



# Town of Shelburne, Vermont

CHARTERED 1763

P.O. BOX 88 5420 SHELburne ROAD SHELburne, VT 05482  
 www.shelburnevt.org 802-985-5118

## PRELIMINARY PLAN REVIEW APPLICATION\*

\* Also available in alternate formats in accordance with the Americans With Disability Act.

### PLEASE USE THIS FORM TO REQUEST REVIEW OF PRELIMINARY PLAN

Preliminary Plan review is the second and in some ways the most extensive step in the review of medium and large subdivisions. In general, an applicant seeking Preliminary Plan approval must submit a complete application for review within six (6) months of receiving Sketch Plan approval. As with Sketch Plans, Preliminary Plans should encompass the entire planned subdivision, even if approval is to be requested for only an initial phase.

Preliminary Plans must be submitted to the Planning and Zoning office at least 21 days before a regularly scheduled meeting of the DRB at which the Plans will be reviewed. Before a public hearing will be warned on a Plan, however, an applicant must conduct a pre-hearing conference with Planning and Zoning office staff. After the public hearing on a project is completed, the Development Review Board will vote and signal its decision on the application by issuing a formal written decision. The written decision might approve the project as it was proposed, deny the project, or, more commonly, approve the project with conditions.

The purpose of Preliminary Plan review is to establish a project's conformance with an extensive list of criteria contained in the Subdivision Bylaw. It must be noted, however, that a project undergoing subdivision review might also be subject to additional review processes (e.g., Planned Unit Development, Site Plan, Conditional Use, etc.). In many cases these review processes can be conducted in conjunction with Subdivision review. Do not prepare and submit this application until you have submitted a GENERAL APPLICATION FORM and have received a GAF number.

### APPLICANT INFO

APPLICANT	PRIMARY CONSULTANT (If any)
First Name (please print)	Name (please print)
Last Name (please print)	Mailing address
Signature	City State Zip
GAF Number	Email
Request	Phone

*Provide or attach a Basic Description of the Project:*

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### FOR OFFICE USE ONLY

Date received	by	Referral (s)	by
Fee received	by	Forms offered /146	by
Permit #	by	Hearing date	

# PRELIMINARY PLAN REVIEW APPLICATION

## PROJECT INFO

NATURE OF PROJECT		INFRASTRUCTURE		PLAN	
Is project Subdivision?		Served by public road		Name of Preparer	
Re-subdivision?		Public water service?		Date Plans Prepared	
Amendment?		Public sewer service?		Date Sketch Approved	

Does project propose single family lots only?		Does project propose commercial use only?	
Does project propose multi-family housing?		Does project propose industrial use only?	
Does project propose elderly housing?		Is project a Planned Unit Development?	
Does project propose PUDR in Rural District?		Has applicant met w/ Reg'l Permit Specialist?	

## PLANNING CRITERIA

Applications for Preliminary plan review must meet criteria contained in the Subdivision bylaw. The Preliminary Plan review process will tend to function more smoothly when you provide thorough responses to the following items.

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with Shelburne's Comprehensive Plan.

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with applicable use, density and lot size, lot frontage and width, and other dimensional requirements.

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with other Zoning regulations.

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with the Planning Standards contained within Section 800 of the Subdivision regulations. At a minimum, such description or testimony must address whether:

...any land involved in the subdivision is unsuitable for subdivision due to flooding, steep slopes, ledge, or easements;

...the proposal includes due regard for the preservation and protection of existing features enumerated in the bylaw;

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# PRELIMINARY PLAN REVIEW APPLICATION

## PLANNING CRITERIA CONTINUED

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with the Planning Standards contained within Section 800 of the Subdivision regulations. At a minimum, such description or testimony must address whether:

...the proposal includes sufficient open space

...the proposal includes adequate provision for the control of erosion prevention and sediment control during and after construction;

...the proposed development is compatible with surrounding properties

...the site is suitable for the proposed density;

...the proposal contains adequate provision for pedestrian traffic in terms of safety, convenience, connectivity, and access to points of destination and attractiveness;

...the anticipated tax return from the proposed development is equal to or exceeds the cost of anticipated municipal services and facilities directly attributable to the proposed development;

...there is sufficient water available for the reasonably foreseeable needs of the proposed development.

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# PRELIMINARY PLAN REVIEW APPLICATION

## SITE PRESERVATION AND DESIGN CRITERIA

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with the Site Preservation Standards contained within Section 810 and of the Subdivision regulations. At a minimum, such description or testimony must address whether:

...the design effects the preservation of site amenities such as historic sites and special natural features “insofar as possible”;

...grading, cutting, and filling are minimized through a design reflecting subdivision “in reasonable conformity to existing topography”;

...the proposal would minimize exposure of excavated surfaces to prevent erosion and control sediments; and

...the proposal includes suitable street tree plantings.

...Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with the Development Requirement and Design Standards contained within Section 900 and of the Subdivision regulations. At a minimum, such description or testimony must address whether the proposal provides for:

...properly designed streets and safe and adequate access;

...sidewalks, paths, and pedestrian access;

...properly designed lots;

...safe and reliable water service and fire protection (with details on fire hydrants);

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# PRELIMINARY PLAN REVIEW APPLICATION

## DESIGN CRITERIA CONTINUED

Describe or summarize and attach any evidence indicating the Preliminary Plan is in conformance with the Development Requirement and Design Standards contained within Section 900 and of the Subdivision regulations. At a minimum, such description or testimony must address whether the proposal provides for:

...safe and reliable wastewater treatment;

...adequate outdoor lighting and buried utility services; and

...effective stormwater avoidance, detention, and treatment.

Unless addressed in response above, describe how water will be provided in the subdivision (describe in detail including size of lines, ownership, and number of hydrants).

Unless addressed in response above, describe how wastewater treatment will be provided in the subdivision (describe in detail including anticipated design flows, interfaces with public infrastructure, and ownership).

Unless addressed in response above, describe how stormwater management will be provided in the subdivision (describe in detail including location of detention facilities, rationale for sizing of detention facilities, and location of drainage discharge points).

Unless addressed in response above, describe how stormwater runoff is minimized through the use of natural drainage systems and on-site infiltration and treatment techniques and how soils best suited for infiltration are retained and that natural areas consisting of tree canopy and other native vegetation are preserved, preferably in contiguous blocks or linear corridors where feasible, for protection of the best stormwater management features identified in the site assessment.

Describe or summarize and attach any evidence indicating the lighting proposed within subdivision complies with the lighting section of the zoning bylaw.

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# PRELIMINARY PLAN APPLICATION

## NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS

A list of list of current adjoining and cross-street property owners " must be submitted in conjunction with this application, along with a set of stamped and addressed envelopes including one for each adjoining and cross-street property.

Adjoiner 1

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 5

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 2

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 6

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 3

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 7

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 4

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Adjoiner 8

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Use additional copies of this form as required ...

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# PRELIMINARY PLAN REVIEW APPLICATION

## PRELIMINARY PLAN CHECKLIST

A "Preliminary Plan Review Plan" must be submitted in conjunction with this application. The features depicted on such Plan, which must be produced at a scale of 1" = 100' (1:1,200) or larger, must include the following

- Proposed subdivision name or identifying title and the name of the Town.
- Name and address of owner of record, sub divider, and land surveyor of the Plat.
- Names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- The provisions of the Shelburne Zoning Regulations or other Town Regulations applicable to the area to be subdivided.
- Total number of acres within the proposed subdivision, location of proposed lot lines, number of acres within each lot.
- The location of markers adequate to enable the DRB to readily locate and appraise the basic layout in the field. Unless an existing street intersection is shown, the distance along a street from one corner of the property to the nearest existing street intersection shall be shown.
- Water courses, wooded areas, geologic outcrops, and other existing physical features, including any endangered species, necessary wildlife habitat, and rare and irreplaceable natural areas identified pursuant to Section 810 of this Bylaw.
- All parcels of land proposed to be dedicated or reserved for public use and the conditions of such dedication or reservation.
- Location of all natural features or site elements to be preserved.
- Contour lines at intervals of 5 feet of existing grades and of proposed grades where change of existing ground elevation will be 5 feet or more.
- The location and size of existing sewer and water mains (on the property or serving the property).
- The location and size of any existing culverts, drains, and stormwater treatment practices on the property or serving the property.
- Complete survey of subdivision tract by a licensed land surveyor.
- Location, names and widths of existing and proposed streets, private ways, sidewalks, curb cuts, paths, easements, parks and other public or privately maintained open spaces, as well as similar facts regarding adjacent property.
- Typical cross sections of the proposed grading, roadways and sidewalks.
- Landscaping Plan prepared by a qualified professional. (Landscaping plan submitted with associated Site Plan review may be used.)
- Details of proposed connection with existing water supply or alternative means of providing water supply to the proposed subdivision.
- Details of proposed connection with the existing sewage disposal system or adequate provision for on-site disposal of septic wastes.
- If on-site sewage disposal system is proposed, location and results of tests to ascertain subsurface soil, rock, and groundwater conditions.
- Date, true north point and numerical and graphic scale.

A "Preliminary Plan Review" application must also include the following:

