

**TOWN OF POMFRET  
Selectboard**

Memorandum of Decision and Permit

Property Address: 2035 Pomfret Road, South Pomfret  
Parcel No.: 0121  
Parcel Size: 0.66 acres

Property Owner: 2035 Pomfret Road, LLC  
c/o Richard Baccari  
P.O. Box 1014  
Yorktown Heights, New York 10598

Applicant: The Pomfret Road General Store, LLC  
2035 Pomfret Road  
South Pomfret, Vermont 05067  
kd@artistree.org/christeago@gmail.com

**I. Procedural History**

A. The Request for Permit

This Memorandum of Decision (this “Decision”) is made by the Selectboard of the Town of Pomfret (the “Selectboard”), in connection with a request by The Pomfret Road General Store, LLC, a Vermont limited liability company (the “Applicant”), to undertake certain activities and place certain structures within the Pomfret Road, Stage Road and Library Street rights-of-way. For purposes of this Decision, this request is deemed by the Selectboard to be an application for a permit pursuant to 19 V.S.A. § 1111(b).

Applicant has submitted certain plans and documents in connection with its request (the “Selectboard Application Materials”), which materials are on file at the Pomfret Town Office.

B. The ZBA Decision

This Decision follows a decision (the “ZBA Decision”) of the Zoning Board of Adjustment of the Town of Pomfret (the “ZBA”), dated March 6, 2020, in connection with Applicant’s Zoning Permit Application ZP20-01. The ZBA application sought approvals and variances for certain land development activities that are part of the same project as the activities at issue in this Decision.

The ZBA Decision is available from the Town of Pomfret website and is incorporated by reference herein. The ZBA application and all supporting plans and documents submitted in connection therewith (the “ZBA Application Materials”) are on file with the Zoning Administrator for the Town of Pomfret.

Capitalized terms used but not defined in this Decision are defined in the ZBA Decision.

The ZBA approved substantially all of Applicant's requests, subject to the conditions and limitations described in the ZBA Decision. However, the ZBA declined to consider or decide upon Applicant's requests insofar as they affected the public right-of-way since, under 19 V.S.A. § 1111, only the municipal legislative body may permit work, materials and structures within the town highway right-of-way. Those requests are the subject of this Decision. The ZBA Decision further states, at Condition G.1, that "[i]f in the conduct of its review under 19 V.S.A. § 1111(b), the Selectboard imposes conditions and/or requests modifications to the Project plans that materially impact the terms and conditions of this Decision, or of the Project as approved herein, Applicant shall submit an amended application reflecting the Selectboard's required conditions and/or modifications."

#### C. Public Meetings and Site Visits

The requests at issue in this Decision were discussed at duly warned meetings and deliberative sessions of the Selectboard on May 20, June 3, June 17, July 1, August 5, August 19, September 2, September 16, October 7, October 21, and November 4, 2020. Minutes and audio recordings of these meetings are available from the Town of Pomfret website and are incorporated by reference herein.

As part of the investigation and deliberation leading to this Decision, members of the Selectboard, the Pomfret Road Foreman, and/or representatives of VTrans visited the Property on July 6, July 16, July 28, August 31, and October 30, 2020.

#### D. Vermont Agency of Transportation ("VTrans") Review

The Selectboard also sought input from VTrans regarding design recommendations and layout. On June 3, 2020, Jon Kaplan, Bicycle and Pedestrian Program Manager at VTrans, provided comments on Applicant's site plan, which comments have been incorporated into the Further Revised Site Plan (as defined below).

## II. Findings of Fact

#### A. Property Location and Configuration

As more particularly described in the ZBA Decision, a substantial portion of the Property is located in the Pomfret Road and Stage Road rights-of-way (both town highways) and the Special Flood Hazard Area of Pomfret Brook. This unusual configuration presents particular challenges to the Project, and to ongoing maintenance of the Teago Building.

These challenges have required extensive analysis by the ZBA and Selectboard, and detailed discussion with the Applicant, to ensure the Project conforms to applicable development standards, creates no undue adverse effect on the community, adequately protects and promotes the safety of the traveling public, maintains reasonable levels of service on the highway system, and protects the public investment in highway infrastructure, as required by

state and local law.

As a result of these discussions and feedback provided by the ZBA, the Applicant submitted a revised site plan that is attached to the ZBA Decision. Following further discussions and additional feedback provided by the Selectboard and VTrans, the Applicant submitted a further revised site plan (the "Further Revised Site Plan") as part of its Selectboard Application Materials. The Further Revised Site Plan, prepared by Banwell Architects as Project No. 19-512, is attached as Exhibit A.

## B. Project Description

Based on the Applicant's submissions and testimony, the Project consists of substantial interior and exterior improvements and renovation of the property located at 2035 Pomfret Road (the "Property"). This work is more particularly described in the ZBA Decision.

The Project also consists of the following improvements (collectively, the "ROW Improvements"), each of which is located at least partially within the town highway right-of-way, as depicted on the Further Revised Site Plan (unless otherwise noted below, feature numbers refer to the list of "Proposed Site Features" shown on Sheet C2.0 of the Further Revised Site Plan):

1. Installation of a new lawn area (C13), picket fence (C25), concrete sidewalk (C3) and flush curbing (C15), sloped curbing (C32), granite curbing (C4) and pavement striping (C33) on the south side and in front of the Teago Building (along Stage Road);
2. Installation of granite curbing (C4), landscape area with stones (C28), concrete sidewalk area (C29), and concrete pad for heat pump (C30) on the east side of the Teago Building along Pomfret Road;
3. Replacement of three catch basins with sumps and hooded outlets (18-inch pipe) (C17) and a yard drain (ST10 on Sheet C2.1 of the Further Revised Site Plan) in front of and adjacent to the Teago Building (C17) along Pomfret Road;
4. Installation of an ADA accessible parking space and related signage and striping (C5) along Pomfret Road;
5. Installation of a "stop ahead sign" (C18), stop bar and lettering (C19) at the intersection of Pomfret Road and Stage Road, and replacement of the existing contraflow stop sign (C22) with a "pedestrian crossing ahead" sign facing traffic (C26) east of said intersection;
6. Installation of a pedestrian crosswalk (C12) across Stage Road (between the Parking Area and front entrance of the Teago Building) and related signage and detectable warning plates (C6);

7. Installation of two site bollards (C27) north of the Teago Building off Pomfret Road;
8. Paving and striping of the Parking Area (C2) on the south side of Stage Road;
9. Installation of water service line under the Library Street right-of-way (W3 on Sheet C2.1 of the Further Revised Site Plan);
10. Installation of underground electric and data service lines under the Pomfret Road right-of-way (E4 and E5 on Sheet C2.1 of the Further Revised Site Plan); and
11. All other improvements proposed to be made within the town highway right-of-way shown on the Further Revised Site Plan and not specifically referenced above.

