

TOWN OF MARSHFIELD

SUBDIVISION REGULATIONS

APPROVED

March 5, 2002

Town of Marshfield

SUBDIVISION REGULATIONS

Includes Planned Residential Development and Planned Unit Development Review Criteria

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Town of Marshfield, Vermont

Subdivision Regulations

Article I. Enactment, Purpose, Authorization, Waivers, Definitions

1010 Enactment

In accordance with the Vermont Planning and Development Act, 24 V.S.A. Chapter 117, and the Town of Marshfield Zoning Ordinance, hereinafter referred to as the Ordinance, there are hereby enacted Subdivision, Planned Residential Development, and Planned Unit Development regulations for the Town of Marshfield. No Subdivision or Development of land shall occur in Marshfield unless in conformity with these regulations.

1020 Purpose

It is the purpose of these regulations to provide for the orderly growth and development of the Town. It is the further purpose of these regulations to provide specific standards of administration for subdivisions.

1030 Authorization

The Development Review Board, hereinafter referred to as the DRB, is authorized and empowered to administer these subdivision regulations.

1040 Waivers and Variances

1. If it be determined by the Development Review Board that strict compliance with these rules and regulations would result in extraordinary hardship to the Developer due to unforeseen conditions beyond the control of the Developer or Subdivider, then the DRB may modify, vary or waiver such compliance, provided that the DRB finds that such modification, variance or waiver will not nullify the intent or purpose of the regulations, and provided further that such modification, variance or waiver, and the reasons therefore, shall be entered upon the minutes of the DRB.
2. Conditions of, and Application for Variances
 - a) Each and every modification, variance or waiver of these regulations sought by a Developer or Subdivider, shall be specifically applied for in writing at the time of presenting the Sketch, Preliminary or Final Plans. Any condition shown on the Final Plan which would require a modification, variance or waiver, shall constitute a ground for disapproval, unless a special application for modification, variance or waiver is made.
 - b) In granting modifications, variances and waivers, the Development Review Board may attach such other reasonable conditions as will, in its judgement, justify such

modifications, variances or waivers and still maintain substantially the objectives of these Regulations.

1050 Exemptions

Parcels leased for agricultural or forestry purposes, where all resulting parcels are at least 5 acres in size, and where no new roads are created for uses other than accepted agricultural and forestry practices, are exempted from the requirements of these regulations.

1060 Severability

The invalidity of any provision of these Regulations shall not invalidate any other part.

1070 Definitions

As used in these Regulations, all words shall have the same meaning as given in the Ordinance and the Act unless otherwise defined herein.

DRB – the Development Review Board of the Town of Marshfield

Development – Planned Residential Development or Planned Unit Development

Developer – the owner or agent of the owner of a Planned Residential Development or a Planned Unit Development

Plan, Sketch – sketch of proposed Subdivision, Planned Residential Development, or Planned Unit Development to enable the DRB to come to a decision as to the form of the Subdivision or Development in meeting the objectives of these regulations.

Plan, Preliminary – a more complete Subdivision or Development plan, clearly marked “Preliminary Plan,” showing in lesser detail than a final plan, the approximate proposed Development or Subdivision.

Plan, Final – a complete and exact Development or Subdivision Plan, prepared for official recording in accordance with 27 V.S.A. Chapter 17, to define property rights and public improvements.

Initial Meeting – the initial meeting between the Developer or Subdivider and the DRB, where a Sketch Plan is delivered and a general discussion occurs to help determine the form of the Subdivision or Development. When a complete Sketch Plan is submitted, the DRB will make a decision on the form of the Subdivision or Development.

Subdivider – the owner, or authorized agent of the owner, of a subdivision.

Subdivision – 1) A division of any part, parcel or area of land by the owner or agent into lots or parcels two or more in number for the purpose of conveyance, transfer, improvement, platting or

sale. 2) The term Subdivision shall include the re-subdivision of land.

