LAVIN PROPERTY

EXISTING CONDITIONS REPORT – **8/18/2026**

Northwest Regional Planning Commission

BACKGROUND AND SUMMARY

The Lavin Property was purchased by the Town of South Hero in 2025. The property consists of 100.67 Acres located off Route 2 and Lavin Lane. The Lavin Property was subdivided into eight separate lots in 2023, and Lots 1, 4, 5, 6, 7 and 8 were acquired by the Town. Lot 2 is privately owned, and Lot 3 is owned by CIDER.

The main purpose of purchasing this land was for a community wastewater system serving the Village. The wastewater system is currently in the preliminary design phase. The property also contains a substantial amount of land that will not be needed for the community wastewater system. The purpose of this report is to document existing conditions on the Lavin Property that can help guide decisions on how this land will be used.

The **Introduction** shows the Adjacent Land Uses (Map 1) and Topography (Map 2) of the property. The report is then divided into two main sections: Development Constraints and Other Land Use Constraints.

Development constraints are mapped features that have a direct impact on where you can build. For example, if a Class II wetland is present, most things can't be built on that portion of the site. There are certain uses however that can be permitted or permitted with conditional use approval. The following development constraints are documented in this report:

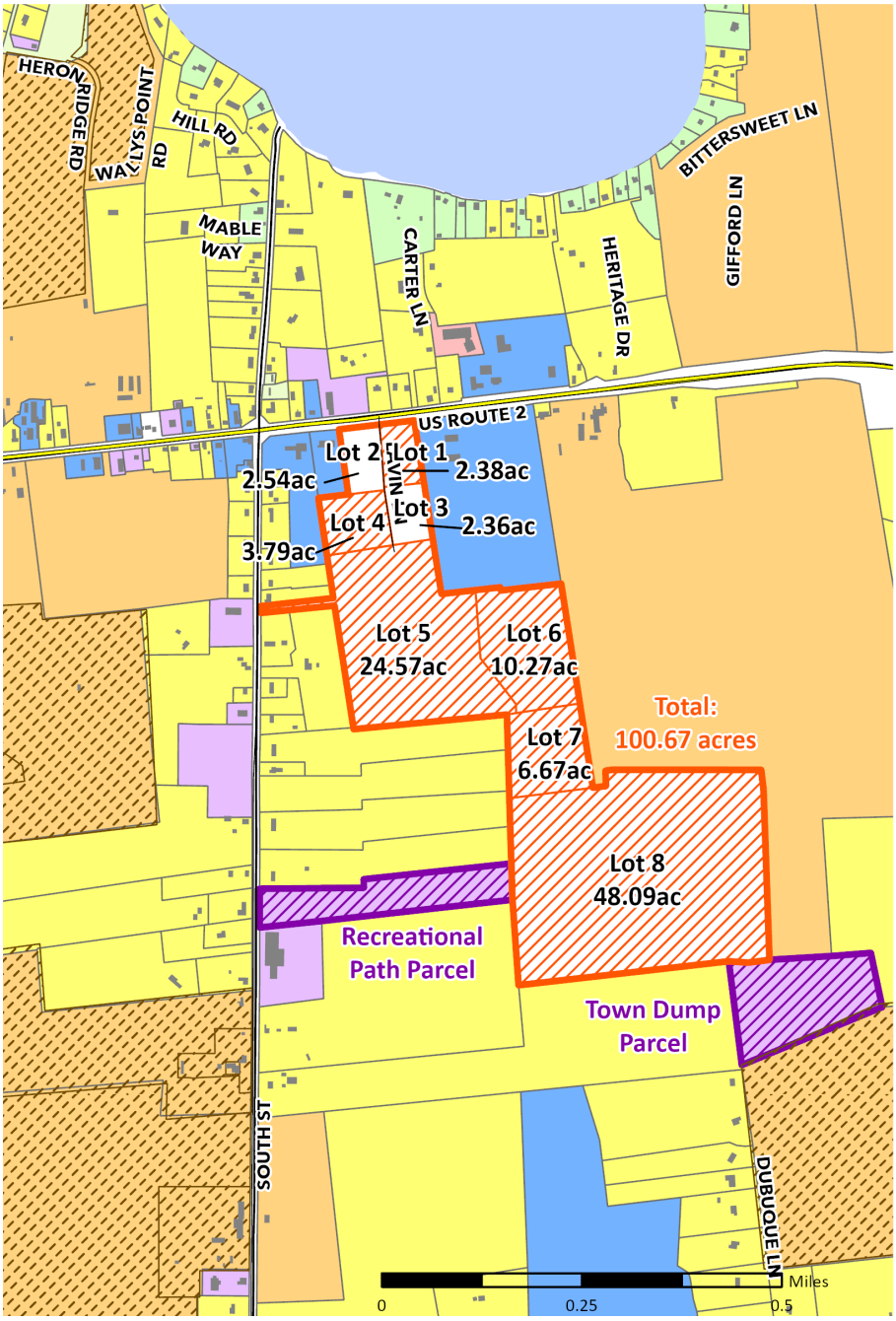
- Easements (Map 3)
- Zoning Requirements (Map 4)
- Class II Wetlands (Map 5)
- River Corridors and Flood Hazard Areas (Map 6)

All development constraints are shown on Map 7.

This report also documents **other land use constraints** that should still be considered in site design. For example, the Town may want to plan the site in a way that preserves blocks of forest for their recreational and habitat value. The following other land use constraints are documented in this report:

- Preliminary Wastewater Sites (Map 8)
- Forest and Wildlife Habitat (Map 9)
- Prime Agricultural Soils (Map 10)
- Trail Connections (Map 11)

All constraints from both sections are shown on Map 12.



Map 1: Context and Land Use

Lavin Property Boundary
Town-Owned Lavin Parcels
Other Adjacent Town-Owned Parcels

Current Land Use

Residential - Single Unit
Residential - Multiunit
Residential - Seasonal
Agricultural
Commercial
Public / Municipal
Conservation Easement

