

Town of Underhill
Development Review Board Minutes
Chairperson Scott Tobin

May 18, 2009

Board Members Present:

Scott Tobin, Chair
Matt Chapek
Peter Seybolt
Chuck Brooks
Stan Hamlet
Charlie Van Winkle

Also Present:

Kari Papelbon, Zoning Administrator

6:40 PM: A site visit at the property, 491 Irish Settlement Rd., commenced. At the conclusion of the site visit, the Board traveled to 63 River Road to conduct a site visit. At the conclusion of the site visit, the Board traveled to the Underhill Town Hall to conduct hearings.

7:33 PM: Chairperson Tobin called the Jaffe conditional use/home occupation hearing to order.

Applicant Present:

Abbi Jaffe
491 Irish Settlement Rd.
Underhill, VT

Others Present:

Lee Thompson
19 Doon Rd.
Underhill, VT

Wally and Pat Stone
11 Doon Rd.
Underhill, VT

Bob Stone
734 Lemonfair Rd.
Cornwall, VT

Bart Johnston

19 Doon Rd.
Underhill, VT

Identifier:	Contents:
ZA-1	Abbi Jaffe's Conditional Use Hearing Request (dated 4-7-09)
ZA-2	A copy of Exhibit A to the Conditional Use Hearing Request (pages 2-3)
ZA-3	A copy of the Site Plan and Additional Parking Site Plan (page 4, from Town tax map)
ZA-4	A copy of the Division of Fire Safety Permit Application (pages 5-9, dated 4-6-09)
ZA-5	A copy of Abbi Jaffe's Home Occupation Permit Application (pages 10-11, dated 4-7-09)
ZA-6	A copy of Exhibit A: Responses to Home Occupation Permit Application (pages 12-15)
ZA-7	A copy of the proposed sign design (page 16)
ZA-8	A copy of the resume for Abbi Jaffe (page 17)
ZA-9	Information regarding Dharma Door Retreat (page 18)
ZA-10	A copy of the email from ZA Papelbon to Abbi Jaffe regarding wastewater permitting requirements (dated 4-7-09)
ZA-11	A copy of the email correspondence from Bob Stone forwarded to Abbi Jaffe (dated 4-28-09 and 4-29-09)
ZA-12	A copy of the Proposed Findings of Fact
ZA-13	A copy of the Signs section of the zoning regulations
ZA-14	A copy of the parcel map for IS491
ZA-15	A copy of the hearing notice published in the Mountain Gazette (dated 4-16-09)
ZA-16	Staff report prepared by Kari Papelbon
S-1	Memo from Town Planner Chris Murphy dated 5-18-09 regarding Best Practices for trails
S-2	Vermont Landowner Liability Protection statutory reference
S-3	Email from Julie Bean, 478 Irish Settlement Road
S-4	<i>Public Recreation on Private Land and Landowner's Guide</i>

- Chairperson Tobin began meeting by explaining the procedure for the conditional use hearing. He then swore in all interested parties and entered the above items into record.
- ZA Papelbon read the email from Julie Bean, 478 Irish Settlement Road, in support of the home occupation.
- Abbi Jaffe explained her application. She wishes to offer services she currently has in Burlington to her home community and share her land with others in a healthful and meditative way—which includes yoga and

meditation. Her greatest hope is that it is in character with the area and is sustainable to her neighbors.

- Chairperson Tobin asked Ms. Jaffe to explain the operation in terms of days of the week, how many classes, how many people per class, how much traffic, etc. Ms. Jaffe explained that there are a few ways she envisioned her business. One is to offer yoga classes a few days a week. She explained that the yoga room is quite small, but 20 people could attend. She stated that the Fire Marshall told her a max of 30 people would be allowed. She is asking for permission for a maximum of 20 people per class. Another way of using the property is for an evening yoga “event” around a holiday or something similar. An event could be a daylong series of classes on a weekend. She would also like to offer Thai massage at her home as she does in Burlington. Ms. Jaffe also leads wilderness trips/retreats. If a trip will be outside of Vermont she would like to have participants meet at the home for a pre-trip orientation (gear information, pack, teambuilding). In her application she asked for permission to have another person helping her with the classes.
- Chairperson Tobin asked if Ms. Jaffe had a set idea for a schedule for the number of days and how many classes per day and how long those classes would be. Ms. Jaffe stated that she imagines 2 classes per week for an hour-and-a-half each and 2 massages or 2 days/week for booking clients. Weekends are envisioned for day retreats. She mentioned that she had been in contact with a woman who teaches yoga classes and that an advertisement had been sent out for a class that would be offered after her appeal period. She thought that if she did not get approval for her home occupation that they would change the location of the event, but that she was unaware that the woman had sent out an advertisement.
- Chairperson Tobin asked what the vision was for the parking area. Ms. Jaffe stated that if 20 people can attend a class that she would hope they would carpool (she would encourage them to do so), but that she would like space for that many cars. She would level it and add gravel and do whatever is necessary. Board Member Stan Hamlet stated that by inspection 20 cars could easily fit in the proposed space. He stated that people would have to walk up the hill to the house site from the parking area and asked if Ms. Jaffe thought she would get a good response from that. She responded that she thought that her intention was to have people leave their car and walk up if they would be there all day. If they needed help, she could go down to get them. She also hopes that if walking up would be preventative that they would drive up. Board Member Peter Seybolt stated that she might have people in wheelchairs who would need to drive up and wondered if she should include some provision for more parking at the top. She stated that there would be room if the storage container were moved.