### **III. Applicable Statutes and Regulations**

#### **A. Pomfret Zoning Ordinance and Flood Hazard Area Regulations**

The Pomfret Zoning Ordinance (the “Zoning Ordinance”) was substantially amended on May 6, 2020. As the amendments were pending at the time it was issued, the ZBA Decision includes detailed analysis of the Project under the prior and current Zoning Ordinance, and the Pomfret Flood Hazard Area Regulations (the “Flood Regulations”), which were not affected by the Zoning Ordinance amendments.

#### **B. The “ROW Statute” (19 V.S.A. § 1111)**

Pursuant to 19 V.S.A. § 1111(b), only the Selectboard (or its designee) can authorize development encroaching upon a public right-of-way for a town highway. As a condition of any such authorization, compliance with all local ordinances and regulations relating to highways and land use is required. Subject to certain exceptions, including consistency with statutory planning goals and consistency with the approved municipal plan, the Selectboard (or its designee) may also make such rules to adequately protect and promote the safety of the traveling public, maintain reasonable levels of service on the highway system, and protect the public investment in the highway infrastructure.

#### **C. Pomfret Highway Ordinance**

The Pomfret Highway Ordinance (the “Highway Ordinance”) sets forth, among other things, the manner in which town highways are maintained by the Town, and standards for how property owners may access them. [Sections 5.3 and 7.5] In particular, the Highway Ordinance requires certain intersection angles, sight distances and setbacks for roads entering upon town highways. [Section 5.3(k)]

#### **IV. Conclusions of Law**

##### **A. Zoning Ordinance and Flood Regulations**

The ZBA Decision includes detailed conclusions under the Zoning Ordinance and the Flood Regulations with respect to those portions of the Project located outside of the town highway right-of-way. Upon review of the ZBA Decision, the Selectboard has determined that, for purposes of the Zoning Ordinance and Flood Regulations, the portions of the Project located within the town highway right-of-way are substantially similar to those portions located outside of the town highway right-of-way.

As a result, the Selectboard also has determined that the ZBA's conclusions and decisions with respect to the Zoning Ordinance and Flood Regulations should apply to all portions of the Project (both outside of and within the town highway right-of-way), and that all portions of the Project should be subject to the conditions and limitations set forth in the ZBA Decision, in addition to the conditions and limitations set forth herein. However, since the Selectboard is not specifically authorized to grant zoning approvals under these circumstances, and in light of the development of the Further Revised Site Plan, the Applicant must submit an amended application to the ZBA pursuant to Condition G.1 of the ZBA Decision, noted above, to obtain final *zoning* approval of those improvements proposed to be located within the town highway right-of-way. Since the ZBA has already reviewed and approved the vast majority of the Project, the Selectboard anticipates that this will be an abbreviated process, simply involving the extension of the ZBA Decision and conditions to cover all aspects of the Project.

##### **B. ROW Statute**

It is the Selectboard's duty to determine whether to authorize Applicant's activities/structures in the town highway right-of-way. Having examined each of the ROW Improvements, as modified in the Further Revised Site Plan to reflect input from the Selectboard and VTrans, the Selectboard concludes that the work proposed and the ROW Improvements will comply with applicable local ordinances and regulations relating to highways and land use, subject to final ZBA approval thereof.

Subject to the conditions and limitations specified in Section VI below, the Selectboard also concludes that the ROW Improvements will adequately protect and promote the safety of the traveling public, maintain reasonable levels of service on the highway system, and protect the public investment in the highway infrastructure. They are not inconsistent with statutory planning goals or the approved municipal plan.

##### **C. Highway Ordinance**

The Selectboard recognizes that due to its unusual configuration, it is difficult if not impossible for the Property to access the town highway in conformity with the Highway Ordinance. Indeed, existing access from the Parking Area and the area in front of the Teago Building are not presently compliant with the Highway Ordinance.

Applicant proposes to remove the parking area in front of the Teago Building and to modify the Parking Area across Stage Road to improve the highway access intersection angle and sight distance. As such, the Selectboard concludes the ROW Improvements will reduce existing non-conformity with the Highway Ordinance and improve visibility and safety, consistent with the purposes thereof.

## V. Decisions and Permits

Based on information and application materials presented to the Selectboard, the testimony of witnesses, the findings and conclusions described above, and subject to the conditions and limitations specified in Section VI below, the Selectboard decides as follows:

- A. *Zoning Ordinance and Flood Regulations.* The ZBA previously made certain determinations under the Zoning Ordinance and Flood Regulations for elements of the Project located both within and outside of the town highway right-of-way. Given the Selectboard's authority over town highway rights-of-way, the ZBA Decision was necessarily limited to the portions of these elements located outside of the town highway right-of-way. By this decision, the Selectboard authorizes the work and ROW Improvements proposed to be located with the town highway right-of-way, as depicted on the Further Revised Site Plan. The Applicant shall submit an amended application to the ZBA pursuant to Condition G.1 of the ZBA Decision, noted above, to obtain final *zoning* approval of those improvements proposed to be located within the town highway right-of-way.
- B. *ROW Statute.* The ROW Improvements described in Section II.B above and depicted in the Further Revised Site Plan are **approved** for purposes of 19 V.S.A. § 1111(b).
- C. *Highway Ordinance.* The ROW Improvements described above and depicted in the Further Revised Site Plan are **approved** for purposes of Section 7.5 of the Highway Ordinance.

