

ARTICLE 1. AUTHORITY & PURPOSE

Section 1.1 Enactment and Authority

Subdivision regulations for the Town of West Windsor are hereby established in accordance with the Vermont Municipal and Regional Planning and Development Act [24 V.S.A. Chapter 117, §§4402, 4418], hereinafter referred to as “the Act,” and the West Windsor Town Plan. These regulations shall be known and cited as the “West Windsor Subdivision Regulations.”

The Development Review Board (DRB) is authorized and empowered to apply these subdivision regulations in accordance with the Act [§§4418, 4463].

Section 1.2 Purpose

It is the purpose of these regulations to provide for orderly community growth, support West Windsor’s Town Plan, and further the purposes established in the Act.

Section 1.3 Adoption & Amendment

(A) In accordance with the Act [§4442], these regulations shall take effect twenty-one (21) days after the date of their adoption by the West Windsor Selectboard.

(B) Amendments to these regulations shall be enacted in accordance with the provisions of the Act [§§4441, 4442].

(C) As provided in the Act [§4449(d)], after a public hearing of the Selectboard has been warned to consider adoption of these regulations, or an amendment to these regulations, applications for subdivision approval shall be reviewed in accordance with current and proposed regulations. In the event of a conflict, the most restrictive provision shall apply. Review under both current and proposed regulations shall occur for a period of 150 days from the date of the first warning or until the proposed regulations or amendment are adopted or rejected by the Selectboard, whichever occurs first. An application that has been denied under a proposed amendment that has been rejected or not adopted within the 150-day period shall be reviewed again, at no cost, under the existing regulations, upon the request of the applicant.

Section 1.4 Severability

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

ARTICLE 2. SUBDIVISION APPLICATION PROCEDURES

Section 2.1 Applicability

(A) **Subdivision Approval Required.** In accordance with 24 V.S.A. §4418, whenever any subdivision of land is proposed in the Town of West Windsor, subdivision approval is required before the applicant commences any construction, grading, clearing, or land development.

(B) **Existing Subdivisions.** All subdivisions of land, uses and structures lawfully in existence as of the effective date of these regulations are allowed to continue indefinitely. Changes, alterations or expansions to pre-existing subdivisions, structures or uses shall be subject to all applicable requirements of these regulations.

(C) **Inconsistencies.** If any development subject to these regulations, under this bylaw, is also subject to other Town, State, or Federal regulations, the most stringent or restrictive regulations apply.

(D) **Types of Subdivision.** West Windsor recognizes two types of subdivision: Boundary Line Adjustments and Conventional Subdivisions.

Section 2.2 Boundary Line Adjustments

Boundary Line Adjustments are adjustments to the dividing line between adjacent lots (see definition in Article 5).

(A) In accordance with 24 V.S.A. §4464(c), these regulations authorize the Administrative Officer to review applications and issue permits for boundary line adjustments, provided that the applicant satisfies all of the following standards:

1. The adjustment requested meets the definition of a Boundary Line Adjustment;
2. No new, or non-conforming, lots are created;
3. Yards of existing structures meet the minimum yard requirements of the district in which they are located; and
4. The applicant either has applied for a wastewater and potable water supply permit or has demonstrated that a permit is not necessary.

(B) An applicant for a boundary line adjustment shall provide the Administrative Officer with a complete boundary line adjustment application and a map of the property, drawn to scale, including the information and features specified in Appendix A of these regulations.

(C) The Administrative Officer reserves the right to refer any application to the DRB where it is deemed that board-level review or interpretation is appropriate or necessary. In such cases, the applicant shall be responsible for any additional fees or submittals needed for DRB review.

(D) Pursuant to the requirements of Section 2.6 of these Regulations, and in accordance with the plat recording requirements of the West Windsor Zoning Regulations, the applicant shall

submit for recording a final subdivision plat within 180 days of the effective date of the permit issued for the boundary line adjustment. If the applicant fails to submit a final plat within 180 days, the permit expires and the applicant must re-apply.

Section 2.3 Subdivisions

Subdivisions involve the division of a lot into two (2) or more lots and must be approved by the DRB, subject to the following review procedures:

- 1) sketch plan review
- 2) preliminary plan review
- 3) final plan review

which are outlined in more detail below.

Section 2.3-1 Sketch Plan Review

(A) **Initial Meeting/Site Visit/Submission Requirements** Prior to meeting with the DRB, the applicant shall discuss the proposed subdivision with the Administrative Officer, who will provide the applicant with the general submission requirements for sketch plan review and conduct a preliminary site visit. After the site visit, the Administrative Officer will inform the applicant about any initial site-specific submission requirements. A complete sketch plan review application shall include the information specified in Appendix B of these regulations.

(B) **Informal Review** Prior to the official submission of a sketch plan application, an applicant may request an informal, non-binding review by the DRB at a properly noticed meeting. Consideration may be given to the standards in Article III and other requirements or information which may have bearing on the project. Other town officials may participate as appropriate to the specific areas of concern. Any actions or recommendations shall not be binding on any party and shall not become part of the record of any subsequent application submission or review. The applicant and the Chair or Vice Chair of the DRB shall be required to sign a Memorandum of Understanding acknowledging the non-binding nature of this informal review.

(C) **Application for Sketch Plan Review** The applicant shall submit the original and seven (7) copies of a complete sketch plan application, along with the required fees, to the Administrative Officer. Within thirty days of receipt of a complete application, the Administrative Officer shall warn a site visit and sketch plan review hearing with the DRB as specified in Section 4.4 of these regulations.

(D) **Sketch Plan Review Hearing** The applicant, or his/her duly authorized representative, shall attend the hearing of the DRB to discuss the proposed subdivision. The purpose of the sketch plan hearing is for the applicant and the DRB to agree on a conceptual plan that incorporates the applicant's objectives, to the extent possible, while complying with all applicable design standards. The DRB may request additional information from the applicant and may continue the Sketch Plan hearing pending submission of the requested information.

(E) **Action on Sketch Plan** Within forty five (45) days after closing the sketch plan hearing, the DRB shall issue a written determination, which shall include:

1. The granting or denial of any requests for waivers to the procedural requirements of Article II and/or the design standards set forth in Article III of these regulations, and
2. Recommendations for proposed changes in subsequent submissions, including any requests for additional studies or supporting documentation. Pursuant to 24 V.S.A. §4440(d), the DRB is authorized to hire qualified persons to conduct independent technical reviews of applications and to require the applicant to pay for all reasonable costs thereof.