- Board Member Seybolt asked if Ms. Jaffe was planning to have classes in the winter and summer, to which she replied that she would. Board Member Seybolt asked ZA Papelbon if the Board approves the plan as presented if that would preclude Ms. Jaffe from enlarging the parking area next to her house in the future. ZA Papelbon stated that the Board could consider the enlargement as a condition. Ms. Jaffe asked if she could apply for that at a later date, to which Chairperson Tobin replied that depending on the decision, she might have to modify the permit. Board Member Seybolt asked whether Ms. Jaffe would like to include such provisions for parking at the top now rather than modifying a permit later. Ms. Jaffe stated that she thought the parking was there already but that she would need some additional gravel for certain areas. Chairperson Tobin asked Ms. Jaffe if a provision for up to 20 cars in two locations would be adequate to which she replied that it would.
- Chairperson Tobin asked if Ms. Jaffe had any plans for screening, meaning planting, to screen the potential 20 cars parking at the bottom. Ms. Jaffe stated that she would want to make the area look nice, not an eyesore, and that she would envision some plants.
- Chairperson Tobin asked about signage. Ms. Jaffe stated that she included a plan for the sign because the application stated that she was allowed to do so, but that her intention is not to put up a sign immediately. She imagines her business growing slowly, but that she really wants people to be able to identify the mailbox.
- Board Member Peter Seybolt asked what would be the maximum number of classes Ms. Jaffe would like to hold per week. She would like to have a maximum of one class in the morning and a class in the evening 5 days per week, but that she couldn't imagine really wanting that many people there. Chairperson Tobin asked if those days would vary to include weekend days, to which Ms. Jaffe replied yes.
- Chairperson Tobin asked about the hours of operation. Ms. Jaffe stated that she would like to request a start time of 7:00 AM.
- Board Member Stan Hamlet asked if the hiking would be on Ms. Jaffe's property. Ms. Jaffe replied that it would be and that she would never make hiking available on neighbors' property without first talking to the property owners.
- Chairperson Tobin asked if the main activity would be inside the house. Ms. Jaffe responded that it would be with the exception of people eating lunch outside. Chairperson Tobin asked if Ms. Jaffe would serve meals to which she replied no, that people would bring a picnic lunch.

- Chairperson Tobin asked if Ms. Jaffe would be selling items. Ms. Jaffe responded that she included a provision for such at the suggestion of her mother that she might want to sell such things as yoga mats and t-shirts with the business logo.
- ZA Papelbon spoke, stating that conversations regarding ADA compliance had taken place as well as conversations regarding septic capacity. She referenced an email regarding a conversation she had with Ernie Christianson from the State Wastewater Management Division, which stated that one of the bedrooms in the 4-bedroom house would have to be removed as a bedroom to allow enough septic capacity for a class for about an hour-and-a-half. Anything more than that would require upgrades to the septic system. In conversations with Ms. Jaffe she indicated that she would upgrade the system in the future but would take out a bedroom in the interim in order to get started. Chairperson Tobin asked how many students that would accommodate, to which ZA Papelbon responded that it was for 20 people. Multiple classes per day or longer classes would require an upgrade to the system for a maximum of 15 gallons/person or a maximum of 20 people.
- Board Member Charlie Van Winkle asked how many bedrooms were occupied, to which Ms. Jaffe responded 2.
- Board Member Chuck Brooks asked if the septic capacity was for 20 people per day. A short discussion of design flows ensued and septic capacity ensued.
- ZA Papelbon stated that if Ms. Jaffe would like to have hiking on her property that she could provide a copy of the *Public Recreation on Private Lands* document and a copy of the Vermont Landowner Liability Protection statutory reference. She also mentioned that the Trails Committee is creating some Best Management Practices for creating trails on properties in Town. ZA Papelbon stated that it sounded like Ms. Jaffe would not be creating trails on her property at this time, to which Ms. Jaffe responded that it wouldn't be anything more than an "interpretive" trail. ZA Papelbon asked if that would be 100 feet from property lines, to which Ms. Jaffe responded that it would be near the house. This is more than 100 feet from property lines.
- Chairperson Tobin asked if there were any State licensing requirements through the Department of Labor. Ms. Jaffe responded that there were not and that her professions (massage and yoga) do not require licensing. Chairperson Tobin asked if there were certifications needed, to which Ms. Jaffe responded no, but that she had experience.
- Chairperson Tobin asked for public comment.

