

TOWN OF SHOREHAM

SUBDIVISION REVIEW HEARING

Boundary Line Adjustments • Minor Subdivisions • Major Subdivisions • PUDs

Contact the Zoning Administrator at 802 897-2668 or ShorehamZoning@gmail.com if you have any questions

I. ALL SUBDIVISION APPLICATIONS

A. Subdivision applications require several supporting documents and possibly other applications. All application forms include lists of permits applicable to that form, plus the permits' fees. When seeking a permit not listed on the Subdivision Hearing form, it may be on the Zoning Permit or Development Review Hearing forms.

- copies of any other State or local permits/licenses/registrations or their applications if pending.
• a Preliminary Plat and eventually a Final Plat that is to be recorded after approval.

B. This sheet provides information on the following:

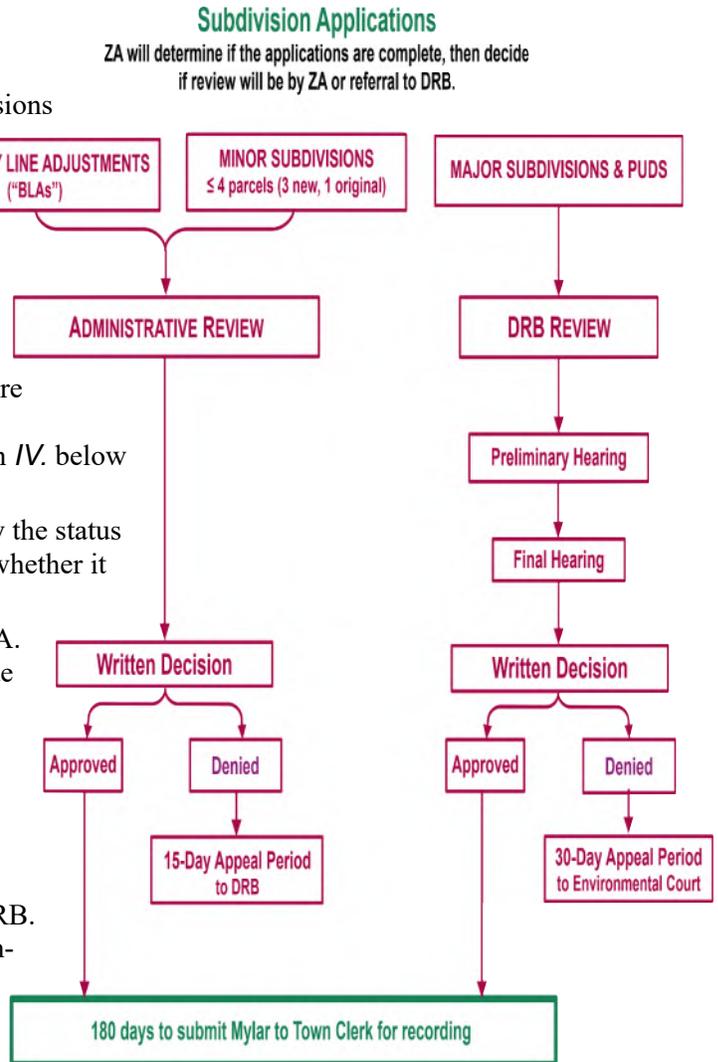
- II. Major Subdivisions & PUDs
• III. DRB Reviews—Hearing steps & processes
• IV. Combined Reviews
• V. Administrative Reviews—BLAs & Minor Subdivisions

C. All are submitted to the ZA who reviews for completeness and suggests any additional materials that may be needed, and what adjustments to the Narrative might be helpful.

D. If a Development Review form is submitted for consideration along with the Subdivision form, since both require hearings it may be a time-saver to ask about having a Combined Review Hearing where both are reviewed at the same time. No money will be saved, but there could well be a significant time saving. See section IV. below and §3.504(B) in the Regulations.

E. When deemed complete, the ZA will make a preliminary the status (Major or Minor) determination of the subdivision and whether it will be reviewed by the ZA or the DRB.

