

# Town of Underhill

## Development Review Board

### Final Subdivision Findings and Decision

#### FINAL SUBDIVISION REVIEW APPLICATION OF MICHAELA FORSBERG FOR A 2-LOT SUBDIVISION

In re: Michaela Forsberg  
PO Box 146  
Underhill, VT 05489  
Docket No. DRB-23-06

April 17, 2024

**Decision:** Approved with conditions (see Section IV – Decisions and Conditions of Approval)

#### **I. INTRODUCTION AND PROCEDURAL HISTORY**

This proceeding concerns the Final Subdivision Review application submitted by the Applicant, Michaela Forsberg (hereafter Applicant) regarding a 2-Lot subdivision of property owned by Andreas, Michaela, and Frederik Forsberg located at 45 Poker Hill Road (PH045) in Underhill, Vermont.

- A. On October 2, 2023, the Applicant, Michaela Forsberg, filed a complete Sketch Plan Review application for a 2-Lot subdivision regarding land owned by Andreas, Michaela, and Frederik Forsberg at 45 Poker Hill Road in Underhill, Vermont. A site visit was scheduled for October 16, 2023, at 5:45 PM. The Sketch Plan Meeting was scheduled for October 16, 2023, at 6:36 PM at the Underhill Town Hall.
- B. Present at the site visit were the following members of the Development Review Board:
  - Charlie Van Winkle, Chair
  - Brian Bertsch, Vice Chair
  - Daniel Lee
  - Matt Chapek
  - Karen McKnight
- C. The Sketch Plan Meeting began at 6:35 PM on October 16, 2023 at the Underhill Town Hall, 12 Pleasant Valley Road, Underhill, Vermont.
- D. Present at the Sketch Plan Meeting were the following members of the Development Review Board:
  - Charlie Van Winkle, Chair
  - Brian Bertsch, Vice Chair
  - Daniel Lee
  - Shanie Bartlett\*
  - Matt Chapek
  - Karen McKnight

\*Attended virtually via GoToMeeting platform

Others present at the hearing were:

- Applicant, Michaela Forsberg
- Applicants' consultants, Tyler Mumley & Reice Branon
- Brad Holden, Interim Planning & Zoning Administrator, Town of Underhill

E. The Board voted to accept the application and an acceptance letter was sent to the Applicant on October 27, 2023.

F. On February 9, 2024, Michaela Forsberg filed an application for combined Preliminary and Final Subdivision Review for the above-mentioned project. Interim Planning & Zoning Administrator, Brad Holden, received the application and it was deemed complete on February 9, 2024. The public hearing was scheduled for, and held on, March 4, 2024, at 6:35 PM at the Underhill Town Hall.

G. On February 14, 2024, notice of the public hearing for the combined Preliminary and Final Subdivision Review Hearing was posted at the following places:

- The Underhill Town Clerk's office;
- Food Sharing Shed (Moore Park); and
- Jacobs & Son Market.

H. On February 14, 2024, notice pertaining to the Final Subdivision Review Hearing was mailed via certified mail to the following property owners adjoining the property subject to the application:

- Andreas, Michaela, Frederik Forsberg, PO Box 146, Underhill, VT 05489
- Richard, Todd, Leon, David Provost, 39 Poker Hill Rd., Underhill, VT 05489
- Patrick O'Neill, 37 Poker Hill Rd., Underhill, VT 05489
- Peter Macone & Nancy Drucker, 17 Bridle Trail, Underhill, VT 05489
- Timothy & Janelle Moynihan, 8 Deer Run, Underhill, VT 05489
- Alexandria Nelson & Nicole Thomas, 3 Deer Run, Underhill, VT 05489
- Jericho-Underhill Water District, PO Box 174, Underhill, VT 05489
- James & Gayle Massingham, 46 Poker Hill Rd., Underhill, VT 05489
- Marc & Jane Maheux, PO Box 236, Underhill, VT 05489

I. On February 18, 2024, the notice of public hearing was published in the *Burlington Free Press*.

J. The Final Subdivision Review Hearing began at 6:35 PM on March 4, 2024 at the Underhill Town Hall, 12 Pleasant Valley Road, Underhill, Vermont.

