.43 acres into two (2) lots: ± 14.41 acres (Lot 1) and ± 10.02 acres (Lot 2).

COMMENTS

General Subdivision and Site Plan Review Requirements

- 1. Dimensional Requirements.** The dimensional requirements of the Zoning Districts and the proposed lot dimensions are as follows:

	AR-2	Lot 1	Lot 2
Minimum Lot Size	2 acres	± 14.41 acres	± 10.02 acres
Lot Frontage	150 ft	± 795 ft	± 513 ft
Front Yard Setback	75 ft	*	*
Side Setbacks	25 ft	*	*
Rear Setbacks	25 ft	*	*

*Building envelope presented shows 25' side and rear setbacks, 75' road setback but incorporates all wetlands on the property.

- 2. Site plans.** Applicant has submitted one map titled, "Boundary Retracement Survey Plat" prepared by Barnard & Gervais, LLC on 9/23/2024 and labeled PL-1.
- 3. Lot layout.** The proposed layout will divide the current lot into two lots, where Lot 1 will contain the existing dwelling and Lot 2 will contain a proposed new dwelling, septic and well.
- 4. Suitability for development.** The land meets the Development Regulation requirements for subdivision of property.

5. **The proposed development will not result in undue water or air pollution.** Not applicable.
6. **Legal language.** Not applicable.
7. **Access permit.** Not applicable.
8. **State permits.** Wastewater permits shall be submitted, as well as any necessary town permits.
9. **Easements.** All easements are shown on the Final Plat survey.
10. **Fire protection** – The existing single-family dwelling has already confirmed municipal services. Proposed new Lot 2 will need an Ability to Serve letter from the Town of Georgia Fire Chief.
11. **Financial surety** – Not applicable.
12. **Performance Standards** - This project meets the minimum dimensional requirements for the AR-2 district
13. **Road Name-** Not applicable.
14. **Driveway Standards** – Not applicable.

ARTICLE 7 PLANNING and DESIGN STANDARDS:

Section 7.1 Energy Efficient Design – N/A

Section 7.2 Farm and Forestland Preservation – N/A

Section 7.3 Site Design – N/A

Section 7.4 Exterior Storage of Materials or Equipment – N/A

Section 7.5 Landscaping and Screening – N/A

Section 7.6 Outdoor Lighting – N/A

Section 7.7 Vehicular Circulation – N/A

Section 7.8 Pedestrian Accessibility – N/A

Section 7.9 Parking, Traffic Access, and Circulation – N/A

Section 7.10 Street Signs – N/A

Section 7.11 Public and Private Road Standards – N/A

Section 7.12 Site Preservation and Erosion Control – N/A

Section 7.13 Stormwater – N/A

Section 7.14 Utilities. N/A

Respectfully submitted,

Kollene Caspers
Zoning Clerk
Town of Georgia

cc: Applicant



GEORGIA VERMONT

DRB MEETING Tuesday, February 18, 2025 at 7:00 PM Chris Letourneau Meeting Room and via Zoom Minutes

Zoom Details:

<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWVLzVadz09>

Meeting ID: 616 584 3896 | Passcode: 5243524

Dial by your Location: 1 929 205 6099 (New York)

1. CALL TO ORDER - 7:00 PM

DRB BOARD PRESENT

Chair Suzanna Brown, Vice Chair Charles Cross, Greg Drew (via Zoom), James Powell, Gilles Rainville, Lisa Faure, and Jared Waite

DRB BOARD ABSENT

Glenn Sjoblom, Chris Caspers

STAFF PRESENT

Doug Bergstrom, Zoning Administrator; Kollene Caspers, Zoning Clerk

PRESENT FOR VAR-001-25

Michael Florucci, Applicant
Brad Brouillette, representative for abutter

PRESENT FOR PR-001-25

Justin Holmes, Engineer for Applicant

2. ADDITIONS, DELETIONS, OR CHANGES TO THE AGENDA

3. PUBLIC HEARINGS

A. VAR-001-25, Florucci, Variance

- S. Brown introduced the Variance request. Mr. Florucci, Applicant, was present for the hearing.
- D. Bergstrom explained he denied the Zoning Permit for an accessory building because the current Development Regulations prohibits building in the wetlands.

