

**TOWN OF UNDERHILL, VT**  
Planning & Zoning Administrator

P.O. Box 120, Underhill, VT 05489  
E-mail: [smcshane@underhillvt.gov](mailto:smcshane@underhillvt.gov)

Phone: (802) 899-4434, x106  
Fax: (802) 899-2137

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**MEMORANDUM**

To: DRB, SB, UJFD, UCC  
From: Sarah McShane, PZA  
Date: April 20, 2015  
Re: Agenda and Information for 4/20/2015 Meeting

**Development Review Board**  
**NOTICE OF PUBLIC MEETING**  
**AGENDA**

**Monday, April 20, 2015 - 6:40 Public Hearing**  
**Underhill Town Hall, 12 Pleasant Valley Rd. Underhill, VT**

6:00 PM	Site Visit at 53 Tupper Road
6:40 PM	Reconvene at Town Hall Public Comment Period
6:45 PM	Conditional Use Review- Development on Steep Slopes Applicant: D. Walker Docket #: DRB 15-02 Location: 53 Tupper Road
7:45 PM	Other Business Review minutes of 4-6-2015

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**DRB 15-02 (TU053) Contents:**

- a) Conditional Use Review Hearing Request (3-10-2015);
- b) Conditional Use Review Standards Findings Checklist;
- c) Drawings for Proposed Cabin, "Permit Cabin Plan", Drawing A-1, Print Date 3-8-2015, prepared by Walker Woodworks, Huntington, VT;

Dale Walker (TU053)  
Conditional Use Review  
April 20, 2015

- d) Site Plan, "Permit Site Plan", Drawing # L-1, issue date 2-12-15, print date 3-10-2015, prepared by Walker Woodworks, Huntington, VT;
- e) Access Permit approved by the Selectboard on 3-5-15 with attached memo and site plan;
- f) A copy of the letter mailed to abutters (dated 4-1-15);
- g) A copy of the public hearing notice posted in 3 public places and in Seven Days (4-1-15);
- h) A copy of the tax map with zoning districts for TU053;
- i) A copy of the ANR Natural Resources Map indicating slope;
- j) A copy of the procedure checklist for this meeting; and this memo.

**Hearing on the Application of Dale Walker for Conditional Use Review to Construct a Cabin and Designate a Building Envelope for Future Residential Improvements on Steep Slopes**

Applicant(s): Dale Walker  
Consultant(s): N/A  
Property Location(s): 53 Tupper Road  
Acreage: ±23.0 Acres  
Zoning District(s): Rural Residential/ Soil & Water Conservation

<p><b><u>Rural Residential</u></b>: 3 acres  250 ft road frontage  Setbacks: Front – 30 ft  Side &amp; Rear – 50 ft  Accessory Structures – 30 ft (front)  20 ft (side &amp; rear lines)  Max. Bldg. Coverage: 25%  Max. Lot Coverage: 50%  Max. Building Height: 35 ft</p>	<p><b><u>Soil &amp; Water Conservation</u></b>: 15 acres  400 ft road frontage  Setbacks: Front – 30 ft  Side &amp; Rear – 75 ft  Accessory Structures- 30 ft (front)  Side &amp; Rear - 20 ft  Max. Bldg. Coverage: 7%  Max. Lot Coverage: 10%  Max. Building Height: 35 ft</p>
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Relevant Regulations: 2014 Underhill Unified Land Use & Development Regulations & 2002 Underhill Road Policy

**Article II, Zoning Districts**

- o Table 2.3 Rural Residential District
- o Table 2.6 Soil and Water Conservation District

**Article III, General Regulations**

- o Section 3.2 Access
- o Section 3.6 Height Requirements
- o Section 3.7 Lot, Yard, and Setback Requirements
- o Section 3.13 Parking, Loading and Service Areas (including Table 3.1)
- o Section 3.14 Performance Standards
- o Section 3.18 Steep Slopes
- o Section 3.19 Surface Waters and Wetlands
- o Section 3.22 Water Supply & Wastewater Systems

**Article IV Specific Use Standards**

Dale Walker (TU053)  
Conditional Use Review  
April 20, 2015

- Section 4.2 Accessory Dwelling

#### **Article V Development Review**

- Section 5.3 Site Plan Review
  - Section 5.4 Conditional Use Review
- 

### **Comments/Questions**

#### ***Table 2.3 Rural Residential District (page 12)***

The purpose of the Rural Residential District is to accommodate medium density development on land that has access to public roads where traditional development has taken place.

The proposed cabin and building envelope are located within the Rural Residential zoning district. Accessory dwellings, single family dwellings and camps are all permitted uses within the Rural Residential District.

Since the proposed cabin will not meet the zoning regulations definition of 'camp' it should be considered a primary dwelling. Per Section 4.2(C), the cabin (primary dwelling) can be converted to an accessory dwelling in association with the construction of a new primary dwelling, subject to Conditional Use review. The new primary dwelling will be required to be +150% larger than the accessory dwelling.

#### ***Table 2.6 Soil and Water Conservation District (page 21)***

No improvements are proposed within this zoning district.

#### ***Section 3.2 Access (page 27)***

The applicant obtained access approval on 3-5-2015 from the Selectboard. See approved Access Permit (attached).

The property currently has two access points on Tupper Road. The regulations prohibit more than one access except for §3.2(D)(2)(a) "a temporary or permanent access used only for farming or forestry purposes, as approved by the Selectboard." The second access should be limited to farming or forestry purposes and obtain approval from the Selectboard.

Does the Board need to approve access to the parcel since it is located on a Class 4 road? [See Section 3.2(A)].

Should the Board review the application for compliance with §3.2(D)(9) and (11)? Or is this the purview of the Selectboard? [See page 30]

Prior to the issuance of a certificate of occupancy, the applicant will be required to provide certification from a licensed engineer that all permitted road and driveway improvements have been completed in conformance with approved plans. [Section 10.4(A)(2)(c)][Page 179]

**Section 3.6 Height Requirements (page 33)**

The proposed 25' x 14' dwelling does not exceed the height restrictions.

**Section 3.7 Lot, Yard, and Setback Requirements (page 35)**

The proposal appears to meet the requirements of this section. Only one primary dwelling is proposed and it meets the required property setbacks.

**Section 3.13 Parking, Loading and Service Areas (including Table 3.1) (page 41)**

The minimum parking requirements for a single family dwelling are two per dwelling unit. Minimum parking requirements for accessory dwellings are one parking space per dwelling unit. The proposal appears to meet this requirement.

There does not appear to be any requirements that parking be located next to the dwelling for single family dwellings. §3.13(3) requires multi-family, public and commercial and industrial uses to provide parking to the rear or side of principal buildings, behind the front building line unless the DRB finds that another location is justified. This does not appear to be required for private single family dwellings.

**Section 3.14 Performance Standards (page 43)**

Is the applicant proposing to use generator power? If so, will the generator create noise in excess of 60 decibels as measured at the property line? Or noise that represents a significant increase in noise levels in the vicinity of the use so as to be incompatible with the surrounding area?

Agricultural and forestry operations shall at minimum observe the Accepted Agricultural Practices and Accepted Management Practices as defined by the Vermont Agency of Agriculture, Food, and Markets and Vermont Department of Forests, Parks and Recreation.

