

**2009 UNDERHILL TOWN PLAN  
DECEMBER 4, 2009**

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1 **CHAPTER 1: NATURAL RESOURCES**

2 **Section 1.0 Overview**

3  
4 The Town of Underhill lies between the Champlain Valley to the west and the spine of  
5 the Green Mountains to the east. The physical features of Underhill’s landscape have  
6 greatly influenced local patterns of human activity, settlement and commerce. Settlement  
7 in Underhill developed around the most reliable source of power at the time—the Browns  
8 River and its many tributaries. The Town’s traditional agricultural base, which once  
9 extended into the surrounding hills, is today largely confined to its most productive soils,  
10 found along the river valley. Those areas least desirable for development—Underhill’s  
11 remote and rocky uplands—form a scenic backdrop and include productive forest lands,  
12 headwaters, and important wildlife habitat.

13  
14 The quality of life Underhill residents enjoy and have stated they want to protect is  
15 closely tied to the quality of the Town’s rural character and natural resources. A  
16 Community Planning Survey, conducted by the Center for Rural Studies, indicated that  
17 86.8% of survey respondents feel it is important to “protect wetlands, wildlife habitat,  
18 endangered species, forest land, water quality, and other natural resources” in Underhill.  
19 (Moser, 2009)

20  
21 The location and approximate boundaries of a variety of natural resources have been  
22 mapped by local, regional or State sources. With most of these mapped resources  
23 available as data layers in the Vermont Geographic Information System (GIS), they can  
24 be viewed collectively for any parcel or area within Underhill. This system permits  
25 cohesive open space planning and gives Underhill officials the ability to protect  
26 significant natural resources both in the preparation of zoning regulations and during  
27 review of proposals for development.

28 **Section 1.1 Forestry**

29 Underhill, a town of 32,828 acres, has abundant forest cover throughout the Town.  
30 Underhill has over 7612 acres of productive forestland growing lumber to meet local and  
31 regional current and future needs (based on forest lands enrolled in the State’s current use  
32 program). An additional 9,659 acres is contained within the Mount Mansfield State  
33 Forest (6,035 acres), the Ethan Allen Firing Range (3,292 acres), and UVM properties  
34 (Proctor Research and the Chin, 332 acres). 4004 acres are also enrolled in Town  
35 Contracts although it is not clear how this acreage is being used other than being  
36 protected from subdivision.

37  
38 Much of the Town’s forest resources are managed by private landowners. However, The  
39 Mount Mansfield State Forest is logged under management of the State Department of  
40 Forests and Parks. Some private lands in Underhill are logged commercially; many are  
41 under forest management in one of the Town or State current use or conservation  
42 easement programs (about 2,000 acres). Over 70% of the total acreage in Underhill is  
43 reflected in the data mentioned above.

44

1 Continued management of these woodlands is an important community goal. Forest land  
2 and its traditional uses (timber extraction, wildlife habitat, recreation, scenic resources,  
3 etc.) help define the rural character of the Town. The viability of our working forests is  
4 tied inextricably to adequate access and overall land base. Indiscriminate subdivision and  
5 development has the potential to fragment large blocks of forest land into smaller  
6 ownerships (parcelization) making long-term timber management more difficult. More  
7 importantly, even if large forest parcels are maintained, development along Town roads  
8 must be carefully planned to avoid isolating interior forest lands. Given low profit  
9 margins and site-specific constraints, working forests require suitable access for  
10 equipment and timber harvesting.

11  
12 The impacts of fragmentation on wildlife that rely on "Core Forests" are also a concern.  
13 These are forests that provide at least 100 yards free from human disturbance. Core  
14 forests have declined, in Underhill, from 1978 (25,544 acres) to 1993 (19,580 acres). This  
15 was a 22% decline from 1978 to 1993; and likely has not improved in 2009 (CCRPC,  
16 2001).

17  
18 Planning for all of Underhill's forest resources could be improved through a more  
19 thorough evaluation of site-specific potential and value to the community. Frequently,  
20 during local development review, town boards find it difficult to assess the value of a  
21 particular area for residential development versus timber production versus conservation.  
22 Given the wealth of GIS data available, it may be possible to develop a system or model  
23 that better establishes the value of a particular area for a number of competing or  
24 overlapping values.

## 25 **Section 1.2 Agriculture**

26  
27 Agriculture is an important contributor to the character of the Town. In 2003 there were  
28 4,973 acres devoted to farming in Underhill (CCRPC Regional Plan, 2006). Farmers have  
29 the ability to produce an income from the land and keep it open. However, the farmer is  
30 under constant pressure to sell or develop the land due to the discrepancy between  
31 income from production and what he or she could expect from real estate development.  
32 Once the land has been developed for nonagricultural purposes, it is forever lost to  
33 agriculture. Preserving agricultural land, while maintaining the landowner's equity in that  
34 land, is one of the planning challenges facing the Town.

35  
36 Agriculture contributes to the Town economically, socially, environmentally, and  
37 aesthetically.

### 38 39 Economic Benefits:

- 40 Property taxes paid and fewer services demanded
- 41 Sale of agricultural products
- 42 Local jobs and services for businesses and industries
- 43 Slows diversion of farmland to other uses
- 44 Local food products
- 45 Direct and indirect contribution to the local and regional economy

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- Social Benefits:
  - Space for recreation
  - Educational opportunities
  - Scenic views
  - Makes Underhill an attractive place to live and work
  - Cultural diversity
  - Retention of town heritage and rural character

- Environmental Benefits:
  - Cultivation of open land
  - Helps water recharge areas
  - Helps to maintain healthy forests
  - Provides wildlife habitat

Due to hilly terrain, prime agricultural land in Underhill is limited to the river valleys and some of the flatter hillsides. While there is no data available at this time, interest in locally grown meat from pastured animals in recent years appears to be increasing. Landowner interest in maintaining available farm land, including small fields and pastures. Commercial farming operations are leasing small pastures and individuals are raising animals for their own use. This trend should be documented and encouraged for all the reasons stated above. Conversion of prime farm land for other uses should be discouraged.

**Section 1.3 Open Space Planning**

“Open space” refers to all types of lands that are valued for being undeveloped including those areas that provide for natural processes and wildlife, for agriculture and sylvan production, for active and passive recreation, and/or for providing other public benefits.

Open space planning is one way for communities to determine what resources are important to protect, identify those resources, weigh their relative value and arrive at strategies for protecting or managing them, such as natural resource overlay districts, conservation land acquisition, and management of public lands. Open space planning in Underhill could benefit the town by taking a more comprehensive look at the entire town and adjoining towns to identify important land and natural resources and connectivity that allows for continued ecological function and value to Underhill.

The Community Planning Survey (Moser, 2009) indicated that 84.7% of Underhill residents feel that it is important to protect open space now and for the future of Underhill. This suggests that an Open Space Plan may be a logical next step for Underhill to take in determining how best to conserve the natural areas that residents value so highly.

1 **Section 1.4 Water Quality**

2 **Surface Waters**

3 The main watercourse in Underhill is the Browns River, a major tributary of the Lamoille  
4 River and the headwaters of the Browns River sub-watershed; the largest sub-watershed  
5 of the Lamoille River watershed . The Browns River begins on Mount Mansfield and is  
6 joined in Underhill Center by Stevensville Brook and Clay Brook, which also begin their  
7 journey high on the mountain. Harvey Brook, Crane Brook and Mill Brook, which drain  
8 the lower hillsides, also join the Browns River in the village of Underhill Center, creating  
9 special problems, due to a high ground water level and vulnerability to flooding. It then  
10 flows parallel to South Hill and is joined in Jericho by the Creek, a slow flowing stream  
11 and important wetland paralleling VT 15. Roaring Brook, a significant tributary to the  
12 Creek, joins the Creek right before it crosses into Jericho.

13  
14 The Browns River meanders through a broad floodplain along the River Road, often  
15 changing its course during spring floods. The small farming area along River Road is the  
16 major beneficiary of the post glacial flooding in Underhill, the only concentrated area of  
17 prime agricultural soils in town and a working landscape which should be preserved.

18  
19 Other surface waters outside of the Browns River watershed, in Underhill, are the  
20 Seymour River and Beaver Brook. The Seymour River, which flows directly into the  
21 Lamoille River on its journey from Underhill through Cambridge is responsible for the  
22 rich agricultural soil along Pleasant Valley. In North Underhill Beaver Brook drains  
23 Metcalfe Hill and flows across Westford into the Lamoille River.

