

GRAND ISLE DEVELOPMENT REVIEW BOARD

RESOLUTION OF THE

MICHAEL ATWOOD & SHAWN WILLIS

APPLICATION FOR

FINAL PLAT APPROVAL FOR

SINGLE LOT SUBDIVISION OF LAND

HEARING #08-22 FINAL PLAT

On January 4, 2023, the Grand Isle Development Review Board conducted a public Sketch Plan Review for Hearing #08-22SKP – Attwood/Willis at the Town Office and via ZOOM. Present were DRB members Joe Steffen, David Capen, Robert Starbuck, Panos Lekkas, David Mignott, Joe Longo, and Clerk Marie Prescott. Applicants Shawn Willis and Michael Atwood were present. The application was classified as a Single Lot Subdivision.

On December 13, 2022, Shawn Willis and Michael made application for Final Plat Approval for Single Lot Subdivision for property located at 122 East Shore South, identified by Tax Map Parcel ID #14-22-76.3. On January 4, 2023, the board accordingly opened Public Hearing # 08-22FP, Application of Attwood/Willis, at the Town Office and Via Zoom. Board members present were Joe Steffen, David Capen, Robert Starbuck, Panos Lekkas, David Mignott, Joe Longo, and Clerk Marie Prescott. The applicants Shawn Willis and Michael Atwood also were present. The hearing was closed on January 4, 2023. The application was approved with conditions.

Vermont Law (24 V.S.A. § 4471) entitles the applicants or any interested party to appeal the Board's decision in this matter within thirty (30) days.

Now, having considered all relevant application materials and supplementary testimony, both written and oral, the Board finds, concludes, and decides as follows:

FINDINGS OF FACT

APPLICATION PROCESS AND GENERAL REQUIREMENTS

Finding 1. Applicants Michael Attwood and Shawn Willis own a 4.48+/- acre parcel of land located at 122 East Shore Road South identified in Town Records by Tax Map Parcel #14-22-76.3. The deed is recorded in Volume 128, Pages 018-019, of the Town of Grand Isle Land Records. The property is described as Lot 3 in a previous subdivision. The Warranty Deed does not contain any restrictive covenants.

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Finding 2. In accordance with the Town of Grand Isle Zoning Bylaws and Subdivision Regulations (October 25, 2021) Shawn Willis and Michael Atwood applied on December 13, 2022 for Sketch Plan Review and Final Plat for a single lot subdivision for parcel of land located at 122 East Shore Road identified in Town Records by Tax Map Parcel ID #14-22-76.3.

Finding 3. The property has an existing home which will be on proposed Lot 3A.

Finding 4. The application, #08-22 FP, proposes to subdivide the property into two lots. Lot 3A will be 3.39+/- acres, and Lot 3B will be the remaining 1.02+/- acres. These lots are depicted on map entitled Plat of Two Lot Subdivision prepared by Leonard Amblo, and dated November 29, 2022.

Finding 5. On December 21, 2022, a letter was mailed to the applicants, providing notice of Public Hearing #08-22SKP & FP on January 4, 2023, and a copy of letter of the same date was mailed to all owners of properties adjoining the subject property of the application.

Finding 6. On December 21, 2022, notice of public hearing was published in *The Islander*. On December 21, 2022, notice of public hearing was posted outside Grand Isle Town Office at 9 Hyde Road, at Grand Isle Post Office, and Emmons Supermarket, both located on U. S. Route 2.

Finding 7. On January 4, 2023, the Grand Isle Development Review Board conducted #08-22SKP&FP. Present in the Town Office and via Zoom were DRB members Joe Steffen, David Capen, Panos Lekkas, Robert Starbuck, David Mignott, Joe Longo, and Clerk Marie Prescott. Applicants Michael Atwood and Shawn Willis also were present.

Finding 8. On January 4, 2023, Grand Isle Development Review Board classified the applicants' proposal as a Single Lot Subdivision.

Finding 10. On January 4, 2023 the Development Review Board opened Hearing #08-22FP.

Finding 11. The applicants, Michael Atwood and Shawn Willis reviewed the information from the Sketch Plan Review, explained their rationale for subdividing, provided engineering plats, and documented permit applications.

Finding 12. The board closed Hearing #08-22FP on January 4, 2023.