K. Present at the Final Subdivision Review Hearing were the following members of the Development Review Board:

- Charlie Van Winkle, Chair
- Brian Bertsch, Vice Chair
- Daniel Lee
- Shanie Bartlett
- Matt Chapek
- Karen McKnight

Others present at the hearing were:

- Applicant, Michaela Forsberg
- Applicant's consultant, Reice Branon
- Brad Holden, Interim Planning & Zoning Administrator, Town of Underhill

L. In support of the Final Subdivision application, the following exhibits were submitted to the Development Review Board:

- Exhibit A - DRB Agenda March 3, 2024
- Exhibit B – BFP Notice 3\_04\_24
- Exhibit C – PK045 Certificate of Service
- Exhibit D – Town Subdivision Application for Forsberg
- Exhibit E – Forsberg 2-Lot Subdivision, Project Narrative
- Exhibit F – Forsberg History
- Exhibit G – 2-Lot Subdivision Plat
- Exhibit H – C-1, Site Plan
- Exhibit I – C-2, Partial Site Plan & Details
- Exhibit J – WW-4-6083 Application Received Letter
- Exhibit K – JUWD Approval for Water Allocation
- Exhibit L – UJFD Ability to Serve Letter

All exhibits are available for public review in the PH045 Forsberg Final Subdivision Review file (PH045 / DRB-23-06) at the Underhill zoning files.

## **II. FACTUAL FINDINGS & CONCLUSIONS**

The Minutes of the following hearings, written by Donna Griffiths, are incorporated by reference into this decision. Please refer to the Minutes for a summary of the testimony.

1. October 16, 2023
2. March 4, 2024

Based on the submitted application, testimony, exhibits, and evidence, the Development Review Board makes the following findings under the requirements of the 2020 *Underhill Unified Land Use and Development Regulations* (ULUDR):

### ***PROJECT SYNOPSIS***

The Applicant, Michaela Forsberg, is seeking a 2-Lot subdivision of property owned by Andreas, Michaela, and Frederik Forsberg located at 45 Poker Hill Road (PH045) in Underhill, Vermont. The property is in both the Underhill Flats Village Center and Rural Residential zoning districts.

### ***ARTICLE II – ZONING DISTRICTS***

The Board finds that the proposed subdivision involves the division of  $\pm 7.55$  parcel containing an existing single-family dwelling into two lots: a  $\pm 6.50$ -acre parent lot and a  $\pm 1.05$ -acre new lot, intended to host a new single-family dwelling. The parent lot is depicted as “Lot 1” on the submitted Subdivision Plan (see Exhibit G) and contains the existing single-family dwelling; the new lot (depicted as “Lot 2” on the Subdivision Plan) is proposed to contain a new single-family dwelling.

The board finds the parcel is located in both the Underhill Flats Village Center (1 acre minimum), and the Rural Residential District (3 acre minimum). Article II, Section 2.2(E)(2) states that “the minimum frontage and minimum setback requirements for that portion of the lot within the district

in which the structure is located shall control. If the structure is to be located in both districts, the more stringent requirement shall control.” The Board finds that the proposed house site (structure) on Lot 2 is located entirely within the Underhill Flats Village Center District and therefore the dimensional requirements of the Underhill Flats Village Center District shall apply, consistent with Article II section 2.2 (E)(2).

### **ARTICLE III – GENERAL REGULATIONS**

#### **SECTION 3.2 – ACCESS**

The Board finds that the applicants propose to convert their existing driveway into a shared driveway serving both lots, and to construct a new driveway to serve the proposed single-family home on Lot 2.

#### **SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS**

The Board finds that the proposed Lot 1 will contain the existing single-family dwelling, while the proposed Lot 2 will contain a proposed single-family dwelling. The existing development on Lot 1 conforms with the dimensional standards of the underlying district, and as proposed the development on Lot 2 conforms to the lot, yard, and setback requirements of the Underhill Flats Village Center District. The Board finds that the Lot 1 lacks the 250-ft required road frontage in the Rural Residential District but accepts the Applicants’ Dimensional Waiver Request submitted with the Sketch Plan Application. The Board finds that Lot 2 meets the 150-ft required road frontage in the Underhill Flats Village Center District based on the current configuration and a frontage waiver is not necessary.

The Board finds that the Applicant’s proposal satisfies all other dimensional requirements.

#### **SECTION 3.13 – PARKING, LOADING & SERVICE AREAS**

The Board finds that the Applicant’s proposal satisfies all requirements under this section.

#### **SECTION 3.17 – SOURCE PROTECTION AREAS**

The Board finds that the proposed subdivision is not located in any Groundwater Source Protection Area; therefore, review under this section is not required.