24  
25 In addition to these named streams there are numerous unnamed streams. Although these  
26 streams are low volume or intermittent in nature, they serve important functions as  
27 seasonal drainage ways.

28  
29 The rivers, streams and lakes in Underhill have great value aesthetically, as wildlife  
30 habitat and corridors and for recreation. All of these waterways eventually drain to Lake  
31 Champlain, which is an important natural, cultural, and economic resource for Underhill  
32 residents and Vermont at large. Access to these waterways is an important part of the  
33 enjoyment of Underhill’s rural setting. The use or misuse of surface waters has an impact  
34 on all communities within a drainage basin.

35  
36 *Lamoille River Basin – Water Quality Management Plan*

37  
38 In November 2008 the Vermont Agency of Natural Resources released an “Interim Final  
39 Plan” called the Lamoille River Basin – Water Quality Management Plan. This is a 5 –  
40 year plan for the Lamoille River Watershed. Of importance to Underhill is the  
41 development of a comprehensive river corridor plan for the entire Browns River. The  
42 plan lists 4 specific action items:

- 43 1. Develop a river corridor protection plan for the Browns River;  
44 2. Implement river corridor restoration and protection projects in the Browns  
45 River Watershed;

1 Develop and implement capital budgets for Browns River watershed towns for stream  
2 crossings and road improvements; and  
3 Develop a Fluvial Erosion Hazard Plan and Map for the Town of Underhill.

4  
5 *Brown River Corridor Plan – Browns River Watershed*  
6

7 In the winter of 2007 the Winooski Natural Resources Conservation District, as part of a  
8 project funded by the Vermont Department of Environmental Conservation River  
9 Corridor Grant Program, initiated development of a community-based river corridor  
10 management plan for the main branch of the Browns River and select tributaries. The  
11 Browns River watershed encompasses much of Underhill and parts of Jericho, Essex,  
12 Westford and Fairfax. Phase I and Phase 2 Stream Geomorphic Assessments were  
13 conducted for the Browns River Watershed. The Phase 1 assessments  
14 identified priority reaches for the Phase 2 assessments. The assessments were completed  
15 by the Winooski Conservation District and Arrowwood Environmental over the course of  
16 approximately 5 years. This Corridor Plan focuses on the twenty-two Phase 2 assessed  
17 stream reaches. (Barton, 2009)

18  
19 The findings of the Browns River Corridor Plan are summarized as follows:

- 20 • Historically, the Browns River watershed acted as a sediment and nutrient  
21 attenuation zone, with incoming fine sediments from upstream stored on  
22 the floodplain, and inputs of coarse sediment essentially in balance and  
23 equal to outputs of coarse sediment.
- 24 • The watershed has largely been transformed into a sediment and nutrient  
25 source and transport zone where floodplain access is limited and sediment  
26 and nutrients are funneled through the system to downstream receiving  
27 waters, due to the historic and ongoing adjustment processes and stressors  
28 documented in the watershed.
- 29 • The highest priority projects developed for the watershed are those that  
30 attempt to restore the sediment and nutrient attenuation assets which once  
31 dominated the system.
- 32 • Other recommended project types include riparian buffer and corridor  
33 enhancement to filter out excess nutrients, help stabilize streambanks,  
34 restore wetlands, and provide shade and cover to improve aquatic habitat;  
35 and replacement of undersized bridges and culverts to reduce channel  
36 constrictions, restore normal flow patterns, and improve aquatic habitat  
37 (Barton, 2009).

38 **Water Quality & Stormwater**

39 Surface waters are subject to many sources of pollution. These are generally divided into  
40 point and non-point designations. Point sources are those for which there is a clearly  
41 defined source, such as a malfunctioning septic system. Non-point sources are those for  
42 which there is no clearly recognizable source. Non-point sources, such as storm water  
43 runoff from roads, driveways (paved and unpaved) or parking lots, are far more difficult  
44 to locate and control although their potential for damage is great. Agricultural practices  
45 can have a significant impact on the quality of surface water.

1  
2 Surface waters are also subject to damage from erosion of stream banks and siltation.  
3 Current Town regulations attempt to mitigate these potential damages by requiring a 100'  
4 setback of all principal structures from named streams and bodies of water. Riparian, or  
5 riverbank, forests and vegetation can contribute to the stabilization of stream banks, but  
6 riparian forest areas are lacking in parts of river and stream corridors in Underhill and  
7 there are no requirements for maintaining vegetated buffer strips around water bodies.  
8 The adequacy of the current regulations for both erosion and pollution control is a  
9 question to be addressed in planning for the protection of surface waters.

10  
11 Depending on soil characteristics and the type of ground cover, the earth has a varying  
12 capacity to absorb water. When precipitation accumulates on the ground surface faster  
13 than it can be absorbed into the earth, the excess water becomes stormwater runoff.  
14 Particularly during major storms, the intensity and duration of rainfall can exceed the  
15 earth's capacity to absorb water. Impervious and hardened surfaces (such as rooftops,  
16 roadways, and parking lots) totally prevent or greatly hinder water from percolating into  
17 the ground.

18  
19 Stormwater runoff flowing across the earth's surface absorbs chemicals and physically  
20 propels un-dissolved particles and other suspended material. Increased volumes of runoff  
21 tend to transport more absorbed chemicals and suspended material. Steep slopes, which  
22 Underhill has in abundance, and hardened surfaces with less friction, increase the  
23 velocity of the runoff and the speed that it accumulates into greater volumes. Increased  
24 stormwater volume and velocity enable runoff to scour larger particles and to transport  
25 them downstream. Vegetative groundcover and reduced slopes slow runoff, diminishing  
26 its ability to transport materials. Increased runoff from impervious surfaces also  
27 increases the volumes of stormwater running into streams, increasing the severity of  
28 flooding and subsequent potential to damage roads and property.

### 29 **Wetlands and Vernal Pools**

30  
31 Wetlands are areas that are inundated by surface or ground water with a frequency  
32 sufficient to support vegetation or aquatic life that depend on saturated or seasonally  
33 saturated soil conditions for growth and reproduction. Wetlands perform several  
34 important ecological functions: they contribute to protection of surface and ground water  
35 quality, recharge ground water aquifers, and control erosion by binding and stabilizing  
36 soil. In addition, wetlands provide necessary fish and wildlife habitat; may contain rare  
37 and endangered flora and/or fauna; may represent a rare or outstanding wetland  
38 community type; and provide opportunities for recreation, education, research, and  
39 aesthetic enjoyment.

40  
41 Vernal pools are small, open-water wetlands that are filled by rain and snowmelt in  
42 spring or fall and are typically dry during the summer months. Vernal pools are usually  
43 contained within a small forested basin with no permanent inlet or outlet, and supporting  
44 no fish that prey on other species. Years of filling and drying result in a unique set of  
45 conditions that support a variety of wildlife specialized to take advantage of these

1 conditions. Vernal pools are known as important breeding habitats for amphibians such  
2 as several salamander species and wood frogs. In Vermont, information regarding the  
3 distribution of vernal pools is limited and further study is needed to better understand this  
4 natural resource (VTF&W, 2004).

5  
6 The Vermont Water Resources Panel uses a three-tier system to classify wetlands for  
7 protection. Class One and Class Two wetlands are considered “significant” as determined  
8 by the degree to which they carry out the above described functions, and are protected by  
9 the Vermont Wetlands Rules. The locations of Class One and Class Two wetlands are  
10 wetlands roughly identified on the National Wetlands Inventory (NWI) maps. The  
11 wetlands along Route 15 in Underhill, and Crane Brook are great examples of Class 2  
12 wetlands. The location of wetlands on a particular parcel as indicated on State Wetland  
13 Inventory Maps, according to current zoning regulations, are to be confirmed through site  
14 investigation.

15  
16 Class Three wetlands are those wetlands that have not yet been evaluated or those not  
17 considered significant under the Vermont Wetland Rules. Class Three wetlands are  
18 currently regulated in Underhill. Although the most comprehensive source of information  
19 on wetlands locations currently available for Underhill is the NWI, this information  
20 should be used with caution. The maps were prepared using aerial photography rather  
21 than field inventory, so wetlands that are hard to see on aerial photos are not mapped.  
22 Many forested wetlands, for example, are not on NWI maps. Understanding the functions  
23 and values of each wetland requires field inventory and assessment by a natural resource  
24 professional (VTF&W, 2004).