(F) **Effect of Sketch Plan Determination** The DRB's written determination shall remain in effect for six (6) months after the date of issuance, unless otherwise approved or extended by the DRB. Within six (6) months of the determination, the applicant may apply to the DRB for preliminary plan review under Section 2.3-2 of these regulations or final plan review/approval under Section 2.3-3 if the applicant requests and is granted a waiver of the requirement for preliminary plan review.

Section 2.3-2 Preliminary Plan Review

(A) **Application Requirements:** Within six (6) months of the date of the DRB's written determination on the sketch plan, the applicant shall submit the original and seven (7) copies of a complete preliminary plan application, along with the required fees, to the Administrative Officer. Within thirty days of receipt of a complete application, the Administrative Officer shall warn a preliminary plan review hearing with the DRB as specified in Section 4.4 of these regulations. A complete preliminary plan review application shall include the information specified in Appendix C of these regulations, unless specifically waived by the DRB under Section 2.4.

(B) **Preliminary Plan Review Hearing:** The applicant, or his/her duly authorized representative, shall attend the hearing of the DRB to discuss the proposed subdivision. The DRB shall determine whether the project meets the requirements of these Regulations and any other municipal regulations in effect. The DRB may request additional information from the applicant and may continue the Preliminary Plan hearing pending submission of the requested information.

(C) **Preliminary Plan Decision:** Within forty five (45) days of the closing of the public hearing on the preliminary plan, the DRB shall issue, in writing, a decision to approve, approve with modifications, or disapprove the preliminary plan and plat. The approval of the preliminary plan shall be effective for a period of six (6) months following the date of written notice of approval, unless otherwise indicated or extended by the DRB in the written decision.

(D) **Phasing:** At the time that the DRB grants preliminary plan approval, it may require the subdivision to be divided into two or more phases. The DRB may impose conditions for each phase to ensure the orderly development of the subdivision, to avoid overburdening municipal facilities and services, and to allow necessary upgrades to existing infrastructure.

Section 2.3-3 Final Plan Review

(A) **Application Requirements:** Within six (6) months of the date of preliminary plan approval, the applicant shall submit the original and seven (7) copies of a complete application for final plan and plat approval, along with the required fees, to the Administrative Officer. Applicants who fail to submit a complete final plan application within six months may be required to resubmit a preliminary plan. Resubmissions will be subject to any new zoning and subdivision regulations. A complete final plan review application shall include the information specified in Appendix D of these regulations, unless specifically waived by the DRB under Section 2.4.

(B) **Final Plan Review Hearing:** Within thirty days of receipt of a complete application, the Administrative Officer shall warn a final plan review hearing with the DRB as specified in Section 4.4 of these regulations. In the case of a plat located within five hundred (500) feet of a municipal boundary, a copy of the notice shall be sent to the Clerk of the adjacent municipality, at least fifteen (15) days before the public hearing. The applicant, or the applicant's duly authorized representative, shall attend the final plan review hearing of the DRB to review the final plan and plat. The DRB shall determine whether the final plan and plat meet the requirements of these and any other municipal regulations in effect and conform to the decision issued following preliminary plan review. If necessary, the DRB may request modifications to the final plat or additional information from the applicant and may continue the Final Plan Review hearing pending submission of the requested information.

(C) **Final Plan Approval:** Within forty five (45) days of the closing of the public hearing on the final plan, the DRB shall issue, in writing, a decision to approve, approve with modifications, or disapprove the final plan and plat. Failure to act within forty five (45) days shall be deemed approval, as certified by the Town Clerk. Provisions for appeal under Section 4.6 of these regulations shall be set forth in the written decision of the DRB.

(D) **Effect of Final Plan Approval:** The approval by the DRB of a final plan and plat shall not be construed to constitute acceptance by the town of any road, easement, utility, park, recreation area, or other open space shown of the final plat. Such acceptance may only be gained through a formal resolution by the Selectboard in accordance with 24 V.S.A. §§4463(c), 4464(b)(5). A final plan approval shall contain a time limit by which all improvements shall be completed, not to exceed three (3) years unless extended by the DRB.

Section 2.4 Waiver Authority

In accordance with 24 V.S.A. §4418(2)(A), the DRB may waive or modify any of the design standards or procedural requirements of these regulations upon finding that, because of the special circumstances of a particular subdivision application, they are not requisite in the interest of public health, safety and general welfare, or are inappropriate due to the inadequacy of connecting facilities adjacent or in proximity to the subdivision.

The request for a waiver shall be submitted in writing with the sketch plan and/or the preliminary plan application. The applicant shall provide sufficient information to justify the waiver and to enable the DRB to reach a decision. In granting waivers, the DRB shall attach such conditions

that, in the DRB's judgment, will substantially achieve the objectives of any waived requirement of these regulations.

Section 2.5 Coordination of Review

If an applicant for subdivision approval is seeking modification to existing zoning bylaw requirements, Planned Unit Development (PUD) review in accordance with the West Windsor Zoning Regulations is required. Site Plan Review, Conditional Use Review, and PUD Review may occur concurrently with Preliminary Plan Review if all the application and procedural requirements for each review process have been met.

Section 2.6 Plat Recording Requirements

(A) In accordance with the Act [§4463(b)], within one hundred eighty (180) days of the date of final plan approval under Section 2.3-3 (C) of these regulations, the applicant shall file with the town one final copy of the approved plat for recording under 27 V.S.A., Chapter 17, §1401-1406. Final plats must meet the requirements of the West Windsor Zoning Regulations. Boundary line adjustments and subdivisions approved and not recorded within the 180-day period shall expire.

(B) The final plat shall be signed by the Chair or Vice Chair of the DRB and at least one additional member of the DRB. The DRB may require that the conditions of approval be included on the final plat.

(C) If a subdivision requires the construction of any roads or other public utility improvements by the applicant, the DRB may require the applicant to post a bond or comparable surety prior to the signing of the final plat. [See Section 4.4(C)(2)]

Section 2.7 Revisions to an Approved Plat

No changes, erasures, modifications, or revisions to the final plat or the conditions of approval shall be made unless approved, in writing, by the DRB. In the event that such subdivision plan revisions are recorded without complying with this requirement, the revisions shall be considered null and void.