1080 Minor and Major Subdivisions

For the purposes of these regulations, subdivisions shall be classified by the Development Review Board, following an initial meeting with the subdivider, as minor or major subdivisions in accordance with the following:

- (1) Minor Subdivisions shall include any subdivision with fewer than four (4) lots; lot line or boundary adjustments; or amendments to an approved subdivision plan that will not substantially change the nature of any previous subdivision or conditions of approval.
- (2) Major subdivisions shall include any subdivision containing 4 or more lots; any subdivision requiring any new (public or private) road greater than 800 feet in length; any subdivision that requires a central shared septic system; any planned unit or planned residential development that meets the definition of a subdivision; or any other subdivision which does not otherwise qualify as a major subdivision.

1090 Professional Advice

For major subdivisions only, the DRB may seek professional advice to review various aspects of an application. The professional fees associated with this will be paid for by the Developer or Subdivider.

1100 Coordination with Planned Unit or Planned Residential Development Review

Subdivision applications for Planned Unit or Planned Residential Developments (PUDs and PRDs) shall be reviewed as major subdivisions. Conditional use review may occur concurrently with subdivision review if all application and procedural requirements pertaining to each respective review process are met. PUDs and PRDs shall meet the review standards set forth in the Marshfield Town Zoning Regulations, as well as subdivision standards defined in these regulations.

Article II. Review and Approval Procedures

Review Procedure	Table 1 Subdivision Review At A Glance	Responsibility
All Subdivisions:		
1.	Submission of application and sketch plan	Applicant; at least 15 days prior to a regularly scheduled Development Review Board meeting
2.	Development Review Board meeting	Applicant attendance required
3.	Classification of subdivision as minor or major; sketch plan approval	Development Review Board; within 30 days of determining that the application and sketch plan are complete
Minor Subdivision [residential < 4 lots]:		
1.	Submission of final subdivision plan, including any waiver requests and supporting documentation	Applicant; within 6 months of the date of sketch plan approval
2.	Development Review Board public hearing	Development Review Board; within 30 days of receipt of the final subdivision plan
3.	Subdivision/plan approval	Development Review Board; within 45 days of the hearing adjournment date
4.	Final plan recording in the town records	Applicant; within 90 days of the date of subdivision approval
5.	Submission of as-built drawings	Applicant; upon completion
Major Subdivision [other than minor]:		
1.	Submission of preliminary subdivision plan including any waiver requests and supporting documentation	Applicant; within 6 months of the date of sketch plan approval
2.	Development Review Board public hearing	Development Review Board; within 30 days of receipt of the preliminary subdivision plan
3.	Preliminary subdivision/plan approval	Development Review Board; within 45 days of the hearing adjournment date
4.	Submission of final subdivision plan, including supporting documentation	Applicant; within 6 months of the date of preliminary plan approval
5.	Final Development Review Board public hearing	Development Review Board; within 30 days of receipt of the final subdivision plan
6.	Final subdivision/plan approval	Development Review Board; within 45 days of the hearing adjournment date.
7.	Final plan recording	Applicant; within 90 days of the date of final subdivision and plan approval
8.	Submission of as-built drawings	Applicant; upon completion

2010 Sketch Plan Review (applying to ALL subdivision applications)

(A) **Application Requirements.** The applicant shall submit to the Town Clerk, at least 15 days prior to a regularly scheduled Development Review Board meeting, a subdivision application, sketch plan, and associated fee. The application shall include with the required fee, 1 original and 5 copies of a subdivision application, and 1 original and 5 copies of the proposed sketch plan that includes the information for sketch plan applications specified in Table 2 and Article III. Copies of the proposed sketch plan shall be 11" X 17" or smaller.

(B) **Initial Meeting.** The applicant and/or an authorized representative shall attend an initial meeting with the Development Review Board, to be held at a regularly scheduled meeting of the Board, to discuss the subdivision application and proposed sketch plan. At this meeting the Development Review Board may request any additional information as needed to act on the sketch plan.

(C) **Action on Sketch Plan** Within 30 days of finding that the application and sketch plan is complete, the Development Review Board, based on the information provided, shall issue in writing:

- a determination of whether the subdivision is a minor subdivision to be reviewed under Section 2030, or major subdivision to be reviewed under Sections 2020 and 2030;
- recommendations for proposed changes in subsequent submissions, including requests for additional studies or supporting documentation.

The DRB may also issue in writing:

- a preliminary determination of whether or not the proposed subdivision plan generally conforms to applicable subdivision review standards, or would be in conflict with the Town Plan and Zoning Regulations;
- granted or denied requested waiver provisions.