## VI. Conditions and Limitations

The decision described above is subject to the following conditions and limitations:

- A. The Project and related work shall conform in all material respects with the Selectboard Application Materials (i.e., Applicant's submissions, plans, testimony and written representations to the Selectboard) and the ZBA Application Materials, in each case, except as expressly modified herein. Any and all material changes to the Project, Selectboard Application Materials or ZBA Application Materials shall require further review and approval by the Selectboard and/or ZBA under the then-applicable regulations.
- B. The Pomfret Road Foreman (or his designee) may inspect the Project and the

Property upon reasonable notice to Applicant to ensure compliance with this Decision.

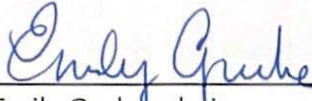
- C. By acceptance of the approvals and permits granted herein, Applicant for itself and its successors and assigns acknowledges and agrees that no such approval or permit shall be construed as a conveyance by the Town of any interest in the town highway right-of-way, or a waiver or relinquishment of its authority therein and thereover, and the Town shall continue to own, operate, control and maintain the town highway right-of-way consistent with its current practice and applicable federal, state and local laws, whether or not the same have been expressly referenced herein. In particular (but not by way of limitation):
  - 1. One or both of the bridges that carry Stage Road and Pomfret Road over the Pomfret Brook will need to be maintained, upgraded and/or replaced in the future, and such work may disturb, damage or require removal of ROW Improvements that have been approved or permitted by this Decision.
  - 2. Upon completion of the Project, it may become apparent that the safety of the traveling public, level of service on the highway system and/or investment in the highway infrastructure (or similar conditions) require alteration to or the removal of certain ROW Improvements that have been approved or permitted by this Decision.
  
- D. To adequately protect and promote the safety of the traveling public, maintain reasonable levels of service on the highway system, and protect the public investment in highway infrastructure, Applicant shall, within 60 days after issuance of this Decision, submit to the Town, in a form acceptable to the Town, an Irrevocable Offer of Dedication and Bill of Sale for the catch basins, yard drain, traffic control and safety related signage and detectable warning plates described in Sections II.B.3, II.B.5 and II.B.6 above, and appurtenances to each of the foregoing. Thereafter, upon completion of the Project and inspection by the Town, the Selectboard may, in its sole discretion and upon proper motion, accept ownership, control and maintenance of any of the improvements that are the subject of the Irrevocable Offer of Dedication and Bill of Sale, pursuant to the terms thereof.
  
- E. By acceptance of the approvals and permits granted herein, Applicant for itself and its successors and assigns, acknowledges and agrees that if the Town in its sole but reasonable discretion acts for any reason to operate, control and maintain the town highway right-of-way (including to address the actions/conditions described in Section VI.C.1 or VI.C.2 above):

1. The Town, in its sole but reasonable discretion, may require Applicant, at Applicant's sole cost and expense, to alter, remove, repair or replace ROW Improvements that have been approved or permitted by this Decision (excluding those ROW Improvements that previously have been accepted by the Town pursuant to the Irrevocable Offer of Dedication and Bill of Sale), in order to take such actions or address such conditions referenced above. In the event of an emergency, the Town may act directly to alter, remove, repair or replace ROW Improvements and seek reimbursement from Applicant for the reasonable cost of such work.
  2. Applicant shall waive, release, and discharge the Town from any suit, claim or action, for damages, injunctive relief or otherwise, that Applicant, its members, officers, employees, agents, successors and assigns may have in connection with ROW Improvements that have been approved or permitted by this Decision and/or arising out of work necessary to take such actions or address such conditions referenced above.
- F. The Project and related work shall conform to all applicable federal, state and local laws, ordinances and regulations, whether or not the same have been expressly referenced herein, including (but not limited to):
1. VTrans Standard E-193 for placement of the stop bar described in Section II.B.5 above; and
  2. Paragraph (c)(1) of 19 V.S.A. § 1111 requiring that excavation and backfilling in the town highway right-of-way be done under the supervision of an agent of the Town, which shall be the Pomfret Road Foreman or his designee. Failure to perform such work or to timely restore the town highway right-of-way in manner satisfactory to the Town may result in the Town completing the work at Applicant's expense; *provided, however*, the Town shall give timely notice to Applicant of any defects, and Applicant upon receipt of notice, shall have a reasonable time in which to repair such defects.
- G. This Decision applies only to the subject matter contained herein. The conformity of any other structures, uses or activities with applicable federal, state and local laws, ordinances and regulations was not considered and is not addressed in this Decision. Any prior decision of the Selectboard or ZBA affecting the Property, the Project, or any other structure, use or activity shall continue in full force and effect, except as provided herein.

\* \* \* \* \*



This Decision approved at Pomfret, Vermont, this 4th day of November, 2020.

A handwritten signature in blue ink that reads "Emily Grube". The signature is written in a cursive style and is positioned above a horizontal line.

Emily Grube, chair  
Pomfret Selectboard

**NOTICE:** This Decision may be reviewed in the manner provided by law pursuant to Rule 75 of the Vermont Rules of Civil Procedure.