**Section 3.18 Steep Slopes (This section should be reviewed closely) (page 53)**

The purpose of this section is to regulate land subdivision and development to minimize site disturbance and construction on steep slopes (15% to 25%) and to avoid site disturbance on very steep slopes (>25%).

The requirements of this section apply to all land subdivision and development including site clearing and preparation, grading and excavation, construction, and the installation of driveways, roads, utilities and other infrastructure, on steep or very steep slopes as defined under Section 11.2.

According to the ANR Natural Resource Maps, it appears that the proposed improvements are within steep slopes (15%-25%) and therefore are required to be reviewed under Section 3.18. According to the ANR Natural Resource Maps the applicant is not proposing development within very steep slopes (>25%).

Section 3.18 (B)(1)(i) exempts "isolated, noncontiguous areas of steep or very steep slope with a total area of 1,000 square feet or less" from the requirements of Section 3.18. Can the applicant demonstrate

that the area to be developed is less than 1,000 square feet? If so, the provisions listed in this section may not apply.

Unless listed as exempt Section 3.18(B)(2) requires development on steep slopes to be reviewed as a Conditional Use by the DRB.

The Applicant is requesting the standards and application requirements of this section be waived since *“the proposed development involves minimal site disturbance and poses a negligible threat to water quality, public roads and facilities, and to adjoining properties.”*

The Board should review the application requirements of this section.

### ***Section 3.19 Surface Waters and Wetlands (page 60)***

The Applicant has identified an unnamed stream on the property. All proposed improvements appear to be located outside of the required 25 feet setback buffer. Best management practices for water quality and erosion control should be used to minimize impacts.

### ***Section 3.22 Water Supply & Wastewater Systems (page 65)***

The regulations require that all buildings and structures intended for human occupancy have adequate water supply and wastewater disposal systems.

The locations of these improvements have not been indicated on the site plan. Although a septic permit is not required prior to the issuance of a building permit [see Section 3.22(E) and 3.22(G)(2)], it is in the best interest of the Applicant to have the appropriate testing performed.

Prior to the issuance of a certificate of occupancy, a septic permit is required to be recorded in the Land Records and the wastewater system and potable water supply has to be certified by a professional engineer or site technician that it was installed as permitted.

### ***Section 4.2 Accessory Dwelling (page 67)***

The Applicant has immediate plans to construct a ± 25' x 14' primary dwelling. At some point in the future, the Applicant would like to construct a larger dwelling within the building envelope indicated on the site plan.

Per Section 4.2(C) (pg. 68) *“An existing single family dwelling with a total floor area of no more than 1,000 square feet may be converted to an accessory dwelling in association with the construction of a new principal dwelling on the same lot, subject to conditional use review under Section 5.4 and all other applicable requirements of this section. The new principal dwelling shall have a total habitable floor area that is at least 150% of the total floor area of the existing (converted) dwelling.”*

The proposed cabin has a footprint of approximately 320 sf. Under Section 4.2(C), the Board can approve, subject to Conditional Use review, the conversion of the single family dwelling to an accessory dwelling in association with construction of a new principal dwelling that is at least 150% of the

converted dwelling. This should be addressed during the hearing and in the DRB decision so a second hearing is not required?

***Section 5.3 Site Plan Review (page 108)***

The purpose of site plan review is intended to ensure that site layout and development design are functional, safe, attractive, and consistent with the purpose and character of the district(s) in which the development is located.

The DRB may consider and impose appropriate safeguards, modifications and conditions relating to the following standards; existing site features; site layout & design; vehicle access; parking loading and service areas; site circulation; landscaping and screening; outdoor lighting; and stormwater management and erosion control (see pages 108-113 for detailed information.)

***Section 5.4 Conditional Use Review (page 113)***

The purpose of conditional use review is intended to ensure compliance with standards addressing the potential impacts of development on adjoining properties, the neighborhood, and/or zoning district in which the development is located, and the community at large.

**General Standards:**

- The capacity of existing or planned community services or facilities.
- The character of the area affected.
- Traffic on roads and highways in the vicinity.
- Bylaws in effect.
- The utilization of renewable energy resources.
- Conformance with the Town Plan.
- Zoning District & Use Standards.
- Performance Standards.
- Legal Documentation.

Note: For discussion- Section 10.3(C)(1) [page 176] states that “No zoning permit shall be issued by the Zoning Administrator for any use or structure that requires approval of the Development Review Board (DRB) until DRB approval has been obtained. DRB decisions, including approvals, may be appealed under Section 10.5; however, administrative zoning permits issued by the Zoning Administrator for DRB-approved development cannot be separately appealed under Section 10.5.”

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**Underhill DRB Rules of Procedure  
Hearing Checklist  
Conditional Use Hearing  
Application of Dale Walker  
April 20, 2015**

State the following:

1. "This is a conditional use review hearing on the application of Dale Walker for approval to construct a 25' x 14' cabin and designate a building envelope for future residential improvements on property located at 53 Tupper Road in Underhill, VT.

Conditional use review is intended to ensure compliance with standards addressing the potential impacts of development on adjoining properties, the neighborhood, and/or zoning district in which the development is located, and the community at large. Typically, land uses are subject to conditional use review because their scale, intensity and potential for off-site impacts warrant more careful scrutiny by the Development Review Board. Standards and conditions relate to the identification, avoidance and/or mitigation of potential impacts.

This application is subject to review under the 2014 Unified Land Use and Development Regulations."

2. Copies of the Rules of Procedure that the Board follows are available for review from the Zoning & Planning Administrator.
3. The order of speakers tonight will be:
  - a. We will hear from and ask questions of the Applicant(s), Dale Walker;
  - b. Then we will hear and ask questions of the Zoning & Planning Administrator, Sarah McShane;
  - c. Then we will give other persons in the room a chance to speak. Under our Rules of Procedure each speaker is limited to five minutes; however, that time can be extended upon request to and majority consent of the Board; then
  - d. The Applicant will have an opportunity to respond; then
  - e. Final comments will be solicited from all parties.
  - f. All speakers should address their comments to the Board, not to other parties present at the hearing.
  - g. Board Members may feel free to ask questions of any speaker.
4. Are any State or municipal representatives present?
5. An Interested Parties Info Sheet has been provided to all attendees. Please review it for further information.

***Then state:***

"Only those interested persons who have participated, either orally or through written statements in a DRB proceeding may appeal a decision rendered in that proceeding to the Environmental Division of Superior Court.

6. If you are an applicant, or an interested party who wants to participate in the hearing, we will have you come up to the witness chair and clearly state your name, residential address, and mailing address if it differs.