- BLAs and Minor Subdivisions are reviewed by the ZA. They do not include a Preliminary Plat, but do include a Final Plat. There is no hearing, but abutting land-owners are notified and may submit comments. The ZA has the option to refer any BLA or Minor Subdivision to the DRB. An Administrative Review takes up to 30 days after the application is deemed complete.
• Major subdivisions and PUDs are reviewed by the DRB. DRB Reviews require one or more hearings, a Preliminary Plat, a Final Plat, and can take up to five or six months. Referred Minors will also need two DRB hearings with Preliminary and Final Plats. BLAs typically need just the 1 hearing with a Final Plat.



F. All require the Final Plat to be submitted to the Town Clerk for recording within 180 days of approval or all approvals expire and the process must begin again.

II. MAJOR SUBDIVISIONS & PUDs

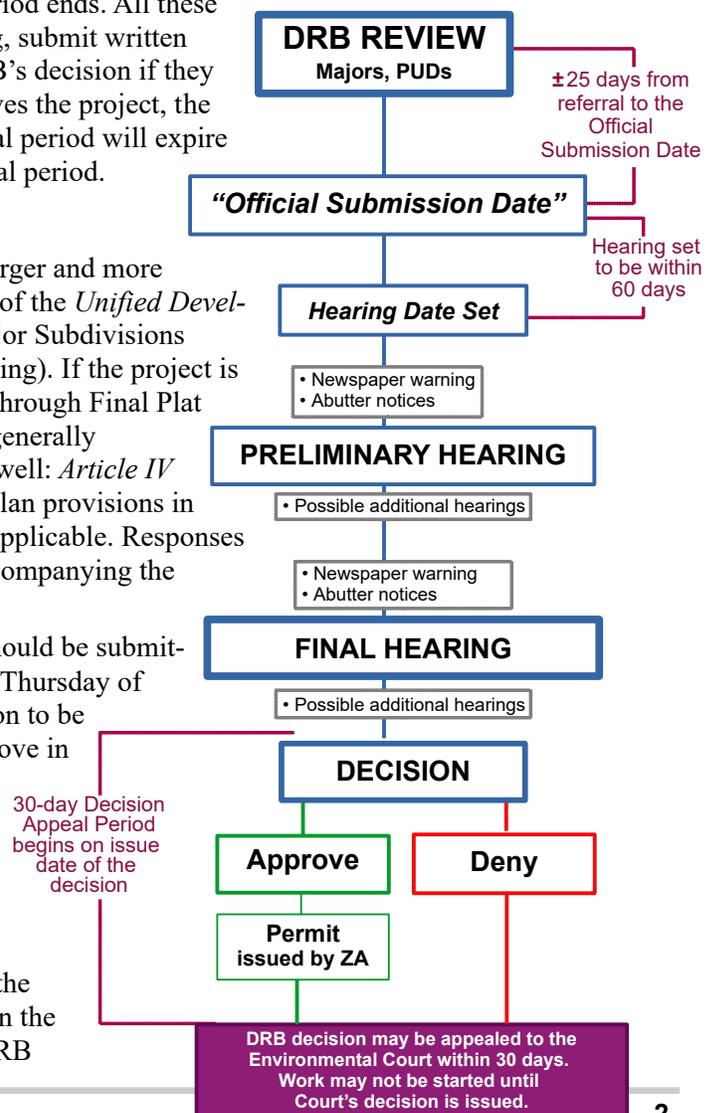
A. The hearing process is typically a series of warned meetings beginning with a Preliminary Hearing and ending with a Final Hearing.