- M. Florucci explained his wetland permit with the State of Vermont Agency of Natural Resources to build on the property, and the conditions that will follow the permit in perpetuity on the property should it be approved.
- B. Brouillette was present to ask questions about any potential impact on the easement on behalf of his parents, who own abutting property.
- M. Florucci explained the 1500 sq ft (48 x 32) building is the smallest the building can be to conduct business on his property.

Motion to close the hearing at 7:25pm

Motion made by Vice Chair Cross, Seconded by Chair Brown.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure, Waite

B. PR-001-25, Gamache, PUD Duplex Development

- S. Brown introduced the Preliminary Plat. Justin Holmes, Pinnacle Engineering, was present for the hearing.
- Changes made since Sketch approval include added parking spaces for a total of 22 parking spaces.
- The private road is 851 feet long starting from Georgia Middle Road and will be gravel. The road will be maintained by applicant as the units will be used as rental properties.
- Applicant is exploring the potential for rooftop solar or other onsite solar panels, as well as charging station for electric vehicles.
- Property will be served by two private wells.
- The units will be rental properties, but if they are sold later as condos there will be HOA documents for private road maintenance, stormwater and wastewater.

Motion to close the hearing at 7:40pm

Motion made by Rainville, Seconded by Vice Chair Cross.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure, Waite

4. APPROVAL OF MINUTES

A. DRB Meeting Minutes: February 4, 2025

Motion to approve minutes with minor changes.

Motion made by Vice Chair Cross, Seconded by Drew.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure

Voting Abstaining: Waite

5. OTHER BUSINESS

- Discussion on DRB Board vacancies after the March election period. There will be two board members and one alternate positions available.

Motion to submit James Powell and Leigh Horton to the Selectboard for appointment as members of the DRB.

Motion made by Chair Brown, Seconded by Powell.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure, Waite

6. PLAN NEXT MEETING AGENDA

A. March 18, 2025

- Two hearings, BLA-001-25, Goad/Rudden; FP-002-25, Hanbury

7. DELIBERATIONS

Motion to move into deliberative session at 7:55pm

Motion made by Vice Chair Cross, Seconded by Rainville.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure, Waite

Motion to exit from deliberative session at 8:58pm

Motion made by Rainville, Seconded by Vice Chair Cross

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure, Waite

Action taken out of deliberative session:

VAR-001-25, Florucci

Motion to approve the Variance request with ANR approval. Any Home Occupational use on the property is subject to DRB approval as Conditional Use.

Motion made by Cross, Seconded by Powell

Voting Yea: Vice Chair Cross, Drew, Powell, Rainville, Faure

Voting Nay: Chair Brown

A. Decision Letter, FP-001-25, Rooney

Motion to approve the decision letter as written.

Motion made by Rainville, Seconded by Vice Chair Cross

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure

Voting Abstaining: Waite

S. Brown signed the decision letter.

B. Decision Letter, SK-001-25, Favreau

C. Cross recused himself from discussion.

Sketch Plan recommendation letter was approved by the DRB.

S. Brown signed the letter.

C. Decision Letter, SP-001-25 & CU-001-25, Harrison

G. Rainville recused himself from discussion.

Motion to approve the decision letter as written.

Motion made by Powell, Seconded by Vice Chair Cross

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Faure

Voting Abstaining: Rainville and Waite

S. Brown signed the decision letter.

8. ADJOURN

Motion to adjourn at 9:02pm

Motion made by Rainville, Seconded by Powell.

Voting Yea: Chair Brown, Vice Chair Cross, Drew, Powell, Rainville, Faure, Waite

Posted to the Town website.

Signed: Douglas Bergstrom, Zoning Administrator, DRB Coordinator

Phone: 802-524-3524 | Fax: 802-524-3543 | Website: townofgeorgia.com



Town of Georgia

47 Town Common Road North. • St. Albans, VT 05478
• Phone: 802-524-3524 • Fax: 802-524-3543 • website: townofgeorgia.com

NOTICE of DECISION

In re: Michael Florucci, Applicant/Owner
Permit Application No.: Variance VAR-001-25

Decision and Findings of Fact Variance Approval

Dear Applicant/Owner,

After a duly warned hearing of the Development Review Board (DRB) on February 18, 2025, the following action was taken with regard to your request:

GRANTED WITH CONDITIONS

Note: The application, any and all relevant evidence presented to the Board, and the minutes of the Board at the hearing conducted by the Town of Georgia DRB on February 18, 2025, and relevant information from public records and sources, shall be considered part of the Finding of Fact and kept as part of the permanent record of the applicant/owner.

