

**Town of Underhill  
Development Review Board Minutes  
August 17, 2020**

**BOARD MEMBERS PRESENT:**

Charles Van Winkle, Chair\*  
Stacey Turkos, Vice Chair\*  
Matt Chapek\*  
Mark Green\*  
Karen McKnight\*  
Penny Miller\*  
Daniel Lee\*

**STAFF/MUNICIPAL REPRESENTATIVES PRESENT:**

Andrew Strniste, Zoning Administrator\*

**OTHERS PRESENT:**

Michael Diffenderffer, Applicant (PV015)  
John Stuart, Applicant's Rep. (PV015)

\*Attended the meeting via the Go-To-Meeting Platform

**RECORDING:**

This meeting was digitally recorded, and can be found at the following website:  
<http://mtmansfieldctv.org/underhill-drb-8-17-20/>.

**6:35 PM – 08/03/2020 DRB Public Meeting**

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- Members of the Board convened on the Go-To-Meeting platform around 6:25 PM.
- [6:35] Chair Van Winkle commenced with the evening's meeting, starting by explaining that the meeting was being held remotely in response to the COVID-19 pandemic and in accordance with Vermont state law. No adjustments to the agenda were made. No general public were in attendance to provide general public comment.

**6:36 PM – Diffenderffer Continued Conditional Use Review  
15 Pleasant Valley Road (PV015), Underhill, Vermont**

**Docket #: DRB-19-12**

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- [6:36] Chair Van Winkle began the evening's hearing by explaining the hearing was a continuation from August 3, 2020. He provided an overview of the application and informed of the updates submitted. The application before the Board pertained to the conversion of a multi-family dwelling to a mixed-used structure containing three dwelling units, restaurant space, and office space. The subject property is owned by Michael Diffenderffer. The Applicant, Michael Diffenderffer, and his representative, John Stuart, were before the Board to discuss the application. Staff Member Strniste informed the Board of the potential need for a waiver or variance for the proposed parking area depicted on the submitted plans. John Stuart, Michael Diffenderffer's engineer, advised that a large portion of the supposed to be vegetated area within the riparian buffer is not naturally vegetated. Discussion ensued about the parking delineation.
- [6:52] Board Member Chapek informed the Board of his experience regarding flooding of the property from when he lived in Michael Diffenderffer's house at 20 Pleasant Valley Road, and advised that the parking area currently being utilized, and being proposed as parking, was always parking. Board Member Green expressed his concerns relating toxins polluting Brown's River. Board Member Lee opined that the parking should remain out of Special Flood Hazard Area. He then inquired about the trash receptacle area. The Applicant informed the Board that he was amendable to moving the trash receptacle area. Board Member McKnight inquired about the surface of the parking area, as well as the riparian buffer.

- [7:07] Board Member Miller inquired about the parking area in close proximity to the Osgoods' property. Discussion ensued about the parking area and its configuration, as well as the curb cuts. Board Member Turkos opined that permanent parking for tenant along the Osgoods' property line would not be detrimental, as there would be less coming and going amongst the tenants than with the patrons of the office space and restaurant space. Chair Van Winkle inquired about and discussed the stormwater impacts of the site. He then inquired about the hours of operation and the obtainment of a liquor license. Circulation of the traffic was confirmed to be one-way. A discussion about lighting was briefly held.
- [7:38] Staff Member Strniste recommended that the Applicant explore the implementation of a crosswalk for the employees, whose parking area will be located across the street at 20 Pleasant Valley Road. The Source Protection Area regulations (Section 3.17) were reviewed to determine compliance. Clarification was provided in regards to what the Board would be granting a waiver for. The Applicant will need to submit an access permit application; however, the Board can approve the access component, as the application is a formality.
- [7:39] A discussion ensued about potential paving.
- [7:43] The Board confirmed that they had enough information to make a decision about the application. Board Member Lee made a motion to close the evidentiary portion of the hearing. The motion was seconded by Board Member Turkos and approved unanimously. A roll call vote was had – all attending members voted to approve the application. Board Member Turkos made a motion to enter into closed deliberation to discuss the application. Board Member Chapek seconded the motion. By roll call vote, the Board unanimously voted to enter into closed deliberation.

#### **9:00 PM – Other Business**

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- [7:45] Staff Member Strniste advised the Board of their upcoming schedule. Currently, only a sketch plan review meeting was anticipated for the September 21, 2020 meeting date.
- [7:49] Site visit scheduling was discussed as the days are becoming shorter with the change of seasons.
- [7:53] Board Member Turkos made a motion to enter into closed deliberation to discuss the Jacobs Sketch Plan Review decisions, the Potvin Preliminary & Final Subdivision Review decision, the Brewer Site Plan Review decision, and the Diffenderferffer Conditional Use Review decision. The motion was seconded by Board Member McKnight and approved unanimously.
- [9:22] Board McKnight made a motion to exit closed deliberation. The motion was seconded by Chair Van Winkle and approved unanimously. The Diffenderfer application was approved unanimously. Board Member Miller recommended that the Board discuss frontage in the near future.
- [9:28] Board Member Chapek made a motion to adjourn. The motion was seconded by Board Member McKnight and approved unanimously.

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Respectfully Submitted by:  
Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 08/17/2020 meeting of the DRB were accepted  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Charles Van Winkle, Development Review Board Chair

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

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