(D) **Effect of Sketch Plan Determinations.** Development Review Board determinations and associated recommendations shall remain in effect for 6 months from the date of issuance, unless otherwise approved or extended in writing by the Development Review Board. At any time within 6 months of the determination by the Development Review Board, the applicant may apply to the Development Review Board for preliminary plan review under Section 2020 or final plan approval under Section 2030.

(E) **Boundary Adjustments.** Applications for boundary adjustments which are determined by the DRB to not result in the creation of a non-conforming lot, or the significant increase of the development density of one or more lots, may be exempted from sketch plan review requirements and proceed immediately from initial application to final plan approval.

2020 Preliminary Plan Review [applying to MAJOR subdivisions only]

(A) **Application Requirements.** Within 6 months of the date of action on a sketch plan by the Development Review Board under Section 2010 (C) above, the applicant shall submit a Preliminary Plan which shall include, unless otherwise specified or waived by the Development Review Board, 1 original and 5 copies (sketch plan copies may be 8.5" x 11" or 11" x 17" reductions) of the information required for preliminary plan review as specified in Table 2 and Article III.

(B) **Public Hearing.** Within 30 days of deeming that the preliminary plan application is complete, the Development Review Board shall hold a public hearing on the preliminary plan.

(C) **Preliminary Plan Approval.** Within 45 days of the date of adjournment of the public hearing, the Development Review Board shall approve, approve with modifications, or disapprove the preliminary plan based on a determination of whether or not the preliminary plan conforms to applicable subdivision review standards, or would be in conflict with the Town Plan and Zoning Regulations. The DRB may grant or deny requested waiver provisions at this time. The DRB may also require, as a condition of approval, the submission of proposed changes or modifications resulting from further study. Approval, conditions of approval, or grounds for disapproval shall be set forth in a written notice of decision. The approval of a preliminary plan shall be effective for a period of 6 months from the date of written notice of approval, unless otherwise approved or extended by the Development Review Board in the written notice of decision.

(D) **Effect of Preliminary Plan Approval.** Approval of the preliminary plan shall not constitute approval of the final subdivision plan. Subsequent to the approval of the preliminary plan, the Development Review Board may require the submission of all applicable approvals of municipal officials and/or agencies having jurisdiction over the project (e.g., Select Board, Health Officer), and such state and federal agencies as may be required by law. Upon receipt of evidence of approval of the preliminary plan by said agencies, if required, and the expiration of all relevant appeal periods, the applicant may apply to the Development Review Board for final plan approval.

2030 Final Plan Approval [applying to ALL subdivision applications]

(A) **Application Requirements.** The Final Plan for subdivision shall include, unless otherwise specified or waived by the Development Review Board, 1 original and 5 copies (plan copies may be 8.5" x 11" or 11" x17" reductions) of the information for final plan specified under Table 2 and Article III. If a discrepancy should exist between the Preliminary and the Final Plan, the data contained in the Final Plan shall take precedence. Within 6 months of the date of sketch plan approval for minor subdivisions, or preliminary plan approval for major subdivisions, unless otherwise waived by the Development Review Board, the subdivider shall submit a Final Plan for approval. If the subdivider fails to do so, s/he will be required to resubmit for minor subdivisions a new sketch plan, or for major subdivisions a new preliminary plan, with associated fees, for approval subject to any new zoning and subdivision regulations.

(B) **Public Hearing.** The Development Review Board shall hold a public hearing on the final plan, within 30 days of the date that the Board deems that a final plan application is complete. Copies of the hearing notice shall also be sent, at least 15 days prior to the hearing date, to the clerk of an adjacent municipality in the case of a plan located within 500 feet of a municipal boundary.

(C) **Final Plan Approval.** The Development Review Board shall approve, approve with conditions, or disapprove the final subdivision plan, based on a determination of whether or not the plan conforms to subdivision review standards, or would be in conflict with the Town Plan

and Zoning Regulations, within 45 days of the date of adjournment of the public hearing. Failure to act within such 45 day period shall be deemed approval, as certified by the Town Clerk. Approval, conditions of approval, or grounds for disapprovals, and provisions for appeal shall be set forth in a written notice of decision. Copies of the notice of decision shall be sent to the applicant and any other interested parties appearing at the public hearing within the 45 day period.