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Vermont Coordinate System
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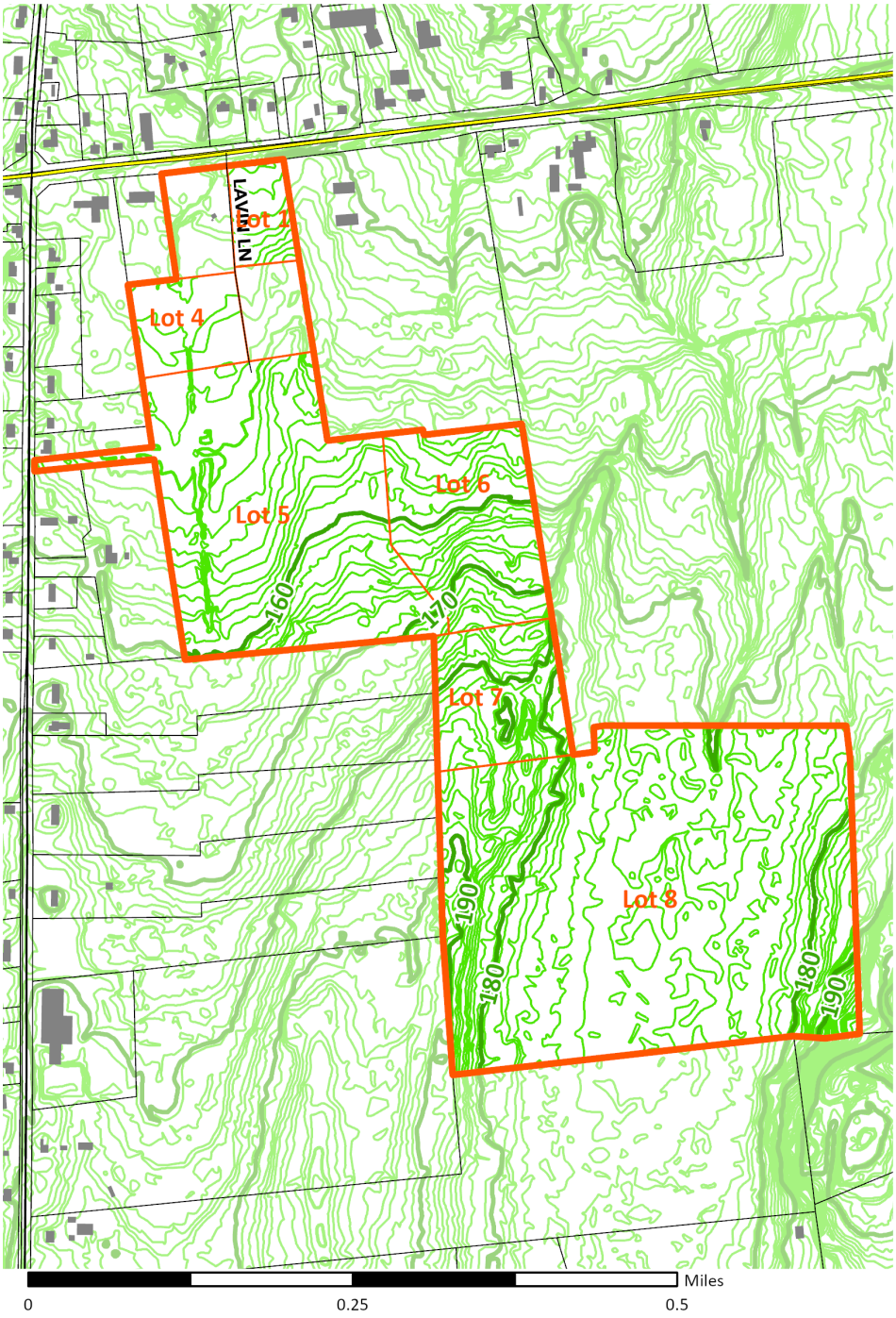
Prepared by:
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May 2026.

Source: South Hero Grand List via VCGI Parcel Data

CONTEXT AND LAND USE

The Lavin Property is located in South Hero Village, the main commercial and civic center of the Town. The total property is 100 acres, with town-owned portions totaling about 95 acres. The property has frontage on Route 2, Lavin Lane, and a small portion of South Street.

The Lavin Property is bordered by two other town-owned properties: the Recreational Path parcel and the Town Dump parcel. The Property is also bordered by several residential properties, three commercial properties on Route 2, and a large farm.



Map 2: Topography

Lavin Property Boundary
1-foot Contours
10-foot Contours
170 Elevation

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Source: VCGI Lidar Program

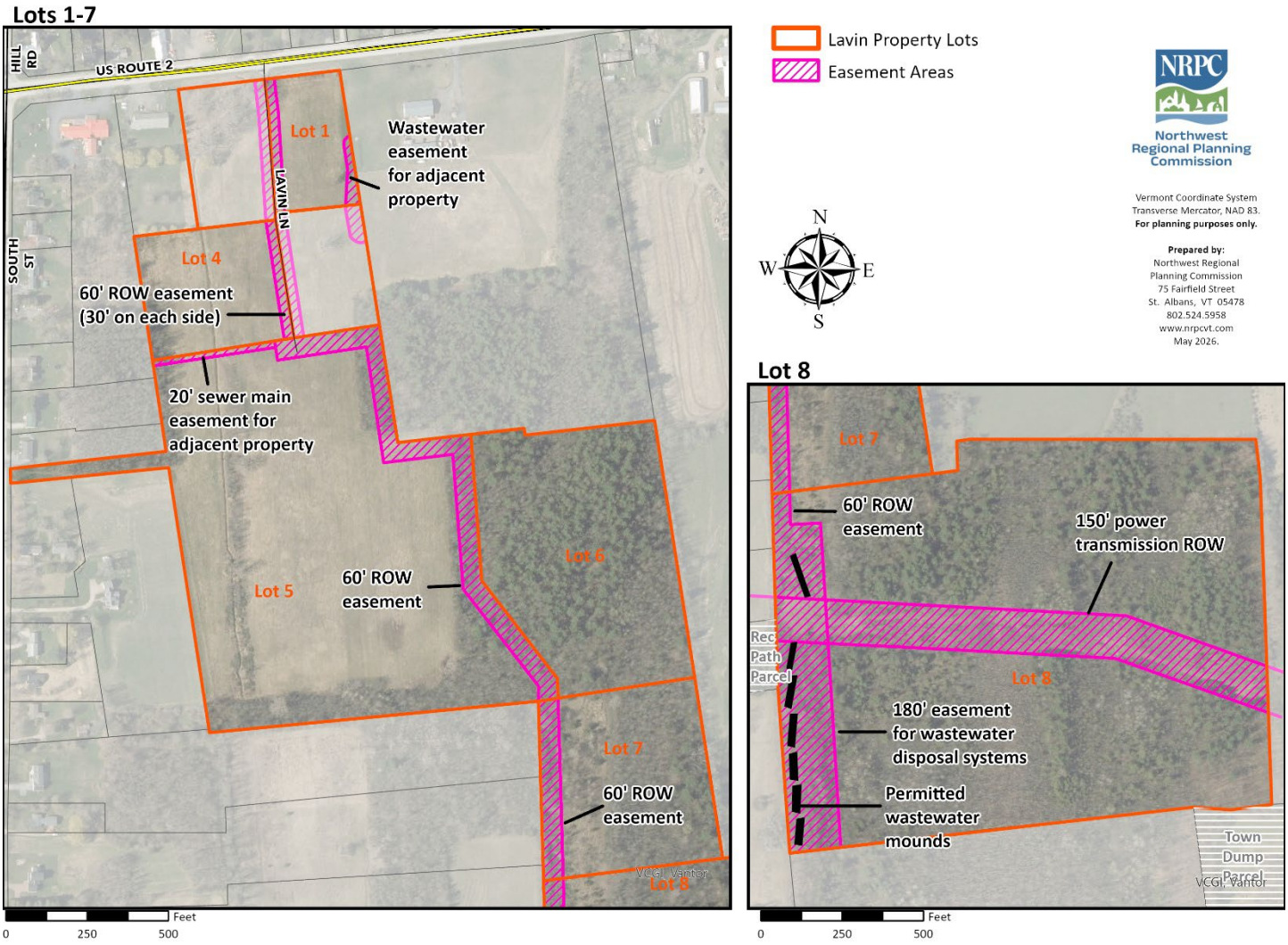
TOPOGRAPHY

The elevation of the Lavin Property ranges from about 150 to 190 feet above sea level, rising gradually southward from Lot 1 to Lot 8. The map above shows 1- and 10-foot contour lines on the Lavin Property. A linear swale on the west side of Lot 5 is visible on the contour map. There is also a small depression on Lot 7 associated with a vernal pool. The highest points on the property are on the east and west edges of Lot 8. Both sides of Lot 8 slope downward about 20 feet to a large wetland complex in the middle of the lot.