7. I am now going to swear in all those present who wish to speak tonight. All individuals who plan to testify must take the following oath by responding "I do" at the end: ***"Do you hereby swear that the evidence you give in the cause under consideration shall be the whole truth and nothing but the truth under pains and penalties of perjury?"***
8. Are there any conflicts of interest or have there been any ex parte communications on the part of the Board Members?
9. At this point I am going to enter into the record the information package that was sent by the Zoning & Planning Administrator prior to the hearing. The information included in this package relevant to this hearing is:
  - a. Conditional Use Review Hearing Request (3-10-2015);
  - b. Conditional Use Review Standards Findings Checklist;
  - c. Drawings for Proposed Cabin, "Permit Cabin Plan", Drawing A-1, Print Date 3-8-2015, prepared by Walker Woodworks, Huntington, VT;
  - d. Site Plan, "Permit Site Plan", Drawing # L-1, issue date 2-12-15, print date 3-10-2015, prepared by Walker Woodworks, Huntington, VT;
  - e. Access Permit approved by the Selectboard on 3-5-15 with attached memo and site plan;
  - f. A copy of the letter mailed to abutters (dated 4-1-15);
  - g. A copy of the public hearing notice posted in 3 public places and in Seven Days (4-1-15);
  - h. A copy of the tax map with zoning districts for TU053;
  - i. A copy of the ANR Natural Resources Map indicating slope;
  - j. A copy of the procedure checklist for this meeting; and this memo.
10. We'll begin testimony, and hear from Dale Walker.
11. Next we will hear from the Zoning & Planning Administrator.
12. Are there members of the public who would like to speak? Please indicate your name and address for the record.
13. Any final comments from anyone?
14. Does the Board feel that they have enough information at this time to make a decision on the application?
  - a. *If more information is needed to make a decision on the application, continue the hearing to a date and time certain, and outline for the Applicant(s) what is required at that continued hearing; or*
  - b. *If, by consensus, enough information has been presented to make a decision on the application, announce that the evidentiary portion of the hearing is closed.*
15. Does the Board wish to discuss the application in open or closed session? (After the ruling, continue with the info below.)

“Within 45 days from this hearing, the Zoning & Planning Administrator, on behalf of the DRB, will send a copy of the decision and letter to the Applicant(s) and those who have participated in tonight’s hearing. A 30-day appeal period will begin on the date the decision is signed.

If there are no other comments or questions we will close [this portion of] the meeting.”

# TOWN OF UNDERHILL

P.O. Box 32  
Underhill Center, VT 05490

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

Email: [underhillzoning@comcast.net](mailto:underhillzoning@comcast.net)

## CONDITIONAL USE HEARING REQUEST

ZONING DISTRICT(S):

PROPERTY CODE: TU053

**FEES:** \$150 + Certified Mail costs + recording fees

Residential  Rural Residential  Water Conservation  Scenic Preservation  Soil & Water Conservation

APPLICANT:

Dale Walker

MAILING ADDRESS:

1276 Texas Hill Rd. Huntington VT 05462

PHONE:

802.497.4847

E-MAIL:

dale@walker-woodworks.com

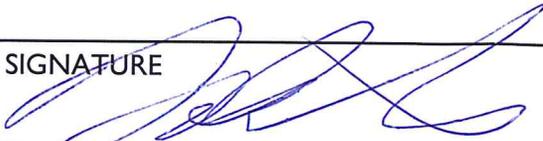
SUBJECT PROPERTY ADDRESS:

53 Tupper Rd

DESCRIPTION OF PROPOSED CONDITIONAL USE:

25'x14' cabin proposed to be built in area of steep slopes up to 25% grade.

APPLICANT SIGNATURE



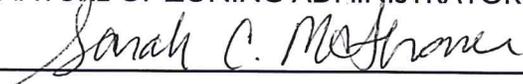
DATE

03/10/15

HEARING DATE (to be determined by the Zoning Administrator)

April 20, 2015

SIGNATURE OF ZONING ADMINISTRATOR



DATE

3-13-2015

Please submit a completed application to the Zoning Administrator. A Hearing before the Development Review Board will be scheduled upon receipt of a complete application. For assistance with this application, please contact the Zoning Administrator at 899-4434, x106 or [underhillzoning@comcast.net](mailto:underhillzoning@comcast.net).

*Paid \$150 - hearing fee. Check # 497 A. KROLICK - TEXAS HILL RD.*

# TOWN OF UNDERHILL, VERMONT

## Article V, Section 5.4 – Conditional Use Review Standards Findings Checklist

Docket #: DUB 15-02 Property ID: TU053 Hearing Date: 4-20-2015

Applicant/Consultant: Dale Walker

### Check the zoning district(s) in which the proposed use will occur:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Underhill Flats Village Center | <input checked="" type="checkbox"/> Rural Residential | <input type="checkbox"/> Water Conservation |
| <input type="checkbox"/> Scenic Preservation            | <input type="checkbox"/> Soil & Water Conservation    |   |

*The following standards are excerpted from Article V, Section 5.4 of the Unified Land Use and Development Regulations. For full standards, refer to the complete regulations document.*

*Applicant(s) shall submit proposed findings of fact for each of the relevant standards below as part of the application for conditional use review. Proposed findings shall address how the proposed development relates to each portion of the standard.*

Required

Submitted

### Section 5.4(B) General Standards

**(1) Capacity of existing or planned community services or facilities.**

Indicate how the proposed conditional use affects the demand for community services and facilities.

N/A
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# TOWN OF UNDERHILL, VERMONT

## Article V, Section 5.4 – Conditional Use Review Standards Findings Checklist



Required

Submitted

### Section 5.4(B) General Standards Cont'd

**(2) Character of the area affected.**

Indicate how the proposed conditional use relates to the character of the area in terms of location, scale, type, density, and intensity. Include any mitigation measures that will be utilized to avoid undue adverse impacts to the character of the area.

Small cabin in the woods.

**(3) Traffic on roads and highways in the vicinity.**

Specify the projected impact of traffic resulting from the proposed conditional use. Include the impacts to the condition, capacity, safety, efficiency and use of existing and planned roads, bridges, intersections and associated highway infrastructure in the vicinity.

no more than any other residence.

# TOWN OF UNDERHILL, VERMONT

## Article V, Section 5.4 – Conditional Use Review Standards Findings Checklist



Required

Submitted

### Section 5.4(B) General Standards Cont'd

(4) Bylaws in effect.