- B.** Once the ZA deems the application to be complete and its status as Major, it is submitted by the ZA to the Development Review Board (DRB). The Board will acknowledge its receipt at their next regular meeting (which becomes the *Official Submission Date*). This meeting, which is not a warned hearing, may also include: the Board’s own Sketch Plan Review, acceptance/amendment of the preliminary Minor/Major status of the application, and determination of escrow funds or letter of credit. They will also set a date for the first Preliminary Hearing, to occur within 60 days of the Official Submission Date meeting (ie up to 120 days after the application was deemed complete by the ZA). The hearing date and list of any additional materials the Board wants will be confirmed by email or mail to the Applicant shortly after the meeting. The complexity of the project will dictate the number of hearings and length of time needed to complete the process.
- C.** The Preliminary and Final Hearings are Warned following the procedure in §3.503 of the *Shoreham Unified Development Regulations* (UDRs). If the Board feels an additional hearing is needed for the Preliminary (or Final) Hearing, the first hearing will be recessed until a specified date and time when it will be resumed. No warning is needed for resumed hearings. Up to 180 days are allowed between the close of the Preliminary Hearing and the first Final Hearing. After the Preliminary Hearing is closed, the DRB will issue its decision regarding the materials it wishes to see with the Final Hearing application, and the proposed date of that hearing if determined. It may choose to wait until the Final Hearing application is submitted (within the 180-day period) before determining a hearing date. After the close of the Final Hearing, the DRB has 45 days to issue its decision and any Conditions on the matter. The DRB’s decision is sent to the Applicant via Certified Mail.
- D.** The ZA will send the Applicant a Hearing Notification poster to post within sight of the nearest public road for 15 days prior to the initial Preliminary Hearing date and kept in place until the DRB closes the hearing. When the Final Hearing date is set, a new poster will be provided that gets posted 15 days prior to the Final Hearing date and remains in place until that hearing closes. When the decision is issued another Permit/Hearing poster will be issued for placement until the 30-day decision appeal period ends. All these ensure the public’s right to learn more, attend the hearing, submit written comments or speak at the hearing, and to appeal the DRB’s decision if they meet the Interested Person criteria. If the decision approves the project, the ZA will issue the requested permit timed so that its appeal period will expire before or at the same time as the Decision’s 30-day appeal period.

### III. DRB REVIEWS

Because Major Subdivisions and PUDs generally involve larger and more complex projects, Applicants will need to review *Article VI* of the *Unified Development Regulations*, particularly §6.501 and §6.503 for Major Subdivisions (Preliminary Plan through Final Plan, and Final Plat Recording). If the project is a PUD, §6.600, should be reviewed from Preliminary Plan through Final Plat Recording. The following standards and criteria which are generally associated with subdivision projects should be reviewed as well: *Article IV* (General §4.100 and Performance §4.200 Standards); Site Plan provisions in §5.201; and other provisions of the *Regulations* as may be applicable. Responses to the various criteria are to be included in the Narrative accompanying the application.

- A. OFFICIAL SUBMISSION DATE MEETING.** Applications should be submitted to the ZA no fewer than 30 days prior to the fourth Thursday of any particular month. Once the ZA deems an application to be complete it will be forwarded to the DRB. As noted above in *II. B.* the DRB will acknowledge receipt of the application at its next scheduled regular meeting (the “Official Submission Date”) and if the Applicant can be at the meeting the DRB may hold a Sketch Plan discussion at that time. The DRB will decide if it feels other material is needed and will set a tentative Preliminary Hearing date to be held within 60 days of the Official Submission Date meeting (120 days from when the application was deemed complete). At this time the DRB



may also make a determination as to whether or not it will require the Applicant to submit a bond or a letter of credit for any technical or other related expenses incurred in its review. If bond funds are submitted, they will be held in an escrow account; any funds remaining after the expiration of the Final Hearing's appeal period will be returned to the Applicant. After the Acknowledgment/Submission Date meeting, the DRB will send the Applicant confirmation of the materials list, hearing date, and escrow funds/letter of credit.

**B. Initial submission** to be submitted to the ZA as one PDF file and one hard-copy file on 8.5" x 11" or 11" x 17" paper, with an accurate Sketch Plan.