DEVELOPMENT CONSTRAINTS

This section of the Existing Conditions Report documents development constraints on the Lavin Property that affect where structures can be built: Easements, Zoning, Wetlands, and Flood Hazard Areas/River Corridors. All development constraints are shown together on Map 7 at the end of this section.

Map 3: Easements



Source: Lavin Lots 1-8 Subdivision Plan (David A. Tudhope, May 2023)

EASEMENTS

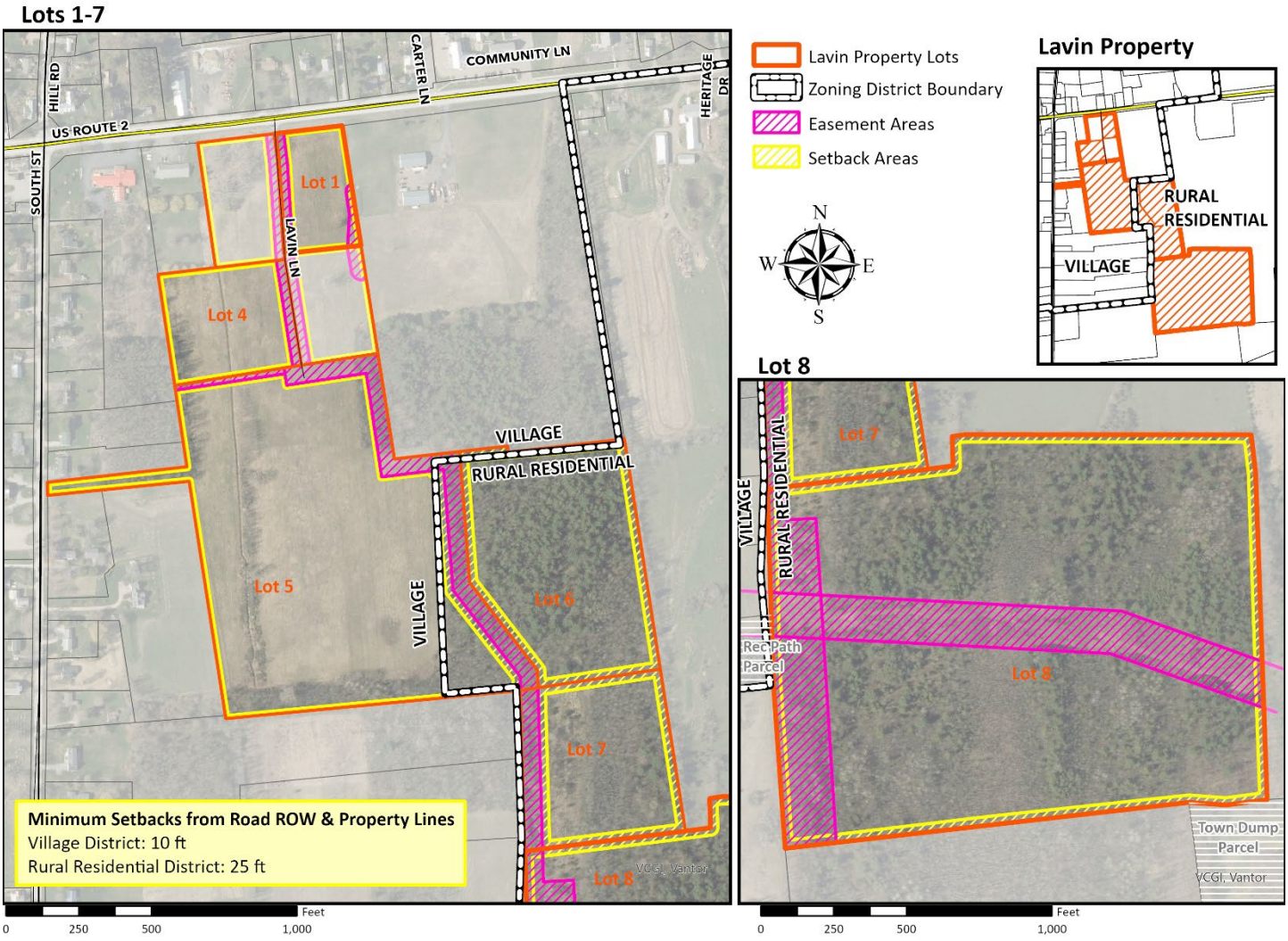
According to the most recent property survey conducted in 2023, there are several easements on the Lavin Property:

- A 60-foot right-of-way easement that follows Lavin Lane and extends further to Lots 5, 6, 7 and 8. This right-of-way is intended to provide access to all lots.
- A 150-foot easement on Lot 8 for the power lines that cross the property.
- A 180-foot easement on the west side of Lot 8 for seven previously permitted wastewater mounds intended to serve all of the Lavin lots.

- A 20-foot sewer main easement on Lot 5 intended to serve the adjacent commercial property currently occupied by Viva Marketplace and Seb's Snack Bar.
- An easement on Lot 1 associated with existing wastewater mounds on the adjacent commercial property currently occupied by Island Racing Service.

Generally, these easements must be kept free of structures during any development of the Lavin Property.

Map 4: Zoning and Setbacks



Source: NRPC digital zoning boundary data; 2024 South Hero Development Regulations

ZONING

The Lavin Property is located in South Hero's Village and Rural Residential zoning districts. South Hero's zoning regulations were most recently updated in 2024. Setbacks associated with both districts are shown on the map above. Each district also has additional dimensional standards for what can be built on the property. Dimensional standards for both districts are summarized on the next page:

Dimensional Standards		
	Village	**Rural Residential**
Minimum Lot Size	No minimum	1 acre
Minimum Road ROW Frontage for Lots	50 feet	125 feet
Maximum Height	40 feet	35 feet
Minimum Setback from road ROW and property lines	10 feet	25 feet