- Lee Thompson, 19 Doon Road, stated that she respects the advantages to working at home and that many of the activities proposed seem harmonious and unobtrusive. She expressed her concern with the amorphous definitions of the proposed activities. She also was concerned with the changing number of proposed visitors to the property, expansion of such numbers to obtrusive levels, and what the restrictions would be on such expansion. She requested that the Board consider any gestures made toward assuring neighbors that there would not be intrusions onto their land without permission. Ms. Thompson stated that at the site visit there seemed to be an understanding that activities would be confined to Ms. Jaffe's property or to State land, but that such was not explicit in the application. She stated that her concerns were not reduced when reading the rules for public use of private land as it states repeatedly that no permission is needed to walk or hike on private land unless it is posted. Ms. Thompson reiterated that she did not wish to suppress anyone's initiative, but that she is looking for the preservation of a quiet neighborhood, without a large increase in traffic. The larger the parking area, the more people (and traffic).
- Chairperson Tobin asked Ms. Thompson if the Board conditioned a max number of classes to 2 classes per day, for no more than 5 days per week for 1.5 hours or so of no more than 20 students seemed reasonable. Ms. Thompson stated that she didn't know what numbers are completely reasonable. She stated that she initially thought the proposal was two classes per week, but that she must have misheard as the discussions were regarding 2 classes per day for 5 days a week with weekend activities. She also stated that one could argue that with a daylong retreat people would come in the morning, leave in the evening, and thus there would be less traffic than for two classes per day during the week. Chairperson Tobin stated that his notes were for an initial 2 classes per week with a long-term maximum of 2 classes per day for no more than 5 days per week. He stated that those were the types of things that the Board would define in a conditional use permit. Ms. Thompson asked if the Board would also be addressing the concern about potential hiking on neighboring properties. Board Member Hamlet stated that he believed that the applicant stated that visitors would be walking strictly on her land. Ms. Thompson asked if that was stated in the application. Board Member Hamlet stated that it could be part of the conditions. Board Member Seybolt stated that the applicant should not be restricted from receiving landowner permission to use the trails on their properties. A discussion of such permissions ensued.
- Wally Stone, 11 Doon Road, expressed his concern for people wandering onto his property and his liability for such. He is also concerned for the grade on the road to the house should it change from a residential to a

commercial property in terms of fire and rescue capabilities. Mr. Stone is also concerned about the character of the neighborhood changing drastically with 10 people going up and down the road to a home occupation. Chairperson Tobin and Board Member Seybolt asked where Mr. Stone's property was in relation to Ms. Jaffe's.