ARTICLE III – DESIGN STANDARDS

Section 3.0 PURPOSE

The intent of these standards is to accommodate reasonable development in an orderly manner which provides for the safety and welfare of the community while being sensitive to the landscape and natural resources of West Windsor.

Section 3.1 NATURAL & CULTURAL RESOURCES

Before lots are configured, roads are designed, or open space is designated, all of the following natural and cultural resources that are located on the property shall be identified and roughly outlined on the sketch plan. On preliminary and/or final plans, natural and cultural resources shall be accurately located and drawn to scale.

3.1-1 Wetlands

An undisturbed, vegetated buffer shall be maintained around all wetlands that:

- a. have been identified as significant by the Agency of Natural Resources (ANR), or
- b. are found on the National Wetlands Inventory map, or
- c. fall under the jurisdiction of the Army Corps of Engineers.

The size of the buffer shall be as determined by ANR and/or the Army Corps of Engineers. With respect to ponds, the DRB may allow reasonable access for recreational purposes. Any other disturbance within the wetland or the required buffer shall require approval from the West Windsor Development Review Board (DRB) and may also require approval from ANR and/or the Army Corps of Engineers.

3.1-2 Streams

An undisturbed, vegetated buffer of 50 feet or more shall be maintained along all rivers and streams shown on the U.S.G.S. map. Streams not appearing on the U.S.G.S. map, including intermittent streams, shall require a 25' undisturbed buffer, unless otherwise approved by the DRB. Unavoidable disturbances, such as crossings, shall be kept to a minimum and must be approved by the State of Vermont River Management Program and the DRB, following conditional use review.

3.1-3 Special Flood Hazard Areas

All subdivisions must comply with the Town of West Windsor's Flood Hazard Area Regulations with respect to the Special Flood Hazard Areas as shown on the most recently adopted Flood Insurance Rate Map (FIRM).

3.1-4 Critical Wildlife Habitat

The applicant shall demonstrate that the proposed subdivision has been designed to minimize, or reasonably mitigate, impacts on critical wildlife habitat, including deer wintering habitat and wildlife travel corridors, identified by the Vermont Department of Fish and Wildlife, or through site investigation. The DRB may require the submission of a wildlife habitat assessment, prepared by a wildlife biologist or comparable professional, to identify the function and relative value of impacted habitat and provide recommended management strategies to maintain or enhance those values and functions. The Board may also consult with Vermont Fish and Wildlife Department staff prior to issuing a decision.

3.1-5 Threatened or Endangered Species

The applicant shall demonstrate that the proposed subdivision has been designed to minimize, or reasonably mitigate, impacts on threatened or endangered species as depicted on the Statewide Non-game and Natural Heritage Threatened and Endangered Species GIS data layer produced by the Agency of Natural Resources. The DRB reserves the right to request additional information through field investigation by a wildlife biologist.

3.1-6 Agricultural Soils

The applicant shall demonstrate that the proposed subdivision has been designed to minimize, or reasonably mitigate, impacts on agriculture and prime or statewide agricultural soils as identified by the Natural Resources Conservation Service, by clustering development away from existing agricultural operations or by preserving significant blocks of prime agricultural soil on the property as common or open space. Provision will be made to enable lands designated for agriculture to be used for that purpose.

3.1-7 Ridgelines

Where applicable, building envelopes shall be sited below ridgelines to prevent structures from intruding on the skyline.

3.1-8 Forest Land & Trees

The applicant shall demonstrate that the proposed subdivision has been designed to minimize adverse impacts to forest land that contains critical wildlife habitat, as well as productive, or potentially productive, forest land. Although provision shall be made for access to, and ongoing management of, productive forest land, unnecessary fragmentation shall be avoided.

Significant mature trees that provide shade, beauty, habitat and/or agricultural products shall be retained wherever possible.

3.1-9 Historic & Cultural Resources

The applicant shall demonstrate that the proposed subdivision has been designed to minimize adverse impacts to historic homes and features including, but not limited to, stone walls and cellar holes, as identified in the West Windsor Town Plan or through field investigation.

3.1-10 Existing Recreation Trails

Where existing recreation trails have been mapped or identified through field investigation, the applicant shall demonstrate that reasonable provision has been made for the continued public use of such trails.

Section 3.2 OPEN SPACE

The proposed subdivision shall be designed to preserve open space and common land for parks, recreation and trails, and/or to preserve the natural and cultural resources defined in Section 3.1 unless the DRB determines that the proposed subdivision does not contain resources which merit protection as open space. The location, size, shape and character of land set aside as open space:

- 1) shall be suitable for its intended use;
- 2) shall conform with and extend existing areas sharing similar characteristics or resources on adjacent parcels
- 3) may include the portion of a single lot characterized by one or more of the above referenced resources and/or encompass the contiguous boundaries of the resource located on multiple lots.

Areas preserved for agriculture or forestry should be of a size that retains their eligibility for tax abatement programs. The DRB may require management plans for farmland, forest land or critical wildlife habitat. Sewage disposal areas, utility and road rights-of-way or easements, and parking areas shall not be counted as open space areas.

The DRB may require that land held in common, for the preservation of open space or the provision of shared facilities, be dedicated either in fee or through a conservation easement to the Town of West Windsor, a community association comprising all of the present and future owners of lots in the subdivision, or a non-profit land conservation organization. At a minimum, designated open space shall be indicated as such on the final plat. Land held in common shall be subject to deed restrictions stipulating permitted and restricted uses and establishing the person or entity responsible for maintenance and long term stewardship. All costs associated with maintaining open space and/or common land shall be the responsibility of the applicant and subsequent land owners.

Section 3.3 CONSTRUCTION DESIGN

Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cut and fill, and to retain, insofar as possible, the natural contours, limit storm water runoff, and conserve the natural cover and soil.

3.3-1 Lot Layout & Configuration

The applicant shall demonstrate that the location, shape, size and character of each lot, including open space lots, is appropriate for its intended purpose. To avoid the fragmentation, isolation or destruction of open space and existing features, irregular or elongated lots may be restricted or prohibited, and the location of structures or other development may be limited to within certain building envelopes. Building orientation and setbacks shall support existing development patterns and contribute to logical (and connective) road and pedestrian networks. Cluster development shall be encouraged and may be required, at the DRB's discretion, when it is deemed necessary to achieve the goals of these regulations.