**EXHIBIT A**

Further Revised Site Plan

*Begins next page.*

# FLOOD PLAIN NOTES

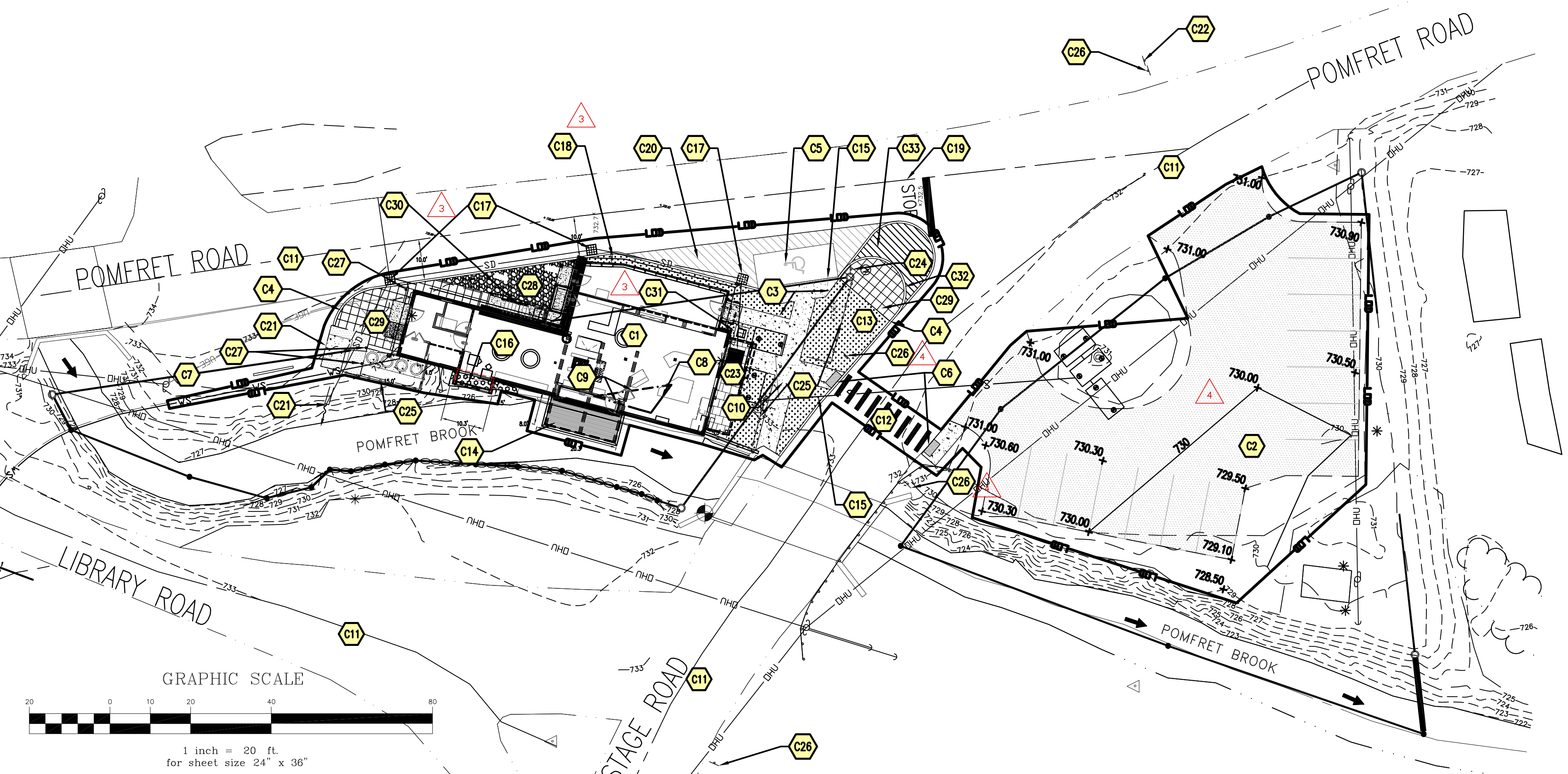
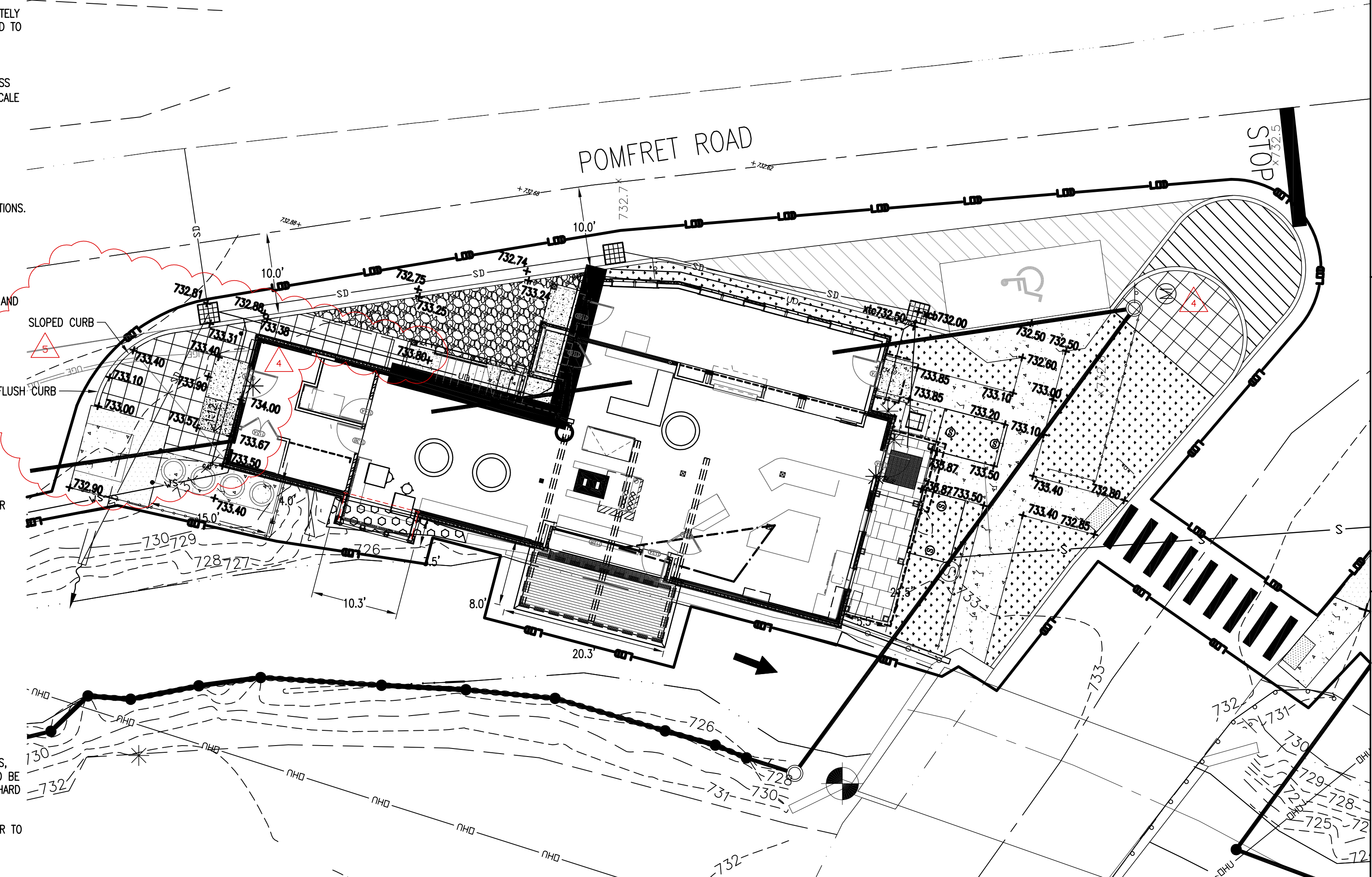
1. THE EXISTING FINISHED FLOOR ELEVATION OF THE BUILDING IS 734.0 FEET ABOVE SEA LEVEL. THE BUILDING IS IN A ZONE A FLOODPLAIN (FLOODPLAIN WITHOUT A PUBLISHED BASE FLOOD ELEVATION [BFE]). THE BFE IS APPROXIMATELY 733.0, CALCULATED USING THE FEMA CONTOUR INTERPOLATION METHOD. THIS IS ONE FOOT BELOW THE FIRST FLOOR ELEVATION. ALL MECHANICAL EQUIPMENT SHALL BE REMOVED FROM THE BASEMENT AND THE BASEMENT CONVERTED TO AN "ENCLOSED FLOOR BELOW THE FIRST FLOOR" IN WHICH ONLY STORAGE IS ALLOWED. IN ADDITION, IF THE BOTTOM OF THE STRUCTURE IS NO LOWER THAN 733.0 THEN THERE IS NO NEW STRUCTURE WITHIN THE FLOOD WAY, THEREFORE THE PROPOSED DEVELOPMENT MEETS THE POMFRET FLOOD HAZARD AREA REGULATIONS.
2. COORDINATES ARE SHOWN IN U.S. SURVEY FEET AS REFERENCED TO THE VERMONT STATE PLANE COORDINATE SYSTEM, NAD\_83(2011)(EPOCH:2010.0000) AS ESTABLISHED WITH SPECTRA PRECISION EPOCH 50, DUAL FREQUENCY GNSS RECEIVERS UTILIZING THE