

TOWN OF SUTTON
167 UNDERPASS ROAD SUTTON, VT 05867
(802) 467-3377
www.suttonvt.org

ZONING SUBDIVISION PERMIT APPLICATION PROCESS (approved 9/26/17, amended 3/2/21)

1. Any party who seeks to divide a parcel of land into two or more parcels must obtain a Zoning Subdivision Permit. *If the proposed subdivision will also involve any construction, reconstruction, or enlargement to any existing building or structure, a separate Zoning Permit Application must also be completed and submitted.*
2. Applicant picks up a subdivision **permit application** form and hearing notice **poster** from the town office. Subdivision applications and requirements are described in Article VII of the Town of Sutton Zoning Bylaws.
3. All paperwork and required fee, as listed in the Sutton Permit Application Fee Schedule, must be submitted to the Sutton Town Clerk for the Development Review Board (DRB) Chair to review 21 days prior to the regularly scheduled DRB meeting (2nd Monday of each month, at 6:00 P.M. at the Sutton Fire Station, 691 Burke Rd., Sutton, VT 05867). Incomplete applications will not be accepted.
4. Depending on the scope of the proposed subdivision, the DRB will classify an application as major or minor. For major subdivisions, the DRB must approve the preliminary layout/sketch before the applicant may proceed with the final plan application. For all applications, the DRB may require additional information before considering the application.
5. Applicant will be required to attend a public hearing where the application will be discussed by the DRB at its regularly scheduled meeting (see above). All zoning subdivision application hearings will be warned in the Caledonian-Record newspaper at least 15 days prior to the scheduled hearing.
6. In addition to posting hearing notice where it is visible from a public road, applicants are required to notify, in writing, all abutting landowners (including across the road) of their plans, and of the date and time of the public hearing. See attachments for a template of the required letter. Applicant is required to submit, with this application, a list of the adjacent landowners and copies of the letter to each of them.
7. After the public hearing, if the permit has been approved, the permit and the findings of fact must be posted at the town office for 15 days for public viewing. If the permit is denied, the DRB will notify the applicant in writing. The notification will include written findings of fact.
8. An interested person (including the applicant, the Select Board, or a neighbor or other person with standing) may appeal the decision of the DRB within 15 days of the decision. The appeal must be in writing, must include a request for a public hearing to consider the appeal, and must be submitted to the Town Clerk with a check for \$30.00 made out to the Town of Sutton. The money will be used to offset the cost of publishing the warning in the Caledonian-Record. Applicants will be notified of the hearing date and time; however, a hearing may be denied by the DRB in accordance with state law.
9. The DRB will hear the appeal at the warned time and place. The DRB shall gather the evidence according to established Rules of Evidence procedures defined in the Vermont Statutes. It is the responsibility of the appellant and other interested parties to provide legible maps, deeds, and other pertinent or required documents.
10. The DRB shall render its final decision, including Findings of Fact and Conclusions of Law within 45 days of the public hearing for the appeal.

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Please complete the following (items in *italics* to be completed by the Town Clerk or DRB):

Posted _____ *Removed* _____ *Application Number* _____

Applicant Name _____ Phone _____ E-mail _____

Mailing Address _____

Location of Land (physical address) _____

Original Lot Size (dimensions and acreage): _____

Number of Proposed Lots after Subdividing _____

Size of Each Lot after Subdividing (dimensions and acreage; list each lot): _____

Lot Frontage in Feet:

Frontage on Public Road or Public Water:

If any lot does not have frontage on a public road or public waterway it must have access to such road or water by permanent easement or right of way at least 50 feet in width (Section 302). If lot(s) is (are) to have access by an easement or right of way, you must furnish a plan of proposed easement or right of way in addition to information above. Such easement or right of way must be approved by the DRB prior to issuance by the ZA.

Signature of Applicant _____ Date _____

Meeting Date: _____ *Warning Date:* _____

Fee Paid (see Town of Sutton Permit Application Fee Schedule): _____

Received by: _____ *Date:* _____

SUBDIVISION APPLICATION: ADDITIONAL REQUIREMENTS

Required Supporting Documentation

- _____ Zoning Permit Application (Required if proposed subdivision will involve any construction, reconstruction, or enlargement to any existing building or structure. See Separate Zoning Permit Application Package).
- _____ Names and addresses of the landowners and/or applicant, and adjacent property owners.
- _____ Copies of all letters sent to adjacent property owners (see template of letter in attachments).
- _____ General sketch/plot plan showing the location of the property; the proposed new property lines, streets, and roadways; easements and rights of way; acreages and dimensions in feet of each lot.
- _____ A Mylar plot plan/survey is also required and must be submitted and recorded with the town within 180 days after approval of the subdivision.

In addition to the required items in this application package, the DRB *may* also request some or all of the following information for its review:

- A. Official survey map
- B. Description & map of proposed water supply (for divided lots)
- C. Description & map of sewage disposal system (for divided lots)
- D. Grading plans showing areas of cut & fill
- E. Storm water drainage plan
- F. Description & map of proposed street rights of way, widths, road profiles.
- G. On-site water descriptions and locations (streams, ponds, etc.)
- H. Descriptions of walkways, utilities and other improvements.
- I. Traffic loading and safety study (town or state)
- J. Landscaping plans (list any major changes in land use)
- K. Proposed open or public land description
- L. Proposed covenants or deed restrictions
- M. Copy of Act 250 (perk tests) permits
- N. Copy of deed
- O. Other _____

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**DECISION BY ZONING ADMINISTRATOR OFFICER AND/OR DEVELOPMENT
REVIEW BOARD FOR SUBDIVISION APPLICATION**

Decision of Zoning Administrator

This Application is: Approved _____ Denied _____

Referred to the Development Review Board (date): _____

Signed _____ Date _____
Zoning Administrator

Decision of the Development Review Board

Date notice appeared in Caledonia-Record _____

Approved/Denied on the basis of the following determinations of conditions (see attached letter, if applicable):

Signed: _____ Date _____
Development Review Board Chairperson

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An interested person may appeal any decision by the Zoning Administrator to the Development Review Board within 15 days of the date of such decision. This permit SHALL NOT take effect until the time for such appeal has passed.

Following the decision of the Board, a copy of the approved permit will be forwarded to the applicant and the original will be filed in the Town Office.