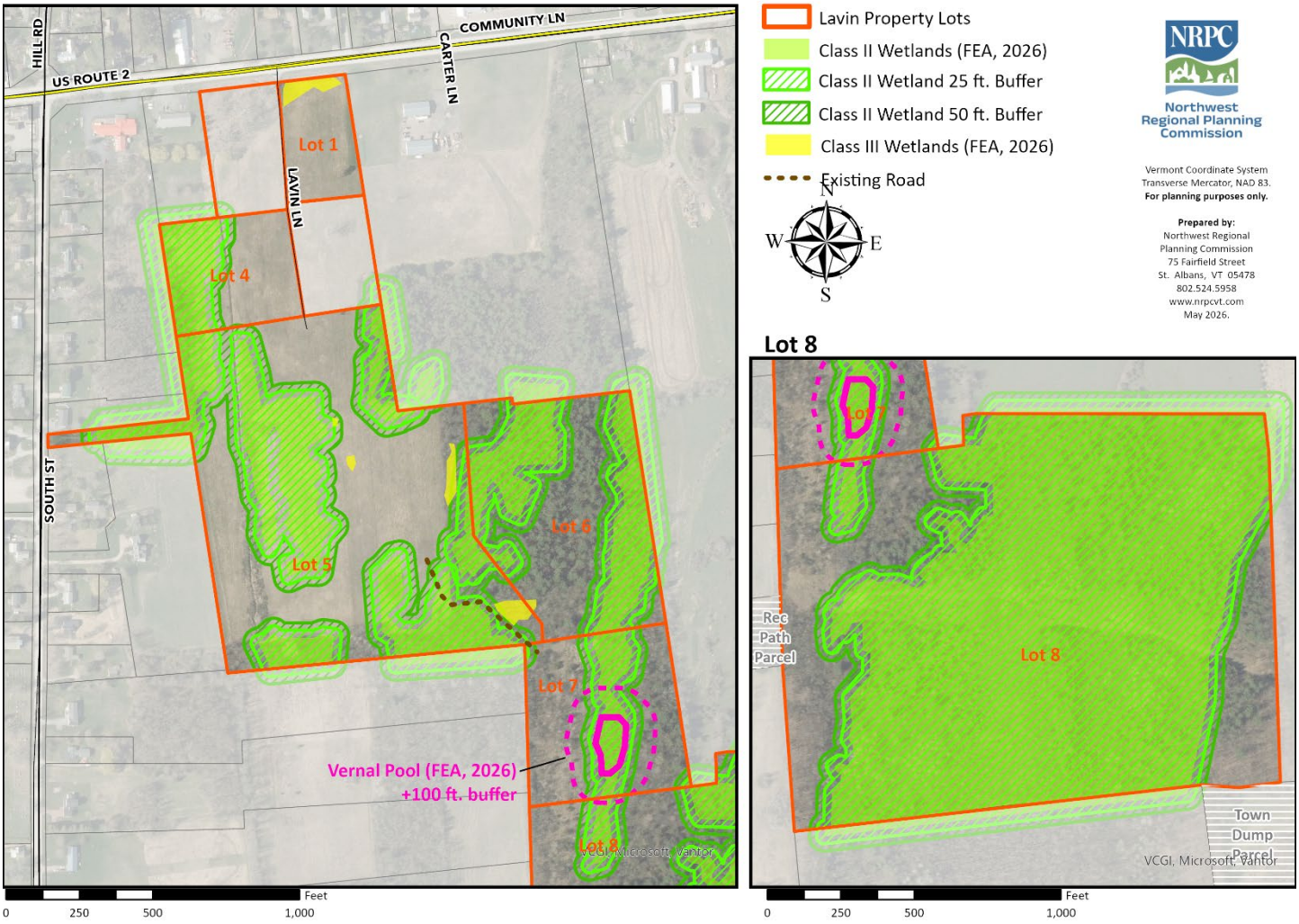
In addition to dimensional standards, each district has different uses that are permitted, conditionally permitted, or prohibited. Some uses also have requirement for site plan review. Uses for both districts are summarized below:

Allowed Uses		
	Village	**Rural Residential**
Child Care, Lodging, Professional Services, Retail, and Restaurants	Permitted with Site Plan Review	Conditionally Permitted with Site Plan Review
Earth Resource Extraction, Storage Facilities	Prohibited	Conditionally Permitted with Site Plan Review
Other commercial uses	Conditionally Permitted with Site Plan Review	Conditionally Permitted with Site Plan Review
Multi-Household Dwelling (>2 units)	Permitted with Site Plan Review	Conditionally Permitted with Site Plan Review
Other residential uses	Permitted	Permitted
Public Recreation	Permitted with Site Plan Review	Permitted with Site Plan Review
Public or Semi-Public Facilities	Conditionally Permitted with Site Plan Review	Conditionally Permitted with Site Plan Review

The Rural Residential district has a requirement for Conditional Uses that 30% of the lot must be set aside for green space. The Rural Residential district also allows for Planned Unit Developments (PUDs), which offer more flexible choices for meeting zoning requirements.

Map 5: Wetlands

Lots 1-7



Source: *South Hero – Lavin Property Wetland Map*. Fitzgerald Environmental Associates, 2026.

WETLANDS

Wetlands on the Lavin Property were delineated by Fitzgerald Environmental Associates (FEA) in Spring 2026. In Vermont, Class II wetlands are regulated by VT ANR under the Vermont Wetland Rules. Generally, most development within 50 feet of Class II wetlands requires a Conditional Use Permit, which is only granted in certain cases. Class II wetlands and a 50-foot buffer are treated as a hard constraint for the purposes of this report.

On August 8, VT ANR adopted new wetland rules that reduce the buffer for housing projects to 25 feet in State designated areas. A 25-foot buffer is also shown on the map.

There are numerous Class II wetlands throughout the property. Lot 1 is the only parcel with no Class II wetlands. Lots 4 and 5 also have relatively large areas with no Class II wetlands. The largest wetland complex is located in the center of Lot 8. Overall, wetlands are the largest hard constraint on development of the Lavin Property.

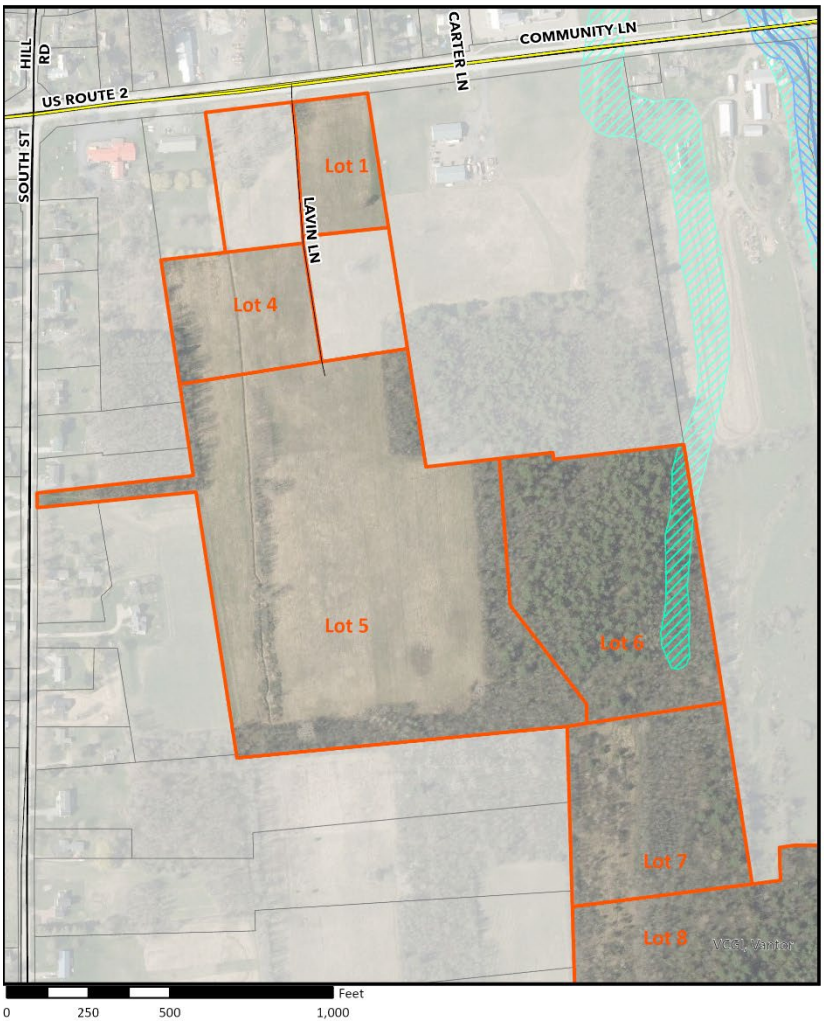
An existing improved road connects Lot 5 to Lot 7. This road has existing for many years and based on conversations with the State, it is likely that it would be approved as an access through a conditional use permit under the VT Wetland Rules as long as its footprint is not increased. This would provide access through the wetlands to the back portion of the property.