GENERAL ZONING REGULATIONS (Section 3, 4, 5)

Finding 13. The property proposed for subdivision is located in the Rural Residential/Agricultural District of the Town. The current use is residential.

Finding 14. Applicants have defined and depicted all final boundary lines as surveyed by a licensed land surveyor.

Finding 15. Both proposed lots are at least 1 acre in size and thus comply with minimum requirement for lot size, Section 3.3

Finding 16. Both lots have the required Road Frontage. Lot 3A has 206 feet of frontage on East Shore South, a Town Road, and Lot 3B has 157 feet of frontage on the same road.

GENERAL PLANNING (Section 7.9)

Finding 17. The property is reasonably well suited for subdivision and development without risk of harm to the safety, health, or general welfare of present or future inhabitants of either the proposed subdivision or the surrounding area.

Finding 18. No portion of the property is in a mapped flood plain. A stream does run across the eastern portion of both lots and into an extensive wetland bordering Lake Champlain.

Finding 19. A survey of soils was conducted by Trudell Consulting Engineers, and a resulting design for wastewater disposal was prepared by Buermann Engineering.

Finding 20. The proposed development is unlikely to cause highway congestion or unsafe conditions.

REQUIRED IMPROVEMENTS (Section 7.10)

Roads (7.10.1)

Finding 21. Lot 3, the current 4.48-acre parcel has a driveway that intersects with East Shore South in a safe configuration. The application for Lots 3A and 3B indicates that the existing driveway will serve both lots, with access to East Shore South being on Lot 3B. A 50-foot-wide easement for driveway and water line to Lot 3A will be recorded in Grand Isle Town Records.

Water Supply (Section 7.10.4.3)

Finding 22. Both lots will be served by Grand Isle Consolidated Water District. A second water line will be installed to service any future construction of a dwelling on Lot 3B.

Wastewater Disposal (Section 7.10.4.5)

Finding 23. Wastewater system has been approved by the State Agency of Natural Resources Permit # WW-6-1650-5. The approved system is for an above-ground mound with capacity for a two-bedroom home. The mounded leach system will be located on the most appropriate soils near East Shore South Road.

CONCLUSIONS OF LAW

On January 4, 2023 the Board concluded its Final Plat Public Hearing #08-22FP of the above proposal.

Conclusion No.1. Applicant did properly apply for Sketch Plan Review from Grand Isle Development Review Board.

Conclusion No. 2. Applicant did properly apply for Final Plat Approval from Grand Isle Development Review Board.

Conclusion No. 3. Applicant's project, as presented, meets and conforms to General Planning and Evaluation Standards for a Single Lot Subdivision contained in Section 7.9 of Grand Isle Zoning Bylaws and Subdivision Regulations Adopted October 25, 2021.

DECISION

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The Development Review Board hereby **GRANTS** Approval of the Final Plat Application described herein subject to the following Conditions:

CONDITIONS

Condition No. 1. Upon approval of the Final Plat by the Development Review Board, the subdividers must prepare a Mylar copy of the plat for recording in conformance with the requirements of 27 V.S.A. §17. The Chair of the Development Review Board must endorse the plat with Development Review Board approval and date. The subdividers must file the final plat, with endorsement, with the Town Clerk within one hundred and eighty (180) days of DRB final approval. Final approval will expire if the subdividers do not file the Mylar within this one hundred and eighty (180) day period. Applicants shall reapply for Final Plat approval, with required fees, to the Development Review Board for re-approval.

Condition No. 2. The project shall be constructed and used in accordance with the approved plans submitted on record as part of Hearing #08-22FP and the Findings of Fact and Decision. There shall be no change in the proposed use or approved plans without prior approval of the Town. The Development Review Board reserves the right to review any new applications and issue supplementary Findings of Fact and Decision for any change in the project approved herein. Any unauthorized change from these approved plans shall constitute a violation under Section 2.14 of the Town of Grand Isle Zoning Bylaws and Subdivision Regulations, dated October 25, 2021.

In accordance with Title 24 V.S.A. Section 4471, the Board's decision may be appealed to the Environmental Court within thirty (30) days of its decision.

DRB Chair / Vice-Chair

Date

Votes of Participating Members

Joe Steffen	YES
David Capen	YES
Panos Lekkas	YES
Robert Starbuck	YES
David Mignott	YES