3.3-2 Roads

The applicant shall demonstrate that all existing or proposed town highways or private roads within or adjacent to the proposed subdivision shall be:

- 1) logically related to the topography so as to produce usable lots, reasonable grades and safe intersections.
- 2) accessible by fire, ambulance, and police vehicles. Emergency vehicles must be able to get within 100 feet of the main entrance to all residential or commercial structures.
- 3) designed to comply with Town of West Windsor Road Standards and to accommodate anticipated traffic loads and volumes.
- 4) approved by the Selectboard prior to construction.
- 5) identified by name on the preliminary and final plats. A proposed extension of an existing road shall bear the E-911 name of the existing road. In no other case shall a proposed road name duplicate an existing road name. All road names must be approved by the Selectboard and the E-911 Committee.

3.3-3 Intersections

If the access road for a proposed subdivision intersects a Class 4 Town Highway, the DRB may deny the application. If the access road intersects a Class 3 Town Highway, the DRB may require that the intersection be improved to meet town standards, at the applicant's expense. All access roads must meet the requirements of the West Windsor Zoning Regulations.

3.3-4 Stormwater Management and Erosion Control

The applicant shall demonstrate that the proposed subdivision incorporates temporary and permanent stormwater management and erosion control measures designed to control surface runoff, sedimentation, and water pollution both on-site and downstream from the proposed subdivision. Projects that disturb one (1) or more acres of land may require a Construction and/or Operational Stormwater permit from the Water Quality Division of the Vermont Department of Environmental Conservation. If no stormwater permits are required, the applicant shall follow the requirements in Section 2 of the *Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control*, dated August 2006, and as subsequently revised. A determination on permit requirements must be made prior to final plat approval. For any proposed development in a sensitive location or on a slope with a gradient in excess of 20%, the applicant must provide the

DRB with a stormwater management and/or sedimentation and erosion control plan. Required plans shall be prepared by a professional engineer licensed by the State of Vermont. Site improvements, including excavation, road construction, clearing and grading, shall not have an undue adverse impact on neighboring properties or surface waters during or after construction.

3.3-5 Traffic

The applicant shall demonstrate that the proposed subdivision shall not generate traffic that exceeds the existing capacity of adjacent public or private roads or intersections. The DRB may require the applicant to conduct a traffic study to determine the capacity of existing roads and the projected increase in traffic that will be generated by the proposed subdivision. If the projected increase in traffic will exceed the capacity of existing adjacent roads, the DRB may deny the application or require the improvement of the existing roads and intersections to accommodate the increased traffic, at the applicant's expense.

3.3-6 Pedestrian Improvements

The applicant shall demonstrate that the proposed subdivision shall provide for safe and convenient pedestrian circulation. Where necessary or appropriate, in the judgment of the DRB, the proposed subdivision shall include rights-of-way for sidewalks and/or trails.

Section 3.4 UTILITIES, ENERGY EFFICIENCY & CONSTRUCTION MITIGATION

The applicant shall demonstrate that the proposed subdivision has been designed to provide adequate water supply, wastewater disposal, stormwater discharge and utilities, incorporating energy saving design techniques where feasible. A subdivision with a communal water, wastewater, or stormwater system must have an incorporated homeowners' association.

3.4-1 Utility Easements

Utilities should be placed underground, in the road right-of-way, where feasible. Where inclusion of utilities in the road right-of-way is impractical, perpetual, unobstructed utility easements a minimum of twenty (20) feet in width shall be provided, along with satisfactory road access. The applicant shall submit a plan, prepared in consultation with the utility companies, showing all necessary line extensions.

3.4-2 Lighting

To maintain the Town's rural character and preserve the night sky, street lights are discouraged. However, where it is demonstrated that street lights are necessary, only downcast, cutoff types of fixtures will be approved. All lighting must comply with the performance standards detailed in the West Windsor Zoning Regulations.

3.4-3 Communal Water and Wastewater Systems

The water supply must be sufficient for the long-term needs of the subdivision and must not cause an undue impact on an existing water supply. Subdivisions of four (4) or more lots must

comply with the requirements of Section 5.4 of the West Windsor Zoning Regulations regarding communal water and wastewater systems. All subdivisions must comply with state regulations and Section 3.18 of the West Windsor Zoning Regulations.

3.4-4 Energy Conservation

The applicant shall demonstrate that road, sewer and utility easements have been laid out as efficiently as possible to minimize the acreage reserved for such purposes. All subdivisions are encouraged to take advantage of southeast, south, and southwest orientations where possible. Landscaping should be used to provide wind barriers and to reduce heat loss in the winter and heat gain in the summer. Cluster development is encouraged.

3.4-5 Construction Mitigation

In order to mitigate noise and other impacts during the construction phase of the project, the applicant shall demonstrate that they plan to limit the hours of major construction and trucking of material, notify neighbors before any blasting, and comply with the performance standards included in Section 3.12 of the West Windsor Zoning Regulations.

Section 3.5 MUNICIPAL, GOVERNMENTAL & EDUCATIONAL SERVICES

The applicant shall demonstrate that the proposed subdivision shall not place an unreasonable burden on municipal, governmental or educational services.

- 1) The Highway Foreman shall confirm that the roads, intersections, bridges and culverts in the immediate vicinity of the proposed subdivision are adequate to accommodate the additional traffic generated by the subdivision. If new roads or improvements are required, please also see Section 3.3 of these Regulations.
- 2) The Fire Chief shall confirm that the proposed subdivision is designed to include adequate firefighting infrastructure and to allow sufficient access for emergency response vehicles. In addition, the Fire Chief must confirm that the West Windsor Volunteer Fire Department has the ability to provide service to the proposed subdivision. No Certificates of Occupancy for any buildings or uses within the subdivision shall be issued until all required firefighting infrastructure has been installed.
- 3) The School District Superintendent or the Albert Bridge School Principal shall confirm that the proposed subdivision will not cause the school population to exceed the capacity of the existing school facility or place an undue burden on the school system. If the proposed subdivision will cause the school population to exceed the capacity of the existing school or place an undue burden on the school system, the proposal may be denied or phased, or conditions may be imposed to mitigate the impact.
- 4) The Selectboard Chair shall confirm that town officials can adequately serve the residents of the proposed subdivision without electing, appointing, or hiring additional employees or

increasing the work hours of existing employees. Consideration shall be given to police, emergency rescue and administrative services.