#### **SECTION 3.18 – STEEP SLOPES**

The Board finds that the proposed subdivision is not located in an area with Steep Slopes; therefore review under this section is not required.

#### **SECTION 3.19 – SURFACE WATERS & WETLANDS**

The Board finds that the proposed subdivision is not located in an area with Surface Water & Wetlands; therefore review under this section is not required.

#### **SECTION 3.23 – WATER SUPPLY & WASTEWATER SYSTEMS**

The Applicant has submitted a Wastewater System and Potable Water Supply Permit Application (ww-4-6083) to the State of Vermont’s Department of Environmental Conservation for a 2-Lot subdivision with an existing 2-bedroom dwelling on Lot 1 with an existing municipal water connection and on-site wastewater disposal system and a new 2-bedroom dwelling on Lot 2 with a new municipal water connection and on-site wastewater disposal system on Lot 2.

The Board finds that Applicant’s state-issued permit will satisfies the requirements of this section and has made the state-issued permit a condition of approval.

**ARTICLE IV – SPECIFIC USE STANDARDS**

The Board finds that the proposed subdivision does not involve a Specific Use listed under Article IV and therefore, review under this Article of the regulations is not required.

**ARTICLE V – DEVELOPMENT REVIEW**

The Board finds that the proposed subdivision and development of a single (one) family dwelling on Lot 2 does not require Site Plan Review in accordance with Section 5.1 (A) (1) therefore, review under this Article of the regulations is not required.

**ARTICLE VI – FLOOD HAZARD AREA REVIEW**

The Board finds that a Special Flood Hazard Area does not exist on the subject property, and therefore, review under this Article of the regulations is not required.

**ARTICLE VII – SUBDIVISION REVIEW**

**A. SECTION 7.2 – APPLICABILITY**

The Board finds that the Applicant's proposed subdivision is subject to the requirements of the 2020 *Underhill Unified Land Use & Development Regulations* per § 7.2 (E) and was classified as a “minor subdivision” and waived Preliminary Plan Review during the Sketch Plan Review Meeting and in the acceptance letter issued on October 27, 2023.

**B. SECTION 7.3 – SKETCH PLAN REVIEW**

The Board finds that the Applicant adequately satisfied the conditions of acceptance provided in the Sketch Plan Review acceptance letter issued on October 27, 2023.

**C. SECTION 7.5 – PRELIMINARY SUBDIVISION REVIEW**

As part of the Sketch Plan Review meeting the Board classified the project as a “minor subdivision” and waived the Preliminary Subdivision Review in the acceptance letter issued on October 27, 2023.

**D. SECTION 7.6 – FINAL SUBDIVISION REVIEW**

As part of the Final Subdivision Review application, the Applicant generally addressed many of the comments and concerns identified in the Sketch Plan Review process. Therefore, the Board finds that the Applicant satisfied the intent of this section and provided the necessary materials to make a determination on the Final Subdivision Review application.

**ARTICLE VIII – SUBDIVISION STANDARDS**

**A. SECTION 8.1 – APPLICABILITY**

The Board finds that no technical review is needed for this proposed project.

**B. SECTION 8.2 – GENERAL STANDARDS**

SECTION 8.2.(A) – DEVELOPMENT SUITABILITY

The Board finds that the proposed subdivision meets the density requirements of the Underhill Flats Village Center and Rural Residential zoning districts.

SECTION 8.2(B) – DEVELOPMENT DENSITY

The Board finds that there are no additional unforeseen undue adverse impacts to the public health and safety, neighboring properties, or the character of the area as a result of the proposed subdivision. The Board finds that the development of the parcel in supporting a single-family home is consistent with development in the surrounding area.

SECTION 8.2(C) – EXISTING SITE CONDITIONS

The Board finds that the impact to existing site conditions will be minimal provided development is made in accordance with the proposed site development plan.

SECTION 8.2(D) – UNDERHILL TOWN PLAN & DEVELOPMENT REGULATIONS

The Board finds that the proposed subdivision & development conforms to the 2021 *Underhill Town Plan* & the 2020 *Underhill Unified Land Use and Development Regulations*.

SECTION 8.2(E) – DISTRICT SETTLEMENT PATTERNS

The Board finds that the proposed subdivision & development are consistent with the characteristics of the Underhill Flats Village Center District as described in Section 8.2.E.1, as the subdivision and existing development are to be configured in a way that reinforce a compact, pedestrian scale, pattern of development.