(D) **Effect of Final Plan Approval.** Each approval for a final plan shall contain a time limit within which all improvements shall be completed, not to exceed 3 years unless otherwise required or extended by the Development Review Board. The approval by the Development Review Board of a final subdivision plan shall not be construed to constitute acceptance by the town of any street, easement, utility, park, recreation area, or other open space shown on the final plan. Such acceptance may be accomplished only by a formal resolution of the Select Board, in accordance with state statute.

2040 Plan Recording Requirements (applying to ALL approved subdivisions)

(A) Within 90 days of the date of receipt of final plan approval, the applicant shall file three copies of the final subdivision plan, one mylar copy and two paper copies (one for the Listers and one for the zoning files), for recording with the town in conformance with the requirements of 27 V.S.A., Chapter 17. **Approved plans not filed and recorded within this 90 day period shall expire.**

(B) Prior to plan recording, the plan must be signed by at least two authorized members of the Development Review Board.

(C) For any subdivision which requires the construction of roads or other public improvements by the applicant, the DRB may require the subdivider to post a performance bond or comparable surety to ensure completion of the improvements in accordance with approved specifications;

(D) The municipality shall meet all recording requirements for final subdivision plan approval as specified for municipal land use permits.

2050 Certificate of Compliance

If specifically required by the Development Review Board as a condition of final subdivision plan approval, prior to any that requires application for a zoning permit the subdivider shall submit to the Development Review Board a Certificate of Compliance with all permit conditions.

2060 Revisions to an Approved Plan

No changes, modifications, or other revisions that alter the plan or conditions attached to an approved subdivision plan shall be made unless the proposed revisions are first resubmitted to the Development Review Board as a minor subdivision and the Board approves such revisions after public hearing. **In the event that such subdivision plan revisions are recorded without complying with this requirement, the revisions shall be considered null and void.**

Table 2 Subdivision Application Requirements

	Sketch Plan	Preliminary Plan	Final Plan
(A) Application Information			
Application Form [number of copies]	1 original & 5 copies	1 original & 5 copies	1 original & 5 copies
Application Fee	Y	Y	Y
Name of project, if any	Y	Y	Y
Name, address and phone of applicant (landowner and/or subdivider) and contact, if different than applicant	Y	Y	Y
Applicant's legal interest in property, and legal form of applicant	Y	Y	Y
Names, addresses of all adjoining property owners	Y	Y	Y
Written description of proposed development plans, including Number and size of lots; general timing of development	Y	Y	Y
Waiver request, in writing [optional]	Y	Y	Y
Municipal services utilized	Y	Y	Y
(B) Plan Mapping Requirements			
	Sketch	Preliminary	Final Plan
Materials	Paper	Paper	Mylar
Preparer Information, Certifications	Y	Y	Y
Date	Y	Y	Y
Scale (minimum 1 inch = 200')	Y	Y	Y
North Arrow, Legend	Y	Y	Y
Location map showing tract on Marshfield town map, zoning district(s)	Y	Y	Y
Property boundaries/lines, road access/curb cut, road frontage	Drawn	Drawn	Surveyed
Existing and proposed lot lines, dimensions	Drawn	Drawn	Surveyed
Existing and proposed roads, paths, parking areas, associated rights-of-way or easements	Drawn	Surveyed	Surveyed
Proposed utilities, water and wastewater systems and associated rights-of-way or easements	Y	Y	Y
Proposed building envelopes	Y	Y	Y
Existing and proposed elevations, contour lines		5' interval	5' interval
Proposed landscaping and screening		Y	Y

Table 2 Subdivision Application Requirements (cont.)

(C) Supporting Information & Documentation	Sketch Plan	Preliminary Plan	Final Plan
Statement of compliance with the town plan and applicable local regulations	Y	Y	Y
Proposed covenants and/or deed restrictions		Draft	Final
Proposed homeowner or tenant association or agreements		Draft	Final
(D) As may be required by the Development Review Board			
1) Road profiles; road, intersection and parking area geometry and construction schematics			
2) Stormwater and erosion control plan			
3) Grading plan (showing proposed areas of cut and fill)			
4) Site reclamation plan (for subdivisions involving extraction)			
5) Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements)			
6) Fiscal impact analysis (analysis of fiscal costs and benefits to the town)			
7) Environmental impact assessment (analysis of potential environmental impacts, proposed mitigation measures)			
8) Proposed phasing schedule			
9) Engineering reports (water and wastewater systems)			
10) Monument locations			
11) Off-site easements (e.g., for water, wastewater, access)			
12) Other			
The DRB may wave any application requirements in accordance with Section 1040.			