## 25 **Groundwater**

26 Clean and plentiful groundwater is a critical resource for the health and well being of  
27 Underhill’s residents. Statewide, 66% of Vermonters depend on groundwater for their  
28 primary water supply (Becker, 2006). This number is significantly higher in Underhill,  
29 where nearly all residents obtain their water from public and private wells and springs.  
30 The most significant quantities of groundwater are found in aquifers, which are geologic  
31 formations that have the capability to store, transmit and yield useful quantities of water  
32 to a well or spring. Land through which water percolates to become groundwater is called  
33 a recharge area.

34  
35 The metamorphic schist which forms the bedrock of Underhill is an important  
36 groundwater recharge aquifer, holding water in the cracks and providing storage which  
37 can be tapped for wells. The aquifer is extremely vulnerable to pollution because of the  
38 many interconnecting cracks in the rocks. Unlike porous materials, such as sand and  
39 gravels, in which bacterial pollution can be filtered over relatively short distances,  
40 polluted water can travel for miles through the cracks in the schist, contaminating wells  
41 far from the source of the problem.

42  
43 Recharge areas and the groundwater they supply can become contaminated by many  
44 sources, including failing septic systems, animal waste, leaking underground storage  
45 tanks, improper disposal of household and industrial waste, inappropriate use of

1 pesticides and fertilizers, and excessive road salting. Groundwater can also be  
2 contaminated by naturally occurring substances including radioactivity in deep layers of  
3 bedrock and decaying plant and animal matter in areas closer to or on the surface.  
4 Similarly, over-development can deplete groundwater resources by increasing the amount  
5 of impervious cover and preventing infiltration of water underground.  
6 Understanding the potential sources of contamination and the location of Underhill's  
7 aquifers will be essential if future growth is to occur in locations and ways that do not  
8 harm groundwater sources.

9  
10 In Underhill, the importance of groundwater to the health of Town residents, present and  
11 future, makes protection of groundwater resources a top priority. Higher quality water is  
12 also less expensive to treat. Both the quality and quantity of water is of concern for the  
13 future.

14  
15 The State's Agency of Natural Resources has mapped all Source Protection Areas, which  
16 are the recharge areas for public community water supplies (those serving 25 or more  
17 full-time users). There are a number of public and private water systems active in  
18 Underhill at this time e.g.

- 19 Jericho-Underhill Water District
- 20 Roaring Brook
- 21 Beartown Rd
- 22 Timber Ridge
- 23 Underhill Central School
- 24 Maple Leaf Farm

25  
26 Identifying water yields and groundwater resources for planning areas will be an  
27 important issue for the Planning Commission to consider as they develop new regulations  
28 for zoning districts.

### 29 **Flood Hazard Areas**

30 A floodplain is the area bordering a lake or river that is subject to flooding. Floodplain  
31 borders are usually determined by the 100- or 500-year flood levels. A 100-year flood has  
32 a 1 in 100 chance of occurring in any given year. Floodplain boundaries are determined  
33 by the Federal Emergency Management Agency (FEMA), and are determined based on  
34 topography and estimated flood flows. Severe flooding can also have long term effects on  
35 stream banks. Underhill has been able to identify portions of waterways susceptible to  
36 erosion through a Geomorphic Assessment (Phase 1 and II) of the Browns River  
37 (Willard, 2006).

38  
39 Floodplains not only protect property and life by reducing the severity of flooding but  
40 also provide wildlife habitat and serve as corridors for animal movement. They also  
41 represent some of the richest and most viable agricultural land in Underhill because of a  
42 concentration of alluvial deposits left by past floods. Because floodplains serve as an  
43 integral part of the overall natural resource pattern of the Town it is important to maintain  
44 them in accord with floodplain regulation.

1 Current town regulations allow development in flood hazard areas if drainage courses are  
2 conserved and if there is no impact that would divert flood waters or increase flood hazards.  
3 The regulations have been developed based on recommended language for communities  
4 enrolled in the National Flood Insurance Program.  
5

6 Current FEMA maps may be flawed due to river movement. FEMA is currently in the  
7 process of updating the official flood hazard maps for Underhill.

### 8 **Fluvial Erosion Hazard Overlay District**

9  
10 Areas subject to fluvial (stream) erosion hazards, from gradual stream bank erosion or  
11 catastrophic bank failure due to naturally occurring stream channel adjustments, have not  
12 yet been identified and mapped in Underhill, although data collection for this work has  
13 been substantially completed.  
14

15 Part of the consideration of whether the Town should adopt fluvial erosion overlay  
16 districts is to determine what kind of uses should be allowed as permitted, conditional or  
17 prohibited outright. These could include: filling; dredging; new structures; parking areas;  
18 infrastructure; utilities; public investments; forestry; agriculture; passive recreation;  
19 functionally dependent facilities; limited improvements to existing structures and  
20 facilities; and state-recommended channel management activities within these areas.  
21

22 The purposes of the Fluvial Erosion Hazard (FEH) Overlay District would be to:

- 23  
24 a. Protect mapped river and stream corridors that are highly subject to erosion due  
25 to naturally occurring stream channel migration, modification and adjustment;  
26
- 27 b. Limit new development as necessary within fluvial erosion hazard zones to  
28 protect public safety and welfare, and to minimize property damage and loss  
29 due to bank erosion and failure; and  
30
- 31 c. Allow rivers and streams to maintain or re-establish their natural equilibrium  
32 and flow, thereby avoiding the need for costly, and environmentally degrading,  
33 stream channelization and bank stabilization measures.  
34

### 35 **Section 1.5 Wildlife Habitat**

36  
37 Wildlife habitat contributes to the rural character of Underhill and reflects the diversity of  
38 the Town's natural landscape. All wildlife species require three elements for viable  
39 habitat - food, water and cover. Even with these elements, viable habitat for many species  
40 is dependent on contiguous tracts of undisturbed land to serve as reservoirs for diverse  
41 species. Smaller tracts can serve as habitat if corridors connecting smaller and larger  
42 areas are preserved. Fragmenting habitat areas and the connecting corridors limits the  
43 availability and diversity of life supporting elements. As areas become isolated, species  
44 diversity diminishes or disappears.  
45

1 The status of viable and varied wildlife habitat is an important barometer of the Town's  
2 ability to maintain its rural landscape while accommodating growth. Given the vast array  
3 of wildlife species, from butterflies to salamanders to black bears, nearly every parcel of  
4 land in Underhill provides habitat to one or more wildlife species. As noted above,  
5 overall species or habitat diversity is one important component of Underhill's rural  
6 landscape.

7  
8 Critical wildlife habitat is another important piece of this equation. For the purposes of  
9 this Plan, "critical wildlife habitat" refers to those areas that provide habitat to species or  
10 suites of species of special importance to Underhill. These areas include: 1) large tracts of  
11 forest with few, if any, roads or house sites – i.e., forest interior habitat; 2) large tracts of  
12 open fields; 3) early succession or transition shrub/forest areas; 4) wetlands and riparian  
13 areas (i.e., stream areas); 5) unique habitat related to rare, threatened, or endangered  
14 species.

15  
16 As Underhill experiences increased development pressures, providing for the integration  
17 of continued growth and open space areas for habitat will be necessary if Underhill is to  
18 maintain its wildlife diversity. Minimizing forest fragmentation by road building and  
19 development will be important if the rich diversity of these areas is to be maintained.  
20 Surface waters, wetlands and floodplains provide some of the richest habitat  
21 opportunities in Underhill. Some, such as the Creek wetlands (Route 15) have been  
22 identified as regionally significant natural areas. Wetland and riparian areas throughout  
23 Underhill are important both locally and for adjoining towns as corridors for wildlife  
24 movement.

25  
26 These areas also merit protection for other reasons such as open space, water quality  
27 protection and recreation. A thorough look at the patterns of development, the potential  
28 impacts and the possibilities for preserving the multiple values of these areas will benefit  
29 wildlife habitat as well.

30  
31 In July 2009 the Underhill Conservation Commission began work on a collaborative  
32 project with the towns of Jericho and Richmond, to identify and analyze regional  
33 connectivity and priority large habitat blocks in the Jericho, Underhill, and Richmond  
34 areas. A GIS database and annotated map of "priority large habitat blocks" and  
35 "connectivity areas" will be developed as deliverables of the project.

## 36 **Section 1.6 Sensitive Areas**

### 37 **Natural Areas**

38 Natural areas are areas of land or water that retain their natural character and contain  
39 unusual or significant flora, fauna, geological or similar features. These areas are the best  
40 examples of the various biological communities that presently or historically existed in  
41 town. The Vermont Natural Heritage Program identifies natural areas within Underhill  
42 that are of statewide or regional significance.

