

Town of Underhill
Development Review Board Minutes
Chairperson Scott Tobin

January 21, 2008

Board Members Present:

Scott Tobin, Chair
Chuck Brooks
Stan Hamlet
Deb Shannon
Matt Chapek

Also Present:

Kari Papelbon, Zoning Administrator

6:30 PM: Meeting called to order. Chairperson Scott Tobin began the meeting by explaining the procedure for final hearing. No members of the public were present.

6:32 PM: Marcy Gibson final hearing commenced.

Gibson
50 New Road

Applicant Present:

Marcy Gibson

Consultant Present:

Gunner McCain
93 South Main Street
Waterbury, VT 05676

Identifier: Contents:

ZA-1	Plans prepared by Peter Lazorchak of McCain Consulting for Marcy Gibson (dated 12-6-07)
ZA-2	A copy of the survey prepared by Carroll Peters for Marcy Gibson (dated 12-3-07)
ZA-3	A copy of the wastewater system and potable water supply permit from the State of Vermont, WW-4-2964 (dated 1-2-08)
ZA-4	A copy of the State of Vermont Land Use Permit Amendment, 4C0563-3 (dated 1-7-08)
ZA-5	A copy of the proposed Shared Driveway Maintenance Agreement
ZA-6	A copy of the proposed easement language to be included in the deed to the new lot

- ZA-7 A copy of the Winter Stabilization chapter of the Low Risk Site Handbook for Erosion Prevention and Sediment Control (referenced in #17 of the Act 250 permit)
- ZA-8 A copy of the parcel map showing the mapped deer yard (referenced in #21 of the Act 250 permit)
- ZA-9 A copy of the Proposed Findings of Fact
- ZA-10 A copy of the completed Subdivision Checklist: Final Hearing

- Gunner McCain, of McCain Consulting, by providing a brief explanation of the plans, revised with Board requests from the preliminary hearing. He explained that while a deer yard is referenced in the Act 250 permit, there are no longer trees present on the parcel to support a deer yard and that it had previously been a gravel pit for 30 years. Chairperson Scott Tobin asked if the map provided was outdated. Zoning Administrator Kari Papelbon explained that it was a State map that needs to be updated.
- ZA Papelbon explained that the deer wintering area was mentioned in the Act 250 permit and therefore was included in the staff report. However, the application also notes that the area was a gravel pit for 30 years and Marcy Gibson had provided additional information that a State representative conducted a site visit of the parcel and concluded that the deer wintering area was not on the parcel, but adjacent to the parcel. The Act 250 permit was issued by the State and thus the deer yard should not be an issue. She then explained that the Winter Stabilization chapter was included for the applicant's information should a buyer wish to build on the new lot prior to April 15. Also, the consultant was able to move the well location to prevent the well shield from encroaching onto the neighboring parcel.
- Chairperson Tobin stated that the subdivision checklist reflects submission of all requirements except approval of the driveway design by the Selectboard. The plans will be presented for approval by the Selectboard on January 24. He added that DRB approval will be conditioned upon receiving Selectboard approval of the driveway design.
- Chairperson Tobin briefly discussed the Proposed Findings of Fact. Board Member Chuck Brooks asked if favorable letters from the UJFD and School District had been received. ZA Papelbon responded that they had.
- Chairperson Scott Tobin began the review of the Standard Conditions for Subdivision. Gunner McCain asked why condition #5, regarding building a septic system prior to issuance of a building permit, was required. He then explained that septic systems are normally included in home loans and his opinion that septic should not be installed prior to building a home. A discussion of that condition ensued. ZA Papelbon said she would check into that.
- ZA Papelbon explained that Conditions 6 and 7 (shared septic agreement and "no cut zone" identification) will be removed--they were included in error.

- Board Member Chuck Brooks asked about the note on the checklist regarding extending the contour lines. ZA Papelbon explained that she spoke to Peter Lazorchak, engineer for Marcy Gibson, who told her that they did not include contour lines for the entire parcel as they would not be changing the grade beyond what was represented on the map. Extending the contours would not be necessary.
- Marcy Gibson asked about submitting the plans in digital format. Zoning Administrator Papelbon explained that a CAD drawing from the engineer for the engineering plan.
- Board Member Matt Chapek asked if there were further significant changes beyond the location of the well shield from the preliminary hearing. There were not.
- Board Member Chuck Brooks asked about the location of the driveway. It was shown at the preliminary hearing to cross the utility easement; however the new engineering drawing shows that the driveway will not cross the easement. He then stated his opinion that the Board should deliberate in open session and that the conditions should include a provision that the driveway design be approved by the Selectboard.

6:47 PM: Chairperson Tobin asked if the Board had enough information to make a decision on whether to accept the final subdivision plan and if the Board would like to deliberate in open session. All Board Members agreed to deliberate in open session. Board Member Stan Hamlet made a motion, seconded by Chuck Brooks, to accept the final subdivision plan conditioned upon approval of the driveway design by the Selectboard. The motion was passed by all Board Members present.

7:14 PM: Meeting adjourned.

These minutes of the 1-21-08 meeting of the DRB were

Accepted

This _____ day of _____, 2008

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.