

Town of Underhill
Development Review Board Minutes
Chairperson Scott Tobin

December 17, 2007

Board Members Present:

Scott Tobin, Chair
Chuck Brooks
Stan Hamlet
Deb Shannon
Peter Seybolt
Matt Chapek
Roy Dunphey

Also Present:

Chris Murphy, Town and Planning Administrator
Kari Papelbon, Zoning Administrator

6:15 PM: Meeting called to order. Chairperson Scott Tobin began the meeting by explaining the procedure for sketch plan meetings. No members of the public were present.

Town and Planning Administrator Chris Murphy provided an explanation of Planned Residential Developments (PRD). She also elaborated on a letter from Town Counsel Vince Paradis providing a legal interpretation of case law on whether a parcel of land is subdivided by a road. Board Member Peter Seybolt asked about the interpretation as it applies to properties with barns across the road. Town and Planning Administrator Chris Murphy explained that the definition of PRD in the Town Zoning Regulations--“An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, the plan for which does not correspond in lot size, bulk, density, lot coverage or yard sizes to the standards set forth in these regulations”—could allow a PRD in the case of the proposed Nowlan subdivision if the Development Review Board interprets the definition to allow the PRD.

Chairperson Scott Tobin provided a brief explanation of the procedure for sketch plan meetings as two members of the public arrived.

6:37 PM: Patricia and Nick Nowlan sketch plan meeting commenced.

Nowlan
225 River Road

Applicant Present:

Patricia Nowlan

Consultant Present:

Dean Grover, Grover Engineering PC
2044 Main Road
Huntington, VT 05462

Other Interested Parties:

Potential buyers of the existing Nowlan house (2)

Identifier: Contents:

ZA-1	Copy of Patricia Nowlan’s application for subdivision
ZA-2	A copy of the sketch plan dated 12-7-07 and cover letter prepared by Dean Grover, Grover Engineering PC, for Patricia Nowlan, RV225
ZA-3	A copy of the parcel map with abutters
ZA-4	A copy of the letter from Vince Paradis dated 11-30-07
ZA-5	A copy of the Sketch Plan Checklist for Subdivisions
ZA-6	A copy of the Subdivider Statement prepared by Dean Grover, Grover Engineering PC, for Patricia Nowlan, RV225 dated 12-17-07

- Patricia Nowlan began by explaining her desire to build a small (less than 2,000 sq ft) house on the hill behind her current home. She stated that of the two lot locations proposed, she prefers Location A. Dean Grover of Grover Engineering PC then read the Subdivider Statement and provided information regarding the proposed plans for PRD.
- Town and Planning Administrator Chris Murphy asked whether having switchbacks for the driveways would create a larger environmental impact than the proposed driveway at 12% grade. Mr. Grover responded that it would.
- Board Member Stan Hamlet asked where the 12% grade began. Mr. Grover responded that it would begin at the base of the hill. A discussion of the Underhill Jericho Fire Department (UJFD) recommendations occurred. A letter from the UJFD has not yet been received.
- Board Members Chuck Brooks and Roy Dunphey and Town and Planning Administrator Murphy discussed the PRD requirements for open land. The ±3 acre parcel across River Road from the existing house would be the designated open land. This land would require either a Homeowner’s Association agreement or an owner for assessment purposes.
- Board Member Roy Dunphey asked if the acreages depicted on the proposed plan included the River Road Right-of-Way. Mr. Grover responded that they do not.
- Zoning Administrator Kari Papelbon explained that she had conducted an informal site visit with Ms. Nowlan and was asked to look at a gully. While it was clear that there was a gully between one house site and another hill, she was unable to determine whether this was a watercourse as there was snow on the ground. Town and Planning Administrator Murphy added that the Board’s Rules of Procedure state that they cannot conduct

a formal site visit when there is snow on the ground and would schedule a site visit after the snow melts in spring and the plants begin to grow.

- A discussion of the Rules of Procedure concerning combining preliminary and final hearings ensued.
- Zoning Administrator Papelbon requested that Mr. Grover extend the topographic lines on the map to the property lines. Town and Planning Administrator Murphy also asked Mr. Grover to add the floodplain to the ±3 acre parcel on the plans.
- Chairperson Tobin asked for public comment. There were no comments.

7:08 PM: Chairperson Tobin asked if the Board had enough information to make a decision on whether to accept the sketch plan for PRD. Board Member Stan Hamlet made a motion, seconded by Roy Dunphey, to deliberate in open session. The motion was passed by all Board Members present.

Board Member Chuck Brooks commented that he was in favor of granting sketch plan approval for PRD. Town and Planning Administrator Murphy explained that there is a waiver provision in the Zoning Regulations specific to PRD.

7:18 PM: Board Member Peter Seybolt made a motion, seconded by Roy Dunphey, to accept the proposed PRD sketch plan. The motion was passed by all Board Members present.

7:20 PM: Chairperson Tobin asked if the Board was in favor of combining preliminary and final hearings. The motion was passed by five Board Members.

Ms. Nowlan asked who determines when the conditions are favorable for a site visit. Chairperson Tobin responded that he and the Board would. He and other Board Members added that a site visit would potentially take place in April. Ms. Nowlan then asked if she could sell the house without going forward with the PRD. She was told she could. Chairperson Tobin then explained that there would be a 30-day appeal period after the final approval of subdivision.

7:30 PM: Meeting adjourned.

These minutes of the 12-17-07 meeting of the DRB were

Accepted

This 22nd day of December, 2007

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.