- A vicinity map to show the relationship of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show indication of the future probable street system of the surrounding area.
- List of waivers the subdivider desires from the requirements of these regulations.
- Designs of any bridges and culverts which may be required.
- A copy of any proposed covenants and/or deed restrictions which are intended to cover all or part of the subdivision.
- A prospectus describing the management organization or homeowner's association if one is proposed.
- Construction drawings of all proposed public improvements.
- Lots within the subdivision numbered in numerical order within blocks, and blocks lettered in alphabetical order.
- Proposals and/or offers concerning the manner in which open space, including park and recreational lands and school site areas, are to be dedicated, reserved, and/or maintained or payments proposed in lieu thereof.
- Documentation from the Town departments (Police department; Fire department; Highway department; Wastewater department; Water department; Town Manager's office; Elementary and High School; Recreation department; Natural Resources and Conservation Committee) that the subdivider's plans have been reviewed and are deemed acceptable or would be deemed acceptable upon adherence to clearly identified proposed conditions of approval. Any letters from the Shelburne Water Department Superintendent and the Shelburne Wastewater Superintendent should address whether: - adequate capacity exists for the proposed subdivision; and - if improvements and modifications are needed to accommodate the proposed subdivision, the subdivider's proposal to address these improvements and modifications is acceptable.
- A stormwater management plan, including provisions for minimizing and treating stormwater during construction and post-construction stormwater management systems. Any erosion prevention and sediment control and post construction stormwater management measures, treatment practices, and/or infrastructure shall meet the regulations and standards of the Vermont Department of Environmental Conservation, and any applicable Town regulations and standards. The stormwater management plan must identify the construction disturbance area and demonstrate that stormwater runoff is minimized through the use of natural drainage systems and on-site infiltration and treatment techniques. The plan shall also demonstrate that soils best suited for infiltration are retained and that natural areas consisting of tree canopy and other native vegetation are preserved, preferably in contiguous blocks or linear corridors where feasible, for protection of the best stormwater management features identified in the site assessment.

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# PRELIMINARY PLAN REVIEW APPLICATION

## PRELIMINARY PLAN PROCEDURE

Applications must be filed using forms and related materials prepared by staff of the Planning and Zoning office. Applications subject to the Board's review will not be warned for public hearing until the applicant conducts a filing conference with staff of the Planning and Zoning Office. The applicant will schedule this conference with the DRB Administrator or another staff member assigned by the Administrator. The purpose of the conference is to review the application materials and determine whether the application is complete. Application materials shall be submitted to Planning and Zoning staff 24 hours prior to the Filing Conference.

If the application is found to be complete, the Administrator will schedule a hearing before the Board. Normally, the Administrator or other staff will prepare a staff report to assist the DRB in reaching a decision on the application. Meeting materials prepared by staff ordinarily will be available the Thursday preceding a regular meeting. If the application is not complete it may be withdrawn, a schedule for the submission of additional materials before a hearing is scheduled may be established by agreement of the applicant and the Administrator, or the applicant may appeal the Administrator's determination that the application is incomplete to the Board.

Public hearings shall be conducted as quasi-judicial proceedings pursuant to 1 V.S.A. § 310(5)(B). Public comment may be offered during the hearing with the permission of the chair. The Board will be assisted by Staff, including, but not limited to, the Town's DRB Administrator and the Town's Director of Planning. Public hearings will be conducted in the following manner:

The presiding officer will:

- A. open the hearing by reading the warning of the hearing.
- B. Review the order of events and review requirements such as conflicts of interest, ex parte communications, and appeals.
- C. Ask all who believe they will participate in the hearing to sign the 'sign-in' sheet, provide contact information, and take the following oath: I hereby swear or affirm 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.
- D. Invite Development Review Board staff to comment on the application or proposal.
- E. Accept and acknowledge written information presented to the board prior to the hearing.
- F. Invite the applicant or applicant's representative to present the application or proposal. (Applicants are encouraged to tailor presentations to address outstanding issues identified by staff.)**
- G. Invite board members to ask questions of the applicant or applicant's representative.
- H. Invite other persons to present information regarding the application or proposal.
- I. Invite the applicant, applicant's representative, or other persons to respond to information presented.
- J. Invite more questions or comments from members of the board.
- K. Invite more questions from other persons and members of the public.
- L. Allow final comments or questions from the applicant or his/her representative or members of the board.
- M. Upon motion and majority approval, either continue the hearing to a time certain, or close the proceedings. If the hearing is continued to a time certain and additional materials are requested of the applicant, the Chair shall set a date by which materials must be submitted.

The board may conduct public deliberations at any time, or may vote to enter deliberative session.

Site visits may be scheduled in connection with an application. Site visits shall be open to the public; however, no testimony shall be taken and no ex parte communication shall occur. Pursuant to the zoning and subdivision bylaws, an applicant may be required to pay the reasonable costs and fees incident to an independent technical review of the application on behalf of the Town. Final decisions will be in writing and issued within no more than 45 days of the close of the public hearing.

The Development Review Board shall review the Preliminary plan taking into consideration the requirements of the subdivision regulations, the zoning ordinance, and other bylaws in effect. The Development Review Board shall also consider the Preliminary Plan's conformity with the Town Comprehensive Plan. The Development Review Board may attach appropriate conditions to any approval. Approval of the Preliminary Plan shall not constitute approval of the subdivision plat. Prior to approval of the final subdivision plat, the Development Review Board may require additional changes as a result of further study.

At the time the Development Review Board grants Preliminary Plan approval it may require the plat to be divided into two or more phases and may impose such conditions upon the filing of application for final plat approval for each phase as it deems necessary to assure the orderly development of the plat.

**SUBMIT**