SECTION 8.2(F) – LOT LAYOUT

The Board finds that the proposed lot layout conforms with the requirements of this subsection.

SECTION 8.2.G – BUILDING ENVELOPE

The Board finds that the Applicant has proposed a building envelope for Lot 2 that is co-located with the minimum setbacks as per Section 3.7 as depicted on Exhibits G & H.

SECTION 8.2.H – SURVEY MONUMENTS

The Board finds that proposed property monumentation shall be installed as defined on the recordable Mylar.

SECTION 8.2.I – LANDSCAPING & SCREENING

The Board finds that the proposed dwelling site on Lot 2 is currently open and only minimal forest clearing for the Lot 2 on-site wastewater disposal system is required. Therefore, the Board accepts the Applicants' site plan and updated survey plat, which together depicts proposed cutting limits and building envelope (Exhibits G & H).

SECTION 8.2(J) – ENERGY CONSERVATION

The Board makes no finding regarding this subsection.

**C. SECTION 8.3 – NATURAL & CULTURAL RESOURCES**

SECTION 8.3(A) – RESOURCE IDENTIFICATION & PROTECTION

The Board is not aware of, nor have they or the Applicant identified, any cultural or natural resources/features that require protection or preservation.

SECTION 8(B) – SURFACE WATERS, WETLANDS & FLOODPLAINS

The Board is not aware of, nor have they or the Applicant identified, any surface waters, wetlands, or floodplains that require protection or preservation, as explained under Section 3.19 above.

SECTION 8.3(C) – ROCK OUTCROPS, STEEP SLOPES, HILLSIDES & RIDGELINES

The Board is not aware of, nor have they or the Applicant identified, any areas of steep slopes (15-25%) or very steep slopes (<25%) which will be impacted by the proposed subdivision and new single-family dwelling on Lot 2. See Section 3.18 above for more information.

SECTION 8.3(D) – NATURAL AREAS & WILDLIFE HABITAT

The Board finds that there is a priority level 5 habitat block located on western portion of the existing lot, however the area will not be impacted by the proposed development on Lot 2.

SECTION 8.3.E – HISTORIC & CULTURAL RESOURCES

The Board finds no historic or cultural resources that require preservation, have been identified and therefore makes no findings regarding this Section.

SECTION 8.3.F – FARMLAND

The Board finds no statewide agricultural land have been identified and therefore makes no findings regarding this Section.

SECTION 8.3.G – FORESTLAND

The Board finds that the proposed dwelling site on Lot 2 is currently open and only minimal forest clearing for the Lot 2 on-site wastewater disposal system is required. Therefore, the Board accepts the Applicants' site plan and Final Plat, which together depicts the proposed cutting limits and building envelope (Exhibits G & H).

**D. SECTION 8.4 – OPEN SPACE & COMMON LAND**

SECTION 8.4.A – OPEN SPACE

The Board finds that the Applicant has not proposed to designate any land as open space.

SECTION 8.4.B – COMMON LAND

The Board finds that the Applicant has not proposed to designate any land as common land.

SECTION 8.4.C – LEGAL REQUIREMENTS

The Board finds that this subsection does not apply since the Applicant has not proposed any public infrastructure.

**E. SECTION 8.5 – STORMWATER MANAGEMENT & EROSION CONTROL**

The Board finds the Applicant shall conform to the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control, published by the Watershed Management Division of the Vermont Department of Environmental Conservation when performing excavation and site work. The Board also finds that the proposed development shall have a minimal impact on stormwater runoff and does not require an additional treatment plan.

**F. SECTION 8.6 – TRANSPORTATION FACILITIES**

SECTION 8.6.A – ACCESS & DRIVEWAYS

The existing lot is served by its own driveway, off Poker Hill Road. Lot 2 is proposed to be served by a new driveway off the existing driveway to Lot 1. A new private Right-of-Way has been proposed over the lower portion of the existing driveway that will be shared by Lots 1 and 2. Since each proposed access way will serve two or less lots, only the requirements under Sections 3.2 & 8.6 (A) apply. See findings in Section 3.2 above for more information as it relates to the *Unified Land Use & Development Regulations*. See Section III of this decision for more information as it relates to the *Underhill Driveway, Road & Trail Ordinance*.

SECTION 8.6.B – DEVELOPMENT ROADS

The Board finds that this subsection does not apply since the subject access ways already do or will serve less than three (3) lots.