- **Major Subdivision or PUD**: A Preliminary Plat no larger than 24" x 36" with 1.5" margins may be submitted at this time instead of a Sketch Plan drawing or later, but it must be submitted before the Preliminary Hearing date (see C.1. below).
- **Minor Subdivision or BLA**: A Final plat rather than a Preliminary Plat is to be submitted, same size as noted above. No Sketch Plan.

Also include:

1. A subdivision permit should be selected on the hearing form. The fees for both hearing and permit (including their recording fees) may be submitted using one check .
2. The subdivision application is to include a Narrative and supporting documents, including a Preliminary or Final Plat depending on the type of subdivision. The Narrative should fully explain the project. The applicable standards and criteria found in the following sections of the *Regulations* are to be addressed in the Narrative as well: Subdivision provisions are in *Article VI*, Site Plan Standards (§5.201), any applicable standards and criteria from the General (§4.100), and Performance (§4.200) Standards.
  - The Narrative describes the proposed project—what you would like to have approved and how the proposed project will comply with the *Regulations* and the goals of the *Town Plan*. Include, in the Narrative and on the plat, as applicable:
    - easements/Rights-of-Way, existing or proposed;
    - plans for the use of the lots (sale, development type, etc);
    - descriptions of parcel features such as wetlands, significant ledges, ravines, forests, wildlife habitats, etc;
    - number and sizes of proposed lots;
    - studies of ground water supplies or other studies anticipated
    - indicate other subdivisions the owner has made within the last five years and the locations
3. Supporting documents: deeds; Site Plan; preliminary surveys/maps, copies of any other State or local certifications, permits, or pending applications (e.g. access permits, water/wastewater permits, Act 250, Shoreland Protection, etc).
4. A list of abutters with mailing addresses, and Parcel IDs.
5. Fees for the permit and permit recording, plus the hearing fee (Residential or Commercial) and its recording fee are due with the application.
6. If a Combined Hearing is wanted, all fees and supporting documents for the additional hearing application should be submitted with the subdivision application.

**C. PRELIMINARY HEARING APPLICATION** (§6.401). For the Preliminary Hearing the Applicant shall submit any additional materials, or as requested by the DRB at the Official Submission Date meeting, to the ZA no fewer than 21 days prior to the DRB's scheduled hearing date. Additionally:

1. Preliminary Plat, if not submitted previously, no larger than 24" x 36" with 1.5" margins and drawn by a VT licensed land surveyor, showing proposed boundaries and measurements; lots, drives, wells, wastewater systems, building envelopes; lot sizes, setbacks, and frontage(s); district boundaries; easements/ROWS; wetlands, forest blocks, etc. The detail does not need to be extensive at this point, that will come with the Final Plat.
2. The hearing's public warnings will be issued as noted below and pursuant to §3.503 of our *Regulations*.
3. Certified Mail receipts and any hand-delivery receipts for notices sent/delivered to abutting property owners shall be submitted to the ZA, by the Town Clerk and Applicant, for inclusion with the original application materials. DRB copies will be submitted to them at, or prior to, the first hearing by the ZA or Clerk.

#### **D. THE PUBLIC NOTICE.**

1. A public warning will be submitted to the local newspaper for publication no fewer than 15 days prior to the hearing date. Because the State does not recognize publication in the online digital version of the paper, the *Independent*—publishing only one hard-copy issue per week—has a typical time span between newspaper publication and hearing date of 3 weeks.
2. The Town Clerk will submit the required warning to the newspaper, and provide a copy to the Applicant.
3. The Applicant will enclose the warning in envelopes addressed to abutters (from the abutters list), and deliver to the Town Clerk for mailing. The Town Clerk will send the envelopes via Certified Mail, to be received no fewer than 15 days prior to the scheduled hearing date. The mail receipts will be provided to the ZA for inclusion with the original application documents. The ZA will submit the mail receipts to the DRB with any additional materials requested/received prior to the hearing.
4. A Hearing Notification poster will be issued by the ZA to the Applicant, to be posted within sight of the nearest public road for 15 days prior to the hearing date, through the hearing process until the hearing is closed. When a decision is issued, after the close of the Final Hearing, another poster will be issued, to be displayed until the subsequent 30-day decision appeal period ends.

