

Town of Underhill
Development Review Board Minutes
July 20, 2015

Board Members Present:

Charles Van Winkle
Will Towle
Karen McKnight
Matt Chapek
Mark Hamelin
Penny Miller
Jim Gilmartin
Mark Greene, Alternate

Staff Present:

None

Others Present:

David Shiffert
Charles & Shirley Cressman
Catherine Kearn

6:30 PM- 7/20/2015 DRB Meeting

- Chair Van Winkle called the meeting to order at 6:30 PM.
- Chair Van Winkle asked for public comments.

6:30 PM- (MD041) Shiffert, Conditional Use Review- Shed Setback

At 6:35pm Chair Van Winkle opened the hearing and entered the Information Packet as provided by staff and one additional item; the plat of subdivision entitled "Homestead Acres, Underhill Flats, Vermont prepared by Emerson, Abbott, Harlow & Leedy Inc, Engineers Surveyors of Essex Junction VT dated September 13, 1967" and received for recording by Zelda Bolio, Town Clerk October 25, 1967.

Applicant David Shiffert, current address- 4685 Greenbush Road, Charlotte provided an overview of his request. He described the shed including the size, the location, the root cellar and when it was built. He further discussed the current non-complying setback (by 3 feet) and how impractical it would be to move the building 3 feet.

The adjacent neighbor (Charles Cressman) explained his reasons for bringing the setback non-compliance to the attention of the Town. The Cressman's have no problem with the shed but do not want a lack-of-permit to legally affect their future property sale. They confirmed the property line between their property and the Shiffert property, and the basis for their claim of encroachment onto the setback, however the property line has not been officially documented by a Vermont licensed land surveyor.

The current tenant and intended purchaser of the property (Kearns) explained their intention to use the root cellar during the upcoming harvest season and their financial inability to have the shed relocated. If the root cellar were not a part of the property, it would affect their interest in purchasing the

property. Further, the closing for the property is within the next two weeks and the mortgage holder needs written statement that the shed will have a permit.

At 7:17 PM Chair Van Winkle asked for a motion to close the evidentiary portion of the hearing. Board member Will Towle made a motion; Karen McKnight seconded it. The motion passed unanimously.

At 7:18 PM Board member Will Towle made a motion to deliberate in Closed Session. Jim Gilmartin seconded it. The motion passed 5-2 [Chair Van Winkle & Penny Miller opposed].

At 8:00 PM the DRB came out of Deliberative session. Board member Matt Chapek made a motion to approve a dimensional waiver. Mark Hamelin seconded it. The motion passed. [Will Towle abstained.]

Submitted by:
Penny Miller DRB Clerk(s)

These minutes of the 7/20/2015 meeting of the DRB were accepted

This _____ day of _____, 2015.

Charles Van Winkle, Chairperson

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