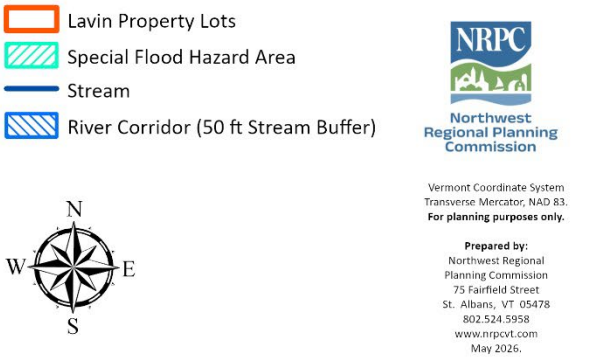
Class III wetlands were also mapped by FEA. These wetlands are not regulated by the State of Vermont, and are shown on the map for reference. They are regulated by the US Army Corps of Engineers and any impacts would need to be approved by them.

As part of the wetland delineation, FEA also documented a vernal pool on Lot 7. If development on the Lavin Property is subject to Act 250 review, the vernal pool will likely be subject to a 100-foot buffer by the VT Department of Fish and Wildlife. Because Act 250 review is not necessary for housing under 50 units, or most other likely uses of the property, the vernal pool buffer is not treated as a hard constraint in this report.

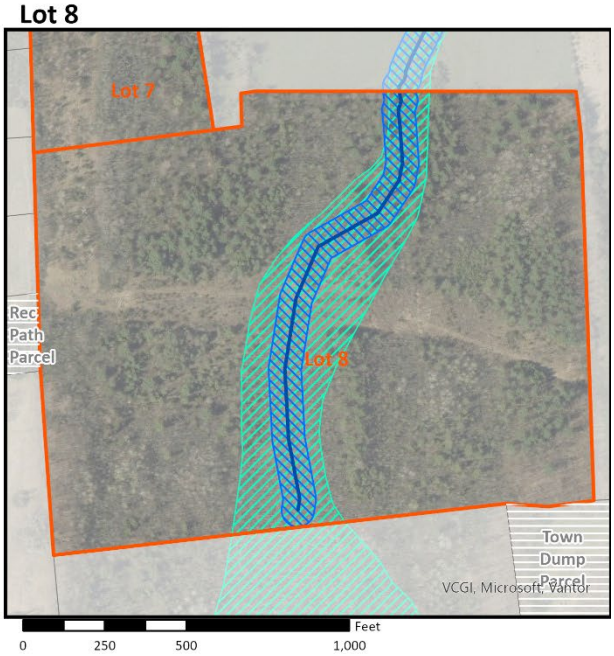
Map 6: Flood Hazard and River Corridor

Lots 1-7





Lot 8



Source: FEMA Flood Insurance Rate Maps digitized by NRPC; ANR River Corridors via VCGI.

FLOOD HAZARD AND RIVER CORRIDOR

The Lavin Property contains some portions that lie within the Special Flood Hazard Areas and River Corridor. These are mapped areas that are at high risk from flooding and fluvial erosion. South Hero has adopted flood hazard and river corridor bylaws in its zoning to reduce flood risk, which means most structures cannot be built in these areas. Special Flood Hazard Areas and River Corridors are shown on the map above and described below.

Special Flood Hazard Area

The Special Flood Hazard Area (SFHA), or 100-year floodplain, is delineated by FEMA on the Town's Flood Insurance Rate Maps (FIRM). Existing FIRMs are dated as effective on June 15, 1978. A new version of the FIRM is expected to be released sometime in the next few years.

The Lavin Property contains two portions of the SFHA on Lot 6 and Lot 8. These are both low-lying areas connected that have a chance of flooding.

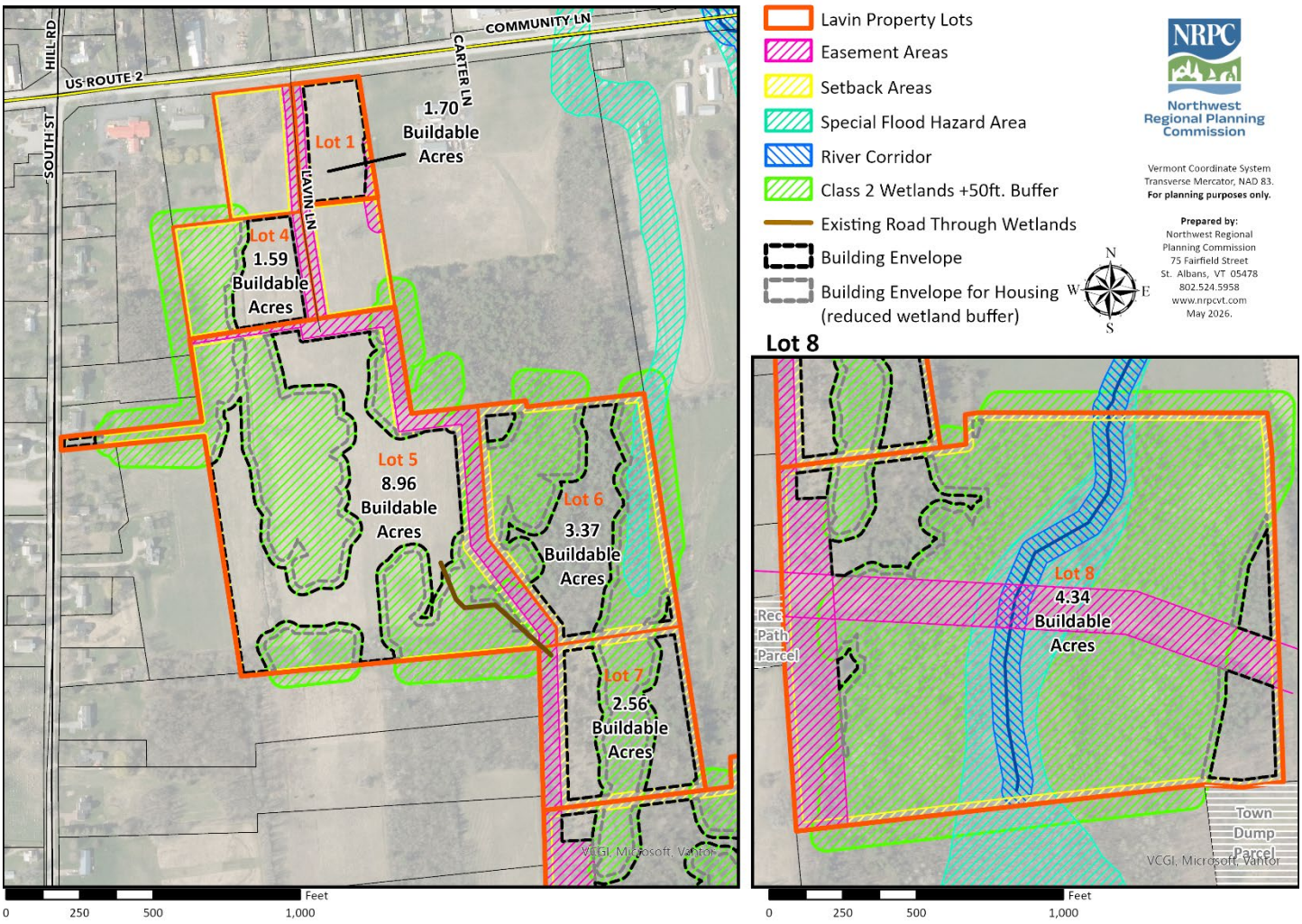
River Corridor

River Corridors are areas mapped by the Vermont Agency of Natural Resources that are at high risk for fluvial erosion. South Hero has adopted River Corridor standards in its zoning. On streams that drain over 0.5 square miles where river corridors are not mapped, River Corridor regulations apply to the area within 50 feet from the top of the stream bank.