**E. THE PRELIMINARY HEARING.** The Preliminary Hearing may be recessed by the DRB if it requires more documentation, or other information or testimony. When recessing a hearing, the DRB must state the date, time, and place when the hearing will be resumed. No newspaper or abutter warnings or notices are needed for resumed hearings.

Within 45 days of the close of the hearing, the DRB will issue a confirmation of any materials and/or revisions discussed at the hearing which it wishes to have submitted with the Final Hearing application, and a notice that the Final Application must be submitted within 180 days of the Preliminary Hearing's close.

**F. FINAL HEARING APPLICATION** (§6.402). The procedure for this hearing follows the Preliminary process with a few alterations.

- ***Final Application*** to be submitted within 180 days of the close of the Preliminary Hearing and shall include any new documents received, or as requested by the DRB, and document revisions from the Preliminary Hearing.
  1. ***Final Plat***, by a VT licensed land surveyor, with any revisions to proposed boundaries, lots, drives, wells, wastewater systems, building envelopes, lot/parcel setbacks, frontage(s), boundary measurements, etc and any DRB suggested additions. This Plat to be more detailed than the Preliminary Plat pursuant to §3.603.
  2. A ***Final Hearing Application fee*** (Residential or Non-Residential/Commercial) plus the ***hearing recording fee*** are due with the application. The Zoning Permit &/or Development Review application fees submitted with the Preliminary Hearing Application remain in place and are not re-submitted.

#### **G. FINAL HEARING**

- ***Public Notice***. The Town Clerk will provide a copy to the Applicant of the warning being published in the newspaper for the Applicant to insert in the abutter addressed envelopes and provided to the Town Clerk for mailing. The newspaper warning publication, abutter notices, and posting of the Permit/Hearing Notification poster follow the procedures for the Preliminary Hearing in §III.D above and §3.503 of the UDRs.
- ***Decision***. The Board's Final Hearing decision will be issued within 45 days of the Final Hearing's close. If it approves the proposed project the decision will include any conditions the Board requires the Applicant to comply with. The Board's decision has a 30-day appeal period to allow anyone meeting the Interested Person definition to appeal the decision to the Environmental Court. The Applicant will receive another Permit Notification poster to be posted as in III.D(4).

**H. FINAL PLAT RECORDING.** The approved Final Plat must be submitted to the Town Office within 180 days of the Final Hearing's approval decision date or all approvals expire and the process must begin again. The Final Plat submission must consist of two paper hard-copies (11" × 17") of the approved Final Plat and a Mylar, pursuant to §3.604. The DRB or ZA will review the Plat for compliance with the Decision and its Conditions, endorse it, and submit it to the Town Clerk for recording. It is the Applicant's responsibility to pay attention to the 180-day deadline and ensure that the Plat is endorsed and recorded before the deadline expires.

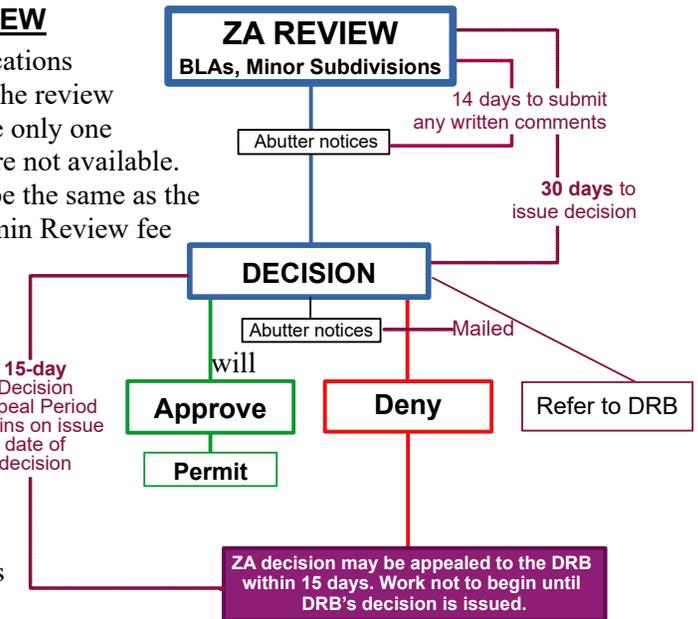
**I. PERMITS.** The ZA will issue the permit(s) for an approved project so that zoning's 15-day appeal period will end prior to, or at the same time as, the DRB's decision appeal period. If an appeal of the DRB's decision is properly filed, the project is on hold until adjudicated or stayed by the Environmental Court.

