

**Town of Underhill  
Development Review Board Minutes  
October 21, 2019**

**Board Members Present:**

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

**Staff/Municipal Representatives Present:**

Andrew Strniste, Zoning Administrator

**Others Present:**

Mike Diffenderffer (15 Pleasant Valley Road)  
Amy Golodetz (29 Pleasant Valley Road)  
Carla Osgood (19 Pleasant Valley Road)  
Steve Webster (64 Krug Road)

**6:30 PM – 10/21/2019 DRB Public Meeting**

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- DRB Members convened at Town Hall around 6:25 PM after a site visit at 15 Pleasant Valley Road. Present at the site visit were the following members of the Development Review Board: Charles Van Winkle, Stacey Turkos, Matt Chapek, Mark Green, Daniel Lee, and Karen McKnight; and the following members of the public: Amy Golodetz (PV029), Carla Osgood (PV019), Steven Webster (KR064) and Peter Duval (PR025); in addition to Staff Member Strniste.
- [6:30] Chair Van Winkle commenced with the evening's meeting. The following adjustment was made to the agenda: approval of the October 7, 2019 minutes were rearranged to be approved immediately.
- [6:31] Board Member McKnight made a motion to approve the minutes of October 7, 2019. The motion was seconded by Board Member Chapek and approved unanimously. Board Members Van Winkle and Lee abstained. No public comment was provided. Board Member Turkos advised final comments pertaining to the Carter decision should be submitted no later than Thursday morning, October 24, 2019.

**6:35 PM – Diffenderffer Conditional Use Review  
15 Pleasant Valley Road (PV015), Underhill, Vermont**

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

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- [6:35] Chair Van Winkle began the evening's hearing by explaining the hearing procedures for a conditional use review. The application pertains to the conversion of a multi-family dwelling to a mixed-use structure containing three dwelling units (multi-family), restaurant space and office space, as well as to build a porch within a riparian buffer. The Applicant, Michael Diffenderffer, was before the Board to discuss the application. A few neighbors were in attendance to comment about the application. No ex parte communications between the Board and the Applicants were identified, nor were any conflicts of interest identified. No additional exhibits were submitted into the record.
  - [6:40] Mr. Diffenderffer provided an over of his project, informing the Board of his vision. He provided the Board information regarding the water supply source in addition to the wastewater system.
  - [6:42] A discussion ensued about the number of people utilizing the building and how that would relate to the parking issue that was brought to the Board's attention via the staff report. Mr. Diffenderffer expounding upon his intend with the restaurant space and the holding of special events such as game night.

- [6:50] A discussion ensued about the riparian buffer setback waiver request, and the potential impact on the riparian buffer in relation to the proposed project, which includes impacts from building within the riparian buffer, parking, vehicular circulation, etc.
- [6:58] A discussion ensued about the various parking options available to the Applicant, including potential options regarding a parking agreement with the Town. Board Member Chapek requested informed the Board that he'd like to see a more definitive plan depicting the property lines. Staff Member Strniste reviewed his comments provided in the staff report.
- [7:18] Amy Golodetz, 29 Pleasant Valley Road, communicated her concerns about potential adverse impacts to the riparian buffer and the potential for excessive noise.
- [7:25] Carla Osgood, 19 Pleasant Valley Road, expressed her support for the project and hoped that the project could lead to a place for the community to gather.
- [7:30] The Board and Mr. Diffenderffer discussed the potential hours of operation. Chair Van Winkle informed Mr. Diffenderffer that he did not believe there was enough information to make a decision mostly due to not enough information about the parking situation. He noted that the Board seemed to be okay with the project conceptually. Board Member Turkos and Resident Golodetz asked parking-related questions. Staff Member Strniste informed Mr. Diffenderffer that he'd need to adhere to the Source Protection Area regulations under Section 3.17. Board Member Green inquired about conditional use review applications running with the land.
- [7:52] The Board informed Mr. Diffenderffer that they'd like to see more information relating to the impact to the riparian buffer, the parking layout, property lines, hours of operations, and addressing the comments in the staff report.
- [8:01] Board Member Green suggested reviewing the parking situation to see if the number of required parking spaces could be reduced from 27 to 22. Chair Van Winkle opined that the application could be approved with conditions and subject to the submittal of additional details, or the application could be bifurcated and have Mr. Diffenderffer come back to the Board when he wanted to renovate the building to include the restaurant. Other members of the Board opined that more information prior to approving the application was needed.
- [8:17] Board Member McKnight made a motion to enter into closed deliberation to discussed application. Board Member Chapek seconded the motion, which was approved unanimously.
- [8:27] Board Member Turkos made a motion to exit closed deliberation, which was approved by Board Member Chapek. The Board unanimously approved the motion. The Board advised that they liked the application; however, more information was needed. They informed Mr. Diffenderffer that he the option of either: 1) withdrawing his conversion of use application, which would allow the Board to grant the riparian buffer waiver, or 2) continuing the hearing and approving everything at one time. The Applicant chose the latter option. A memorandum outline the request will be sent to the Applicant in the coming days.

#### **7:42 PM – Other Business**

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- [8:40] Board Member Turkos made a motion to adjourn. The motion was seconded by Board Member Green and unanimously approved.
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Submitted by:

Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 10/21/2019 meeting of the DRB were accepted  
this 6 day of January, 2020.



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Charles Van Winkle, Development Review Board Chair