Section 3.6 THE TOWN PLAN & EXISTING REGULATIONS

The proposed subdivision must be compatible with the goals and policies of the West Windsor Town Plan, and must comply with all municipal bylaws and regulations in effect at the time the application is submitted, as well as the conditions of prior permits or approvals.

ARTICLE 4. ADMINISTRATION AND ENFORCEMENT

Section 4.1 Municipal Administration

These regulations shall be administered by the West Windsor DRB, as authorized by the Act [§4460].

Section 4.2 Application Fee

The Selectboard, in accordance with the Act [§4440], shall establish a schedule of fees to be charged in administering these regulations, with the intent of covering the town's administrative costs. Such fee(s) shall include the costs for publishing hearing notices, and conducting public hearings, administrative review and for periodic inspections by town retained consultants during the installation of public improvements.

Section 4.3 Independent Technical Review

Should the DRB deem it necessary to employ an engineer, attorney, or other consultant to review any subdivision plans or portion thereof, and/or any associated legal documentation, all costs of such review shall be paid by the subdivider/applicant.

Section 4.4 Hearing Requirements

(A) Public Notice: All public hearings required under these regulations shall be warned in accordance with the Act [§4464]. Public notice for a warned public hearing shall be given not less than 15 days prior to the hearing date, in accordance with the following:

1. Publication of the date, place and purpose of the hearing in a newspaper of general circulation in the municipality;
2. Posting of the same information in three (3) or more public places within the municipality, and within view of the public right-of-way nearest to the property for which the application is being made;
3. Written notification by the Administrative Officer to the applicant and to owners of all properties adjoining the property subject to development, without regard to public rights-of-way. The notification shall include a description of the proposed project, information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal; and
4. For hearings on subdivisions located within 500 feet of a municipal boundary, written notification to the clerk of the adjoining municipality.

No defect in the form or substance of any required public notice under this section shall invalidate the action of the DRB where reasonable efforts have been made to provide adequate posting and notice. However, the action shall be invalid when the defective notice or posting

was materially misleading in content. If an action is ruled to be invalid by the DRB or the Environmental Court, the action shall be remanded to the DRB to provide new posting and notice, hold a new hearing, and take a new action.

(B) Hearings. In accordance with the Act [24 V.S.A. §§4461, 4463, 4464], all meetings and hearings of the DRB, except for deliberative and executive sessions, shall be open to the public. For the conduct of any hearing, and the taking of any action, a quorum shall be not less than the majority of members of the DRB. The DRB, in conjunction with any hearing under this bylaw, may:

1. Examine or caused to be examined any property, maps, books, or records bearing upon the matters concerned in that proceeding;
2. Require the attendance of any person having knowledge of the premises;
3. Take testimony and require proof material for its information; and
4. Administer oaths or take acknowledgement in respect of those matters.

In any public hearing of the DRB, there shall be an opportunity for each person wishing to achieve status as an interested person, for purposes of participation or appeal under Section 4.6, to demonstrate that the criteria for achieving such status have been met. The DRB shall keep a record of the name, address, and participation of each of these persons.

The DRB may recess a hearing on any application or appeal pending the submission of additional information, provided that the time and place when the hearing will be continued are announced at the hearing.

(C) Decisions. Any action or decision of the DRB shall be taken by the concurrence of a majority of the members of that panel. In accordance with the Act [24 V.S.A. §4464(b)], the DRB shall issue a decision within 45 days after the adjournment of the hearing. Failure to issue a decision within the 45-day period shall be deemed approval and shall be effective the 46th day. In addition:

1. All decisions shall be issued in writing and shall state separately findings of fact and conclusions of law. Findings of fact shall explicitly and concisely restate the underlying facts that support the decision, based exclusively on the evidence of record. Conclusions shall be based on the findings of fact. The decision shall also include a statement of the time within which appeals may be taken under Section 4.6. The minutes of a meeting may suffice, provided that the factual basis and conclusions relating to the review standards are provided in accordance with these requirements.
2. In rendering a decision in favor of the applicant, the DRB may attach additional reasonable conditions and safeguards as it deems necessary to implement the purposes of the Act, these regulations, and the town plan currently in effect. These may include:
 - The submission of a three-year performance bond, escrow account, or other form or surety acceptable to the West Windsor Selectboard, which may be

extended for an additional three-year period with the consent of the owner, to assure the completion of a project, adequate stabilization, or protection of public facilities that may be affected by a project; and/or

- A requirement that no zoning permit be issued for development in an approved subdivision until all required improvements have been satisfactorily installed in accordance with the conditions of approval. The DRB may require the submission of “as built” drawings of utilities, structures, roadways, easements, landscaping and/or other improvements to assist the Administrative Officer in determining whether the improvements have been installed satisfactorily. If any professional inspections are required to determine whether improvements were installed in accordance with the subdivision approval, the DRB may require the applicant to pay for all reasonable costs thereof.
3. All decisions of the DRB shall be sent by certified mail, within the required 45-day period, to the applicant or the appellant on matters of appeal. In addition, copies of the decision shall be mailed to every person or body appearing and having been heard at the hearing, filed with the Administrative Officer, and recorded by the Town Clerk in the public record of the municipality.