This official record shall provide additional basis for the Board's decision.

Background:

This matter came before the Town of Georgia DRB on the application of Michael Florucci, hereinafter referred to as Applicant, requesting a variance of the Town of Georgia Development Regulations prohibiting building in wetlands (Section 5.12(C), Town of Georgia Development Regulations, 2/27/2023).

The parcel is located at 1093 Polly Hubbard Road, within the AR-1 zoning district. The parcel is ± 10.2 acres in size, benefitted by ± 250 ft of frontage along Polly Hubbard Road. Applicant proposes building a ± 1500 square foot accessory building east of the existing driveway in an area that has been determined a class II wetland or buffer by Vermont Agency of Natural Resources (ANR).

A restoration plan is in place in a large area of maintained yard west of the driveway. The restoration area is 3 to 4 times the footprint of the proposed accessory structure. This area will be planted with trees, shrubs and plants that are native to Vermont wetland sites. Planting includes a dense native shrub row along the outer perimeter of the restoration area that, when fully grown, should discourage human entry into the area and provide better seclusion for wildlife.

A Notice of Public Hearing was duly published in the St. Albans Messenger on January 31, 2025, and all abutting property owners were notified.

The DRB conducted a public hearing on this application on February 18, 2025. Applicant was present at the meeting. There was one interested party, see meeting notes for a list of all who attended the hearing. Applicant submitted a variance application and the Zoning Administrator presented a DRB report.

Finding of Facts:

1. The current lot includes Class II wetlands or buffer, providing Applicant no alternative building location that would not violate Town of Georgia Regulations.

	AR-1 Required:	VAR-001-25
Minimum lot size	5 acres	±10.2 acres
Lot Frontage	250 ft.	±250 ft
Front yard setback	75 ft.	±105 ft
Left Side yard setback	40 ft.	±115 ft
Right Side yard setback	40 ft.	±55 ft.
Rear yard setback	40 ft.	±1500 ft
Building height	35 ft. max	±20 ft

2. All applications for variance must be heard by Development Review Board according to the criteria set forth in 24 V.S.A. Section 4469(a). The DRB must find that your application meets **all five of these criteria** in order to approve your application:

1. *There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the bylaw in the neighborhood or district in which the property is located.*

- 2. *Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the bylaw, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.*
- 3. *The unnecessary hardship has not been created by the applicant.*
- 4. *The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.*
- 5. *The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan.*

Conclusion:

The Board concludes as follows:

- 1. Applicant has submitted all relevant information required by the Town of Georgia Development Regulations (2/27/2023). This application was reviewed under Article 3, Section 3.4 (Variances).
- 2. The application was deemed consistent with the abovementioned standards and requirements.
- 3. The Class II wetlands or buffer takes up a significant portion of the property, where no other viable space was identified for building.

Decision:

Applicant’s request for a variance is **GRANTED** subject to the following conditions:

- 1. This Variance is to build an accessory structure on the property in an identified Class II wetland or buffer. Any additional structures on the property would require DRB approval.
- 2. Approval is subject to State of Vermont, Agency of Natural Resources approval (VWP File# 2024-0107).
- 3. Any home occupational use on the property is subject to DRB approval as Conditional Use.

These conditions shall not be deviated from, absent an amendment granted by the Board.

All plats, plans, drawings, etc., listed above or submitted at the hearing and used as a basis for the decision to grant the permit shall be binding on the applicants, their heirs and assigns. Projects must be completed in accordance with such approved plans and conditions. Any deviation shall be a violation of the permit and subject to enforcement action by the Town.

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision pursuant to 24 V.S.A. Section 4471. Notice of the appeal shall be filed by certified mailing, with fees, to the environmental court and by mailing a copy to the Zoning Administrator who shall supply a list of interested persons to the appellant within five working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person.