- Chairperson Tobin asked Ms. Jaffe if the Fire Marshall had visited the property that day. She stated that he did and he was optimistic about the ADA requirements and the size of the door, but he didn't express any concerns other than once you reach 50 people the door needs to open in the opposite direction. Board Member Seybolt asked if he had expressed any concerns with getting up the driveway, to which Ms. Jaffe replied that he did not. Board Member Seybolt asked if the grade was more than 10%, to which Ms. Jaffe responded that she did not know. Mr. Stone and Board Member Hamlet stated that they believed it was. Mr. Stone stated that the driveway had sharp curves and the grade may cause difficulties for a fire truck. Ms. Jaffe stated that when she filled out her homeowner's insurance that she was told water could be siphoned from the pond next to her house.
- Robert Stone, 734 Lemonfair Rd., Cornwall, VT, Mr. Stone's son spoke. He stated that he is a State Fire Marshall and has removed himself from reviewing the plans as he felt there was a conflict of interest. He stated that he has some insight from a fire safety aspect from his service on the UJFD, although he is not speaking for the UJFD or Department of Public Safety. Board Member Van Winkle asked Mr. Stone how long he has been with the Department of Public Safety, to which Mr. Stone replied since 2006. Board Member Van Winkle asked how long he had been with the UJFD, to which Mr. Stone replied from 1989 to 1996 and that his educational background is in fire science, fire investigation, and public safety. He stated that the fire department access is a concern as he believes the driveway is more than a 10% grade. His other concerns were for the tree canopy height, the width of the driveway, overflow parking on Irish Settlement Road, ADA requirements for at least 3 handicap spaces and ramps unless the landowner obtained a variance, the gravel base for handicap access up the driveway, ADA bathroom requirements, ADA access to the home, ADA changing room on the first floor, change in the neighborhood, hours of operation, noise, water runoff. Board Member Seybolt asked Mr. Stone what kind of noise concern he had. He is concerned with hiking in the woods and what may happen while in the woods—camping and conversations.
- Bart Johnston, 19 Doon Rd., expressed concern about the scale of the proposed business. His original impression was that individuals would go to the property for a massage and now 20-30 people at a time are proposed with a 20-car parking lot. He believes that this is not in keeping

with the neighborhood. If the business proposed five people at a time with parking by the house, it would not be a problem. Mr. Johnston is also concerned with safety if people would walk on the woods road to his property as he cuts wood, hunts, and has target practice. He wants to know who is on his property. Chairperson Tobin asked Mr. Johnston if he was opposed to a smaller number of cars parked at the bottom of the driveway. He stated that if a class of 5 people was at the site and they could not get up the driveway that day, he would not have a problem because it would not be all the time.

- Lee Thompson asked about a visual screen for the parking lot. The Board informed her that it could be a condition. She also asked what meeting facilitation services meant. Ms. Jaffe stated that she is a meeting facilitator for both the City of Burlington and non-profits. She would like to provide such services for day-long staff retreats. Ms. Thompson asked if that would be subject to numbers. Ms. Jaffe stated it would be the same maximum number of people for yoga/massage/meditation day retreats. Chairperson Tobin asked about the number of retreats. Ms. Jaffe stated once a month but that it would not be that often. She apologized for the amorphous nature of her application and she appreciates the restrictions because she is happy to comply with them. The nature of her work changes with the funding availability for non-profits and her schedule. She was seeking the Board's input if her application seemed too much, but wanted to ask for the opportunity to do certain things.
- Chairperson Tobin asked if the proposed maximum of 2 classes per day for no more than five days per week was separate from massage, to which Ms. Jaffe responded in the affirmative. Chairperson Tobin asked what the number would be for such. Ms. Jaffe responded 5 per week max for 2 hours each. She reiterated that this is the maximum and that she anticipates that classes and massages would be fewer than the maximum requested.
- Board Member Brooks asked what the maximum number of massages that she could do per day if she was booked solid. Ms. Jaffe responded that it would be 4 per day.
- Pat Stone, 11 Doon Road, expressed her concern for the advertisement received for a retreat on June 27 which includes meals. Previously Ms. Jaffe stated that she would not provide meals. Ms. Jaffe stated that the person who sent the advertisement has a friend who is a caterer and thought that they might be able to work something out with the caterer. She apologized and stated that her friend published it on her website and that this date was chosen as it was outside of the appeal period. If the hearing was successful, she thought the event could occur. If it wasn't, she was going to change the location.

8:34 PM: Chairperson Tobin asked if the Board had enough info to make a decision on the application. Board Member Stan Hamlet made a motion, seconded by Board Member Peter Seybolt, to enter a closed deliberative session.

Board Member Charlie Van Winkle expressed a concern with the septic system upgrade. He asked Ms. Jaffe if it was her intention, if she was successful in the hearing, to complete such upgrades. Ms. Jaffe stated that she would obtain a port-a-potty for special events, which is not a permanent solution to the septic system requirements. Board Member Hamlet stated that the Board felt that the advertisement was premature (Ms. Jaffe apologized) and that if Ms. Jaffe was to have another retreat in the future that it may be a requirement that she will have to have a port-a-potty. ZA Papelbon asked if the advertisement stated where the event would be held. The ad stated it would be at Dharma Door Retreat. Ms. Jaffe explained that Dharma Door Retreat is the name of her business (conducted outside of Underhill) and that the retreat was not for open-enrollment. Chairperson Tobin explained that there was a 45-day period for the Board to issue a decision. ZA Papelbon explained that there is a 30-day appeal period from the date of the decision. Board Member Hamlet suggested that Ms. Jaffe speak to her friend about the advertisement and explain that such a thing may not happen for a period of time.