Section 4.5 Violations and Enforcement

- (A) **Violations.** The commencement or continuation of any land development or subdivision that does not meet the requirements of these regulations shall constitute a violation. All violations shall be pursued in accordance with 24 V.S.A. §§4451, 4452. Each day that a violation continues shall constitute a separate offense. The Administrative Officer shall institute, in the name of the Town of West Windsor, any appropriate action, injunction or other proceeding to enforce the provisions of these regulations. All fines imposed and collected shall be paid over to the municipality.
- (B) **Notice of Violation.** No action may be brought under this section unless the alleged offender has had at least seven (7) days warning notice by certified mail that a violation exists, as required under 24 VSA §4451. The notice of violation shall be recorded in the land records of the Town. The notice shall state that a violation exists, that the alleged offender has an opportunity to cure the violation within the seven-day notice period, and that the alleged offender will not be entitled to an additional warning notice for a violation occurring after the seven days. Action may be brought without notice and opportunity to cure if the alleged offender repeats the violation of the regulations after the seven-day notice period and within the next succeeding 12 months.
- (C) **Limitations on Enforcement.** An action, injunction or other enforcement proceeding relating to the failure to obtain or comply with the terms and conditions of any required or duly recorded town land use permit may be instituted against the alleged offender if the action, injunction or other enforcement proceeding is instituted within 15 years from the date the alleged violation first occurred, and not thereafter, in accordance with 24 VSA §4454. The burden of proving the date the alleged violation first occurred shall be on the person against whom the enforcement action is instituted. No enforcement

proceeding may be instituted to enforce an alleged violation of a municipal land use permit unless the permit or a notice of the permit has been recorded in the land records of the municipality under Section 4.7.

Section 4.6 Appeals

(A) Decisions of the Administrative Officer. In accordance with the Act [§§4465, 4466], any interested person may appeal a decision or act of the Administrative Officer under these regulations by filing a notice of appeal with the Secretary of the Development Review Board, or the Town Clerk if no Secretary has been elected, within fifteen (15) days of the date of such decision or act. A copy of the notice of appeal shall also be filed with the Administrative Officer.

- (1) The notice of appeal shall include the name and address of the appellant, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to the appeal, the relief requested by the appellant, and the alleged grounds why the relief is believed proper under the circumstances.
- (2) Pursuant to the Act [§4468], the DRB shall hold a public hearing on a notice of appeal within sixty (60) days of its filing. The DRB shall give public notice of the hearing under Section 4.4(A) and mail a copy of the hearing notice to the appellant at least fifteen (15) days prior to the hearing date.
- (3) Any interested person empowered to take an appeal with respect to the property at issue may appear and be heard in person or be represented by an agent or attorney at the hearing.
- (4) The rules of evidence applicable at these hearings shall be the same as the rules of evidence applicable in contested cases in hearings before administrative agencies as set forth in 3 V.S.A. §810.
- (5) In accordance with the Act [§4470], the DRB may reject an appeal without hearing, and render a decision within ten (10) days of the filing of a notice of appeal, if the DRB determines that the issues raised by the appellant have been decided in an earlier appeal, or are based on substantially or materially the same facts, by or on behalf of the appellant.

(B) Decisions of the Board. Any interested person who has participated in a hearing of the DRB may appeal a decision rendered in that proceeding within 30 days of such decision to the Vermont Environmental Court, in accordance with the Act [§§4471, 4472].

- (1) “Participation” shall consist of offering, through oral or written testimony, evidence or a statement of concern related to the subject of the proceeding.
- (2) A notice of appeal shall be filed by certified mailing, with fees, to the environmental court and by mailing a copy to the Town Clerk or the Administrative Officer, if so

designated, who shall supply a list of interested persons to the appellant within five (5) 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 listed.

Section 4.7 Recording Requirements.

Within 30 days of the issuance of a municipal land use permit or notice of violation, the Administrative Officer shall deliver either the original, a legible copy, or a notice of the permit or violation to the Town Clerk for recording in the land records of the municipality generally as provided in 24 V.S.A. §1154(c), and file a copy in the Municipal Office in a location where all municipal land use permits shall be kept, as required under 24 V.S.A. §4449(c). The applicant may be charged recording fees.

Section 4.8 Availability of Documents.

In accordance with the Act [§4445], copies of these regulations, other related municipal regulations and ordinances, and the town plan shall be made available to the public during normal business hours in the Town Clerk's Office.

ARTICLE 5. DEFINITIONS

Section 5.1 Terms and Uses

- (A) Except where specifically defined herein or in the Act, or where the context clearly indicates a different meaning, all words, phrases and terms in these regulations shall have their usual and customary meanings.
- (B) The DRB shall clarify doubt as to the precise meaning of any word used in these regulations. In such cases, the DRB shall base its ruling upon the following definitions, state statute and the need for reasonable and effective implementation of these regulations.

Section 5.2 Definitions

ACT: 24 V.S.A., Chapter 117, the Vermont Municipal and Regional Planning and Development Act as most recently amended.

Administrative Officer (AO): the West Windsor Zoning Administrator.

Alteration: Structural change, relocation, or addition to a building or structure, excluding normal maintenance and repair. Alterations shall include any construction that changes the number of dwelling units, or increases the size of a building or structure in terms of its height, length, width, footprint, or gross floor area. See also Improvement.

Applicant: The owner of land or property proposed to be subdivided and/or developed in accordance with these regulations, and/or his or her duly authorized representative. Any party with a legal interest in land subdivision and/or development may apply in cooperation with the owner of the property.

Approval: An affirmative decision issued by the DRB or AO, as appropriate, within the statutory time limit or, in the event of the DRB's failure to act within the specified time limit, a certification of such failure to act issued by the Town Clerk, as attached to the permit application and recorded in the land records of the town.

Authorized Representative: A person or group of persons who have authorization from the owner of record to act on his or her behalf.

Boundary Line Adjustment: The movement of property boundaries between two or more adjoining parcels and the related revision to plat records and/or deeds legally recorded in the Town's land records. The adjustment shall not create any new or non-conforming lot(s) and shall have no adverse impact on access, roads, rights-of-way, neighboring uses, natural resources (as identified in Section 3.1 of these regulations), designated open space, or the provision of public services or utilities.

Buffer: Any space between adjoining land uses or between a land use and a natural feature, which is intended and designed to reduce the impact of one use on the other use or feature. Buffers may include open space, woodland, landscaped areas, undisturbed vegetated areas, or other types of physical, visual or sound barriers.

Clearing: The removal of vegetation as part of site preparation, for the installation of driveways, utilities, water, wastewater and drainage systems, building sites and construction or yard areas.

Development: See Land Development.

Development Review Board (DRB): The West Windsor Development Review Board, as created under the Act.

Driveway: A minor, private traveled way, serving one or two adjoining parcels, which provides vehicular access from an adjoining road to a parking space, garage or other structure.

Easement: The legal authorization given by a property owner to another person or party for the use of any designated part of his or her property for a specified purpose.