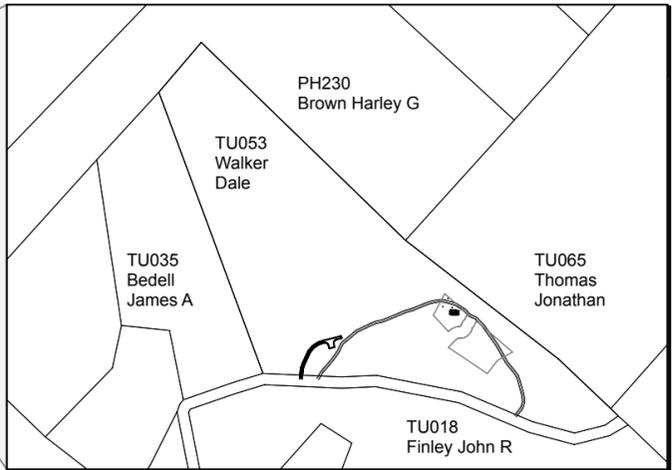
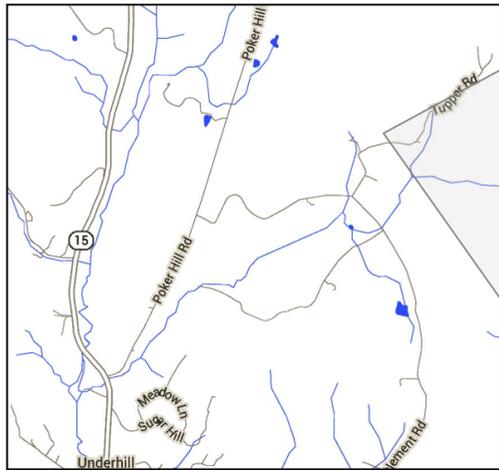
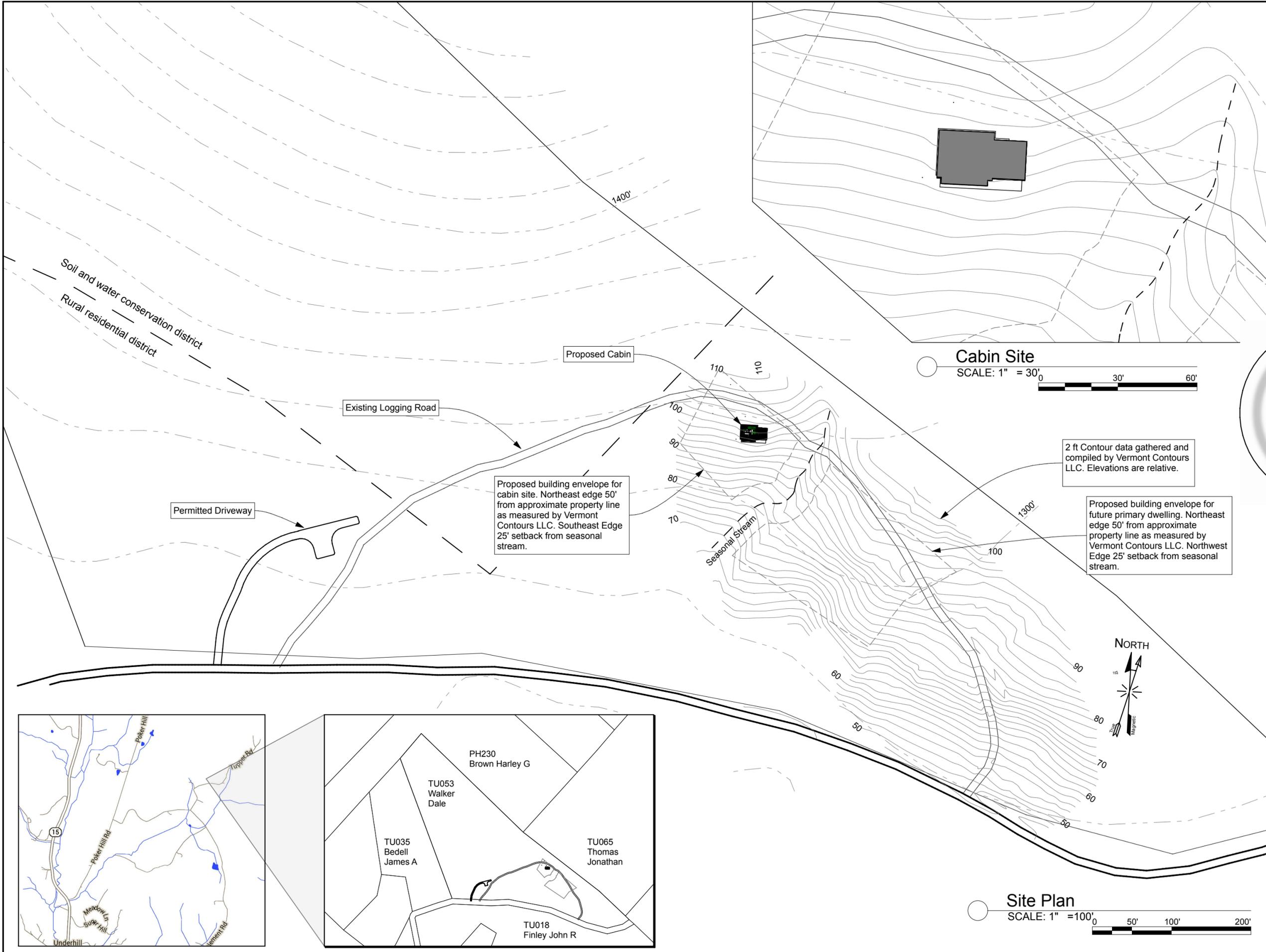
Indicate how the proposed conditional use complies with all municipal bylaws and ordinances.

Structure to be on less than 25% grade.

(5) Utilization of renewable energy resources.

Demonstrate how the proposed conditional use will not interfere with the sustainable use of renewable energy resources, including access to, or the direct use or future availability of such resources.

Small cabin in the woods.



PROJECT:

Date  
**Walker**  
53 Tupper Rd  
Underhill, VT 05489

**Walker Woodworks**  
Huntington • Vermont  
802.497.4847  
dale@walker-woodworks.com

ISSUE DATE:

02/12/15

PRINT DATE:

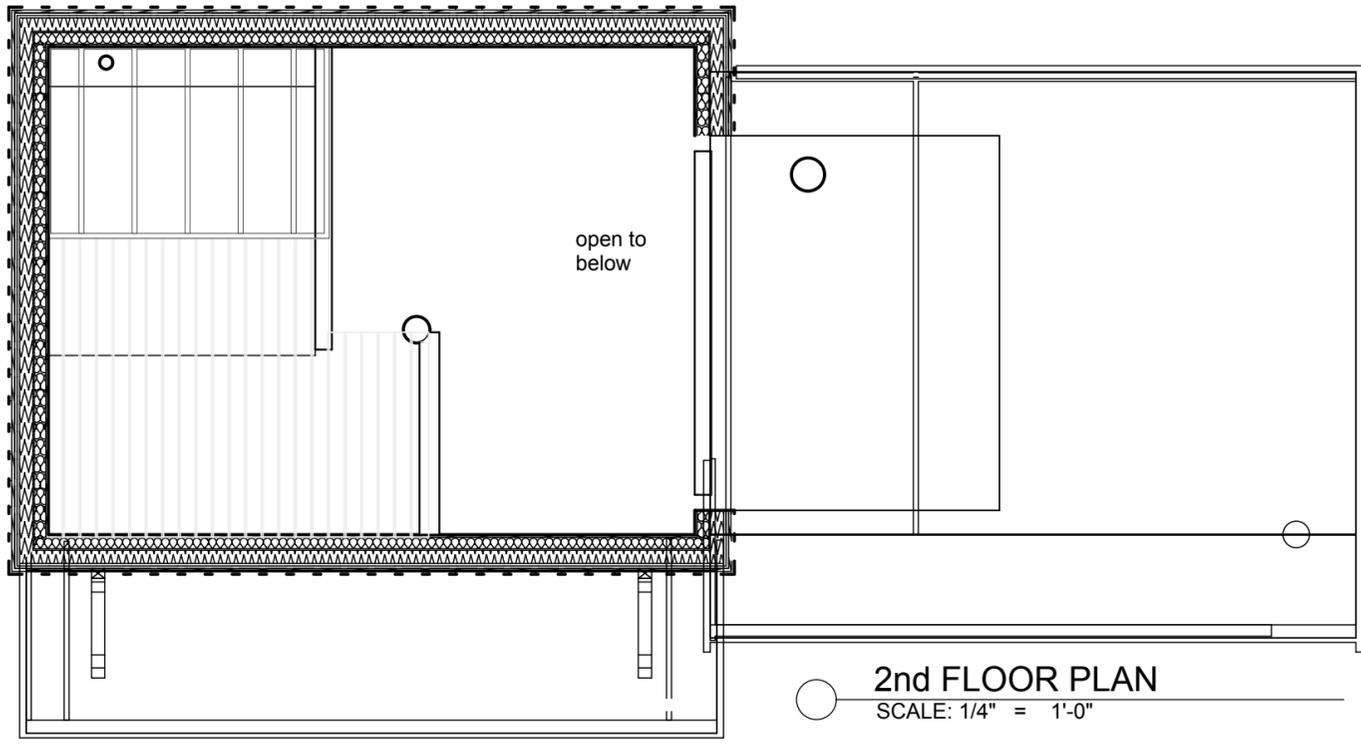
3/10/15

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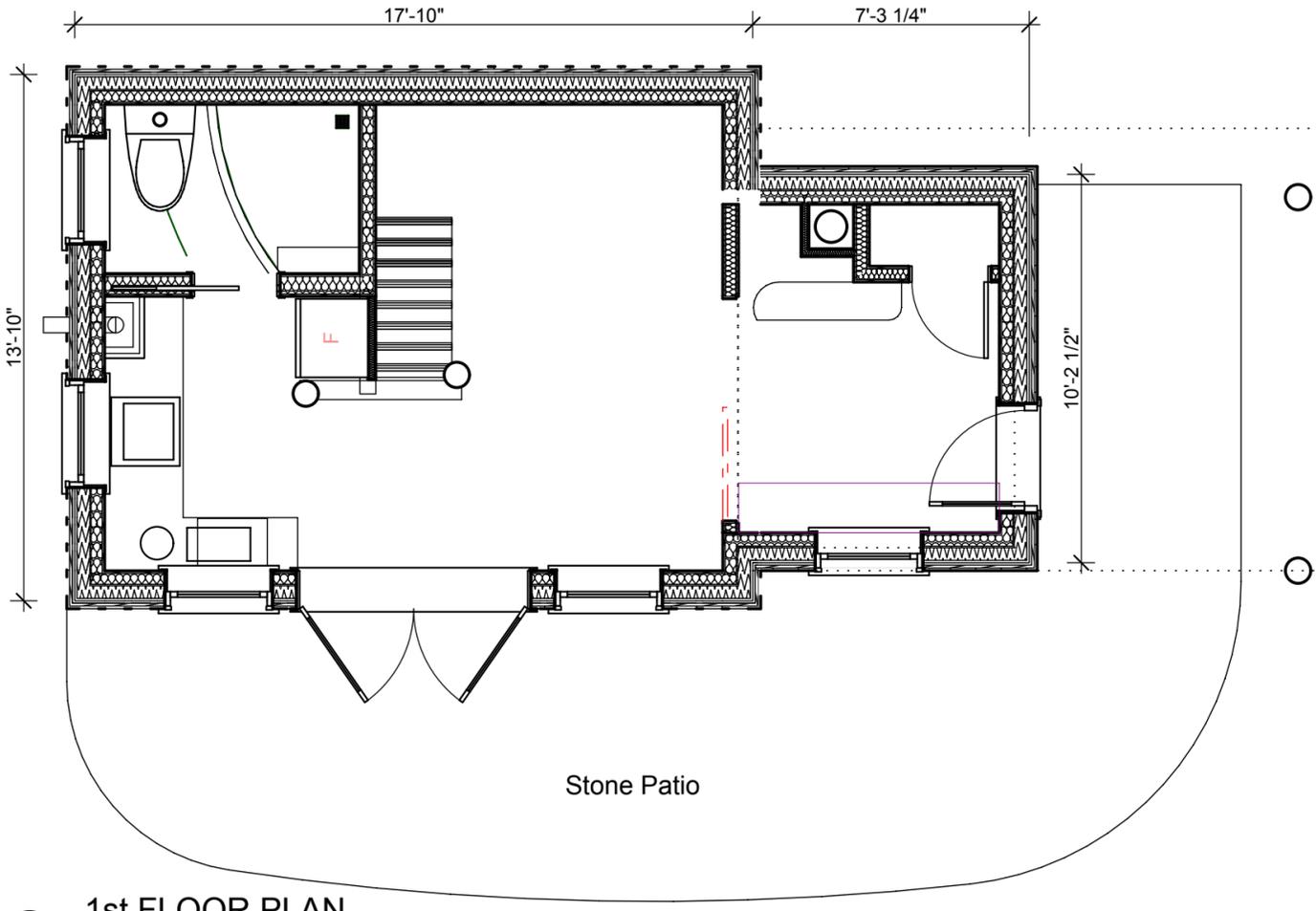
**Permit  
Site Plan**

DRAWING #

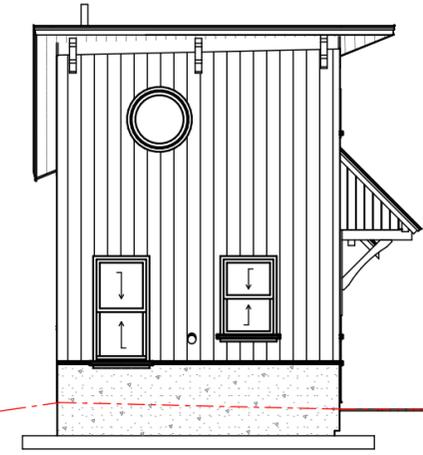
**L-1**



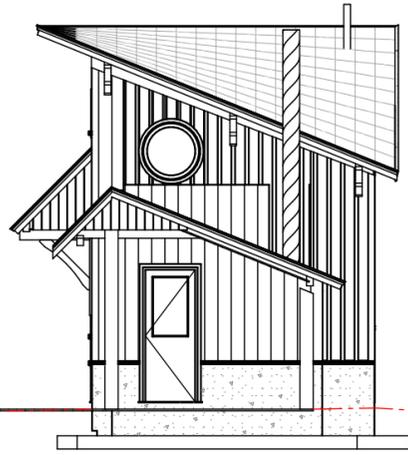
2nd FLOOR PLAN  
SCALE: 1/4" = 1'-0"



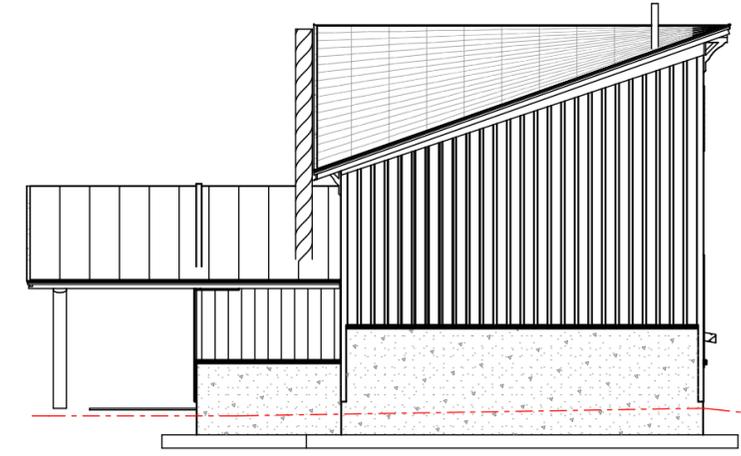
1st FLOOR PLAN  
SCALE: 1/4" = 1'-0"



West  
SCALE: 1/8" = 1'-0"



East  
SCALE: 1/8" = 1'-0"



North  
SCALE: 1/8" = 1'-0"



South  
SCALE: 1/8" = 1'-0"



PROJECT:

Dale Walker  
53 Tupper Rd  
Underhill, VT 05489

Walker Woodworks  
Huntington • Vermont  
802.497.4847  
dale@walker-woodworks.com

ISSUE DATE:

Permit

PRINT DATE:

3/8/15

DRAWING TITLE:  
Permit  
Cabin Plan

DRAWING #

A-1

# TOWN OF UNDERHILL

P.O. Box 120  
Underhill, VT 05489

Phone: (802) 899-4434

Fax: (802) 899-2137

## ACCESS PERMIT APPLICATION

# A15-02

All access permit applications require review by the Selectboard and Road Foreman.

