

Town of Underhill
Development Review Board Minutes
April 18, 2016

Board Members Present:

Charles Van Winkle, chair
Karen McKnight
Mark Green
Matt Chapek
Penny Miller, clerk
Will Towle, vice chair

Others Present:

Chris Wells, Applicant (493 VT Route 15)
Heidi McLaughlin, Applicant (493 VT Route 15)
Mary Potvin, Applicant (PO Box 135, U'hill Ctr)
Tim & Theresa Potvin (PO Box 135, U'hill Ctr)
David Ely (PO Box 235)
Jan Peyser (25 Evergreen Lane)
Shane McCormack (268 Pleasant Valley Road)
Tammy Boudah (318 Pleasant valley Road)

6:40 PM- 4/18/16 DRB Public Hearing

- DRB members convened at Town Hall at 6:40 PM. Chair Van Winkle called the meeting to order.
- No public comments were provided.

6:50 PM- Wells McLaughlin - Final Subdivision Review (493 VT Route 15) Docket# DRB 16-03

- Chair Van Winkle began the hearing by explaining the procedure for final subdivision review and referenced the definition of interested party. The Applicants Chris Wells and Heidi McLaughlin were before the Board for proposed modifications on Lot 2 of a previously approved 2-lot subdivision.
- Chair Van Winkle swore in hearing participants and referenced exhibits A through O in the DRB info packet - including exhibit P, a revised water & wastewater permit received that day. He asked if board members had any conflicts of interest or ex parte communications. There were no conflicts of interest or ex parte communications reported.
- The Applicants provided an overview of the proposed changes: well relocation; building envelope relocation; modification to the driveway alignment. Further the Applicants noted that since the original subdivision permit the State has re-delineated wetlands and the Underhill Road Policy has changed. In response, the Applicants have proposed minor amendments to the original lot design, including a driveway realignment to allow a grade of 10% or under.
- Chair Van Winkle read the regional planning report and referenced documentation from the original subdivision.
- At 7:12pm. a motion was made to close the evidentiary part of the hearing & deliberate in Closed Session at the end of the evening. The motion passed by all board members present.

7:15 PM- Potvin- Home Industry/Conditional Use (14 Lap Run) Docket# DRB 16-04

- Chair Van Winkle began the hearing by explaining the procedure for Conditional Use review and referenced the definition of interested party. The Applicant Mary Potvin was before the Board for approval for a Wedding Venue at 14 Lap Run.

- Chair Van Winkle referenced exhibits A through E in the DRB info packet - including exhibits F-H which appeared after the DRB packet had been assembled: 4/11/16 letter from Bauer Gravel Farnham; 4/14/16 email from Bill Russell; a handout created by the Applicant summarizing the project.
- Chair Van Winkle asked if board members had any conflicts of interest or ex parte communications and all answered there were none.
- Chair Van Winkle noted that a warned site visit had occurred earlier that evening with DRB members and the Applicant M. Potvin and father T. Potvin were present. No members of the public were in attendance.
- Chair Van Winkle and Vice-Chair Towle addressed the definition of Home Occupation and Home Industry and the rationale for Home Industry being applied to this project.
- The Applicant M. Potvin spoke about the proposed Wedding Venue, including :
 - The general home design - a Barn with private residence (possibly 2-bedroom) upstairs and horse stalls/ wedding reception area on the ground level. The reception area would be approximately 26sf x 36sf.
 - Weekend weddings, possibly year-round.
 - Times of operation, likely 3pm-10pm. Activities typically indoors, but may have cocktail hour outside.
 - Maximum parking spaces 10. Shuttle bus to be provided by M. Potvin for guest transportation.
 - No staff; bride & groom hire catering. Caterers would have any required alcohol licenses.
 - No camping, fireworks, driveway lighting, parking along the driveway or private road. Event tent unlikely but possible.
 - Portolets, typical exterior lighting on the building, sign (requires separate sign permit), heat & air conditioning within the building, trash removal by M. Potvin.
- Chair Van Winkle read the regional planning report.
- Discussion ensued about new public/assembly-type buildings and code regulations by the State.
- DRB member K. McKnight asked if the Barn will be visible from Pleasant Valley Road. Applicant answered it will not.
- Pleasant Valley Road resident S. McCormick discussed his concerns, including:
 - The Wedding Venue seems to be an incorrect application of the Home Industry definition.
 - The frequency of intended weddings and the anticipated type of noise and noise levels are not in keeping with the character of the neighborhood.
 - The parking and traffic solution as proposed seems acceptable, but what is the means for enforcement.
 - Site Plan review is required for Conditional Use.
- Evergreen Lane resident J. Peyser asked several questions, including:
 - How many guests will the venue hold?
 - If the plans for shuttle traffic only goes awry, what is the penalty and how can it be enforced?
- Chair Van Winkle described fines & enforcement.
- Underhill Center resident & longtime restaurateur David Ely made several comments, including:
 - The venue would appear to hold 60-100 people by Code.
 - He anticipated parking will be an issue.

- He anticipated noise will be difficult to handle.
- He cautioned that alcohol and driving make for a challenging situation.
- Chair Van Winkle advised that more concrete answers are required by the Applicant and proposed the following:
 - Continuing the hearing until Monday, May 2 at 7pm.
 - The Applicant should consider contacting the State of Vermont for a Project Review Sheet to show what state permits are required.
 - For the next meeting with the DRB, the Applicant should have composed more concrete responses to the *Underhill Unified Land Use and Development Regulations* review criteria for Conditional Use applications. The DRB will promptly compose and send a letter to the Applicant, clarifying the review criteria.
- Vice-chair Towle asked if the Applicant would prefer the DRB decision to run with the land vs run with the Applicant. M. Potvin answered that she does not need the decision to run with the land.
- 8:45pm, the hearing was suspended. The proposed date & time for a continuance was agreed upon: Monday, May 2 at 7pm.

8:50 PM- DRB Administrative Business

- DRB reviewed and approved the meeting minutes from April 4, 2016.
- DRB reviewed and approved the Decision for the Linda G. Rondeau Family Trust - Final Subdivision Review (26 Westman Road) Docket# DRB 16-02

9:00 PM- DECISION: Wells McLaughlin - Final Subdivision Review (493 VT Route 15) Docket# DRB 16-03

- Board Member Miller made a motion to approve the Wells-McLaughlin final subdivision amendment. Member McKnight seconded the motion. All board members were in agreement.
- A formal Decision will be forthcoming and mailed to the Applicants.

These Meeting Minutes reflect a summary of the topics discussed at the Monday, April 18, 2016 hearings. An audio recording of the hearings is available to the public.

Submitted by:
Penny Miller, clerk

These minutes of the 4/18/16 meeting of the DRB were accepted
This 2 day of May, 2016.



Charles Van Winkle, Chairperson

Note: These draft minutes are subject to correction by the Underhill Development Review Board. Changes, if any, will be recorded in the final minutes of the DRB