Erosion Control: Measures to prevent the detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice and gravity.

Final Plat: The final drawings of the subdivision or boundary line adjustment, as prepared by a professional surveyor or engineer certified by the State of Vermont. Final Plats must be recorded with the Town Clerk.

Improvement: Any physical addition, alteration or modification to real property, including but not limited to a building, structure, parking facility, wall, deck, fencing, or landscaping.

Land Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, or of any mining, excavation, or landfill, any change in the use of any building or other structure, or land or extension of use of land, unless specifically exempted from these regulations. This definition shall include the construction and/or installation of roads, utilities and site improvements. See also Subdivision.

Lot: (1) A plot or parcel of land occupied or capable of being occupied by one principal building or use and the accessory buildings or uses customarily incidental to it, including such open spaces as are required by these regulations. In the case of multiple dwellings and public, institutional, commercial, industrial, or agricultural buildings, a group of buildings on the same or contiguous premises, all under the same ownership, may be considered as occupying the same lot. A lot must have its principal frontage on a road or highway, or must have other means of access as determined by law and the provisions of these regulations; (2) a portion of land in a subdivision or plat that is separated from other portions by a lot (property) line.

Lot Line: The established dividing line between lots or between a lot and a road.

Municipal Land Use Permit: As defined in the Act [§4303], municipal land use permits include (1) zoning, subdivision, site plan or building permits or approvals relating to land development that have received final approval from the applicable board, commission, or officer of the municipality; (2) certificates of occupancy, compliance or similar certificates; and (3) any amendments to the previously listed, permits, approvals and/or certificates.

Nonconforming Lot (or Parcel): A lot or parcel that does not conform to these regulations covering dimensional requirements, but was in conformance with all applicable laws, ordinances and regulations prior to the enactment of these regulations, including a lot or parcel improperly authorized by the Administrative Officer.

Open Space: The undeveloped portion of any development parcel(s) which is not occupied by buildings, roads, rights-of-way, driveways, parking spaces, sewage disposal areas, commercial recreation facilities, or yard (setback) areas, and which is set aside, dedicated, or designated for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space, or for the preservation and continued use of agricultural or forest land, or for the protection of natural or cultural resources.

Parcel: Any contiguous land owned or controlled by a person. See also Lot.

Parking Space: An on- or off-street area, other than a loading or service area, which is to be used exclusively as a temporary storage space for one licensed private motor vehicle.

Person: Any individual, partnership, corporation, association, unincorporated organization, trust, or any other legal or commercial entity, including a joint venture or affiliated ownership which owns or controls land or other property to be subdivided and/or developed under the provisions of these regulations.

Phasing: Development undertaken in a logical time and geographical sequence, typically to ensure that development is coordinated with the provision of services and facilities and will not result in adverse municipal or environmental impacts (e.g., erosion).

Planned Unit Development (PUD): One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards.

Pre-existing: Legally in existence as of the effective date of these regulations.

Preliminary Plan: The preliminary drawings for a major subdivision indicating the proposed layout of the subdivision to be submitted to the DRB for its consideration.

Public: Owned, leased, held, used, and/or controlled exclusively for public purposes by the Town of West Windsor or any other department or branch of government, or publicly-regulated utility, unless otherwise specified.

Public Facility: A utility or other facility owned, leased, held, used, and/or controlled exclusively for public purposes by a municipal, state or federal government, regulated utility or railroad. Such facilities include, but may not be limited to: municipal buildings and garages, water and wastewater facilities, power generation and transmission facilities, reservoirs, solid and hazardous waste management facilities, institutional facilities, recreational facilities and telephone, cable and electrical distribution lines.

Public Improvement: Any improvement which shall be owned and/or maintained by the Town of West Windsor or by a department or branch of state or federal government.

Resubdivision: a DRB-approved change in a recorded subdivision plat, if such change affects any road layout, area reserved for public use, or lot line, or any change which affects any map or plat legally filed or recorded.

Ridgeline: The uppermost point of a ridge, hill, cliff, slope or face. It may coincide with the top (highest elevation) of a rock cliff or, where the bedrock is not exposed, the most obvious break in slope associated with the underlying bedrock. The term does not include intermediate terraces, steps, or elevations along the face of a slope.

Road: Any highway, avenue, street, land or other way between right-of-way lines, commonly used for vehicular traffic and serving three or more lots.

Setback: The horizontal distance from a road, lot line, boundary or other delineated feature (e.g., a stream bank or wetland area), to the nearest part of a building, structure, or parking area on the premises. In the case of a setback from a road, the distance shall be measured from the road right-of-way.

Sketch Plan: An informal sketch of the proposed subdivision, the purpose of which is to enable the subdivider to reach general agreement with the DRB, during the Sketch Plan Phase, as to the layout of the subdivision and the objectives and requirements of these regulations.

Slope: The deviation of a surface from the horizontal, usually expressed in percent or degrees.

Stormwater Management: The collecting, conveyance, channeling, holding, retaining, detaining, infiltrating, diverting, treating or filtering of surface water and/or runoff, together with applicable nonstructural management techniques.

Subdivider: Any person, firm, corporation, partnership, or association, or any of these entities working in cooperation, who shall lay out for the purpose of sale or development or otherwise any subdivision or part thereof as defined in these regulations, either for himself or others. The term shall include an applicant for subdivision approval.

Subdivision: The division of a lot, tract or parcel of land into two or more lots, tracts, sites, or other divisions of land for the purpose, whether immediate or future, of sale, conveyance, lease or development. The term “subdivision” includes resubdivisions, amended subdivisions, lot line (boundary) adjustments, and the division of land held in common among several owners.

Survey Plat: a map or plan, drawn to scale by a professional surveyor or engineer certified by the State of Vermont, of one or more parcels, tracts or subdivisions of land, showing boundaries, corners, markers, monuments, easements and other rights, and complying with the composition requirements of 27 V.S.A. §1403.

Town Plan: The West Windsor Town Plan as most recently adopted.

Undue Adverse Impact: An adverse impact or effect that meets any one of the following criteria: (1) The project violates a clear, written community standard – including a provision of these regulations or a specific policy of the town plan – intended to preserve the aesthetics or scenic, natural beauty of the area; (2) The project offends the sensibilities of the average person; or (3) The applicants have failed to take generally available mitigating steps that a reasonable person would take to improve the harmony of the proposed project with its surroundings.