ZONING DISTRICT(S):

PROPERTY CODE: TU053

FEES: \$50+ recording fees

UFVC     Rural Residential     Water Conservation     Scenic Preservation     Soil & Water Conservation

NAME: <u>Dale Walker</u>	PROPERTY LOCATION: <u>53 Tupper Rd</u>
MAILING ADDRESS: <u>1276 Texas Hill Rd Huntington VT 05462</u>	ACREAGE: <u>23</u>
PHONE: <u>802 497-4847</u>	E-MAIL: <u>Dale@WalkerWoodworks.com</u>
CONSULTANT(S):	CONSULTANT CONTACT INFORMATION:

### PLAN REQUIREMENTS (Attach plan to application)

All driveways and private roads must conform to the standards in the Underhill Road Policy. Waiver requests must be submitted at time of application. The plan must include accurate measurements of the following requirements:

- Proposed access on public or private road
- Property boundaries with measurements to proposed curb cut
- Landmarks sufficient to determine access point and path of traveled way
- Distance from all waterways
- All easements, covenants, and abutting property owners

APPLICANT SIGNATURE

DATE

2/12/15

Received by <u>Sarah McShane</u>	FOR OFFICE USE ONLY	Date: <u>2-12-2015</u>
Road Foreman Inspection	Site Visit Date: <u>17 FEB 2015</u> Road Classification (if applicable): <u>IV</u>	
Speed Limit/Average Running Speed (if applicable):	Sight Distances: Left <u>500 +</u> Right <u>309 390'</u>	
Culvert Required? <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	Size <u>18" x 30'</u>
Comments, Restrictions, Conditions: <u>As per Memorandum dated March 10, 2015 attached and included by reference</u>		
To be Reviewed by the Selectboard (Date) <u>17 FEB 2015, 5 MAR 15</u> <u>McShane</u>		

## MEMORANDUM

Re: Conditions of approval for Access Application A15-02 to TU053

Date: March 10, 2015

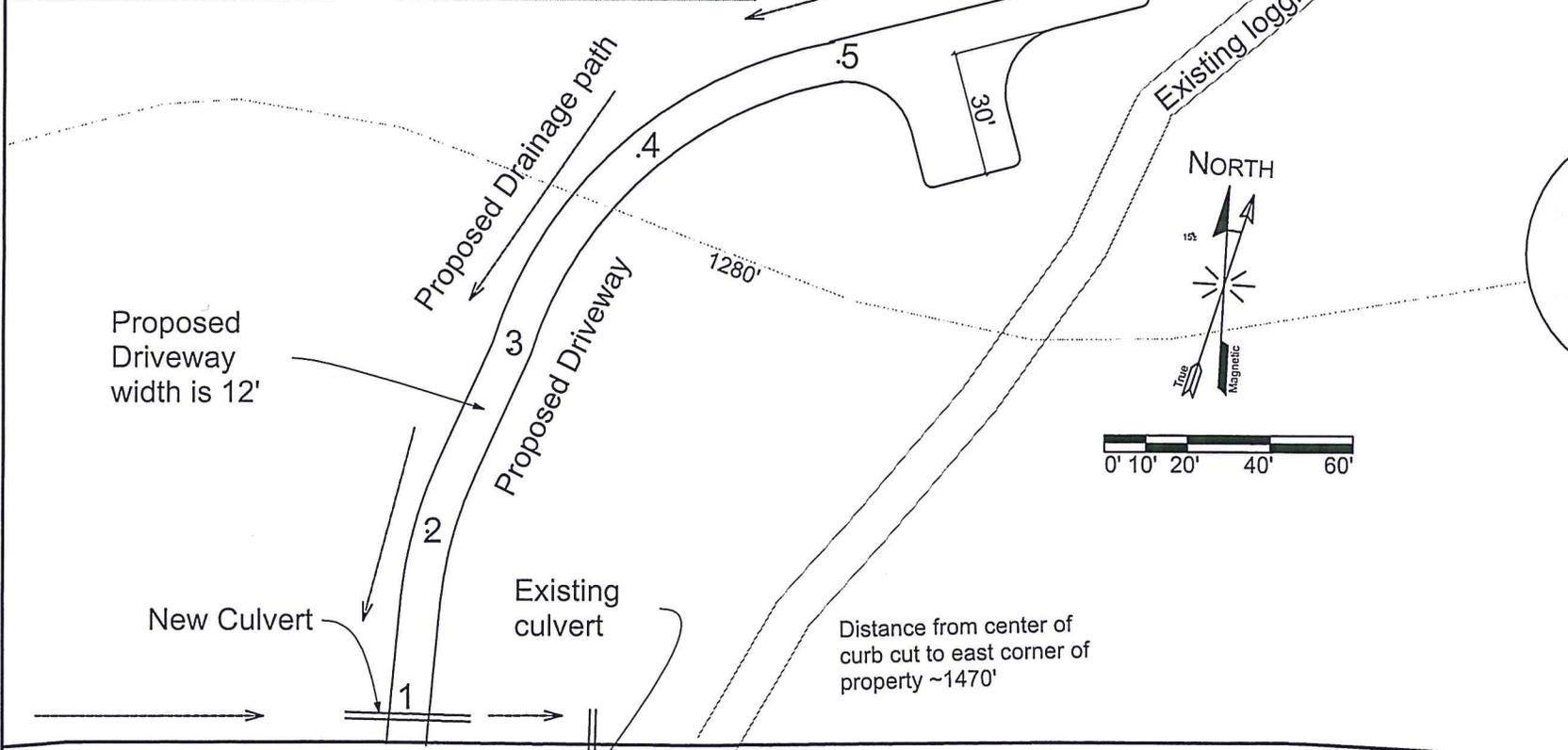
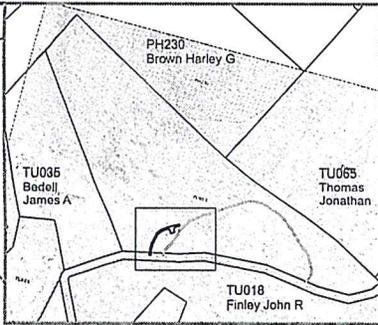
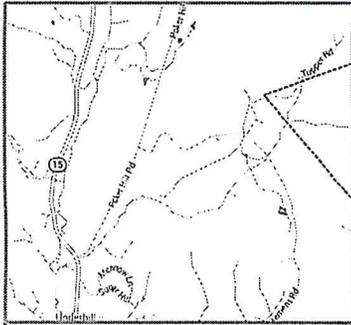
On March 5, 2015 the Selectboard approved access application A15-02 with the following conditions:

- Driveway is to be constructed in conformance with B-71 Standards,
- Driveway is to be constructed as shown on drawing prepared by applicant Dale Walker dated February 12, 2015 and attached to the permit.
- Any future change in grade or alignment of any portion, or of the length of the driveway, will require additional review and approval by the Selectboard.
- In accordance with §3.2.D.11 of the Unified Land Use & Development Regulations the Class 4 portion of Tupper Road be brought up to B-71 standards to the easternmost point of the proposed driveway right of way.