Article III. Application Information Required

Application Information Required for ALL applicants – Minor Subdivision, Major Subdivision (including PRD/PUD)

1. Name of project, if any: _____

2. Applicant's name, address, and phone number: _____

3. Contact's name, address, and phone number, if different: _____

4. Applicant's legal interest in property (fee simple, option, etc.): _____

If other than fee simple, give the owner's name, address, and phone number:

5. Is the applicant: An individual, Partnership, Corporation,
 Other (specify) _____

If not an individual, list the form _____

Date _____ and Place _____ of formation of the applicant

6. List the names and addresses of **ALL** adjoining landowners: _____

7. Description of the nature and location of the subdivision or development, including number and size of lots, general timing of development, number of acres in the entire tract of land, number of acres directly involved in this project, purpose of this subdivision or development and what is the intended use of the land after subdivision or development:

SUFFICIENT FOR
APPLICATION

8. Waiver request, in writing, if any:

SUFFICIENT FOR
APPLICATION

9. What municipal services do you intend to utilize:

Police Fire protection Solid waste disposal Road maintenance
 Sewage disposal Water supply

10. Plans and Specifications:

This application shall include a sketch map on paper at a scale between one inch to two hundred feet, showing the following:

- A) Preparer Information and Certifications
- B) Date, Scale, North Arrow, Legend
- C) Location map showing where entire tract of land is on the Marshfield town map, noting the zoning districts where this land is located;
- D) Property boundaries and dimensions of the entire tract of land; road access/curb cut, road frontage;
- E) Location of the project boundaries and lot locations, properly identified with number or letter designations for each lot, with dimensions and area of each lot;
- F) Location of all, proposed or existing, streets roads – including rights-of-way, parking areas and walkways, and junctions with Town, State, or U.S. highways;
- G) Location of all, proposed or existing, water lines, sewer lines, water and sewer service connections, sewage disposal facilities, and water supply or treatment facilities;
- H) Location of all water courses, drainage ditches, culverts or structures, bodies or sources of water, natural or artificial, proposed or existing;
- I) Location of all buildings or man-made structures, proposed or existing;

3020 Applicant Information Required for PRELIMINARY PLAN for Major Subdivisions only (including PRD/PUD)

All the information from the Sketch Plan should be carried forward to the Preliminary Plan with the following required additions, optional information as requested by the DRB, and additional information specific to PRD/PUD applications:

1. Plans and Specifications additions:

- A) Contours of the land around buildings and the developed areas, before construction, drawn on a scale of 5 foot contour intervals, with any proposed modifications to existing contours
- B) The existing and proposed roads, paths, parking areas, associated rights-of-way or easements should now all be surveyed instead of just drawn as in the Sketch Plan

2. Optional information as requested by the DRB:

- A) Road profiles: road, intersection and parking area geometry and constructions schematics
- B) Proposed landscaping and screening
- C) Stormwater and erosion control plan
- D) Grading plan (showing proposed areas of cut and fill)
- E) Site reclamation plan (for subdivisions involving extraction)
- F) Financing plan: total cost of the development, how this project will be funded, what financing has been obtained, what additional financing will be necessary
- G) Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements)
- H) Fiscal impact analysis (analysis of fiscal costs and benefits to the town)
- I) Environmental impact assessment (analysis of potential environmental impacts, proposed mitigation measures)
- J) Phasing plan
- K) Where applicable, a copy of: restrictive covenants to be used in deeds, restrictive provisions set forth in leases, by-laws of condominium association, or any other restrictions, such as campground or mobile home park regulations, etc.
- L) Any additional information requested by the DRB in their decision about the type of subdivision that followed the initial meeting

3. Additional Information specific to PRD/PUD applications:

- A) Any additional information requested by the DRB in their decision about the type of subdivision that followed the initial meeting
-