Board Member Charlie Van Winkle made a motion, seconded by Board Member Stan Hamlet to close the evidentiary portion of the hearing. This motion and the motion to enter a closed deliberative session were passed by all Board Members present.

8:42 PM: Chairperson Tobin called the Guay 2-lot planned residential development hearing to order.

Applicants Present:

Steve and Wendy Guay
63 River Rd.
Underhill, VT

Identifier: Contents:

ZA-1	A copy of Steven and Wendy Guay's Application
ZA-2	A copy of the Checklist for Subdivision: Preliminary
ZA-3	Plans prepared by David Fuqua of Ridge Consulting Engineers for Steven and Wendy Guay (Sheets 1-3 of 3, dated 4-30-09)
ZA-4	A copy of the survey by Mark Ward of Vermont Land Surveyors for Steven and Wendy Guay (dated 4-29-09)
ZA-5	A copy of the soil testing results from March 11, 2009

- ZA-6 A copy of the soil map from the USDA Natural Resources Conservation Service (pages 1-3 of 3 dated 9-23-08)
- ZA-7 A copy of the Wastewater System and Potable Water Supply Permit dated 3-13-08)
- ZA-8 A copy of the letter from Attorney Gregg Wilson regarding acreage (dated 12-12-08)
- ZA-9 A copy of the Applications for Water Allocation (dated 4-2-07 and 4-6-09)
- ZA-10 A copy of the letter from Chittenden East Supervisory Union (dated 4-27-09)
- ZA-11 A copy of the email from ZA Papelbon to Steve Guay (dated 5-4-09)
- ZA-12 A copy of the letter from the Underhill-Jericho Fire Department (dated 5-11-09)
- ZA-13 A copy of the parcel map for RV063
- ZA-14 A copy of the hearing notice published in the Mountain Gazette (dated 4-16-09)
- ZA-15 Staff report prepared by Kari Papelbon

- S-1 A copy of the letter from the Underhill-Jericho Fire Department (dated 5-18-09)
- S-2 A copy of the revised engineering drawing prepared by David Fuqua of Ridge Consulting Engineers for Steven and Wendy Guay (Sheet 1 of 3 revised 5-18-09)
- S-3 A copy of the letter from Dennis Nealon of the Water Supply Division regarding the proposed septic system for Lot 1 (dated 3-11-08)
- S-4 A copy of the wellhead protection report from Kenneth Bannister of Bannister Research and Consulting (dated 7-25-95)
- S-5 A copy of the proposed easements details for the PRD
- S-6 A copy of the waiver requests for Lots 1 and 2 (with corresponding sketches)
- S-7 A copy of the Proposed Findings of Fact (dated 5-18-09)

- Chairperson Tobin began meeting by explaining the procedure for the combined sketch and preliminary hearing. He then swore in all interested parties and entered the above items into record.

- Steve Guay, applicant, provided a history on the property and details for the proposed 2-lot planned residential development. The plans call for a new 3-bedroom house and 2-bedroom accessory apartment on Lot 1 (for the Guays) and Lot 2 as a small lot for his parents, which also allows for the continued use of the property for agricultural purposes. All of Lot 2 will be outside of the water recharge zone. The septic is as far from the wetlands and Browns River as possible (sited near River Road). The access for Lot 2 will be shared with an existing access with the Jericho-

