

UNDERHILL DEVELOPMENT REVIEW BOARD
HEARING PROCEDURES
PRELIMINARY & FINAL SUBDIVISION REVIEW
Kenneth D. Hall
November 19, 2018

State the following:

- 1) Based on what the Board chooses (Preliminary & Final Subdivision Review or only Preliminary Subdivision Review), choose either A or B

A. Combined Preliminary & Final Subdivision Review Hearing

“This is a combined preliminary & final subdivision review hearing on the application of Kenneth D. Hall for a proposed 2-lot subdivision on the land he owns at 4 Blakey Road (BL004) in Underhill, Vermont.

While preliminary subdivision review has been waived, the Board still reviews the draft subdivision plat and supporting documentation to determine that the proposed subdivision conforms with the municipal plan, these regulations and other municipal ordinances in effect at the time of application; to identify particular issues or concerns associated with a proposed subdivision; to recommend modifications necessary to achieve conformance; and to identify any additional information prior to the final subdivision plans, engineering plans and legal documents for the subdivision and related site improvements are finalized.

This subdivision is subject to review under the *Unified Land Use and Development Regulations*, as amended November 6, 2018, and the 2015 Road, Driveway and Trail Ordinance, and was classified as a **minor subdivision** after the sketch plan review meeting on December 18, 2018.

B. Preliminary Subdivision Review Hearing

This is a preliminary subdivision review hearing on the application of Kenneth D. Hall for a proposed 2-lot subdivision on the land he owns at 4 Blakey Road (BL004) in Underhill, VT.

The purpose of preliminary subdivision review is to review a draft subdivision plat and supporting documentation to determine preliminary conformance with the municipal plan, these regulations and other municipal ordinances in effect at the time of application; to identify particular issues or concerns associated with a proposed subdivision; to recommend modifications necessary to achieve conformance; and to identify any additional information required for submission for final subdivision review prior to the preparation of a final survey plat, engineering plans and legal documents for the subdivision and related site improvements.

This subdivision is subject to review under the *Unified Land Use and Development Regulations*, as amended November 6, 2018, and the 2015 Road, Driveway and Trail Ordinance, and was classified as a **minor subdivision** after the sketch plan review meeting on December 18, 2018.

- 2) Copies of the Rules of Procedure that the Board follows are available for review from the Planning & Zoning Administrator.
- 3) The order of speakers tonight will be:
 - a. We will hear from and ask questions of applicant(s) and his consultant(s);
 - b. Then we will hear and ask questions of the Planning & Zoning Administrator;
 - 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 the Board and majority consent of the Board; then
 - d. The applicant(s) and/or their consultant(s) 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, and acting in their representative capacities?
- 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 Planning & Zoning Administrator prior to the hearing. The information included in this package relevant to this hearing is:

Exhibit A - Hall Preliminary & Final Subdivision Review Staff Report
Exhibit B - BL004 Hall Preliminary & Final Subdivision Hearing Procedures
Exhibit C - Application for Preliminary Subdivision Review
Exhibit D - Application for Final Subdivision Review
Exhibit E - Preliminary Subdivision Checklist
Exhibit F - Final Subdivision Checklist
Exhibit G - Preliminary Subdivision Findings Checklist
Exhibit H - Project Narrative
Exhibit I - Burlington Free Press Notice
Exhibit J - Certificate of Service
Exhibit K - Correspondence from Kim Spaulding
Exhibit L - Preliminary Access Permit # A-18-22
Exhibit M - ANR Project Review Sheet
Exhibit N - WW Permit # WW-4-5108
Exhibit O - Site Plan
Exhibit P - Sewage Disposal Plan & Details
Exhibit Q - Driveway Profile & Water Supply Details
Exhibit R - Survey

- 10) We'll begin testimony, and hear from the applicant(s) and/or their consultant(s).
- 11) Next we will hear from the Planning & Zoning Administrator.
- 12) Are there members of the public who would like to speak?
- 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 deliberative session? (After the ruling, continue with the info below.)

“Within 45 days from this hearing, the Planning & Zoning Administrator, on behalf of the DRB, will send a copy of the decision to the Applicant, their consultant, and those who have participated in tonight’s hearing. A 30-day appeal period will begin on the date the decision is signed. The letter will outline the next steps in the process. If there are no other comments or questions we will close this portion of the meeting.