There are no mapped River Corridors in the vicinity of the Property, but there is one stream on Lot 8 that drains over 0.5 square miles. The estimated 50-foot buffer from this stream is shown on Map 6.

Map 7: Building Envelope

Lots 1-7



Compiled from the sources listed on Maps 3-6.

ALL DEVELOPMENT CONSTRAINTS

The map above summarizes all development constraints into a single “building envelope” where new structures could theoretically be placed. Based on the building envelope, each lot has a different number of buildable acres.

While Lot 8 is the largest parcel, it is also the most constrained. Less than six acres are buildable, and they are scattered around different portions of the lot. Lots 6 and 7 are also heavily constrained due to floodplain and wetlands.

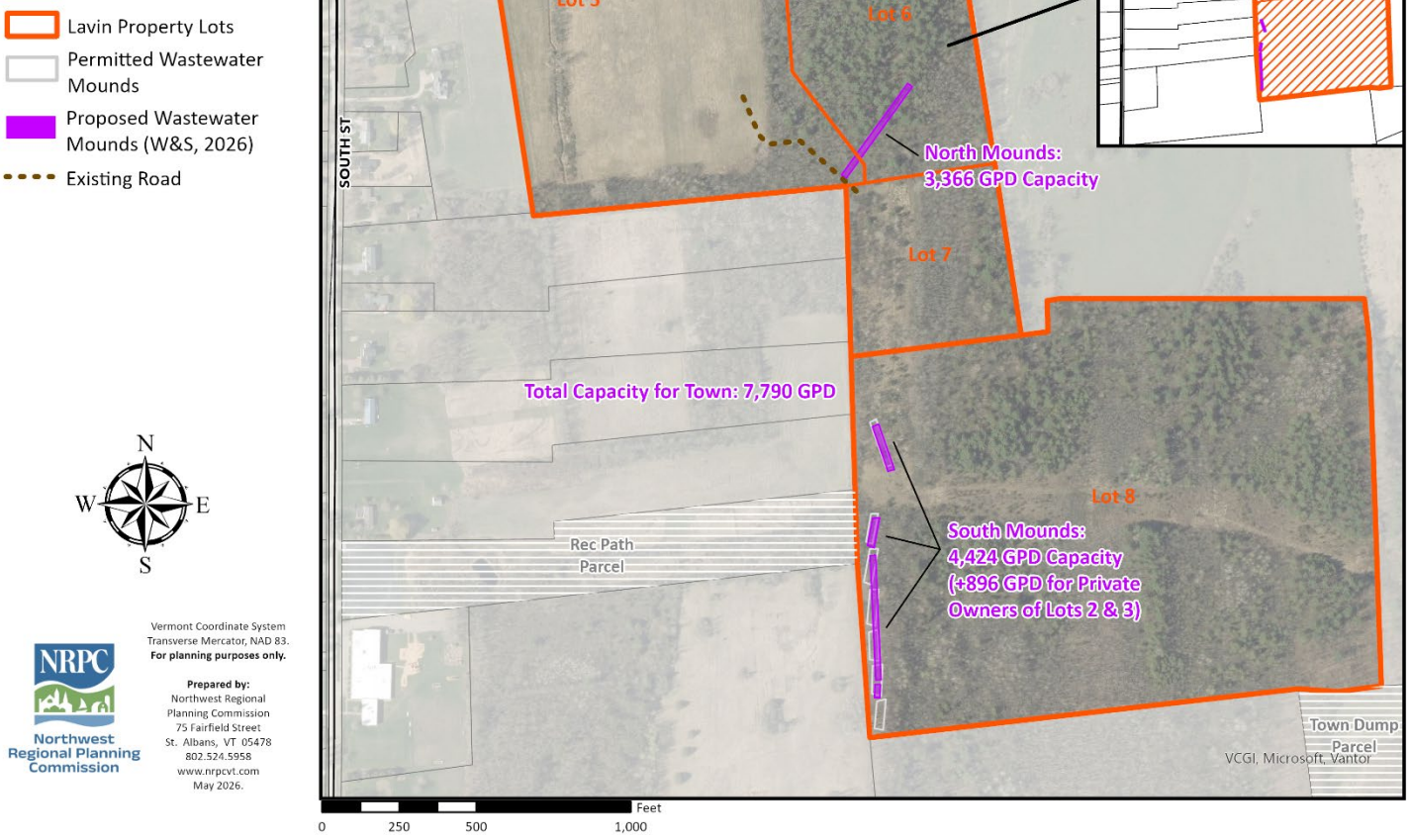
Lots 1, 4, and 5 have relatively few development constraints and contain the majority of the buildable acreage. Lot 5 has the largest buildable area at 8.96 acres. Note that buildable area for housing is slightly larger due to a reduced wetland buffer.

If a parcel has buildable acreage, that doesn't necessarily mean that all (or any) of those acres should be developed. There are several other constraints that can influence site design within the building envelope. These constraints are documented in the next section of this report.

OTHER LAND USE CONSTRAINTS

This section of the Existing Conditions Report documents other factors that can influence site design: Preliminary Wastewater Sites, Forest and Wildlife Habitat, Prime Agricultural Soils, and Trail Connections. All constraints are shown together on Map 12 at the end of this section.

Map 8: Proposed Wastewater Sites (Weston & Sampson, 2026)



Vermont Coordinate System
Transverse Mercator, NAD 83.
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PRELIMINARY WASTEWATER SITES

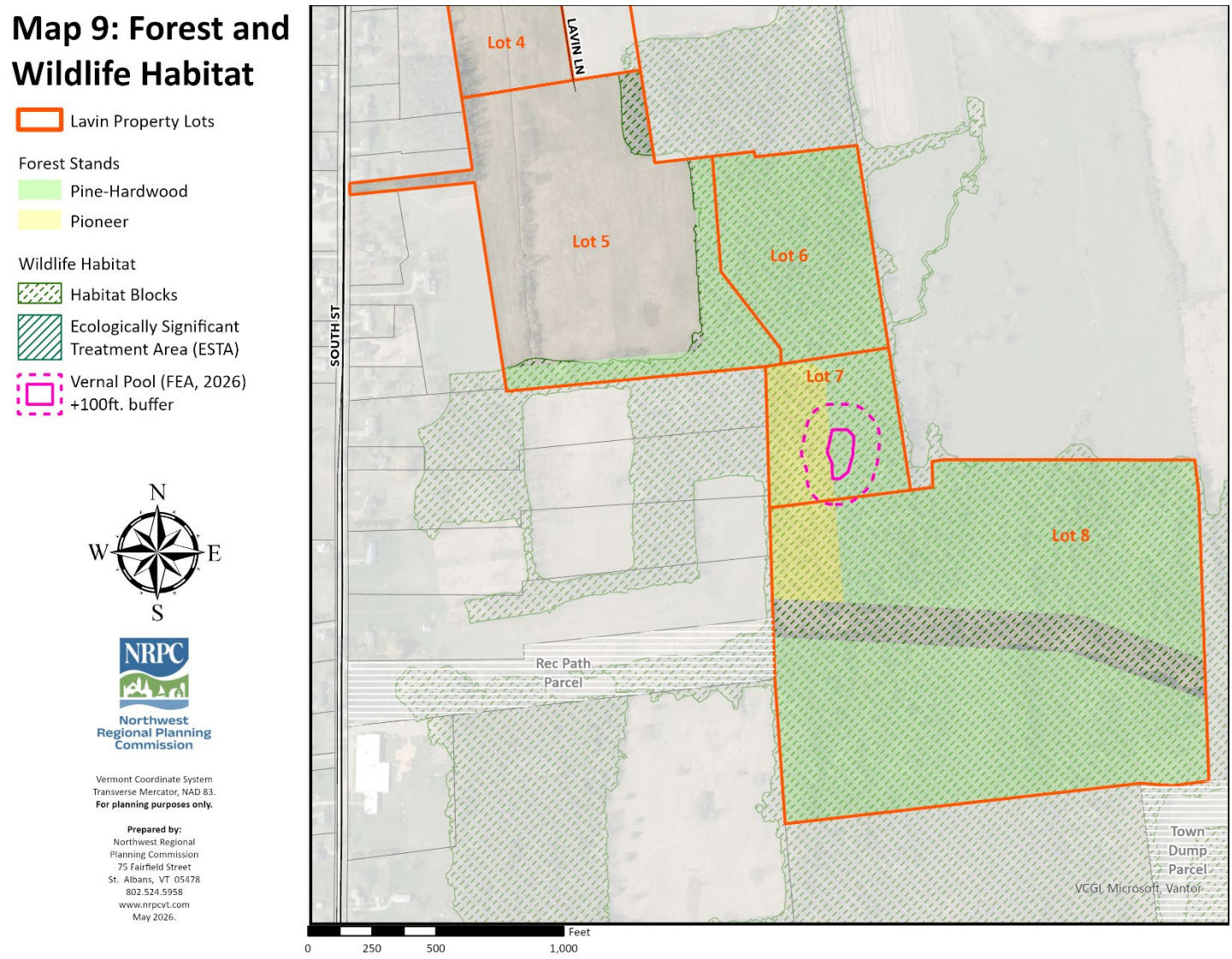
The original purpose of purchasing the Lavin Property was to develop a community wastewater disposal system for the village area. Therefore, the location of potential wastewater disposal sites should be taken into account when planning for the Property.