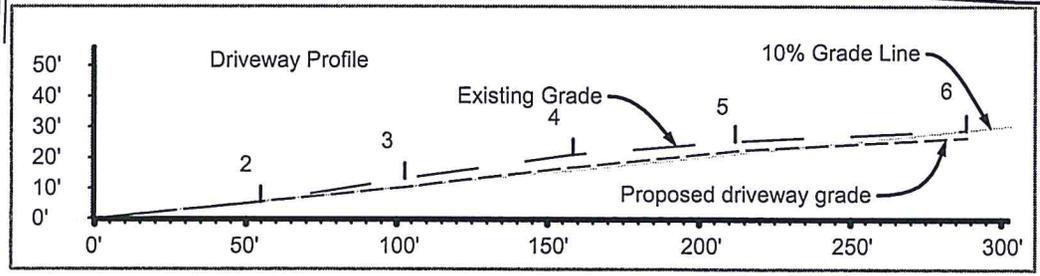
Copies: Dale Walker, 1276 Texas Hill Road, Huntington, VT 05462

A15-02

Planning File for TU053



Distance from center of curb cut to west corner of property ~157'



PROJECT:  
Date  
**Walker**  
53 Tupper Rd  
Underhill, VT 05489

Walker Woodworks  
Huntington • Vermont  
802.497.4847  
dale@walker-woodworks.com

DRAWING TITLE:  
Driveway Plan

DRAWING #  
**Access Permit**  
PRINT DATE:  
2/12/15  
ISSUE DATE:  
02/12/15

**TOWN OF UNDERHILL, VT**  
Planning & Zoning Administrator

P.O. Box 120, Underhill, VT 05489  
E-mail: [smcshane@underhillvt.gov](mailto:smcshane@underhillvt.gov)

Phone: (802) 899-4434, x106  
Fax: (802) 899-2137

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April 1, 2015

Dale Walker  
1276 Texas Hill Road  
Huntington, VT 05462

Dear Applicant:

This letter is to notify you of your Conditional Use review hearing before the Development Review Board on **Monday, April 20, 2015** for approval to construct a 25' x 14' cabin and designate a building envelope for future residential improvements on Steep Slopes as defined under Section 3.18 of the Unified Land Use and Development Regulations. The property is located at 53 Tupper Road (TU053) within the Rural Residential and Soil and Water Conservation zoning districts. A site visit is scheduled on the property at 6:00 PM preceding the public hearing. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:40 PM. The hearing and site visit are open to the public.

Pursuant to 24 VSA §§4464(a)(1)(C) and 4471(a), participation in this hearing is a prerequisite to the right to take any subsequent appeal. If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,



Sarah McShane  
Planning & Zoning Administrator

cc: File

To: Seven Days Magazine  
Classifieds/Legals  
[classifieds@sevendaysvt.com](mailto:classifieds@sevendaysvt.com)

From: Town of Underhill  
Planning & Zoning  
P.O. Box 120  
Underhill, VT 05489

LEGAL AD

*\*Please e-mail to confirm receipt of this ad.\**

.....  
Release Date: NO LATER THAN 4/2/2015

\*\*\*\*\*

## NOTICE OF PUBLIC MEETING

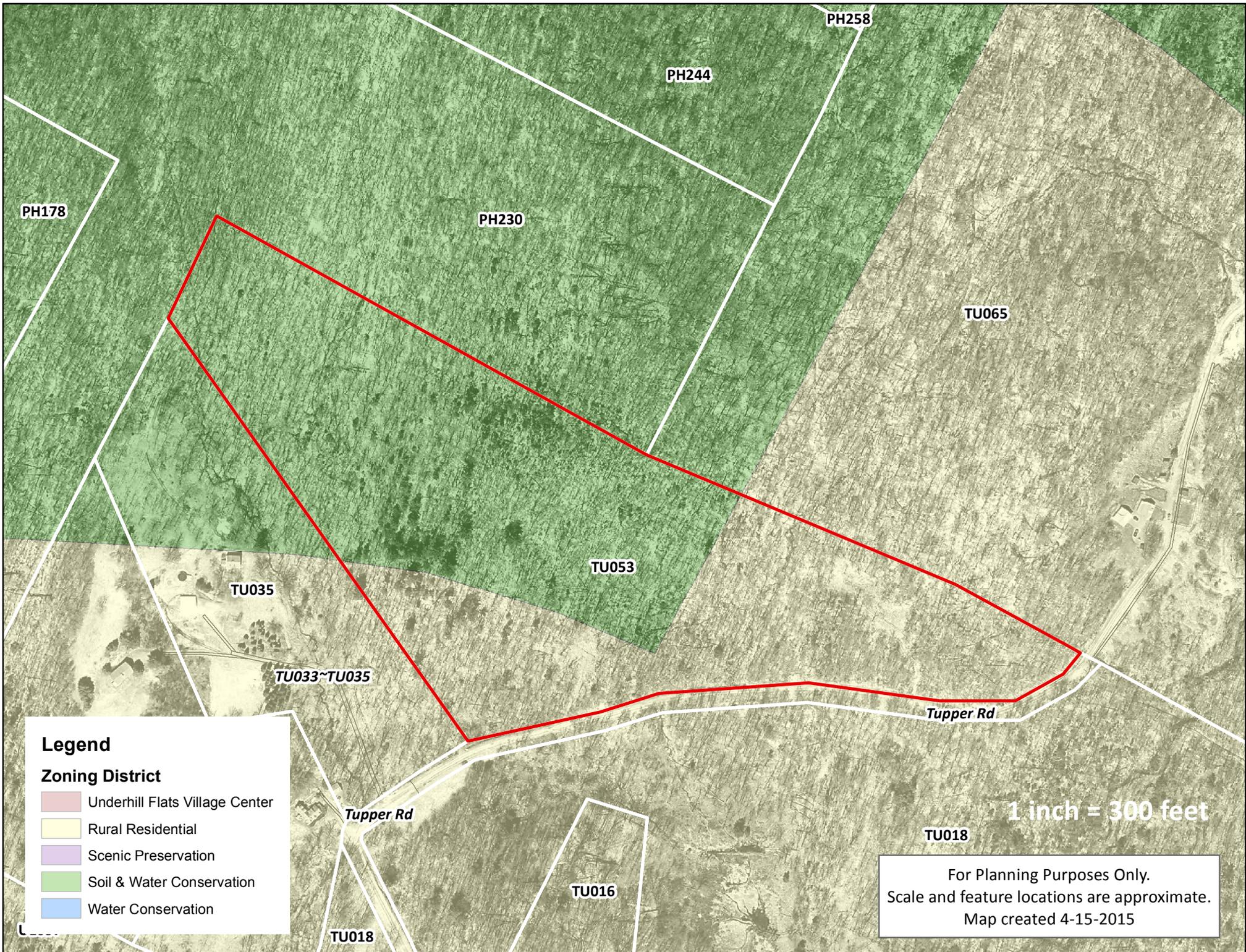
Town of Underhill Development Review Board (DRB) Hearing  
Monday, April 20, 2015 at 6:40 PM  
At the Underhill Town Hall, 12 Pleasant Valley Rd. Underhill, VT