VERMONT VECTOR ADT REAL TIME NETWORK (VRS) SYSTEM AND THE NATIONAL GEODETIC SURVEY OPUS/OPUS-RS STATIC SOLUTIONS SERVICE. DISTANCES ARE GROUND WITH AN AVERAGE COMBINED GRID SCALE FACTOR OF 0.999934.
3. BEARINGS ARE REFERENCED TO VERMONT STATE PLANE GRID NORTH (NAD 83) BY UTILIZING GNSS SURVEY METHODS AS DESCRIBED.
4. THIS PROPERTY IS SUBJECT TO, OR BENEFITED BY ALL EASEMENTS AND RIGHTS OF RECORD, UNWRITTEN OR IMPLIED.
5. POMFRET ROAD, STAGE ROAD AND LIBRARY STREET WERE ASSUMED TO BE 3 ROD (49.5 FEET) WIDE RIGHTS-OF-WAYS. THE CENTERLINE OF THE EXISTING TRAVELLED WAYS WERE ASSUMED TO BE THE CENTERLINE OF THE RIGHTS-OF-WAY, PURSUANT TO TITLE 19, VSA SECTIONS 32 AND 702; 1.5 RODS (24.75 FEET) EITHER SIDE OF THE CENTERLINE OF THE EXISTING TRAVELLED WAY. THE RIGHTS-OF-WAYS WERE NOT INCLUDED IN THE AREA CALCULATIONS. THE EXCEPTION TO THIS IS THAT THE POMFRET ROAD FROM MONUMENT #1036 TO MONUMENT #1033 WAS NOT ASSUMED TO BE 3 RODS WIDE, BUT WAS FOUND TO BE PART OF A 3 ROD WIDE HIGHWAY AS DESCRIBED IN A SEPTEMBER, 1824 HIGHWAY LAYOUT WHICH IS RECORDED IN TOWN RECORDS BOOK: VOL. 2, PAGE 73.