43 Currently these include:  
44

1 *Mount Mansfield Natural Area*

2 This area has the largest alpine tundra in Vermont as well as sub-alpine areas and alpine  
3 bogs. It contains some of the rarest and most fragile plants in Vermont.

4  
5 Natural areas contain some of the most significant and irreplaceable natural resources of a  
6 town. These areas are particularly vulnerable to the impacts of development or misuse.  
7 Ideally these areas should be large enough to act as biological refuges where human  
8 disturbance is kept to a minimum and should represent the diversity of Underhill's natural  
9 features. Planning for natural area protection, while accommodating landowners' needs, will  
10 be one of the main issues in planning for the protection of the Town's natural resources. At a  
11 minimum, anyone seeking a permit to undertake disturbance in the vicinity of a known rare,  
12 threatened or endangered species, should be informed of the resource and measures to reduce  
13 impacts on the species recommended. In any subdivision or conditional use review,  
14 protection of those species should be included as a permit requirement.

15 **Hills and Ridgelines**

16 A ridgeline is defined as a line marking or following a ridge, top of a hill or ledged area,  
17 behind which is open space or horizon. Ridgeline development creates highly visible  
18 structures that become prominent features on the landscape, detracting from the natural  
19 beauty and nature of Vermont and rural Underhill. If the development is visible from a large  
20 area, it intrudes upon the rural contours and disrupts the natural environment. 84% of  
21 respondents to the 2008 Community Planning Survey feel it is important to maintain the  
22 Town's current policy of protecting all land in Underhill above the 1500 feet elevation mark  
23 from development. (Moser, 2009)

24  
25 The eastern portion of Town, with its higher elevations, contains the most visible of  
26 Underhill's ridgelines. Although topography is not as dramatic on the western side of  
27 Underhill the hillsides are visually important because of their contrast to the surrounding  
28 landscape. Uncontrolled or improperly planned development could threaten the environment  
29 of hills and ridgelines. Wind energy and telecommunication towers, while supported  
30 elsewhere in this plan, require special attention if they impinge on hillsides and ridgelines.

31 **Scenic Areas**

32 The scenic resources of Underhill are numerous and varied - including dramatic mountain  
33 vistas, steep wooded hillsides, streams and rivers, open fields, large expanses of  
34 wetlands, and beautiful valleys. Together these elements form a pattern that we see every  
35 day and have come to associate with Underhill's character. These areas also form the  
36 impression others have of Underhill and affect the way the Town is seen as a place to  
37 visit, work or live. Generally, changes to the scenic character of the Town happen  
38 incrementally.

39  
40 Although each change is small in itself, the cumulative impact over time is large. An  
41 essential first step in protecting Underhill's scenic qualities is to identify those areas that  
42 are integral to the scenic landscape. Views from points along roads and highways, from  
43 public recreation areas and trails, from watercourses, and from other areas where public  
44 access is available are important considerations in a plan to preserve scenic resources in

1 Underhill. An inventory should consider topographic variety, diversity of the landscape  
2 features and the length of the view as criteria in assessing priority scenic areas.

3 **Section 1.7 Geological Resources**

4  
5 Geological resources consist of raw materials like gravel, sand, and stone. These  
6 materials are finite commodities that are absolutely essential for our roads, schools,  
7 houses, etc. Although extraction can pose challenges due to pollution issues and impact  
8 on the surrounding environment, it is important that critical supplies of these resources be  
9 available for use.

10 **Section 1.8 Invasive Species**

11 People have been moving plants, intentionally or accidentally, from one habitat to  
12 another over the course of human history. In most cases, introduced or exotic species are  
13 not a threat to new habitats. If the new plants have natural predators in the new habitat  
14 they do not significantly change the balance of the ecosystem. On the other hand invasive  
15 species are plants or animals that lack predators in their new habitat and have an  
16 aggressive growth pattern. When the ecosystem cannot keep a plant's population within a  
17 manageable range, the balance of that ecosystem is tipped, causing the rest of the native  
18 species to suffer, decline or become extinct.

19  
20 If we let nature take its course an invasive species can significantly disrupt and alter long  
21 established habitats. Without predators or plant competition the invasive species  
22 reproduces at aggressive rates, out-competing native plants for sunlight, nutrients and  
23 space and out-competing native animals or fish for food. As the native populations  
24 decrease or become extinct the genetic pool within the ecosystem is reduced. Wildlife  
25 populations within the ecosystem can find themselves without an adequate food source.  
26 Smaller animals that depend on plants for food will decline in numbers. The larger  
27 animals that depend on the smaller animals for food are then without an adequate food  
28 supply and so on up the food chain. Additionally a diverse selection of native plants and  
29 animals keep an ecosystem more resistant to weather disasters and climate change as  
30 there is a wider genetic pool of plants and animals to adapt to changing conditions.

31  
32 The Conservation Commission should take the lead in informing residents about invasive  
33 species and eradication methods.

34 **Section 1.9 Air Quality**

35 Air pollution can cause a number of serious illnesses such as chronic bronchitis, asthma,  
36 emphysema, cancer or damage to the kidneys, liver and central nervous system. There are  
37 a number of significant sources of air pollution in Vermont, the largest being the  
38 automobile. Each year motor vehicles in Vermont emit about 1,000 tons of toxic and  
39 carcinogenic compounds into the air (ANR, 1998). Various steps have been taken over  
40 the last several decades to lower the emissions from automobiles nationwide. However,  
41 while the controls have reduced the amount of pollution from each vehicle, the number of  
42 vehicles on Vermont roads and the number of miles they travel have increased  
43 dramatically. Motor vehicles now travel over 6 billion miles annually in Vermont, double

1 the amount traveled in 1972 (ANR, 1998). Fuel-efficient vehicles are in popular use. The  
2 increase in vehicles and road miles is a trend that is expected to continue into the  
3 foreseeable future.

4  
5 Another source of air pollution once common in Vermont is trash burning. As air  
6 pollution has become better understood, fewer and fewer people are burning trash.  
7 Unfortunately, some still believe burning trash is a viable alternative to paying for land  
8 filling. Household burn barrels produce low temperature fires which release many toxic  
9 chemicals close to the ground.

10  
11 The US Environmental Protection Agency has required each state to measure its ambient  
12 air for six “criteria” pollutants since 1970. Ambient air refers to air that is not directly at  
13 the source of pollution, but the air we breathe in neighborhoods, on farms and in the  
14 marketplace. These six pollutants are particulate matter, sulfur dioxide, carbon monoxide,  
15 nitrogen dioxide, ozone and lead. These pollutants are by no means the only harmful  
16 ones. In fact the Vermont Air Pollution Control Division monitors the ambient air for  
17 several hundred pollutants, but the six “criteria” pollutants are considered the most  
18 common.

19  
20 With energy costs increasing, many people are returning to heating their homes with  
21 wood. While wood is a cost effective, renewable resource, older wood stoves may  
22 actually emit more pollutants, particularly particulate matter, than the sources they  
23 replace. Since 1988, the US Environmental Protection Agency has required all new  
24 stoves to be equipped with catalytic converters or other technologies which reduce air  
25 pollution emissions by 50% to 60%. Newer woodstoves are also more efficient, requiring  
26 a third less wood to produce the same amount of heat (Varney, 2005).

27  
28 However, as with automobile travel, increases in usage may offset the improvements in  
29 the technologies. Another concern is the growing popularity of outdoor, wood-fired  
30 boilers, which, unlike wood stoves, are not required to have pollution controls and which  
31 often must burn wood year-round to provide hot water to the home. A study in 2006 by  
32 the northeastern states notes that wood-fired boilers “emit significantly more particulate  
33 matter than other residential wood burning devices and short term particulate matter  
34 spikes can be extremely high (NES, 2006).

35  
36 The Energy Committee should take the lead in investigating ways that the town and  
37 citizens in the town can work to reduce air quality impacts while reducing energy  
38 consumption and switching to cleaner, more efficient technologies. *See* Energy Chapter  
39 8.

#### 40 **Section 1.10 Climate Change**

41 Climate is the average, characteristic weather conditions of an area over time. Weather  
42 patterns are an important planning and design consideration because of their effect on  
43 such things as soil erosion, plant growth, air quality, storm water runoff and flooding,  
44 groundwater supplies, road maintenance, energy demand for cooling and heating, access  
45 to alternative energy sources and the viability of weather-dependent recreation. Climate

1 change may also have profound impacts on wildlife corridors creating a need to  
2 anticipate the shift in these corridors and how that might impact conservation and  
3 development.