EXPIRATION: Pursuant to Section 3.2(D) of the Town of Georgia Development Regulations, approval from the Development Review Board allowing a conditional use shall expire one year from date of issue if construction has not progressed to the point where the property can reasonably be used for its intended purpose as defined and/or all conditions of this decision as set forth above have not been met. An extension of one year will be granted by the Zoning Administrator if application for extension takes place before the approval has expired. At the end of two years, the permit will permanently expire unless the Development Review Board grants a further extension.

Members present and voting for approval: Charles Cross, Greg Drew, Lisa Faure, Gilles Rainville, James Powell and Jared Waite. Members Absent: Glenn Sjoblom and Chris Caspers. Members present and voting against approval: Suzanna Brown.

Signature of Chair: _____ Date: _____

Suzanna Brown, DRB Chair



GEORGIA VERMONT

In re: Anthony & Lillian Gamache, Applicant
Permit Application No.: PR-001-25

Decision and Findings of Fact for Preliminary Plat Review

Dear Applicant/Owner,

After a duly warned hearing of the Development Review Board (DRB) on February 18, 2025, the following action was taken regarding your request:

APPROVED FOR FINAL PLAT APPLICATION WITH CONDITIONS

Note: The application, any and all relevant evidence presented to the Board, and the minutes of the Board at the hearings conducted by the Town of Georgia DRB on November 21, 2023, December 17, 2024 and February 18, 2025 and all relevant information from public records and sources, shall be considered part of the Finding of Fact and kept as part of the permanent record of the applicant/owner.

This official record shall provide an additional basis for the Board's decision.

Background:

This matter came before the Town of Georgia DRB on the application of Anthony and Lillian Gamache, hereinafter referred to as Applicants, requesting Preliminary Plat review for a proposed four (4) duplex/ eight (8) unit Planned Unit Development (PUD) located off Georgia Middle Road, Georgia, Vermont, and located in the AR-2 zoning district. Notice of Public Hearing was duly published in the St. Albans Messenger on January 31, 2025 and all abutting property owners were notified.

The DRB conducted a public hearing on this application on February 18, 2025. Justin Holmes, engineer was present at the meetings. No interested parties were in attendance. Applicants submitted a Preliminary Plat application and the Zoning Administrator presented a DRB report.

Finding of Facts:

1. The applicant is requesting preliminary plat approval for a proposed four (4) duplex/ eight (8) unit Planned Unit Development (PUD) located off Georgia Middle Road, Georgia, Vermont, and located in the AR-2 zoning district. Sketch Plan Review was held in front of the DRB on December 17, 2024.

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 subdivision with acreage and use as required by the current Town of Georgia Development Regulations dated February 27, 2023.
3. Applicants had requested and were granted three Waivers, (1) Waiver to allow multiple principal structures/ uses on a single lot. (6.6.C.2); (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; and (3) Waiver to allow backing of motor vehicles into a private road to allow homes to be clustered. (5.2.B.2.d).
4. Each of the units will be ±1500 square feet (48' x 32') in size and will each include three (3) bedrooms. Each unit will include a one car garage plus a parking space in front of the garage and additional spots for a total of 22 parking spots. Two new drilled well water supplies will each serve the buildings and a mound wastewater system is proposed.
5. The units are proposed to be serviced by a proposed private road located within a 60' wide right-of-way easement off Georgia Middle Road.
6. A 4.15 acre open space area is proposed at the Western end of Lot 3A, in accordance with the PUD open space requirements.
7. The following members of the DRB were present for the Preliminary Plat public hearing on February 18, 2025, constituting a quorum: Suzanna Brown, Charles Cross, Greg Drew, James Powell, Gilles Rainville, Jr., Jared Waite and Lisa Faure. See meeting minutes for a list of others present.
8. The regulations in effect at the time of the decision: **Municipal Town Plan**, last amended January 6, 2025; **Town of Georgia Development Regulations**, dated February 27, 2023.

Conclusion:

The Board concludes as follows:

1. The Applicant has submitted all relevant preliminary plat information required by the Georgia Development Regulations.
2. This application was reviewed as a PUD duplex development in the AR-2 zoning district pursuant to the requirements and standards outlined in Article 3.3, Site Plan Review; 3.5, Planned Unit Developments and Article 7, Planning and Design Standards, of the Town of Georgia Development Regulations (February 27, 2023). The application was deemed consistent with the above-mentioned standards and requirements, with road frontage, right of way and sidewalk waivers granted.