Use: (1) The purpose for which a building, structure, or parcel of land is designed, intended, occupied or used; (2) any activity carried out upon any premises or within any structure upon a premises.

Waivers: The modification of one or more requirements of these regulations by the DRB in accordance with the authority granted under Section 2.4. Such waiver authority shall be exercised solely at the discretion of the DRB upon positive findings that, because of the special circumstances of a particular subdivision application, the waived or modified requirement(s) are not requisite in the interest of public health, safety and general welfare, or are inappropriate due to the inadequacy of connecting facilities adjacent or in proximity to the subdivision.

Wetlands: Those areas of the Town of West Windsor which are inundated by surface or groundwater with a frequency sufficient to support vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include marshes, swamps, sloughs, potholes, fens, river and lake overflows, mud flats, bogs, and ponds, but excluding such areas as grow food or crops in connections with farming activities.

APPENDIX A – Application Requirements for Boundary Line Adjustments

- Name, address and phone number of applicant & landowner
- Name/address of adjoining property owners
- Map, drawn to scale on existing survey
- Map preparer information & certifications
- Map scale
- Existing and proposed property lines, lot lines, lot dimensions & acreage
- Adjoining roads
- Zoning district designations
- Surface waters
- Existing roads, paths, driveways, parking areas & structures
- Existing rights-of-way or easements
- Existing utilities, water & wastewater
- Existing covenants and/or deed restrictions

APPENDIX B – Application Requirements for Sketch Plan Review

- application form – original & 7 copies
- application fee
- Name, address and phone number of applicant & landowner
- Name/address of adjoining property owners
- Written description of development plans, including # and size of lots; timing of work
- Written statement of compliance with the Town Plan and local regulations
- Written waiver request, if any
- Sketch, drawn on existing survey map, showing:
 - Date, north arrow & legend
 - Project boundaries & property lines
 - Existing and proposed lot lines
 - Lot dimensions & acreage
 - Adjoining land uses, roads & drainage
 - Zoning district designations & boundaries
 - General location of significant natural features as specified in Section 3.1 of these regulations, including slopes > 20%
 - Existing 20' contour intervals
 - Existing roads, paths, driveways, parking areas & structures
 - Existing rights-of-way or easements
 - Existing utilities, water supply & wastewater systems
 - Location of proposed subdivision in relation to major roads, drainage ways & adjoining properties
 - Existing covenants and/or deed restrictions
- Description, if applicable, of the following: off-site easements, proposed phasing, proposed covenants or deed restrictions, proposed homeowners' association

APPENDIX C - Application Requirements for Preliminary Plan Review

- application form – original & 7 copies
- application fee
- Name of project, if any
- Name, address and phone number of applicant & landowner
- Name/address of adjoining property owners
- Written description of development plans, including # and size of lots; timing of work
- Written statement of compliance with the Town Plan and local regulations
- Written waiver request, if any
- Paper survey map, showing:
 - Date, north arrow & legend
 - Preparer information & certifications
 - Scale (minimum 1" = 100 feet)
 - Project boundaries & property lines
 - Existing and proposed lot lines
 - Lot dimensions & acreage
 - Adjoining land uses, roads & drainage
 - Zoning district designations & boundaries
 - Location of significant natural features as specified in Section 3.1 of these regulations, including slopes > 20%
 - Existing & proposed 10' contour intervals
 - Existing & proposed roads, paths, driveways, parking areas & structures
 - Existing & proposed rights-of-way or easements
 - Existing & proposed utilities, water supply & wastewater systems
 - Engineering reports (water & wastewater)
 - Road profiles; road, intersection & parking area geometry & construction schematics
 - Proposed landscaping & screening
 - Proposed conservation buffer areas or easements
 - Existing & proposed traffic rates & volume, estimated
 - Location of proposed subdivision in relation to major roads, drainage ways & adjoining properties
 - Proposed building envelopes, if applicable
 - Existing covenants and/or deed restrictions
 - Draft copies, if applicable, of the following: proposed off-site easements, phasing schedule, homeowners' association, covenants and/or deed restrictions
 - Description of proposed performance bond
 - The following, if required under sketch plan approval:
 - Stormwater & erosion control plan
 - Grading plan
 - Open space management plan
 - Traffic impact analysis
 - Fiscal impact analysis
 - Visual impact analysis
 - Environmental impact analysis
 - Lighting plan

APPENDIX D - Application Requirements for Final Plan Review

- application form – original & 7 copies
- application fee
- Name of project, if any
- Name, address and phone number of applicant & landowner
- Name/address of adjoining property owners
- Written description of development plans, including # and size of lots; timing of work
- Written statement of compliance with the Town Plan and local regulations
- Mylar survey map, showing:
 - Date, north arrow & legend
 - Preparer information & certifications
 - Scale (minimum 1" = 100 feet)
 - Surveyed project boundaries & property lines
 - Surveyed lot lines (existing and proposed)
 - Surveyed lot dimensions & acreage
 - Adjoining land uses, roads & drainage
 - Zoning district designations & boundaries
 - Surveyed location of significant natural features as specified in Section 3.1 of these regulations, including slopes > 20%
 - Existing & proposed 5' contour intervals
 - Surveyed roads, paths, driveways, parking areas & structures
 - Existing & proposed rights-of-way or easements
 - Existing & proposed utilities, water supply & wastewater systems
 - Road profiles; road, intersection & parking area geometry & construction schematics
 - Proposed landscaping & screening
 - Proposed conservation buffer areas or easements
 - Monument locations
 - Existing & proposed traffic rates & volume, documented
 - Location of proposed subdivision in relation to major roads, drainage ways & adjoining properties
 - Proposed building envelopes, if applicable
 - Existing covenants and/or deed restrictions
 - Engineering reports (water & wastewater)
 - Draft copies, if applicable, of the following: proposed off-site easements, phasing schedule, homeowners' association, covenants and/or deed restrictions
 - Description of proposed performance bond
 - The following, if required under sketch plan approval:
 - Stormwater & erosion control plan
 - Grading plan
 - Open space management plan
 - Traffic impact analysis
 - Fiscal impact analysis
 - Visual impact analysis
 - Environmental impact analysis
 - Lighting plan