# GENERAL NOTES

1. EXACT OBJECT LOCATIONS MAY DIFFER FROM THAT AS SHOWN, AND ADDITIONAL SUB-SURFACE AND SURFACE UTILITIES AND STRUCTURES MAY EXIST. THE CONTRACTOR IS TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK AND TO CALL DIG SAFE 72 HOURS PRIOR TO ANY DIGGING, DRILLING OR BLASTING.
2. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT THE EXPRESSED APPROVAL FROM THE ENGINEER.
3. THE CONTRACTOR IS INSTRUCTED TO COOPERATE WITH ANY AND ALL OTHER CONTRACTORS PERFORMING WORK ON THIS JOB SITE DURING THE PERFORMANCE OF THIS CONTRACT.
4. THE CONTRACTOR SHALL RESTORE LAWNS, DRIVEWAYS, CULVERTS, SIGNS AND OTHER PUBLIC OR PRIVATE PROPERTY DAMAGED OR REMOVED TO EXISTING CONDITIONS OR BETTER AS DETERMINED BY THE ENGINEER. ANY DAMAGED TREES, SHRUBS AND/OR HEDGES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE, UNLESS NOTED OTHERWISE.
5. THE CONTRACTOR SHALL COMPLY WITH ALL REQUIRED PERMITS.
6. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING, AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, AND CERTIFICATES.
7. THE CONTRACTOR WILL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE ENGINEER OR OWNER SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE UNDER THE SUPERVISION OF A NEW HAMPSHIRE STATE LICENSED LAND SURVEYOR.
8. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE ALL PLAN SHEETS AND SPECIFICATIONS, AND COORDINATE WORK WITH ALL CONTRACTS FOR THE SITE.
9. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONDUCT EXPLORATORY TEST PITS AS MAY BE REQUIRED TO DETERMINE UNDERGROUND CONDITIONS.
10. ALL TRENCH EXCAVATION AND ANY REQUIRED SHEETING AND SHORING SHALL BE DONE IN ACCORDANCE WITH THE LATEST OSHA REGULATIONS FOR CONSTRUCTION.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING AND THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF WORK.
12. MAINTAIN FLOW FOR ALL EXISTING UTILITIES, UNLESS NOTED OTHERWISE.
13. ALL SITE FILL SHALL MEET REQUIREMENTS OF THE GEOTECHNICAL REPORT UNLESS NOTED OTHERWISE ON THE DRAWINGS.
14. CONTRACTOR TO GRADE ALL AREAS ON THE SITE TO PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDINGS AND IMPERVIOUS SURFACES.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL FIELD LAYOUT.
16. THE CONTRACTOR SHALL RECORD NORTHING, EASTING (STATE PLANE COORDINATES) AND ELEVATION ON ALL UNDERGROUND UTILITY LINES AT BENDS, GRADE CHANGES, CROSSINGS WITH OTHER UNDERGROUND UTILITIES, STRUCTURES, VALVES AND CLEANOUTS DURING CONSTRUCTION. RECORD PLANS SHALL BE COMPILED AND SUBMITTED IN AUTOCAD FORMAT WITH THREE SETS OF HARD COPY TIE SHEETS. RECORD UTILITY PROFILES AND DETAIL SHEETS NEED TO BE ANNOTATED TO REFLECT ANY PROJECT MODIFICATIONS OR ADDENDA DISTRIBUTED DURING THE CONSTRUCTION PHASE. RECORD PROFILES AND DETAIL SHEETS SHALL BE PROVIDED IN PDF FORMAT WITH THREE SETS OF FULL SIZE HARD COPIES. RECORD DRAWINGS SHALL BE REVIEWED AND ACCEPTED BY THE LEBANON DEPARTMENT PUBLIC WORKS BEFORE UTILITIES WILL BE ACCEPTED BY THE OWNER.
17. CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER INSTALLATION, MONITORING, MAINTENANCE AND REMOVAL OF ALL TEMPORARY EROSION CONTROL MEASURES AND TAKING PRECAUTIONARY STEPS TO AVOID ANY SEDIMENT TRANSFER TO NEIGHBORING SITES OR WATERS OF THE STATE.

# PROPOSED SITE FEATURES

- C1** RENOVATED BUILDING. REFER TO ARCHITECTURAL PLANS.
- C2** BOX CUT AND REMOVE EXISTING GRAVEL PARKING AREA AND INSTALL NEW SUBBASE AND PAVEMENT. LOWER PARKING AREA AND ADJACENT GRASS AREA 3' FROM EXISTING GRADE AND PROVIDE POSITIVE DRAINAGE OFF OF PARKING AREA FOR COMPENSATORY STORAGE FOR FILL AROUND STORE.
- C3** 4'-0" WIDE CONCRETE SIDEWALK
- C4** 6" GRANITE CURB SEE DETAILS
- C5** PAVED ADA PARKING (STANDARD AND VAN ACCESSIBLE), SIGN AND STRIPING.
- C6** DETECTABLE WARNING PLATES (TYP.).
- C7** PROPERTY LINE
- C8** FRONT PROPERTY SETBACK
- C9** SIDE PROPERTY SETBACK
- C10** 5'-0" WIDE CONCRETE SIDEWALK
- C11** CENTER OF RIGHT OF WAY
- C12** PEDESTRIAN CROSS WALK UTILIZING PREFORMED THERMOPLASTIC MARKINGS. COORDINATE INSTALLATION WITH POMFRET DEPARTMENT OF PUBLIC WORKS. PEDESTRIAN WARNING SIGN BOTH SIDES WITH DOWN ARROW IMMEDIATELY ADJACENT TO THE CROSSWALK ON BOTH APPROACHES
- C13** NEW LAWN AREA.
- C14** PROPOSED DECK LOCATION 162 SF (20.3' X 8')
- C15** FLUSH CURB
- C16** PROPOSED BAY WINDOW 36.2 SF (10.3' X 3.5')
- C17** NEW 4" DIAMETER CATCH BASIN WITH 2' SUMP AND HOODED-OUTLET 18" HDPE PIPE
- C18** NEW STOP AHEAD SIGN
- C19** 24" STOP BAR AND 8" LETTERS (COORDINATE WITH POMFRET DPW AND VTRANS)
- C20** STRIPED ADA PARKING SPACE
- C21** DUMPSTER WITH CONCRETE PAD
- C22** REMOVE STOP SIGN (COORDINATE WITH POMFRET DPW AND VTRANS)
- C23** NEW PORCH 162 SF (7' X 23.1')
- C24** ADA PARKING SIGN
- C25** PICKET FENCE
- C26** PEDESTRIAN CROSSING AHEAD SIGN
- C27** BOLLARD
- C28** LANDSCAPE AREA WITH STONES
- C29** CONCRETE SIDEWALK WITH 24" SQUARE CUT SAW-JOINTS
- C30** CONCRETE PAD FOR HEAT PUMP
- C31** CONCRETE PAD FOR MAIL BOX
- C32** MOUNTABLE SLOPED GRANITE CURB
- C33** PAVEMENT STRIPING



THE CARRIAGE HOUSE  
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ARCHITECT:  
BANWELL ARCHITECTS  
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T: (603) 448-3778