3. The approval of the preliminary plat is based on all subdivision, sketch plan and preliminary plat plans contained in the Gamache folders in the DRB files (FP-005-23, SP-002-23, CU-004-23, SK-005-24, and PR-001-25).

Conditions for Final Plat Approval:

Based on the Findings of Fact and Conclusions set forth above, the Georgia DRB approves the Preliminary Plat for a PUD duplex development subject to the conditions listed below:

1. The Final Plat plans shall indicate the following:
 - a. Lots within the project will be numbered.
 - b. Building envelopes showing proposed setbacks.
 - c. Calculated metes and bounds for all rights of way and easement areas.
 - d. Wastewater details with associated isolation areas, calculated metes and bounds of any easements.
 - e. Drilled wells and well isolation areas.
 - f. Drainage details.
 - g. Erosion control details.
 - h. Stormwater details.
 - i. Proposed contour lines at 5' intervals.
 - j. Existing and proposed utilities.
 - k. Existing and proposed driveways.
 - l. Existing and proposed landscaping details.
 - m. Typical cross sections of the proposed grading of roadways.
 - n. 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%.
 - o. Include the general outline of abutting properties to get the full scope of the location.
 - n. DRB and Town Clerk signature blocks.
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. Within one year of Preliminary Plan/Plat approval, applicant shall submit a complete application for approval of a final subdivision plat. The application shall contain those items required in Section 4.3 of the Georgia Development Regulations (2/27/2023) and shall conform to the layout shown on the approved Preliminary Plan/Plat and incorporate all conditions in the Preliminary Plan/Plat approval.
 - a. **Preliminary approval expires March 18, 2026**
4. Should the units be sold as condominiums in the future, HOA Documents shall be necessary and include maintenance and use of the private road, shared wells, septic, landscaping, maintenance of open space, and include any additional information regarding footprint lots. 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.

5. Placards, boulders or birdfeeders shall be placed to delineate the wetland buffers. These must be maintained in perpetuity.
6. The 24-foot-wide private road shall be paved and constructed to comply with the Town of Georgia Private Roads and Driveway Policy (February 28, 2020) and VTrans A-76 standards. Prior to issuance of the last Certificate of Occupancy, 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.
7. Applicant must obtain an Ability to Serve Letter from the Town of Georgia Fire Chief.
8. 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, whichever comes first or with an application for extension submitted to the Zoning Administrator.
9. Applicants shall submit road naming documents to the Zoning Administrator to name the private road. Road documents can be found on the Town of Georgia website.
10. Copies of all required State permits including, but not limited to, wastewater and potable water supply permits and wetland permits shall be submitted to the Zoning Administrator for inclusion in the project file prior to the issuance of any zoning permits.
11. 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.
12. 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.
13. 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.

These conditions shall not be deviated from absent an amendment granted by the Board.

All plats, plans, drawings, etc., listed above or submitted at the hearing and used as a basis for the decision to grant the permit shall be binding on the applicants, their heirs, and assigns. Projects

must be completed in accordance with such approved plans and conditions. Any deviation shall be a violation of the permit and subject to enforcement action by the Town.

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision pursuant to 24 V.S.A. Section 4471. Notice of the appeal shall be filed by certified mailing, with fees, to the environmental court and by mailing a copy to the Zoning Administrator who shall supply a list of interested persons to the appellant within five working days. Upon receipt of the list of interested persons, the appellant shall, by certified mail, provide a copy of the notice of appeal to every interested person.

EXPIRATION: Pursuant to Section 3.2(D) of the Town of Georgia Development Regulations, approval from the Development Review Board allowing a conditional use shall expire one year from date of issue if construction has not progressed to the point where the property can reasonably be used for its intended purpose as defined and/or all conditions of this decision as set forth above have not been met. An extension of one year will be granted by the Zoning Administrator if application for extension takes place before the approval has expired. At the end of two years, the permit will permanently expire unless the Development Review Board grants a further extension.

Members present and voting for approval: Suzanna Brown, Charles Cross, Lisa Faure, James Powell, and Gilles Rainville, Jr. Members present and voting against approval: None.

Dated at Georgia, Vermont, this 18th day of March, 2025.

By _____

Georgia DRB Chair