The DRB will hold a Conditional Use Review hearing on the application of Dale Walker for approval for to construct a 25' x 14' cabin and designate a building envelope for future residential improvements on Steep Slopes as defined under Section 3.18 of the Unified Land Use and Development Regulations. The property is located at 53 Tupper Road (TU053) within the Rural Residential and Soil and Water Conservation zoning districts. A site visit will be held on the property at 6:00 PM prior to the public hearing. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 6:40 PM.

Additional information for this hearing may be obtained at the Underhill Town Hall. The hearing is open to the public. Pursuant to 24 VSA §§4464(a)(1)(C) and 4471(a), participation in this local proceeding is a prerequisite to the right to take any subsequent appeal. If you cannot attend the hearings, comments may be made in writing prior to the meeting and mailed to: Planning & Zoning Administrator, P.O. Box 120, Underhill, VT 05489 or to [smcshane@underhillvt.gov](mailto:smcshane@underhillvt.gov)

\*\*\*\*\*

Please call Sarah McShane at the Planning & Zoning Administrator's office at 899-4434 x106 with any questions concerning this ad and to confirm receipt. Please remit bill to: Town of Underhill, RE: 4-20-2015 Zoning Hearing, P.O. Box 120, Underhill, VT, 05489.  
Thank you.



PH178

PH230

PH244

PH258

TU035

TU053

TU065

TU033~TU035

Tupper Rd

Tupper Rd

TU016

TU018

TU018

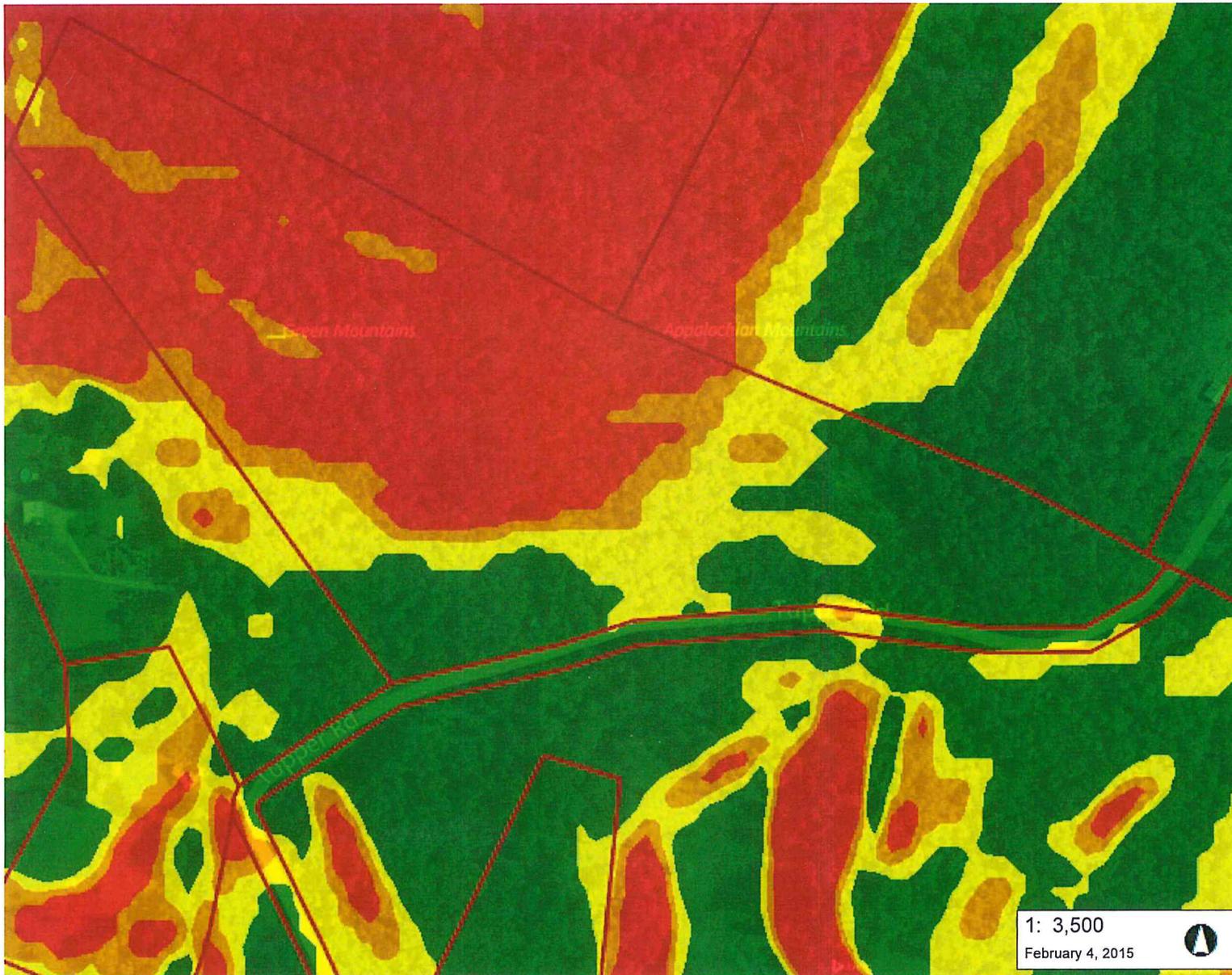
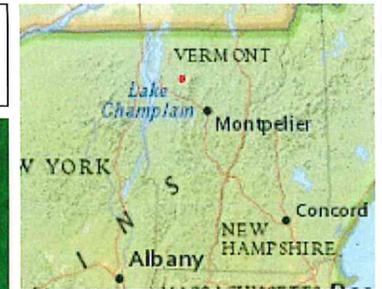
1 inch = 300 feet

For Planning Purposes Only.  
Scale and feature locations are approximate.  
Map created 4-15-2015

**Legend**

**Zoning District**

- Underhill Flats Village Center
- Rural Residential
- Scenic Preservation
- Soil & Water Conservation
- Water Conservation



**LEGEND**

- Parcels (where available)
- Town Boundary
- Slope**
  - <15%
  - 15-20%
  - 20-25%
  - >25%

1: 3,500  
February 4, 2015

178.0                      0                      89.00                      178.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere      1" = 292 Ft.      1cm = 35 Meters

© Vermont Agency of Natural Resources      THIS MAP IS NOT TO BE USED FOR NAVIGATION

**DISCLAIMER:** This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

**NOTES**

Map created using ANR's Natural Resources Atlas