## IV. COMBINED REVIEW

- A. If the Applicant desires to have other permits requiring DRB approval such as a Development Review permit (for a Conditional or Mixed-Use, Waiver or Variance) a Combined Review is an option for either DRB or Applicant. If chosen, the Subdivision Review permit and hearing applications and the Development Review permit & hearing applications will be reviewed together. This can save time and costs. Both hearing applications are required, with all relevant fees, but a Combined Review Hearing is subject to only one hearing and hearing recording fee.
- B. If the Applicant seeks a Combined Review hearing, the Development Review applications and documents will be submitted with the Preliminary Hearing application for the Subdivision Review. The Narratives for the Subdivision and Development Review applications should be kept separate. The additional criteria for Development Review uses (*Article V*), including SitePlan criteria and Specific Use Standards (§4.300), as applicable, must be addressed in the Development Narrative. See the Development Review Hearing information sheet and *Article V* for further details.
- C. With a Combined Review Hearing, each application will have its own separate Decision, Findings, Conclusions, and Conditions. The DRB will reconcile the two Decisions in a Combined Decision to mitigate or remove any conflict between them and to clarify Conditions.

## V. ADMINISTRATIVE REVIEW

For BLAs and Minor Subdivisions, the ZA may review applications administratively saving time and expense for the Applicant. The review process does not include warned hearings, generally will have only one meeting (either by phone or in person), Combined Reviews are not available. If one is wanted it must go to the DRB. The application will be the same as the Final Hearing application for a DRB review, but with the Admin Review fee and permit/permit recording fees rather than the hearing and hearing recording fees. Once the applications are determined to be complete, the ZA has 30 days to complete the review and issue a decision. If the project is approved, the ZA will issue permits when the decision is issued. The appeal period is a 15-day period beginning on the permit issue date.



1. **Application** to include a permit application, a Final Hearing application (with Narrative, supporting documents, Final Plat, and Abutter List). More details may be found in §3.502 of the UDRs. Be sure to include the Abutter List as the ZA will be advising abutters of the application by mail the cost of which is included in the Administrative Review fee. Abutters will be given a deadline by which date they may provide written testimony by mail or email if they have concerns .
2. **Decision.** As soon as the abutters' testimony deadline has passed, the ZA must make and issue a decision to be issued within 30 days of the date the application was originally deemed complete. If the proposed project is approved the decision will include any Conditions the Applicant is required to comply with. Abutters will receive copies by mail.
3. A **Permit Notification** poster will be issued by the ZA to the Applicant if the application is approved and permit(s) issued. It must be posted within sight of the nearest public road through the 15-day appeal period following the ZA's permit issue date.
4. **Final Plat Recording.** Once approved, the Final Plat must be submitted to the Town Office within 180 days of the decision date or all approvals expire and the application process must begin again. The submission must contain two paper hard-copies of the Final Plat (11" × 17") and a Mylar pursuant to §3.604. The ZA will review the Plat for compliance with the approval permit and Conditions, endorse it, and submit it to the Town Clerk for recording. The ZA will advise the DRB of the review, endorsement and tentative recording date. It is the Applicant's responsibility to pay attention to the 180-day deadline and ensure that the plat is endorsed and recorded before the deadline expires.