CONSTRUCTION MANAGER:  
DEW CONSTRUCTION  
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CIVIL ENGINEER:  
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STRUCTURAL ENGINEER:  
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MECH / PLUMB ENGINEER:  
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ELECTRICAL ENGINEER:  
ENGINEERING SERVICES OF VERMONT  
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RUTLAND, VT 05701  
T: (802) 855-8091



REVISION	DATE	COMMENTS
3	5/14/2020	ADDENDUM #3
4	10/1/2020	PERMIT AND TOWN COMMENTS
5	10/13/2020	REAR DOOR GRADES

PROJECT:  
TEAGO GENERAL STORE  
2035 POMFRET RD, SOUTH POMFRET, VT 05067

ISSUED:  
FOR CONSTRUCTION

DRAWING TITLE:  
PROPOSED CONDITIONS SITE PLAN

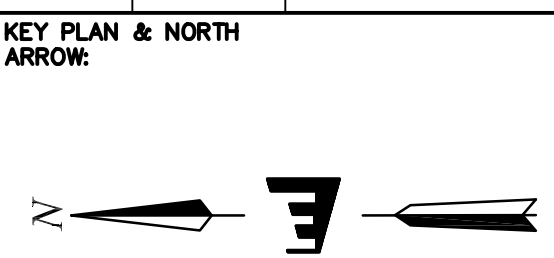
PROJECT NO: 19-512 DATE: 4/15/2020

SHEET NUMBER:  
C2.0

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REVISION	DATE	COMMENTS
3	5/14/2020	ADDENDUM #3
4	10/1/2020	PERMIT AND TOWN COMMENTS
5	10/29/2020	ADDED POWER POLE



PROJECT:  
TEAGO GENERAL STORE  
2035 POMFRET RD, SOUTH POMFRET, VT 05067

ISSUED:  
FOR CONSTRUCTION

DRAWING TITLE:  
PROPOSED UTILITY SITE PLAN

PROJECT NO: 19-512 DATE: 4/15/2020

SHEET NUMBER:  
C2.1

**WATER NOTES**

- W1 PROPOSED WATER LINE CONNECTION TO ARTISTREE WATER SYSTEM
- W2 55ft +/- OF 2" HDPE NSF-PW WATER LINE VIA OPEN TRENCH EXCAVATION
- W3 100FT +/- OF 2" HDPE NSF-PW WATER LINE VIA DIRECTIONAL DRILL BELOW LIBRARY ROAD AND POMFRET BROOK
- W4 55FT +/- OF 2" HDPE NSF-PW WATER LINE VIA OPEN TRENCH EXCAVATION
- W5 SERVICE CONNECTION TO STORE, PROVIDE BACKFLOW PREVENTION INSIDE BUILDING
- W6 FLUSHING HYDRANT
- W7 ABANDON AND CLOSE WELL. SEE NOTE BELOW

**VT ANR-DEC CH 21, APP. A, 12.3.5**

12.3.5 CLOSURE OF ABANDONED WELLS

12.3.5.1 ALL ABANDONED WELLS SHALL BE CLOSED TO PREVENT THE CONTAMINATION OF GROUND OR SURFACE WATER RESOURCES, THE MIGRATION OF FLUIDS, AND RISKS TO THE HEALTH AND SAFETY OF THE PUBLIC.

12.3.5.2 PRIOR TO CLOSING, ALL WELLS OR HOLES SHALL BE CLEARED OF ANY PUMPS, WIRES, PIPING, OR OTHER MATERIALS WHICH MAY INTERFERE WITH EFFECTIVE CLOSING.

12.3.5.3 AN ABANDONED WELL OR HOLE SHALL BE COMPLETELY FILLED WITH A GROUT OR OTHER MATERIAL TO RENDER THE BORE HOLE AT LEAST AS IMPERVIOUS AS THE SURROUNDING NATIVE MATERIAL. CONTAMINATED WELLS SHALL BE CLOSED WITH GROUT MATERIAL FOR THE FULL DEPTH OF THE WELL OR AT LEAST THE ZONE SHOWN TO BE CONTAMINATED. IF A FLOWING WELL IS TO BE ABANDONED, IT SHALL BE CLOSED TO PREVENT FLUIDS FROM FLOWING OUT OF THE WELL.

**SEWER NOTES**

- SS1 4" PVC KITCHEN WASTE ONLY SEWER SERVICE, SLOPE AT 2%
- SS2 1,000 GAL BURIED CONCRETE GREASE TANK
- SS3 4" PVC DOMESTIC ONLY SEWER SERVICE SLOPED AT 2%
- SS4 CONNECT TO EXISTING SEWER LINE VERIFY INVERT ELEVATION IN THE FIELD PRIOR TO INSTALLATION OF TANKS AND SERVICE LINES.
- SS5 1,500 GAL BURIED CONCRETE SEPTIC TANK TO REPLACE EXISTING SEPTIC TANK