3030 Information Required for FINAL PLAN for ALL applications (unless otherwise noted below)

All the information from the Sketch Plan and Preliminary Plan (for Majors Subdivisions only) should be carried forward to the Final Plan with the following required additions, and optional information as requested by the DRB:

1. Plans and Specifications additions:

- A) Final Plan should be produced on Mylar
- B) Project boundaries, property lines, existing and proposed lot lines, dimensions should all be surveyed
- C) Contours of the land around buildings and the developed areas, before construction, drawn on a scale of 5 foot contour intervals, with any proposed modifications to existing contours;
- D) Existing and proposed roads, paths, parking areas, associated right-of-ways or easements should now all be surveyed instead of just drawn as in the Sketch Plan
- E) Proposed landscaping and screening

2. Optional information as requested by the DRB:

- A) Where applicable, a copy of: restrictive covenants to be used in deeds, restrictive provisions set forth in leases, by-laws of condominium association, or any other restrictions, such as campground or mobile home park regulations, etc.
 - B) Any additional information requested by the DRB in their decision about the type of subdivision that followed the initial meeting
-

Article IV. Subdivision Review

4010 Requirements by the Development Review Board

The Development Review Board may require as a condition to the approval of any subdivision plan:

- 1) That all land designated for subdivision shall be of such character that it can be used for its intended purpose without danger to public health, the environment or neighboring properties. The land designated as flood hazard areas or characterized by poor drainage, inadequate capability to support structures, roads or utilities or subject to other hazardous conditions shall not ordinarily be subdivided.
- 2) That the subdivision plots will conform to all applicable requirements of these regulations, the Marshfield Zoning Ordinance and the Marshfield Town Plan.
- 3) That any new roads and streets shall be of sufficient width and suitable grade and shall be so located to facilitate fire protection, school bus circulation, summer and winter maintenance, and meet the requirements of Section 4032 below.

4020 General Standards for Subdivision, PRD and PUD Review

4021 LOTS

The layout of the lots shall conform to the ordinance and be appropriate for the intended construction. Corner lots should have extra width to permit a setback on each road. Side lot lines should generally be at right angles to roads. The DRB may require lower densities of development based on physical or other limitations of the site. Lots with irregular shapes such as curves, jogs or dog-legs should be avoided unless warranted by conditions of topography, the location of natural features or existing roads. All subdivided lots must include suitable permanent survey monuments placed at street intersections and other necessary points as may be required, and the location thereof must be shown on the map of such plan.

4022 ROADS

All roadways and intersections with roads shall be designed to ensure the safe and efficient movement of vehicles. Roads shall be designed so as to be logically related to topography and to produce useable lots and reasonable road grades.

Intersections with existing roads shall be located as to provide a minimum sight stopping distance in accordance with the following:

Design Speed (MPH)	Sight Stopping Distance (Feet)
30	175
35	225
40	265

Projects that are determined to generate traffic that exceeds the existing capacity of adjacent roadways or intersections shall be phased in a manner that allows the improvement of the capacity. In a situation where a development, including subdivision, may require realignment, widening or otherwise improving the capacity of an existing road, the subdivider may be required to reserve land for such improvements. The subdivider may be required to contribute to any and all of the expense involved with road improvements necessitated by his or her project.

Cul de Sac

Permanent dead-end roads and cul-de-sacs shall be discouraged unless deemed necessary by the Board due to physical limitations or safety considerations. All dead end roads in excess of 800 feet shall terminate in a turn-around having a minimum inside radius of 30 feet and a travel lane width of 20 feet, unless otherwise required for emergency vehicles.

Maintenance

The maintenance of all roads not designated as Class 3 Town Highways or higher shall be the responsibility of the subdivider. The subdivider shall provide evidence and assurance that the roads will be adequately maintained by himself or by an owners association.

4023 UTILITIES

Water Supply

All water supply systems, both individual and community owned, shall be designed and built to meet all applicable state and federal requirements. The DRB may require evidence that adequate water supply is available prior to granting final approval.

Sewage Disposal

Where connection to a pre-existing community sewage disposal system is proposed, the subdivider shall provide evidence as to the adequacy and availability of such a system. Subsurface disposal of sewage and septage shall meet all state and local requirements. The DRB may require evidence that adequate sewage disposal is available prior to granting final approval.