4  
5 Vermont's northern climate is dominated in winter months by cold, dry Canadian air and  
6 in summer by warm moist air from the Gulf of Mexico. Weather patterns vary locally  
7 with topography and relief.

8  
9 Much attention has been given to global climate change in recent years. The vast  
10 majority of scientists studying the earth's evolving climate agree that average  
11 temperatures are rising, which raises a host of considerations regarding the fate of the  
12 planet and humankind. Underhill should anticipate that a changing climate may bring  
13 dramatic social, economic, and environmental change to the area.

14  
15 Some climate models predict that average temperatures in Vermont could increase by 6°F  
16 over the next several decades.

17  
18 The result:

- 19 ○ More volatile and variable weather conditions
- 20 ○ More frequent dry spells and water shortages
- 21 ○ Increases in heat-related illnesses and deaths
- 22 ○ Increased storm events and stormwater runoff
- 23 ○ Decreased water quality
- 24 ○ Loss of hardwood forests, including sugar maples
- 25 ○ Loss of migratory bird and endangered species
- 26 ○ Introduction of warmer climate species and pests
- 27 ○ Loss of cold water fisheries
- 28 ○ Shorter ski and fall foliage seasons (US EPA, 1998)

29  
30 By taking measures to protect natural resources in Underhill, and reducing our impacts on  
31 air, water, soil and plant resources, and reducing our carbon footprint, we can all help to  
32 avoid drastic climate change

### 33 34 **Section 1.11 Natural Resources Policy**

35  
36 **The Town should make a commitment to the responsible stewardship and**  
37 **sustainable use of Underhill's natural resources in a manner that protects and**  
38 **enhances the Town's environmental well-being for the benefit of future generations;**  
39 **the preservation of natural features that contribute to Underhill's ecological health**  
40 **and biological diversity; and the preservation of Underhill's rural character,**  
41 **cultural heritage, scenic landscape, working farms and managed forestlands.**

42

1 **Section 1.12 Goals and Strategies: Forestry and Agriculture**

2  
3 **Goal:** To better assess the value of land for forests and agricultural uses.

4  
5 **Strategy:**

6  
7 The Conservation Commission should conduct an assessment which will identify  
8 working lands in Underhill and rank the importance and viability of agricultural, forestry,  
9 and natural resource lands as part of an Open Space Plan and make a recommendation to  
10 the Planning Commission.

11  
12 **Goal:** To ensure that growth and development don't negatively impact the  
13 viability of forest and agricultural uses.

14  
15 **Strategies:**

16  
17 1. The Conservation Commission should work with existing agricultural and forest land  
18 owners to help with future planning of their land. Ensure that Underhill landowners  
19 have every opportunity to obtain good information about sustainable land management  
20 practices as well as funding and technical assistance opportunities.

21  
22 2. Development planning should preserve the Town's valuable agricultural, forest and  
23 natural resources by directing growth to locations that do not impact these resources.  
24 Provisions will be made, through zoning techniques or voluntary preservation means,  
25 to preserve agricultural and forestry resources.

26  
27 3. Minimizing conflicts between residential and agricultural or forestry uses of land will  
28 be essential in maintaining these operations. The Town should consider adopting  
29 policies such as "Right to Farm" to address these issues for both agricultural and  
30 forestry uses. Generally a "Right to Farm" policy protects farmers from nuisance suits  
31 as long as the farm was established before surrounding suburban activities were put in  
32 place, and as long as the farm's activities did not "jeopardize public health and safety."

33  
34 4. Regulations should be written so that in any development review proceeding access to  
35 forest land and proper right of ways is considered.

36  
37 **Goal:** To support the working forest and agricultural landscape in Underhill, and  
38 provide incentives for uses that keep lands open and viable.

39  
40 **Strategies:**

41  
42 1. Promotion of local agricultural and forest products and marketing of value added  
43 products will be encouraged as a means of fostering the economic vitality of local  
44 farms and woodlands. *See* Economic Development, Chapter 7.

- 1 2. The Town of Underhill shall be encouraged to continue to offer an open land contract  
2 as an alternative to State of Vermont Current Use contracts.  
3
- 4 3. The Town should consider establishing a fund to preserve priority resource land by  
5 promoting the use of a Land Conservation Fund.  
6
- 7 4. The Town should work with the Jericho Underhill and Vermont Land Trusts, and other  
8 appropriate nonprofit organizations, to encourage the voluntary protection of  
9 productive agricultural and forest lands. Techniques such as conservation easements or  
10 donation of land with retained timber rights will be explored as possible options.

11 **Section 1.13 Goal and Strategies: Open Space**

12

13 **Goal:** To develop an open space plan for the Town.

14

15 **Strategies:**

16

- 17 1. The Conservation Commission, working closely with the Planning Commission and  
18 the Jericho/Underhill Land Trust, will develop an open space plan. This plan should  
19 include information on the location of significant agricultural and natural resources,  
20 high priority scenic areas, potential greenways, environmentally sensitive lands and  
21 water resources, compiling information from previous studies and incorporating new  
22 data as it is developed. The current Regional Connectivity and Priority Large Habitat  
23 Blocks project will provide a foundation for an Open Space Plan.  
24
- 25 2. The purpose of this plan should not be to exclude all development from these lands but  
26 to serve as a framework for prioritizing and developing a network of interconnected  
27 open space.  
28
- 29 3. Develop a program for the protection of significant features identified in the open  
30 space plan.  
31
- 32 4. This program should include means of protecting priority areas and may include  
33 conservation easements, purchase of development rights or acquisition of priority sites.  
34
- 35 5. The open space plan and conservation program should identify sites that are most  
36 vulnerable and that are not adequately protected through other regulatory or voluntary  
37 means so that conservation efforts and funds may be focused where need is greatest.  
38
- 39 6. Consider developing a method to assess the relative value of lands for agricultural,  
40 forestry, and natural resource preservation purposes. This method will be built upon  
41 local knowledge, local values, and GIS data.
- 42 7. The Planning Commission should consider proposing regulations that would  
43 incorporate the open space plan in development review.

1 **Section 1.14 Goals and Strategies: Water Quality**

2  
3 **Goal:** To protect, enhance, and restore Underhill’s surface water resources.

4  
5 **Strategies:**

- 6  
7 1. Require adequate vegetative buffers and erosion control along rivers, streams, and  
8 lakes to protect water quality, allow natural channel modification, and protect  
9 buildings. Consider differentiating buffers based on land use.  
10  
11 2. The Planning Commission, in consultation with the Conservation Commission should  
12 review and propose regulatory revisions as necessary to protect, enhance and restore  
13 surface waters.  
14  
15 3. Encourage reforestation of native plants where appropriate along the riverbanks. For  
16 tributaries and creeks, maintain setbacks, and encourage preservation of existing  
17 vegetative buffers and reforestation of riparian buffers.  
18  
19 4. The Town should be an active participant on watershed protection associations, such as  
20 the Browns River Watershed Council.

21  
22 **Goal:** To control impacts from storm water runoff.

23  
24 **Strategies:**

- 25  
26 1. Study and address the contribution of town roads to storm water runoff. Both the  
27 Lamoille River Watershed Basin and the Browns River Corridor Management Plans  
28 identify culverts and bridges in Underhill in need of improvement. Blend the  
29 recommendations of these Plans with the assessment of the Town’s road crew on  
30 needed improvements of the Town’s infrastructure in the development of capital  
31 budgets.  
32  
33 2. The road and land use regulations shall continue to require that all new roads and  
34 driveways are properly constructed to minimize erosion and scouring.  
35  
36 3. All new construction shall be required to employ effective erosion control measures.  
37  
38 4. The Planning Commission should consider adding low impact development  
39 regulations for stormwater control.  
40

1 **Goal:** Protect floodplains in order to reduce the risk to property and life.

2  
3 **Strategies:**

- 4  
5 1. The Planning Commission shall amend the regulations within the required FEMA time  
6 frame so they are compliant with federal flood insurance program requirements; and  
7  
8 2. The Planning Commission will investigate whether they want to pass a minimum  
9 regulation to meet the timeframe; or if they would like to regulate above the required  
10 minimum compliance level.

11  
12 **Goal:** To create a Fluvial Erosion Hazard Overlay District that conserves and  
13 restores riparian corridors vital to natural resource communities and  
14 species.