There are seven permitted mounds on the Property that have not been built but already have wastewater permits. These permitted mounds are on the west side of Lot 8. Two of these permitted mounds are for Lot 2 and Lot 3, which are not owned by the Town. The total permitted capacity available for the Town to use is 3,881 gallons per day (GPD).

In addition, the Town has completed preliminary engineering design for opportunities to add additional wastewater capacity to the property. A 2026 study by Weston & Sampson proposes an additional mound on Lot 6 with a design capacity of 3,366 GPD. The study included test pits that showed this location would be feasible.

The Weston & Sampson study also proposes reconfiguring the permitted mounds on Lot 8 to maximize capacity and simplify disposal system designs and operations. This would require cooperation between the Town and Lot 2 & 3 property owners to amend the original wastewater permit. The flow allocated to the Town of South Hero could increase to 4,424 GPD under this configuration.

Altogether, this proposed design would provide 7,790 GPD of wastewater capacity to the Town of South Hero.



Source: Vermont Conservation Design via VCGI; Draft South Hero Forest Management Plan (Charlie Hancock, October 2025)

FOREST AND WILDLIFE HABITAT

Forest Resources

The back portion of the Lavin Property is mostly forested. In October 2025, a draft Forest Management Plan for the Lavin Property was prepared by the County Forester. This plan has not been officially adopted by the Town, but can still serve as a resource in planning for the Property.

The Draft Forest Management Plan identifies two main forest stands, which are areas of relative similarity. The main difference is that the Pine-Hardwood stand is older growth and the Pioneer stand is newer. Both stands have strategies for forest management that are identified in the plan, including removing invasive species and promoting wildlife habitat.

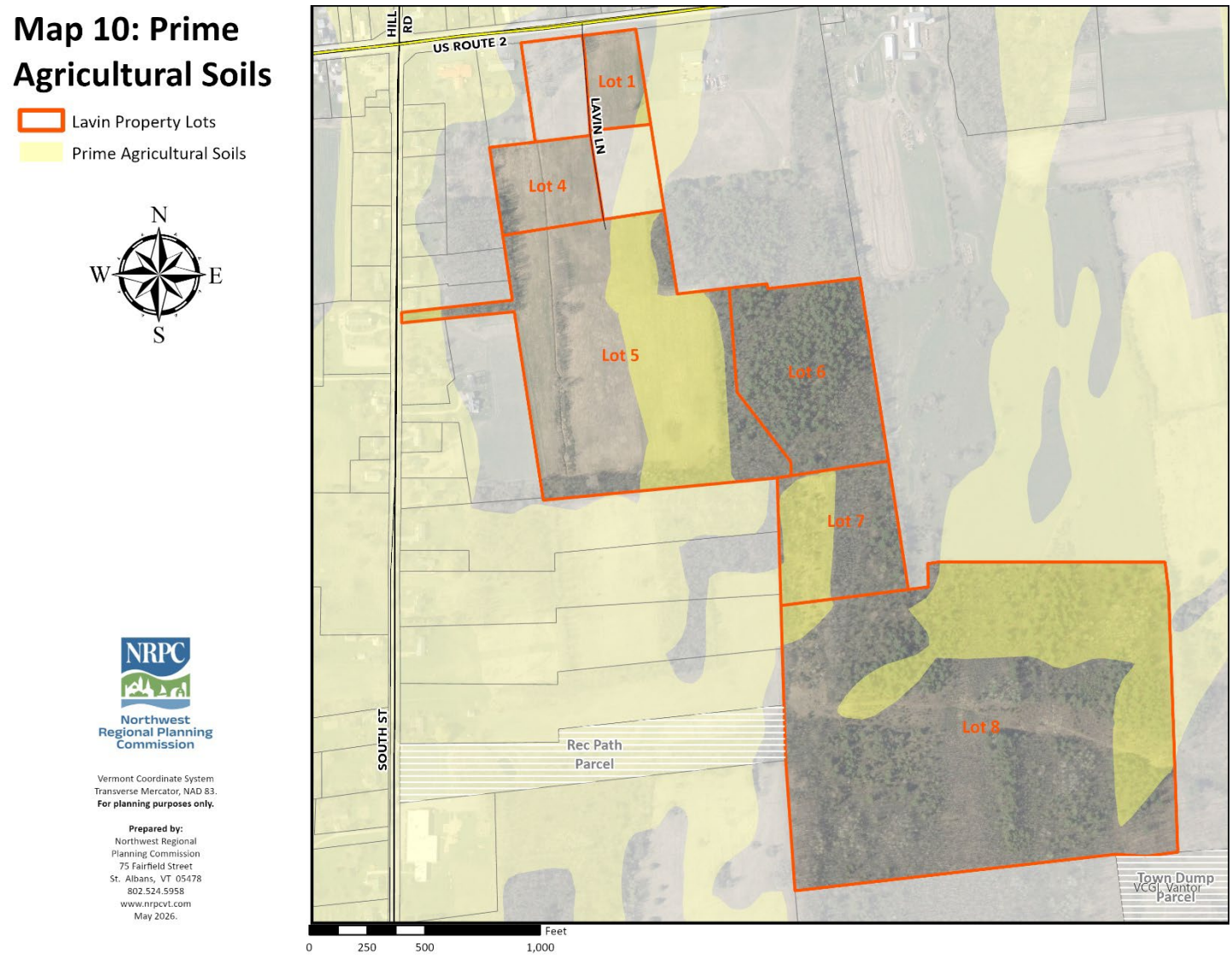
Wildlife Habitat

The Draft Forest Management Plan identifies an Ecologically Sensitive Treatment Area (ESTA) on Lot 8. This is an area of significant wildlife habitat where the maintenance of habitat should be the primary forest management goal.