**ELECTRICAL AND TELECOMM NOTES**

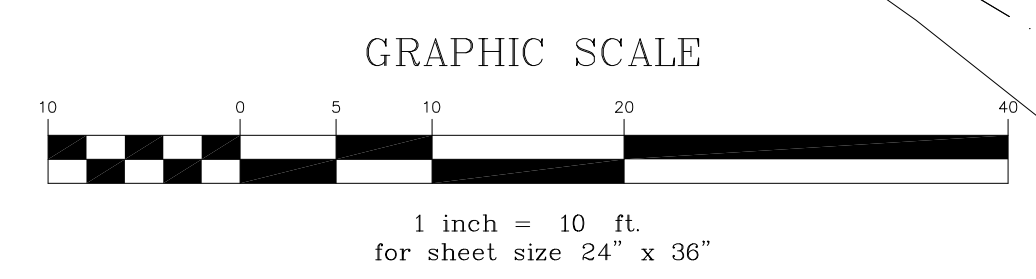
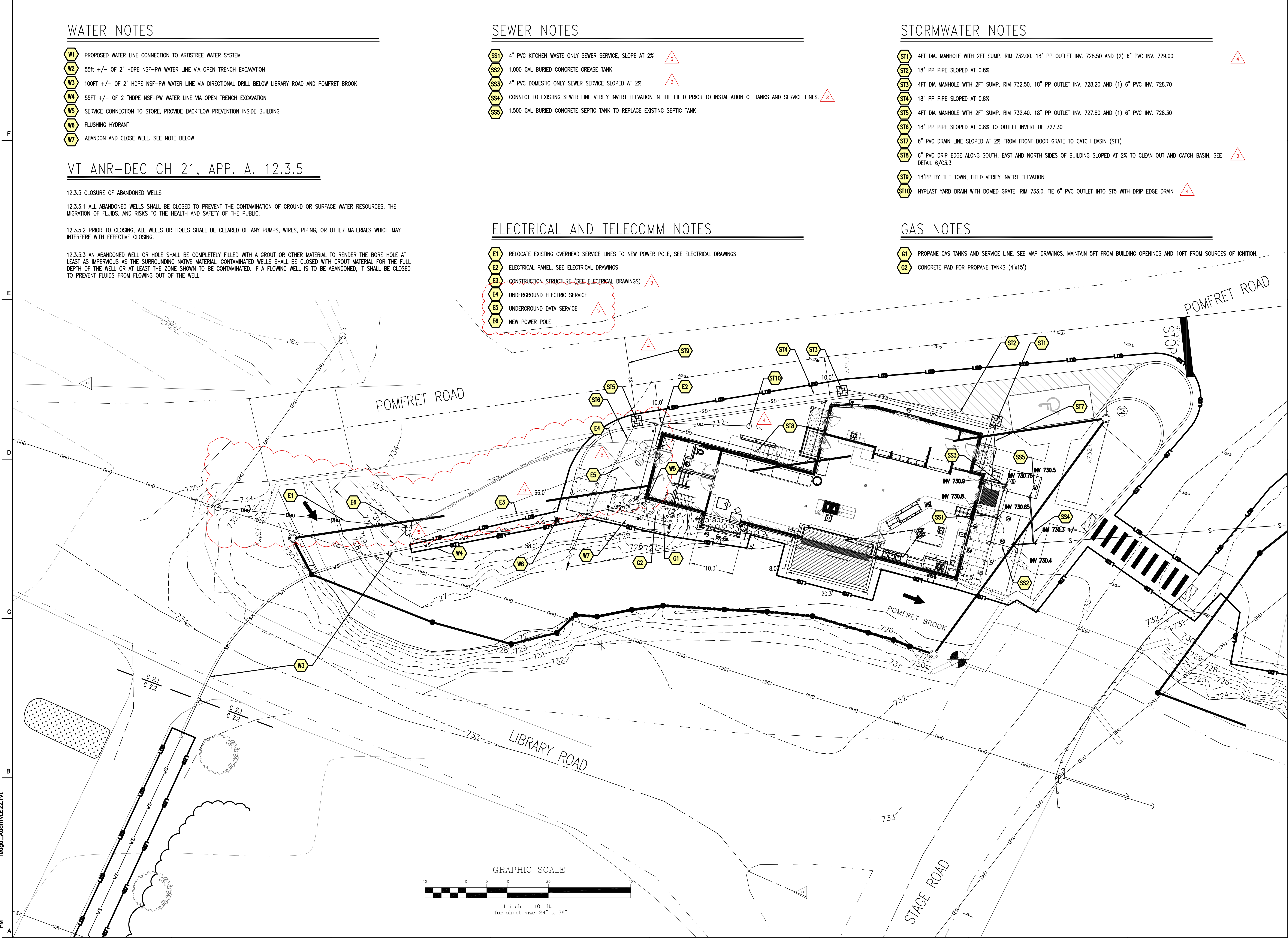
- E1 RELOCATE EXISTING OVERHEAD SERVICE LINES TO NEW POWER POLE, SEE ELECTRICAL DRAWINGS
- E2 ELECTRICAL PANEL, SEE ELECTRICAL DRAWINGS
- E3 CONSTRUCTION STRUCTURE (SEE ELECTRICAL DRAWINGS)
- E4 UNDERGROUND ELECTRIC SERVICE
- E5 UNDERGROUND DATA SERVICE
- E6 NEW POWER POLE

**STORMWATER NOTES**

- ST1 4FT DIA. MANHOLE WITH 2FT SUMP. RIM 732.00. 18" PP OUTLET INV. 728.50 AND (2) 6" PVC INV. 729.00
- ST2 18" PP PIPE SLOPED AT 0.8%
- ST3 4FT DIA. MANHOLE WITH 2FT SUMP. RIM 732.50. 18" PP OUTLET INV. 728.20 AND (1) 6" PVC INV. 728.70
- ST4 18" PP PIPE SLOPED AT 0.8%
- ST5 4FT DIA. MANHOLE WITH 2FT SUMP. RIM 732.40. 18" PP OUTLET INV. 727.80 AND (1) 6" PVC INV. 728.30
- ST6 18" PP PIPE SLOPED AT 0.8% TO OUTLET INVERT OF 727.30
- ST7 6" PVC DRAIN LINE SLOPED AT 2% FROM FRONT DOOR GRATE TO CATCH BASIN (ST1)
- ST8 6" PVC DRIP EDGE ALONG SOUTH, EAST AND NORTH SIDES OF BUILDING SLOPED AT 2% TO CLEAN OUT AND CATCH BASIN, SEE DETAIL 6/C3.3
- ST9 18"PP BY THE TOWN, FIELD VERIFY INVERT ELEVATION
- ST10 NYPLAST YARD DRAIN WITH DOMED GRATE. RIM 733.0. TIE 6" PVC OUTLET INTO ST5 WITH DRIP EDGE DRAIN

**GAS NOTES**

- G1 PROPANE GAS TANKS AND SERVICE LINE. SEE MAP DRAWINGS. MAINTAIN 5FT FROM BUILDING OPENINGS AND 10FT FROM SOURCES OF IGNITION.
- G2 CONCRETE PAD FOR PROPANE TANKS (4'x15')



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