SECTION 8.6.C – PARKING FACILITIES

The Board finds that no parking facilities, other than those to be expected with single-family residences, are proposed.

SECTION 8.6.D – TRANSIT FACILITIES

The Board finds that no transit facilities are proposed.

SECTION 8.6.E – PEDESTRIAN ACCESS

The Board finds that this section does not apply, and therefore, review under this Section is not required.

**G. SECTION 8.7 – PUBLIC FACILITIES & UTILITIES**

SECTION 8.7.A – PUBLIC FACILITIES

The Board finds that the proposed subdivision and development is not expected to create an undue burden on the ability of the Mount Mansfield Union School District. The Applicant shall provide an ability to serve letter from the Mount Mansfield Union School District prior to recording a Final Plat.

SECTION 8.7.B – FIRE PROTECTION

The Board finds the Applicant has submitted an ability to serve letter from the Underhill-Jericho Fire Department (Exhibit L) which states that the proposed subdivision will not create an undue burden on the ability of the Underhill-Jericho Fire Department to provide fire protection services.

SECTION 8.7.C – WATER SYSTEMS

The Board finds that the Applicant has submitted a water allocation letter from the Jericho-Underhill Water District (Exhibit K) and have submitted a Wastewater System and Potable Water Supply Permit Application (WW-4-6083) to the State of Vermont's Department of Environmental Conservation for a 2-lot subdivision with a new municipal water connection for a 2-bedroom dwelling on Lot 2. The Applicant shall provide the state-issued Wastewater System and Potable Water Supply permit prior to recording a Final Plat. See Section 3.23 above.

SECTION 8.7.D – WASTEWATER SYSTEMS

The Board finds that the Applicant have submitted a Wastewater System and Potable Water Supply Permit Application (WW-4-6083) to the State of Vermont's Department of Environmental Conservation for a 2-Lot subdivision with a new on-site wastewater system for a 2-bedroom dwelling on Lot 2. The Applicant shall provide the state-issued Wastewater System and Potable Water Supply permit prior to recording a Final Plat. See Section 3.23 above.

SECTION 8.7.E – UTILITIES

The Board finds the Applicant has submitted a Partial Site Plan & Details (Exhibit I) representing where all electrical, communications, and media utilities shall be installed underground in accordance with Section 8.7.E.

**H. SECTION 8.8 – LEGAL REQUIREMENTS**

The Board finds that the new Private Right-of-Way proposed over the shared portion of the existing driveway, as depicted on the Subdivision Plat (Exhibit G), will require a legal description to be submitted to the Zoning Administrator prior to recording a Final Plat.



## **I. FACTUAL FINDINGS & CONCLUSIONS**

The Board finds the application to be complete and closed the evidentiary portion of the hearing on March 4, 2024.

## **II. FACTUAL FINDINGS & CONCLUSIONS RELATING TO THE UNDERHILL ROAD, DRIVEWAY & TRAIL ORDINANCE, AMENDED 2018**

The Board finds that an access permit is required for the construction of the driveway to access proposed Lot 2 per the *Underhill Road, Driveway & Trail Ordinance*. The board endorses the driveway design and authorizes issuance of a curb cut permit.

### **A. SECTION 4.C – DEVELOPMENT ROAD AND DRIVEWAY STANDARDS**

The Board finds that there are no development roads proposed as part of this subdivision application.

### **B. SECTION 5.A – DRIVEWAYS**

The Board finds that the proposed access to Lot's 1 and 2 shall be classified as a shared driveway and shall comply with AOT Standards B-71. The Board further finds that the proposed driveway design for Lot 2, including the access location, complies with the requirements of this section.

The Board finds there is no additional driveway design necessary for Lot 1. The lower portion of the existing driveway will be converted into a shared driveway, as detailed in Exhibit G.

## **III. WAIVERS, MODIFICATIONS & SUPPLEMENTATIONS**

The Board finds that the Lot 1 lacks the 250-ft required road frontage in the Rural Residential District but accepts the Applicants' Dimensional Waiver Request submitted with the Sketch Plan Application.

## **IV. DECISIONS AND CONDITIONS OF APPROVAL**

The Board is satisfied with the level of investigation, engineering, and evaluation conducted in the application submittal and review process concerning the above-mentioned project. The Board thoroughly reviewed all aspects of the proposal under the evaluation of the 2020 *Underhill Land Use & Development Regulations* and concludes that based on the evidence submitted and the above findings, the proposed subdivision and development generally conform to the Regulations.

