

Town of Underhill
Development Review Board Minutes
Chairperson Scott Tobin

January 5, 2009

Board Members Present:

Scott Tobin, Chair
Chuck Brooks
Matt Chapek
Charlie Van Winkle
Peter Seybolt
Penny Miller
Stan Hamlet
Deb Shannon

Also Present:

Kari Papelbon, Zoning Administrator

6:30 PM: Chairman Scott Tobin called this hearing to order.

Consultant Present:

Gunner McCain
McCain Consulting
4050 Williston Rd.
South Burlington, VT

Other Participants Present:

Cindy Cross-Grenia
34 Mullen Rd.
Underhill, VT

Julie Kelliher
37 Mullen Rd.
Underhill, VT

Brian Christie
50 Mullen Rd.
Underhill, VT

Identifier: Contents:

ZA-1	Mike Tatro's Application for Subdivision: Sketch Plan
ZA-2	A copy of the site plan dated November 24, 2008
ZA-3	A copy of the Subdivision Checklist: Sketch Plan

ZA-4	A copy of the topography and natural features map
ZA-5	A copy of the parcel map for MU038
ZA-6	Procedure checklist
ZA-7	Staff report prepared by Kari Papelbon

- Chairperson Tobin began meeting by explaining the procedure for the sketch plan meeting.
- Gunner McCain, consultant for the Applicant, explained the site plan and provided details. He also stated that soils testing, mapping, and a wetlands delineation have already been completed.
- Board Member Stan Hamlet asked if there was any way the wells could be sited to allow the well shields to remain on the owners' lots rather than onto abutting neighbors' lots. Mr. McCain explained that the well on Lot 1 and its corresponding well shield are in existence. He stated that he could probably move the well on Lot 3 downhill to move the shield more onto that lot. He also mentioned that the State has authority over well shields. Board Member Charlie Van Winkle stated that the subdivision regulations have a requirement that the proposed development be compatible with surrounding properties and that showing well shields extending onto abutting neighbors' properties does not comply with that requirement. A short discussion of State authority on well shields ensued.
- Board Member Hamlet asked if the abutting neighbors whose land is impacted by the well shields had contacted anyone regarding the plans. It was stated that they had not. Board Member Van Winkle asked for a reasonable effort on the consultant's part to site the well to keep the well shield on the development lot.
- Chairperson Scott Tobin stated that the plans depict access to Lots 2 and 3 over the existing driveway. A brief discussion regarding the bridge ensued. The shared portion of the extended driveway is less than 200 feet long.
- Board Member Van Winkle asked how the frontage depicted on the plans was measured. He stated that Lot 3 is served by a right-of-way and thus does not have the minimum frontage. Mr. McCain replied that he would draw a right-of-way line to Lot 3. A discussion of the right-of-way ensued.
- Chairperson Tobin asked if the proposed septic systems were conventional. Mr. McCain explained that they were mound systems. Board Member Peter Seybolt asked why pump stations were needed. Mr. McCain responded that pump stations are needed for pressure distribution. Board Member Seybolt asked if the flow would go to the well. Mr. McCain stated that it would not.

- Board Member Van Winkle asked about the width of the bridge. Mr. McCain replied that it is currently 11 feet. Board Member Van Winkle replied that the width could be an area of concern for the Selectboard. Board Member Hamlet added that the culvert in existence prior to the installation of the bridge was creating issues downstream.
- Chairperson Tobin asked if there were any perceived variances. Mr. McCain stated that there were not at this time.
- Board Member Penny Miller asked about whether everyone was clear on the frontage requirement. Zoning Administrator Kari Papelbon provided the definitions and requirements for frontage from the regulations. A discussion on frontage ensued.
- Board Member Hamlet stated that there was some concern regarding the bridge.
- Zoning Administrator stated that there were several wetlands and a stream on the property. A brief discussion of the natural features ensued.
- Chairperson Tobin invited the members of the public to speak.
- Cindy Cross-Greenia, 34 Mullen Road, stated that her property flooded due to the brook and culvert that had originally been installed. She also stated that in the previous Tatro subdivision the bridge had been approved for one house and her concern was for the support of an additional 2 houses. Ms. Cross-Greenia also expressed concern for the culvert on the side of the existing bridge, which discharges into the stream. Her other concerns were for the condition of Mullen Road as the increase in traffic from the previous subdivision had caused some problems in road conditions. She recommended that the Board conduct a site visit after the snow melts.
- Julie Kelliher, 37 Mullen Road, stated that her concerns were for the bridge width and the culvert, and stated that the previous subdivision took over 2 years before it was in compliance with the regulations and approved.
- Chairperson Tobin explained the next steps in the subdivision process as well as the rules of procedure regarding site visits.
- Brian Christie, 50 Mullen Road, provided information regarding the cost of his driveway (from the previous Tatro subdivision) and stated that there were no issues with runoff or ditching thanks to well-engineered plans. He

also stated that he has a road maintenance agreement with Mike Tatro. He has no objections or issues at this time with the proposed subdivision.

- Mr. McCain provided some information as to where the Town portion of Mullen Road ends and where the private portion begins as there was some concern expressed about the condition and maintenance of the road. A short discussion of the road ensued.
- Mr. McCain explained that the current analysis shows that the development would need to go through the State requirements for stormwater permitting. There will be more than one acre of disturbance. He then requested that the Board conduct a site visit as soon as possible, during the winter months, and not wait until spring.

7:57 PM: Chairperson Tobin asked if the Board had enough information to proceed. Board Member Van Winkle made a motion, seconded by Board Member Miller, for the Board to deliberate in open session. The motion was passed by all Board Members present.

Board Member Chuck Brooks suggested that the Board review the checklist. A discussion of the bridge and construction traffic ensued.

Board Member Van Winkle made a motion to reject the sketch plan application as the frontage for Lot 3 was not met. There was no second for the motion. Chairperson Tobin recognized that the motion failed.

Board Member Van Winkle made a motion, seconded by Board Member Seybolt, to accept the sketch plan application. The motion was passed by all Board Members present.

8:07 PM: Chairperson Tobin made a motion, seconded by Board Member Chuck Brooks, to enter a deliberative session. The motion was passed by all Board Members present.

8:33 PM: Chairperson Tobin made a motion, seconded by Board Member Miller, to come out of deliberative session. The motion was passed by all Board Members present.

8:35 PM: Meeting adjourned.

These minutes of the 1-5-08 meeting of the DRB were

Accepted

This _____ day of _____, 2009.

Chairperson Scott Tobin

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