- Chairperson Tobin stated, for clarification, that Lot 1 is proposed to have a 3-bedroom house with an accessory apartment, which may be moved into the barn instead of a separate building. Lot 2 is proposed as a 0.5-acre parcel with a house and an accessory apartment, with the understanding that whatever dwellings are built on the lot will conform with the zoning regulations in effect at the time. Mr. Guay stated that he would like to build two 1500-square foot homes on Lot 2, but that the zoning regulations in effect at this time allow a single-family home and an accessory apartment no larger than 1000 square feet in size. He stated that he did not want to go through the PRD process and be told in the future that the lot is non-conforming and unbuildable. Chairperson Tobin explained that the PRD process allows for changes in dimensional requirements, not density, and must have open space. The lots created by the PRD cannot be further subdivided, but an applicant can get the lot sizes that they want in the locations that make the most sense. Board Member Charlie Van Winkle suggested showing building envelopes for the final plans so that buildings can be moved within that envelope. Mr. Guay stated that he has a State septic permit that shows the location of the house, and stated that building envelopes are shown on the plans.
- Chairperson Tobin asked if there were waivers requested for the PRD, to which Mr. Guay stated there were.
- Board Member Stan Hamlet asked if Mr. Guay did not want to state that Lot 2 will have a 1500 square-foot home with a 1000 square-foot accessory apartment because he felt that the regulations would be relaxed in the future. Mr. Guay stated that the proposed changes to the zoning regulations include a provision for multi-family housing. He stated that he understands those regulations may or may not be approved, and he will comply with the zoning regulations in effect at the time he is ready to build.
- Board Member Chuck Brooks stated that the Board could not state that Lot 2 will not be considered non-conforming in the future as Mr. Guay had asked. A discussion of the lot as an approved lot ensued. ZA Papelbon explained that obtaining approval from the Board for the PRD means that the lot is an approved building lot.
- Chairperson Tobin asked Mr. Guay to review the requested waivers. Mr. Guay stated that the first request was for a front setback of 30 feet rather than 75 feet as it seems to be the norm on River Road. The main reason for this request is the safety of those visiting the property to purchase eggs, fruit, and other homemade products, and to have a front porch for

the future display of such products. He would like to have a mixed-use building in the future for retail space and perhaps put the apartment above rather than in a separate building. He is also asking for a waiver for the front lot line setback for a pergola.

- Board Member Stan Hamlet asked about the meeting with Carolyn Gregson and Jeff Sprout for a “home occupancy.” Mr. Guay stated that Ms. Gregson viewed the property for his furniture display on the lawn and Mr. Sprout checked for adequate parking and site distances. She said it was fine and that he would need a permit if he wanted to have interior retail space in the future. He stated that she said he did not require a written permit. Mr. Guay is requesting formal, written documentation of this approval.
- The waiver requests for Lot 2 were discussed, including the reduction of the lot size. Chairperson Tobin asked if the frontage for Lot 2 would be obtained using the private drive. A discussion of the frontage ensued.
- Board Member Brooks asked if Mr. Guay had a right-of-way over the private drive owned by the Water District. Mr. Guay stated that such permission is in the works. Part of the discussions for that right-of-way includes providing a small portion of the Guay’s property to the Water District. A portion of the proposed easement agreement has been submitted for this hearing.
- The remaining waiver requests for Lot 2 were discussed. The requests are for a 40-foot waiver for the front setback requirement and a 15-foot waiver for the side setback requirement.
- A brief discussion of the wellhead protection area study ensued.
- Board Member Hamlet asked what the total acreage for the property was. Mr. Guay stated that the total acreage was approximately 10.4 acres and the separate lot across the road was 2 acres. He then provided a history of the property.
- Chairperson Tobin asked ZA Papelbon about the outstanding requirements on the subdivision checklist. She stated that she and Alan Quackenbush from the State wetlands office conducted a site visit that afternoon and that there is a small Class II wetland at the rear of the property. The wetland is far from the development. The remaining items had been addressed in the revised plans.
- Board Member Matt Chapek asked if the final plans would remove the label stating that the proposed dwelling on Lot 2 is a “duplex.” Mr. Guay stated that for State septic permitting purposes, the plans needed to

reflect a duplex. It was agreed that the word duplex would not be on the final plans.

9:37 PM: Chairperson Tobin asked if the Board had enough info to make a decision on whether the application fulfilled the requirements for preliminary subdivision. The Board indicated that they did. Board Member Charlie Van Winkle made a motion, seconded by Board Member Chuck Brooks, to close the evidentiary portion of the hearing. The motion was passed by all Board Members present.

Board Member Stan Hamlet made a motion, seconded by Board Member Chuck Brooks, to enter a closed deliberative session. The motion was passed by all Board Members present.

9:50 PM: Chairperson Scott Tobin made a motion, seconded by Board Member Charlie Van Winkle, to continue the closed deliberative sessions for the Jaffe and Guay hearings to June 1 at 6:00 PM at the Town Hall. The motion was passed by all Board Members present.

These minutes of the 5-18-09 meeting of the DRB were

Accepted

This _____ day of _____, 2009.

Chairperson Scott Tobin

These minutes are subject to correction by the Underhill Developmental Review Board. Changes, if any, will be recorded in the minutes of the meeting of the DRB.