**Town of Shoreham • 297 Main Street • Shoreham, VT 05770 • (802) 897-5841**

**APPLICATION for SUBDIVISION REVIEW HEARING [March 2025]**

**BLA • Minor & Major Subdivisions • PUDs**

**Incomplete applications will not be processed until ZA has determined they are complete.**

(1) **Owner name:** \_\_\_\_\_  
Mailing address : \_\_\_\_\_  
Telephone: Home: (\_\_\_\_) \_\_\_\_\_ Cell: (\_\_\_\_) \_\_\_\_\_ Home: (\_\_\_\_) \_\_\_\_\_ Cell: (\_\_\_\_) \_\_\_\_\_  
Email: \_\_\_\_\_  
Is the owner a Corporation?  Yes  No • Is this Corporation registered in Vermont?  Yes  No

(2) **Applicant name(s)** if different from Owner \_\_\_\_\_  
*If not the owner or corporation representative, submit a letter from the owner authorizing Applicant to proceed .*  
Mailing address: \_\_\_\_\_  
Telephone: Home: (\_\_\_\_) \_\_\_\_\_ Work: (\_\_\_\_) \_\_\_\_\_ Cell: (\_\_\_\_) \_\_\_\_\_  
Email: \_\_\_\_\_

(3) **9-1-1 Address** of property (road): \_\_\_\_\_ **Deed recorded:** Book \_\_\_\_\_, Page \_\_\_\_\_  
Parcel ID(s): \_\_\_\_\_ **District:**  LDR  MDR  VCD  VRD  AG  SFHA

**[Note: BLAs & Minors are reviewed by the ZA. No hearing is involved unless referred to the DRB. Fill out 4–8 as if a hearing were involved. There are no hearing fees for ZA reviews, just the Review fee and permit & recording fees.**

(4) **Acreage of Parent Parcel** (before subdivision) \_\_\_\_\_, (after) \_\_\_\_\_ ; **Number of new lots to be created:** \_\_\_\_\_  
Has owner created other subdivisions within last 5 years?  Yes  No  
Is Act 250 Review needed or has a decision been issued?  Yes  No

(5) **Land-use Permits:** *Include permit fee plus \$15 permit recording fee with this application:*  
**Subdivision**  Boundary Line Adjustment (\$65)  Minor Subdivision (\$75/Lot)  
**Permits:**  Major (\$95/lot Residential; \$125/lot Non-Residential)  
 PUD (\$80/lot, Residential; \$100/lot, Non-Residential)  
**Zoning & Development:** *Include permit applications and fees for any structures, waivers, variances or other Conditional Use projects planned. Permit fees are listed on the Permit and Development Review applications.*

(6) **Type of Hearing:**  Commercial/Major \$250  PUD \$215  Minor \$125  Admin. Review \$50  
**Major, PUD, & Minor DRB Reviews need \$15 recording fee as well as hearing fee, permit & permit recording fees;**  
**BLA & Minor Admin Reviews have only Review & Permit fees. Review fees include cost of newspaper warning & abutter mailings.**  
 **Combined Review** hearing for Subdivision and Development Review hearings held together requires all applications and supporting documents to be submitted together. Fees are applicable for each as if being reviewed separately. There may be a significant time saving because, without a Combined Review, a separate hearing will be needed for each review.

(7) **This application is for:**  Preliminary Hearing (Major/PUD)  Final Hearing (for BLA, Minor, or Major/PUD)  
(8) **Current use(s) of property:**  Vacant  Single-family  Two-family  Multi-family  Ag  Commercial

**ITEMS 9–11 to be fully addressed in the NARRATIVE and attached to this application form.**  
Use “NA” to indicate items which do not apply to your project, otherwise answer all.  
Items may be referenced in the Narrative by their numbers below.