Power and Telecommunications

The DRB may require the underground installation power and telecommunication lines of all types wherever it is appropriate to maintain and protect the visual character of an area or to maintain property values of adjacent property owners. A diagram showing the location of all utility lines shall be submitted with the final design drawings.

4024 DRAINAGE AND EROSION CONTROL

The DRB may require such temporary and permanent drainage and erosion control techniques as may be necessary to control surface runoff. Factors to be considered in determining the types of necessary controls include but not be limited to vegetation,, ground cover, slopes, soil types, percentage of land covered by impermeable surfaces, distances to streams and impact on adjacent property.

Subdivided land should be improved in reasonable conformity to existing topography to minimize grading, cutting and filling, and to retain where possible natural contours, ground cover and soils.

For effective stormwater management, improved land should minimize the length, width and paved areas of roads, driveways and parking areas, in accordance with approved standards, and should maximize the use of impervious materials, including natural vegetative cover within road rights of way where topography, soils and slopes permit.

Best Management Practices(BMP) as defined by the Vermont Agency of Natural Resources or US Natural Resource Conservation Service shall be used to implement the standards of this section.

The DRB may stipulate specific deadlines for the installation of erosion control or soil stabilization measures. For the purpose of calculating the amount of surface runoff, the minimum 25-year storm precipitation factor shall be used. The DRB may require the submission of data reflecting the effect of the subdivision on the existing downstream drainage capacity areas. The DRB may require the delay of construction where it is determined that the increased runoff may overload the capacity of the downstream system, and may request the subdivider to assist in the capacity improvements deemed necessary.

If a subdivision will result in changes in flow type, flow channel , increased stormwater discharge or flooding in areas not owned by the applicant, then the applicant must obtain easements for all areas of flow on affected properties.

4025 FIRE PROTECTION

The DRB may require the provision of facilities necessary for adequate fire protection. Such facilities shall be designed in consultation with the local fire department.

4030 Certification of Information Required

All technical information required to be submitted shall be certified as to its correctness by architectural, engineering, or surveying professionals unless waived by the DRB. The DRB may require the submission of certified copies of any computations, field notes, and supporting data used in the preparation of any plan.

4040 Acceptance of Data, Testimony, Decisions

The Development Review Board may, with respect to any application or plan, accept or reject, in whole or in part, testimony, data, or decisions by any other Town, State, or Federal regulatory agency, or any public or private agency concerned with the establishment of codes for health, safety, or welfare.

4050 Performance Bonding

To ensure that the development proceeds in compliance with the plan, the DRB may require a performance bond. This bond may be issued by either an approved bonding/surety company or the owner in such form as approved by the DRB, either to the benefit of the town, in an amount to cover the full cost of constructing any public improvements that the DRB may require in approving the project. Such performance bond to be submitted prior to final plan approval. The bond should be in an amount, as is estimated by the DRB, sufficient to cover the full cost of said new streets and required improvements on or in said streets or highways and their maintenance for a period of two years after completion.

A performance bond required under these regulations shall run for a term to be fixed by the DRB, but in no case for a term longer than three years. However, the term of such bond may, with the consent of the owner, be extended for an additional period not to exceed three years. If any required improvements have not been installed as provided within the term of such bond, such bond shall be forfeited to the Town and upon receipt of the proceeds thereof, the Town shall install or maintain such improvements as are covered by such performance bond.

4060 Penalties

Violations of the terms or failure to fulfill decisions of the DRB in approving the plan shall be construed as a violation of the bylaws of the zoning regulations of the Town of Marshfield. Penalties resulting from violations of these regulations shall be administered as prescribed in Section 4444 and 4445 of the Act.

4070 Other Required Permits

The issuance of any Planned Residential Development, Planned Unit Development or Subdivision permit under these Regulations shall not relieve the applicant from responsibility for obtaining any other required Town, State, or Federal permits. It shall be the applicant's responsibility for determining and obtaining other required permits. Copies of said permits shall be filed with the Development Review Board for its records.

Appendix A: Review and Approval Procedures Summary

Note: This summary is a representation and does not include all the details, please refer to the text in previous sections for complete description.

