

Town of Underhill
Development Review Board Minutes
Chairperson Scott Tobin

February 7, 2011

Board Members Present:

Will Towle
Matt Chapek
Penny Miller
Chuck Brooks
Charlie Van Winkle
Scott Tobin, Chair

Also Present:

Kari Papelbon, Zoning & Planning Administrator

6:28 PM: Chairperson Scott Tobin called the Baslow subdivision sketch plan meeting to order.

Applicant Present:

Marty Baslow (13 Baslow Lane)
65 Colonel Page Rd.
Essex, VT 05452

Consultant Present:

Gunner McCain
McCain Consulting, Inc.
93 South Main St., Ste. 1
Waterbury, VT 05676

Other(s) Present:

guest

Identifier:	Contents:
ZA-1	Marty and Michael Baslow's Application for Subdivision: Sketch Plan (dated 12-2-10)
ZA-2	A copy of the completed Subdivision Checklist: Sketch Plan
ZA-3	A copy of the survey prepared by Keith Van Iderstine of McCain Consulting, Inc. for Michael Baslow and Marty Baslow (dated 12-8-10)
ZA-4	A copy of the tax map for BS013

- Chairperson Tobin began the meeting by explaining the procedure for sketch plan.

- Gunner McCain, consultant for the Baslows, provided an overview of the plans. The proposal is to create a ±12-acre lot around the existing house at 13 Baslow Lane. No new development is proposed—all access and utilities are existing. The remaining ±33 acres would remain undeveloped at this time. Mr. McCain stated that the existing shed on the property would not meet setback requirements in its current location with the proposed new lot line, and offered to move the shed to be compliant.
- Board Member Charlie Van Winkle asked if the Applicant wanted to move the shed, to which it was replied that he'd rather not. Board Member Van Winkle asked how long the shed had been in place. Marty Baslow replied that it had been there for about 20 years. Chairperson Tobin asked for clarification on the location of the shed. Clarification was provided.
- Board Member Matt Chapek asked where the proposed new lot line was on the submitted plan. Mr. McCain stated that it followed the centerline of the existing driveway (Baslow Lane). The line from Michael and Debra Baslow's lot will be extended to VT Rte. 15 to create the other new lot line. A brief discussion ensued.
- Chairperson Tobin asked where future access to the remaining land would originate. Mr. McCain stated that it would never be from VT Rte. 15 due to the presence of wetlands. Mr. McCain stated that access would be from either Warner Creek via the subdivision approved in 2008 or the existing driveway (Baslow Lane). The right-of-way shown along the Bosley lot is existing.
- Board Member Penny Miller asked whether there were wetlands on the property, to which Mr. McCain replied that there were wetlands next to VT Rte. 15. He further explained that the remaining land is mostly wooded, but future development would require due diligence to determine the presence of other wetlands.
- Board Member Chapek asked what the rationale was for locating the lot line along the centerline of the road. Mr. McCain explained that it made sense with the layout of the existing road and existing houses. The piece of land across the driveway (Baslow Lane) is useful with the remaining acreage and is not relevant for the house lot. A very brief discussion of the shared right-of-way with Bosley ensued. The Bosleys access their parcel from a driveway off of the lower portion of Baslow Lane, not via the right-of-way.
- Board Member Will Towle asked whether a private road agreement was currently in place. Mr. McCain stated that there probably was not a legal written agreement since the landowners are one family, but offered that he would be amenable to a subdivision condition that required the creation of a formal agreement document should the land be deeded out of the current family trust. Board Member Towle stated that there would be four parcels accessed by the road. Mr. McCain stated that the Bosley lot only uses a

small portion of Baslow Lane before their driveway enters their lot. Mr. Baslow added that the more likely access for the remainder of the lot would be through the Warner Creek subdivision rather than over Baslow Lane.

- Chairperson Tobin asked if the Bosleys access their property from Gert's Knob. Mr. McCain stated that they did. Chairperson Tobin asked if the Raineaults also access off of Gert's Knob, to which Mr. McCain replied that they did.
- Board Member Miller asked for clarification of the locations of the septic and replacement septic systems. Mr. McCain showed her the locations on the map.
- Board Member Chuck Brooks asked for clarification of a note on the survey regarding the minimum closure rate. Mr. McCain stated that he did not know the answer, but that it was pretty tight.
- Board Member Miller asked whether the proposed subdivision was affected by the presence of two zoning districts. Mr. McCain stated that the proposed subdivision was located entirely in the Rural Residential zoning district. ZA Papelbon stated that the small piece of land on the western side of VT Rte. 15 is split by the Rural Residential and Soil & Water Conservation zoning districts.
- Chairperson Tobin asked where the Town road (Gerts Knob) ends. Mr. McCain stated that he would have to get back to the Board on the answer, but he clarified that the proposal did not include a request for additional houses. Mr. Baslow added that the Town trucks turn around where the road branches off.
- Chairperson Tobin asked whether the small piece across VT Rte. 15 was included in the bulk acreage. Mr. McCain stated that it was.
- ZA Papelbon stated that the survey should show the zoning district boundary lines.
- Chairperson Tobin stated that no members of the public were in attendance.
- A discussion of the shed and setback requirements ensued. No decision was made.

6:52 PM: Chairperson Tobin asked if the Board had enough information to make a decision on the application. The Board indicated that they did. Chairperson Tobin asked the Board if they wished to deliberate in open or closed session. The Board voted to deliberate in open session.

6:53 PM: Board Member Charlie Van Winkle made a motion, seconded by Board Member Chuck Brooks, to accept the submitted sketch plan. Board Member Will

Towle stated that he believed the Applicant could apply for a waiver for the shed instead of a variance. A short discussion ensued. Mr. McCain suggested a condition of final approval to have the shed moved within a certain timeframe. There was no decision made and the Board agreed to discuss this at the next hearing. The motion to accept the sketch plan was passed by all Board Members present.

6:56 PM: Mr. McCain requested to combine the preliminary and final hearings. The DRB stated that they would consider the request.

The Board signed minutes and decisions.

The Board began their work session. Discussion included subdivision procedure and draft checklist input as requested by ZA Papelbon. The Board requested a new draft of the checklist based on comments for the February 21st meeting.

Chairperson Tobin also discussed his position on the DRB.

8:35 PM: End of meeting.

These minutes of the 2-7-11 meeting of the DRB were accepted

This _____ day of _____, 2011.

Chairperson Scott Tobin

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.