15  
16 **Strategies:**

- 17  
18 1. Consider in consultation with the Conservation Commission the  
19 recommendations of the Browns River Corridor Management Plan, prepared for  
20 the Winooski Natural Conservation District and the Vermont Agency of Natural  
21 Resources River Management Program, released in March 2009.  
22  
23 2. Consider in consultation with the Conservation Commission the findings of the  
24 Lamoille River Watershed Basin Plan, prepared by the Vermont Department of  
25 Environmental Conservation, released in Fall 2008. The Plan called for the  
26 development of a Fluvial Erosion Hazard Plan and Map for the Town of  
27 Underhill.  
28  
29 3. Consider a proposal to adopt fluvial erosion hazard area regulations – as an  
30 overlay district or stream setback requirements – under updated land use  
31 regulations.  
32

33 **Goal:** To protect Underhill's groundwater resources

34  
35 **Strategies:**

- 36  
37 1. Create a groundwater conservation overlay district that includes source water  
38 protection areas. Development in these areas should receive a higher level of scrutiny.  
39 Review the data already collected and supplement with field studies, if needed.  
40  
41 2. Decide how best to provide well-yield data to the DRB: either review town-wide well-  
42 log data to identify low-yield areas or require developers to provide such information.  
43  
44 3. The Town should consider conducting a groundwater analysis of each planning area.  
45 This could be done with public funds, grant funds, or could be required as part of a  
46 development review application.  
47

1 4. Expand the capacity of the Town water supply via the options listed above. Finance  
2 these expansions via impact fees or other comparable mechanisms.

3  
4 5. Encourage water conservation.

5  
6 **Goal:** To preserve wetlands within Underhill

7  
8 **Strategies**

9  
10 1. Review regulations and consider proposing new regulations to protect town wetlands  
11 that are essential for treating storm water runoff, protecting surface water quality and  
12 providing habitat.

13  
14 2. Work to clarify the location of wetlands (Class I, II, and III) in Underhill. Utilize the  
15 NWI wetland locations or more detailed site specific studies if available, for planning  
16 and development review with appropriate field delineation as needed.

17  
18 3. Consider conducting field studies to identify and better understand priority wetlands.

19  
20 4. Continue to strive to insure that wetlands are not adversely impacted by development  
21 or alteration to lands around them.

22  
23 5. Consider acquiring easements to, or purchasing, priority wetlands that are particularly  
24 vulnerable, identified through the Open Space Plan.

25  
26 6. Restore wetlands in a public/private partnership to improve water quality, habitat, and  
27 facilitate stormwater management.

28  
29 7. Educate landowners about the value and fragility of vernal pools, how to identify them,  
30 and how to protect them.

31  
32 8. Create partnerships with State and Federal Agencies for planning and funding  
33 (implementation) support.

34 **Section 1.15 Goals and Strategies: Wildlife and Habitat**

35  
36 **Goal:** To protect, with the help of landowners, important natural areas; rare,  
37 threatened and endangered species; critical wildlife habitat; and overall  
38 biodiversity.

39 **Strategies:**

40  
41 1. Continue working on the ongoing Regional Connectivity and Priority Large Habitat  
42 Blocks project, to be completed in 2010.

43  
44 2. Develop a “Significant Wildlife Habitat” map. This map would bring together known  
45 natural resources into a single product.

- 1
- 2 3. Develop a town wide Natural Communities Map for a finer level view of the Town's
- 3 natural resources.
- 4
- 5 4. Encourage protection of areas of sufficient size and character to support continued
- 6 preservation of critical wildlife habitat and hunting through mechanisms like
- 7 landowner covenants, conservation easements, etc.
- 8
- 9 5. When reviewing new development, encourage the preservation of small and large
- 10 blocks of forest.
- 11
- 12 6. The Vermont Fish and Wildlife "Heritage Database" contains information about rare,
- 13 threatened and endangered plant and animal species in Vermont. The Town's
- 14 development regulations should reference the "Heritage Database" and should be
- 15 referenced in any development request.
- 16

17 **Goal:** To provide connectivity among natural areas and critical wildlife habitat.

18

19 **Strategies:**

- 20
- 21 1. Identify connections through the completion of Regional Connectivity and Priority
- 22 Large Habitat Blocks project and the development of "Significant Wildlife Habitat"
- 23 and "Natural Communities" maps.
- 24
- 25 2. When reviewing new development, encourage areas separate from housing sites to
- 26 provide connectivity between forest blocks, riparian corridors, and wetlands.

27 **Section 1.16 Goal and Strategies: Hills and Ridgelines**

28

29 **Goal:** To protect ridgelines and hillsides from improperly planned development.

30

31 **Strategies:**

- 32
- 33 1. The Planning Commission in consultation with the Conservation Commission should
- 34 consider identifying ridgelines and hillsides requiring protection from improperly planned
- 35 development.
- 36
- 37 2. Develop strategies, including proposed development review standards in zoning and
- 38 subdivision regulations, to protect identified ridgelines and hillsides.
- 39
- 40 3. The Planning Commission should continue to support the current regulation
- 41 prohibiting development above 1500'; but the Commission should also ascertain
- 42 whether the community desires alternative energy structures on hillsides and ridgelines,
- 43 including those above the 1500' elevation level.

1 **Section 1.17 Goal and Strategies: Geological Resources**

2  
3 **Goal:** Ensure that known areas of quality sand, gravel, and stone are protected for  
4 current or future use.

5  
6 **Strategies:**

- 7  
8 1. Review zoning regulations to ensure the protection of these natural resources.  
9  
10 2. Review zoning regulations to ensure appropriate and well planned extraction of these  
11 resources is possible in appropriate areas.

12 **Section 1.18 Goal and Strategies: Air Quality**

13  
14 **Goal:** To reduce air pollution

15  
16 **Strategies:**

- 17  
18 1. Educate the community on air quality issues and ways they can reduce air pollution  
19 with brochures, links on Town website, educational forums.  
20  
21 2. The Conservation Commission will collaborate with the Underhill Energy Committee  
22 to achieve this goal when possible.  
23  
24 3. The Planning Commission should consider proposing regulations on outdoor wood  
25 burning stoves in certain zoning districts.  
26

1 **CHAPTER 2: LAND USE**

2 **Section 2.0 Land Use Defined:**

3  
4 Land use refers to the general characteristics of areas in Town. Generally speaking, in  
5 Underhill, there are three categories of land use: traditional village centers, residential  
6 lands, and open/agricultural lands.

- 7  
8 1. Traditional Village Centers: Underhill has two traditional village centers,  
9 Underhill Center and the Underhill Flats area. These areas are characterized  
10 by denser, mixed use development.  
11  
12 2. Residential Lands: Characterized by private housing, with the majority of  
13 housing single-family homes with perhaps an accessory unit. This is  
14 because for the most part current zoning regulations do not allow for any  
15 other type of residential structures as a permitted use. (In the Residential  
16 zoning district 3 and 4 unit structures are allowed as a conditional use. This  
17 is the only zoning district where another type of residential structure is  
18 allowed.) All the zoning districts allow for residential structures, and  
19 residential structures are present throughout Town. In addition, because of  
20 allowed conditional uses, commercial operations are scattered throughout all  
21 of the zoning districts.  
22  
23 3. Open/Agricultural Lands: Mount Mansfield, Vermont's highest peak lies  
24 within the boundaries of the Town of Underhill, and the Town's open lands  
25 include state forest lands. In addition, there is a prohibition on building  
26 above the 1500' elevation level, leaving open ridge lines in all areas of  
27 Town.

28  
29 There are still some agricultural operations in the community which also  
30 serve to preserve open space, most notably along the Brown's River  
31 corridor, which has a substantial flood plain. Other areas of Town are used  
32 for maple sugaring, logging, and animal husbandry. Casey's Hill in  
33 Underhill Center is conserved land that is used as a popular sledding hill in  
34 the winter. There are also some conserved lands located in Underhill at the  
35 Mills Riverside Park.

- 36  
37 a. Town Land Contracts: 4003.98 Underhill acreage is enrolled in a  
38 program that offers landowners tax reductions when they agree not  
39 to subdivide land. Presently under the Town contract, the  
40 landowner must have a minimum of 10 acres and agree not to  
41 subdivide the land for 10 years. In return, the town taxes the  
42 landowner at 50% of the regular rate on land above the 10-acre  
43 required minimum. Underhill taxpayers pay the difference  
44 between this lower tax and the tax at full listed value. When  
45 withdrawing from the program before the 10-year term, the

landowner must pay the taxes saved over the last five years plus a penalty.