As part of their wetland delineation, Fitzgerald Environmental Associates documented a vernal pool located on Lot 7 with salamander and wood frog egg masses present. The Draft Forest Management Plan states that most activities should be prohibited within 100 feet of vernal pools, including tree harvesting and the construction of new roads.

Vermont Conservation Design maintains a statewide inventory of Habitat Blocks. The Lavin Property is part of a greater habitat block that allows wildlife to move throughout the area and maintain a healthy amount of habitat. The South Hero Town Plan states that development should be sited and designed to limit impacts on Habitat Blocks and wildlife corridors. Preserving forest connections to other properties should be taken into account when planning for the Lavin Property.

A rare species is one that has only a few populations in the state and that faces threats to its continued existence in Vermont. The Vermont Non-game and Natural Heritage program (NNHP) maintains an inventory of Rare, Threatened and Endangered (RTE) species in Vermont. No Rare, Threatened or Endangered Species have been documented on the Lavin Property.

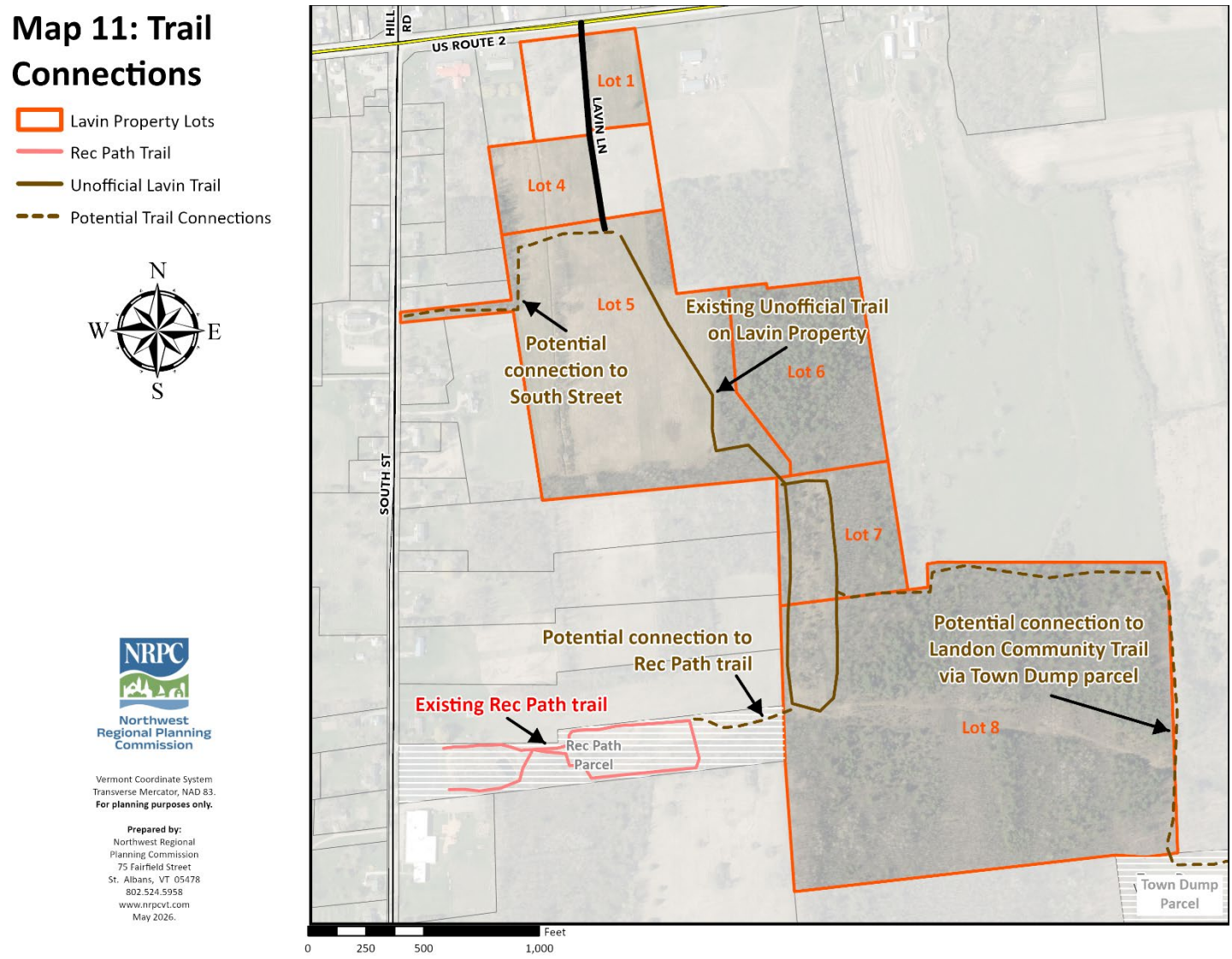


Source: National Cooperative Soil Survey via VCGI

PRIME AGRICULTURAL SOILS

Soils that have high potential for agriculture based on physical and chemical conditions are mapped by NRCS. Overall, South Hero is made up almost entirely of soils that have good potential for agriculture. Soils with the highest value for agriculture are classified as Primary Agricultural Soils, shown on the map above. There are several areas of Primary Agricultural Soils located throughout the Lavin Property.

Agricultural soils are a high priority for conservation in Vermont. The South Hero Town Plan states that development should be sited and designed to limit impacts on primary agricultural soils, and agricultural soils are also somewhat regulated at the state level. If a project subject to Act 250 contains soils that are mapped by NRCS as of prime, statewide, or local importance, the VT Agency of Agriculture, Food and Markets reviews the Act 250 application and provides recommendations under Criterion 9(B).



Source: Lavin Trail Possible Temporary Trail Route (South Hero Land Trust, April 2026)

TRAIL CONNECTIONS

The Lavin Property is close to many of South Hero's existing trails, including the Recreational Path to the west and the Landon Community Trail to the southeast. There is also an unofficial trail on the Property that is not marked and has no official maintenance schedule. The map above shows this trail and potential connections to other trails in the area.

The location of the existing trail will likely have to change to accommodate wastewater infrastructure and will need to be coordinated with any other future development plans. If portions of the Property are to be used for recreation, a relocated trail with connections to other trails could be considered.

Map 12: All Constraints



Compiled from the sources listed on Maps 3-11.

ALL CONSTRAINTS

This map shows all constraints documented in this report. Development constraints from Map 7 are shown in white, with other land use constraints discussed in this section overlaid.

Lots 1, 4, and 5 are most well-suited for development. Development on Lots 6, 7, and 8, even in portions without development constraints, would likely have a large impact on forests, wildlife habitat, and wastewater disposal. Overall, the back portion of the property has the most value for recreation and wastewater disposal, while the front portion of the property has the most potential for development.

WORKS CITED

This report makes reference to existing resources on the Lavin Property. For more specific information and further reading, the following works can be consulted:

- *Lavin Lots 1-8 Subdivision Plan*. David A. Tudhope. May 2023.
- *South Hero – Lavin Property Wetland Map*. Fitzgerald Environmental Associates, 2026.
- *Desktop Wastewater Capacity Analysis – Former Lavin Parcel*. Weston & Sampson. 2026.
- *Draft Forest Management Plan: South Hero Town Forest*. Charlie Hancock, Franklin & Grand Isle County Forester. October 2025.