Based upon the findings above and subject to the conditions below, the Development Review Board Grants Final Subdivision Approval for the project presented in the application and at the hearing with the following conditions:

### **Substantive Land Use & Development Regulations Conditions**

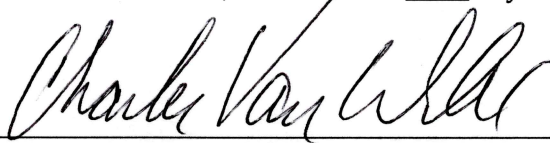
1. The Board requires the project be constructed in accordance with the drawing set submitted as part of the review process, and are listed as follows:
  - a. 2-Lot Subdivision Plat, 45 Poker Hill Road, dated 12/05/2023, prepared for the Silvia Forsberg Life Estate by Christopher Haggerty of Button Professional Land Surveyors PC. (Exhibit G)

- b. Site Plan, 45 Poker Hill Road, dated 02/01/2024, last revised 02/14/24, prepared for Michaela Forsberg by Mumley Engineering, Inc. (Exhibit H)
- c. Partial Site Plan & Details, 45 Poker Hill Road, dated 02/01/2024, prepared for Michaela Forsberg by Mumley Engineering, Inc. (Exhibit I)
2. Any new electric, data and communication utilities shall be underground.
3. The E-911 Codes for the lots shall be posted per the Underhill-Jericho Fire Department specifications prior to the issuance of an occupancy permit.
4. No transfer, sale, or long-term lease of title to property as defined under 32 VSA § 9601 of any portion of an existing lot; predevelopment site work; or issuance of zoning permits to develop a subdivided lot shall occur until the final Mylars (the subdivision plat) have been recorded in the Underhill Land Records [see § 7.2(C)].
5. The Board requires the applicant to include parcel codes on the Final Plat. Lot 1 will retain its parcel code of 045, while Lot 2 shall be identified with a code and printed on the Final Plat before recording. Please contact the Zoning Administrator for the Lot 2 parcel code.
6. Any legal documents associated with the creation of the new Private Right-of-Way must be submitted to the Zoning Administrator prior to recording the Final Plat.
7. The Final Plat shall be submitted for recording with 180 days of the date of this approval in accordance with Section 7.7 of the Underhill Unified Land Use & Development Regulations.
8. All subdivision and recording fees must be paid in full prior to recording a Final Plat in accordance with Section 7.7(B)
9. Prior to the issuance of any certificate of occupancy on the new lots created along Poker Hill Road, the applicant shall provide a Certification letter from a VT Licensed Professional Engineer indicating that all common infrastructure improvements listed in Condition #1 have been constructed according to plan.
10. Notwithstanding the conditions above, prior to issuing a building permit, the applicant shall comply with applicable aspects of the Unified Land Use and Development Regulations in effect at the time of the application.
11. The Applicant shall provide an ability to serve letter from the Mount Mansfield Union School District prior to recording the Final Plat.
12. New property boundary monumentation referenced on the Final Plat shall be installed as a condition of Final approval. Prior to the issuance of the certificate of occupancy, all new property boundary documentation referenced on the Final Plat shall be installed.
13. This approval does not exempt the applicant from complying with applicable state regulations, include those agencies that may have applicable jurisdiction.

**Substantive Road, Driveway & Trail Ordinance Conditions**

1. The Board endorses the driveway design and the applicant shall obtain an access permit from the Zoning Administrator before commencing work on the proposed driveway.

Dated at Underhill, Vermont this **17th** day of **April, 2024**.



Charles Van Winkle, Chair, Development Review Board

NOTICE/APPEAL (ZONING): This decision may be appealed to the Vermont Environment Court by an interested person who participated in the proceedings before the Development Review Board. Such appeal must be taken within 30 days.

NOTICE/APPEAL (ACCESS): This permit covers only the Selectboard's (or its designee's) jurisdiction and authority over town highways under 19 V.S.A. § 1111. It does not release the applicant from the requirements of other applicable

federal, state or local statutes, ordinances, rules or regulations, including the Underhill Unified Land Use & Development Regulations. This permit addresses issues including access to, work within, and drainage affecting the town highway and its right-of-way, as described in Section 1111 and the Town's Road Ordinance. It does not address all other possible transportation, access (including the use of private access ways) or development issues which, if relevant to a proposed project, must be addressed separately. This permit may be reviewed pursuant to the procedures and time limits set forth in V.R.C.P. 75.