

Town of Underhill
Development Review Board Minutes
Chairperson Scott Tobin

November 5, 2007

Board Members Present:

Chuck Brooks
Stan Hamlet
Peter Seybolt
Charlie Van Winkle, Vice Chair
Penny Miller

Also Present:

Chris Murphy, Zoning Administrator
Kari Papelbon, Zoning Assistant

6:17 PM: Meeting called to order

Vice Chairperson Charlie Van Winkle began the meeting by reading the procedure for preliminary hearings.

6:20 PM: Marcy Gibson preliminary hearing commenced.

Gibson
50 New Road

Applicant Present:

Marcy Gibson

Consultant Present:

Peter Lazorchak, McCain Consulting
93 South Main Street
Waterbury, VT 05676

Identifier: Contents:

ZA-1	Copy of the preliminary plans prepared by Peter Lazorchak of McCain Consulting for Marcy Gibson
ZA-2	A copy of the survey by Carroll Peters for Marcy Gibson
ZA-3	A copy of the UJFD letter dated 10-3-07
ZA-4	A copy of the Chittenden East Supervisory Union #12 letter dated 9-20-07

- Vice Chairperson Van Winkle read the Preliminary Hearing Checklist.

- Peter Lazorchak, consultant for Marcy Gibson, provided an explanation of the subdivision plans. The property is in the Rural Residential Zoning District. Mr. Lazorchak explained that they were in the process of obtaining a State Wastewater Permit and a revised Act 250 permit. He also mentioned that the building envelope for the engineering drawing was drawn at a different time than the survey and thus it does not match the survey.
- Vice Chairperson Van Winkle asked what the existing use of the land to the east of the property was. Marcy Gibson explained that the land is owned by Michael McClellan. Vice Chairperson Van Winkle stated that the wellhead protection areas depicted on the plans extend onto Mr. McClellan's property. Mr. Lazorchak responded that they are approximately 50 feet over the property boundary, however the State rules have a "first-come, first-served" approach to drilled well locations. Board Member Peter Seybolt asked if the location of the well shield would be an issue for the project. It was determined that it would not be an issue that would keep the project from moving forward.
- Board Member Peter Seybolt asked about the septic for the proposed new lot. Mr. Lazorchak explained that the proposed leachfield will be separate from the existing leachfield. Board Member Seybolt then asked Ms. Gibson how deep her existing well is, to which she replied 235 feet.
- Vice Chairperson Charlie Van Winkle asked Ms. Gibson if she had any quality issues with her well water. She replied that she has to treat for iron like most of the residents in the area who have drilled wells. Zoning Administrator Chris Murphy asked Ms. Gibson about her well yield. Ms. Gibson responded that she has a 50 gallon-per-minute (gpm) well. ZA Murphy then asked Mr. Lazorchak if the proposed well location could be moved to prevent the well shield protection area from extending onto Mr. McClellan's property. Mr. Lazorchak responded that he would investigate the possibility.
- Ms. Gibson raised the question of why well shields have differing shapes. Mr. Lazorchak explained that there is a 100-foot area surrounding the well location and that must be 200 feet in uphill areas. Ms. Gibson added that the area on Mr. McClellan's property where the well shield protection area extends is very wet.
- Board Member Stan Hamlet asked if Mr. McClellan had spoken to Ms. Gibson regarding her proposed subdivision. Ms. Gibson responded that he had not. Zoning Assistant Kari Papelbon added that he had not contacted the Zoning Office regarding the project. Board Member Hamlet asked how many acres Mr. McClellan owns. Ms. Gibson responded that he has approximately 12 acres.
- Ms. Gibson provided the Board with highlighted tax maps that show her property.
- Board Member Hamlet asked if Mr. McClellan could subdivide and have an issue with the well shield protection area that is proposed to extend onto his property.

- Zoning Assistant Kari Papelbon explained that there is an existing utility easement on the property and that the engineering drawing should show the location of the easement as shown on the survey. If the location of the buried utility lines changes it must remain within the existing easement. She also asked Mr. Lazorchak to include the proposed and existing driveway widths and building envelope setbacks on the engineering drawing.
- Vice Chairperson Van Winkle then asked if there were any comments from the public. There were no members of the public present nor had any written comments been submitted to the Zoning Office.

6:41 PM: Vice Chairperson Van Winkle asked if the Board had enough information to make a decision. Board Member Stan Hamlet made a motion, seconded by Board Member Chuck Brooks, to move to deliberative session. The motion was approved by all Board Members present.

6:42 PM: Meeting adjourned.

These minutes of the 11-5-07 meeting of the DRB were

Accepted

This 19th day of November, 2007

Vice Chairperson Charles Van Winkle

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.