- b. State Current Use Contracts: 7,611.91 acres of Underhill acreage is under a state current use contract. Under this program, the state taxes farm and forestry land according to its "actual use value" rather than its potential development value. The value is determined by the State Advisory board. Farm buildings are valued at 30% of fair market value. State contracts require a minimum of 25 acres and a land management program. Unlike the Town contract which has a term of 10 years, the state current use contract does not have a term, the land is enrolled indefinitely. Substantial penalties are assessed if this contract is broken. The landowner pays municipal taxes on the actual use value, and the state reimburses the Town for the difference between this lower tax and the tax at full listed value.

**Section 2.1 Land Use Definitions:**

**Clustered Development:** As used in this Plan, clustered development means development that allows residential or commercial development while still protecting the area's environmental features, allowing for more open space, and protecting farmland and the character of rural communities.

**Low Impact Development:** A type of development that utilizes methods whose primary goal is to mimic the predevelopment site hydrology by using site design techniques that store, infiltrate, and detain runoff. Use of these techniques helps to reduce off-site runoff and ensures adequate ground water recharge.

**Outlier:** That which lies, or is away from the main body. In particular for this chapter the "outlier areas" referred to herein mean the pockets of soil and water conservation district zones on the western side of town.

**Section 2.2 Land Use Planning and Underhill**

The goal of this Town Plan is to accommodate a unified development plan for the Town of Underhill that is characterized by denser, clustered development in traditional village center areas, and to have larger tracts of land outside the traditional centers for agricultural, forest, recreational, and appropriate commercial and clustered residential uses. The purpose of this type of development is to avoid sprawl and to maintain our rural heritage as a town. This type of development encourages growth that makes Underhill a more sustainable community by creating economic development opportunities for residents in the traditional village centers while leaving larger tracts of land outside of the village centers and designated residential areas to preserve a working landscape and recreation and wildlife habitat.

1 This goal is a reflection of the responses to the Town Plan survey conducted for the  
2 purpose of this Plan renewal. In the Town Plan survey, among those answering who had  
3 an opinion, there is strong support for encouraging density and mixed use development in  
4 the traditional village center areas and clustering of development in the rural areas.<sup>1</sup>  
5 There is also very strong support for the protection of open space and natural  
6 resources/habitat.<sup>2</sup>

7  
8 However, our current scheme of zoning districts is somewhat at odds with this method of  
9 land use planning. Since 1973 Underhill has had the following zoning districts:

- 10
- 11 1. Residential District 1-2 acre lot size;
- 12 2. Rural Residential-Agricultural District 3 acre lot size;
- 13 3. Water Conservation District 5 acre lot size;
- 14 4. Mt. Mansfield Scenic Preservation District 10 acre lot size;
- 15 5. Soil and Water Conservation District 15 acre lot size.
- 16

17 The zoning districts were originally established based on soil types, geologic  
18 considerations (such as gravel aquifers and recharge areas), and land use. As a result,  
19 three acre zoning extends from one end of town to another, with 15 acre zoning (soil and  
20 water conservation district) located in pockets on the west side of town, all down the  
21 spine of the geographic center of town, and on the east side of town, which encompasses  
22 Mt. Mansfield and the portions of the Mt. Mansfield state forest. 10 acre zoning extends  
23 along Pleasant Valley Road on the eastern side of town and is the one district that is not  
24 based on soils, but on aesthetic considerations. The residential district at 1-2 acre zoning  
25 is located within a traditional village center in the Underhill Flats area of town, but the  
26 traditional village center in Underhill Center is in a 5 acre district.

27  
28 Given the well-established zoning districts, it would be difficult to strictly conform to the  
29 clustered development land use model. However, the town can achieve many of the  
30 objectives of clustered development within its current zoning structure by using several  
31 strategies. The Town can:

- 32
- 33 • Re-define the objectives of the different zoning districts;
- 34 • Re-examine and re-define permitted and conditional uses that will be allowed in  
35 each zoning district so that district uses comply with the purpose of each district;  
36 and
- 37 • Where appropriate, propose amendments to the current zoning district map so that  
38 traditional and future development is accommodated in accord with allowed uses  
39 and reflects updated information about soil characteristics.
- 40

41 The benefit of taking this approach is that our regulations should become more  
42 enforceable with clear objectives and uses, thus giving residents better notice of what  
43 they may do within any given zoning district. Below is an examination of each district,

---

<sup>1</sup> Town of Underhill Community Planning Survey 2008, UVM Center for Rural Studies, M. Moser, p 5.

<sup>2</sup> Id., p.9.

1 including the current name and definition, the traditional use and proposed future  
2 definitions and uses.

3 **Section 2.3 Residential Zoning District**

4

5 Current Definition and Uses:

6 The current purpose of the Residential District is “to encourage higher density residential  
7 development and associated community services where a public water supply is  
8 available.” This district encompasses the traditional village center of Underhill Flats. In  
9 this district the zoning is one acre if the property is supplied by water from the Jericho-  
10 Underhill Water District.

11

12 This is not necessarily reflective of the current lot size, as many lots are smaller than 1  
13 acre, as their creation preceded local zoning. Since the district was last defined, the  
14 service area of the Jericho-Underhill Water District has expanded beyond the mapped  
15 boundaries, extending into the rural residential zoning district.

16

17 There is developed mixed use along Park Street and Route 15; the rest of the district use  
18 is residential. Commercial businesses in this area include: a grocery store; a post office; a  
19 print shop; a bakery/café; a variety of small business operating offices, an automotive  
20 repair shop; a place of worship; and home-based occupations.

21

22 Available Services:

23 The Jericho-Underhill Water District provides water to most of the district. The Water  
24 District is a private entity. At the time that this plan is being written, Vermont Gas  
25 Systems is providing gas utility lines in parts of the district. Fairpoint Communications  
26 has a central office on Park Street. Comcast, Fairpoint, Direct TV and Dish Network are  
27 available in this district for internet services. Cell telephone coverage can be spotty.  
28 There is currently no community wastewater system in the Underhill Flats area.

29

30 Abutting Community:

31 The border with the town of Jericho lies on the southern side of Park Street. There have  
32 long been discussions about the potential of a joint development project, with the two  
33 towns working together to create a unified development plan for this area.

34

35 **Policy: Zoning District Name and Purpose**

36 **The zoning district name and purpose definition should both reflect**  
37 **the traditional use within the zoning district and provide guidance for**  
38 **future development within the zoning district.**

39

40 **Goal: Rename and Redefine Zoning District**

41 The name and the purpose definition of the Residential zoning district  
42 should be changed to reflect the traditional use of the area and to provide  
43 guidance for future development.

44

45 **Strategy:**

- 1  
2 1. Rename and Re-Define the Residential Zoning District: The Commission is  
3 proposing to rename this district the “Underhill Flats Village Center District.” The  
4 new purpose of this district could be as follows:  
5 “The purpose of the Underhill Flats Village Center District is to allow for  
6 the continuation of existing small-scale commercial, residential, and  
7 public uses and to encourage development that is compatible with and  
8 promotes a compact, historic village settlement pattern. This may include  
9 higher density of development as supported by existing and planned  
10 infrastructure. Formerly known as the Residential District.”  
11

12 **Policy:**           **Underhill Flats Village Center Planning:**  
13                           **The Underhill Flats Zoning District regulations should reflect**  
14                           **traditional development pattern, uses, and lot sizes that maintain the**  
15                           **historic settlement pattern of the compact village center and**  
16                           **encourages future development within the village center.**  
17

18 **Goal:**               **Amend Regulations:** To amend the zoning district regulations so that they  
19 accurately reflect the traditional development pattern and lot sizes and  
20 encourage denser development should the community so desire.  
21

22 **Strategies:**

- 23  
24 1. Working with Jericho, the Abutting Community: The Underhill Planning  
25 Commission shall contact the Jericho Planning Commission to see if they are  
26 interested in a joint planning effort for this district. Working with the Jericho  
27 Planning Commission to develop a mixed use village center in Underhill that  
28 complements development plans in Jericho is recommended.  
29  
30 2. Boundaries: The Planning Commission shall hold public forums with  
31 community members to determine if the boundaries of the Underhill Flats  
32 Village Center District should be expanded. These hearings would require the  
33 input of service providers in the area.  
34  
35 3. Lot Sizes: The Planning Commission shall hold public forums to determine if  
36 the community would like lot sizes to change to encourage mixed use  
37 development, in-fill, greater densities and reduced dimensional requirements for  
38 lots than the current zoning allows.  
39  
40 4. Permitted/Conditional Uses: The Planning Commission shall reexamine the  
41 types of permitted and conditional uses in this area to determine if these uses  
42 should change. Public forums and hearings will be held.  
43  
44 5. Land Use Regulations Amendment: After public forums that gather  
45 information on community opinion in regard to boundaries, uses, and  
46 dimensional lot requirements of the district, the Planning Commission shall, if

1 required, amend the land use and development regulations to allow for the new  
2 requirements of the district and recommend adoption of the amendments to the  
3 Selectboard; and

- 4  
5 6. State Village Center Designation: The Town shall apply for Village Center  
6 designation for the Underhill Flats Village Center district from the State of  
7 Vermont Department of Housing and Community Affairs. This designation will  
8 make various grant programs for improvements available to landowners within  
9 the district.