(9) **Narrative**—Include names & contact information for consultants and other professionals involved in the application content or the project itself, as well as any reports they may have provided. Also:  
(a) **Reason for Hearing:** Explain what you seek or are proposing to do.  
(b) **Indicate what by-law provisions** are related to this project, explain how they will be complied with.

**Hearing & \$15 Recording fees paid:** \$ \_\_\_\_\_ **Check:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Rec'd by:** \_\_\_\_\_

(c) Describe how the proposed project meets **each standard** for any of the following that apply:

Change of Use—§4.104; Combined Review—§3.504(B); District Standards—*Article II*;  
Final Plat—§§3.602–.604, 6.201, 6.101(F), 6.402(B); General, Performance, Specific Use Standards—*Article IV*;  
Interior Lot—§4.108(E); Preliminary Plat—§§6.101(E), 6.201, 6.401, 6.402(A); Site Plan—§5.201;  
BLA—§§6.02(B), 6.302; Minor Subdivision—§§6.02(C), 6.303, 6.402(A), 6.502;  
Major Subdivision—§§6.02(d), 6.402(B), 6.503; PUD—§§6.02(E), 6.402(B), 6.600, 6.602–.603;  
Waiver—§3.800; Variance—§3.700

## (10) Describe the use for which approval is being requested; include, the following items:

- (a) **Major, Minor, PUDs:** Describe number and sizes of lots being proposed; proposed use(s); size of parent parcel remaining;
- (b) Indicate whether State water/wastewater permits are being applied for or have been received; attach copies of the permit(s) or pending applications;
- (c) Indicate whether an ACT 250 decision is being applied for or has been received; attach a copy of the decision or pending application;
- (d) Indicate where any other subdivisions created by owner within past 5 years are located (distance) in relation to this proposed subdivision;
- (e) Describe, as applicable,:
  - proposed or expected uses of created lots; whether lots to be sold individually or developed as a unit;
  - any traffic, hydrological, and/or other reports or studies conducted on behalf of this project and attach copies;
  - What other State, federal, or other municipal permits, road access, licenses, certifications, registrations, etc are required? Have they been applied for? Attach copies of the permits or pending applications to this application;
  - proposed traffic, parking, and pedestrian areas; include: proposed number & size of parking spaces; location of parking/loading areas; existing and proposed means of access to site; vehicular & pedestrian safety considerations
  - how storm water or other drainage will be addressed;
  - historic structures or archaeological sites on the parcel;
  - important natural resources, wetlands, wild-life habitats, woodlands, etc;
  - new construction planned; attach copy of construction permit application;
  - proposed exterior lighting, landscaping, waste container storage, snow storage, proposed signage, existing or proposed easements;
- (f) Describe uses of abutting parcels.

## (11) Documents to include with the Hearing Application. Check as applicable. Contact ZA with questions (897-2668) ZA or DRB may add to this list when reviewing preliminary or final application.

- Narrative, zoning permit &/or development applications**, plus supporting documents.
- Other Permits**—Include copies of any other permits obtained, copies of pending applications, whether State or local. Permit names and numbers may be submitted in lieu of copies.
- List of abutting property owners**, with Parcel IDs, and mailing addresses. (p. 3)  
**NOTE: If the property is located within 500 feet of an adjoining town**, the Applicant must notify that town as well.
- Relevant deed copies**; any proposed deeds, HOA agreements, easements/Rights-of-Way;
- Plat/Map**—The detail depends on extent of the proposed project. *Preliminary* or *Final* Plats by a Vermont licensed surveyor, to include
- traffic, parking, and pedestrian areas;
  - setbacks, frontage, boundary lines with accurate measurements;
  - existing and proposed structures, septic, wells;
  - significant natural features
  - easements, ROWs;
  - district boundaries within the property lines

Preliminary Plats may have less detail and be revised after suggestions received at Preliminary Hearing. A *Final Plat*, including any revisions, to be submitted with Final Hearing application and for recording in the land records after approval. DRB (or ZA for BLAs & Minors) will review the Plat for compliance with the decision and Conditions, then sign it for recording