10 **Section 2.4 Rural Residential Zoning District**

11  
12 Current Definition and Uses:

13  
14 The current purpose of the Rural-Residential District is “to afford medium density  
15 residential development along the roads where houses have been traditionally built and  
16 where soil cover is thicker than on the hillside.” This definition does not reflect the  
17 commercial development along Route 15, nor does it make any zoning accommodation  
18 for that commercial development within this area. The zoning district includes two of  
19 Underhill’s longest stretches of road: Poker Hill Road on the Underhill Flats side of town  
20 and Irish Settlement Road, on the Underhill Center side of town. Over time, these roads  
21 which traditionally served the farm community have developed into residential areas.

22  
23 The minimum lot size for this zoning district is three (3) acres. Permitted residential  
24 development in this area is limited to a “single unit structure” (interpreted to mean a  
25 primary dwelling) and an “accessory apartment” (interpreted to mean an accessory  
26 dwelling unit). No other forms of residential structures are currently allowed in this  
27 district as either a conditional or a permitted use.

28  
29 Conditional uses in this area are: schools; place of worship; public buildings; medical  
30 care facilities; indoor and outdoor recreation clubs; convenience retail stores; personal  
31 services; public utility structures; funeral homes; home occupations; towers; natural  
32 resource extractions; ponds; overnight camp grounds; kennels; and cemeteries. Many of  
33 these categories of use can be interpreted to cover a wide variety of activities.

34  
35 Since there has never been a defined commercial area within town, there is a broad range  
36 of commercial uses allowed in this putatively residential zoning district. As a result, the  
37 broad range of conditional uses allowed in this residential area has resulted in some  
38 conflict. The community should take a close look at purpose definition for this district  
39 and the permitted and conditional uses.

40  
41 As a town, we should be considering whether in the future we want to continue to allow  
42 this mix of commercial and residential use throughout the district. We could explore the  
43 use of overlay districts within the district, which would allow for certain commercial uses  
44 within the zoning district, while preserving the rest of the district to strictly residential

1 use. Or, we could look at creating new smaller districts altogether out of this large  
2 district to accommodate certain uses in certain areas.

3  
4 Available Services: Depending on the provider, telephone cellular service is spotty in  
5 this zoning district. While a substantial portion of residents in the Underhill Flats side of  
6 town have high speed internet connections, coverage in the portions of the zoning district  
7 lying in the Underhill Center side of town is limited. Some zoning district residents  
8 located near Underhill Flats have had service from the Water District extended to them.  
9 VT Gas Systems has recently expanded service to some residents in the Flats area. There  
10 are not large community septic systems available, although soils may support this kind of  
11 use in some areas.

12  
13 Abutting Community: This zoning district is bound by borders with Westford to the  
14 West and Cambridge to the North.

15  
16 **Policy**            **Land Uses**  
17                            **Land uses allowed within a zoning district should conform with the**  
18                            **defined purpose of the zoning district and be approved by the**  
19                            **community.**

20  
21 **Goal:**            The Planning Commission shall determine the type of land use that will be  
22                            allowed in this district, and where those uses shall be allowed.

23  
24 **Strategies:**

- 25  
26            1. The Planning Commission shall gather information from citizens as to what  
27            kind of uses should be allowed in this zoning district. Part of that discussion  
28            should be a proposal to create either smaller districts out of this current district  
29            or overlay districts within the current district to direct certain kinds of  
30            development to certain areas.  
31            2. The Planning Commission shall examine and revise, if necessary, the current  
32            regulations, giving more precise definitions of permitted and conditional uses  
33            allowed in this district(s).  
34            3. If required by new information, the Planning Commission shall propose changes  
35            to the zoning map to reflect new district configurations.  
36            4. The Planning Commission shall examine and revise, if necessary, dimensional  
37            requirements to reflect different uses in the district(s). The Planning  
38            Commission shall hold public forums and hearings to get community feedback  
39            on any proposed amendments.

40  
41 **Policy:**            **Zoning District Definitions**  
42  
43                            **The Rural-Residential Zoning district(s) purpose definition should**  
44                            **reflect both the traditional use within the zoning district and provide**  
45                            **guidance for future development within the zoning district.**

1 **Goal:** The Planning Commission shall propose a new definition of this zoning  
2 district to take into consideration the uses that may occur within this  
3 district beyond residential use. The clearer definition shall provide notice  
4 to zoning district residents about the kinds of use that will be allowed in  
5 their area.  
6

7 **Strategies:**  
8

9 **Re-Define the Purpose of the Rural-Residential Zoning District:**  
10

- 11 1. Once the Planning Commission has determined what types of uses shall be  
12 allowed in the district and how the district(s) shall be configured they will  
13 propose a new definition for the district(s).
- 14 2. To begin discussion, a proposed zoning district definition for the current district  
15 with overlays may be: “The purpose of the Rural-Residential District is to afford  
16 development on land that has access to public roads where traditional  
17 development has taken place. The Rural-Residential district allows for the  
18 continuation of existing mixed use commercial, residential, and public uses along  
19 Route 15, and, to encourage future organized development, a mixed use overlay  
20 district located [to be determined]. Outside of the mixed use overlay district, the  
21 list of conditional and permitted uses shall be restricted to those that are typical  
22 for a residential area.”
- 23 3. If new districts are created out of the current district the Planning Commission  
24 shall have to redefine each new district based on land use.

25 **Section 2.5 Water Conservation Zoning District**  
26

27 **Current Definition and Uses:**  
28

29 The current purpose of the Water Conservation zoning district is “to protect the important  
30 gravel aquifer recharge area in Underhill Center.” This district encompasses the  
31 traditional village center of Underhill Center. In this district the zoning is for five-acre  
32 lots. This is not reflective of the current lot size, particularly in the village center, as  
33 many of the lots' creation preceded local zoning.  
34

35 A problem with zoning that is not reflective of the actual traditional development pattern  
36 is that landowners on preexisting small lots are forced into variance hearings when they  
37 cannot meet the stated set-backs that would not be problematic for development on a 5-  
38 acre lot. This can add permitting time and expense for landowners that their neighbors do  
39 not have to expend. A remedy to this problem is to create a village center overlay district  
40 within the Water Conservation district that would allow for denser development, smaller  
41 lot sizes and set-backs. The requirements of the overlay district would encourage  
42 development in the traditional village center, while preserving the underlying goal of the  
43 zoning district, to protect the gravel aquifer recharge area.  
44

1 Currently, there is mixed use development along River Road/Pleasant Valley Road in  
2 Underhill Center. Other development in this zoning district includes: markets; a post  
3 office; agricultural operations; a variety of home-based occupations; a place of worship; a  
4 municipal recreation area including tennis courts, volleyball areas, and the town pond; a  
5 school; and municipal offices and facilities. The area has some development limitations  
6 because of the presence of floodplain areas, streams, and high water table.

7  
8 The lot size for this zoning district is 5 acres. Permitted residential development in this  
9 area is limited to a “single unit structure” (interpreted to mean a primary dwelling) and an  
10 “accessory apartment” (interpreted to mean an accessory dwelling unit). As in the Rural-  
11 Residential district, no other forms of residential structures are allowed as permitted or  
12 conditional uses.

13  
14 Conditional uses in this area include: schools; place of worship; public buildings; medical  
15 care facilities; indoor and outdoor recreation clubs; convenience retail stores; personal  
16 services; public utility structures; funeral homes; home occupations; towers; natural  
17 resource extractions; ponds; overnight camp grounds; kennels; and cemeteries. Many of  
18 these broad categories of use can be interpreted to cover a wide variety of activities.

19  
20 As with the rural-residential district, a result of the long list of conditional uses allowed in  
21 this district is that some conflict has arisen when residential uses conflict with a proposed  
22 non-residential use. However, unlike the rural-residential zoning district, this is not a  
23 designated residential district. The community should take a close look at the uses both  
24 permitted and allowed as conditional in this zoning district, and discuss what the plan for  
25 this zoning district should be: primarily a residential area or an area that encourages the  
26 continuation of the present "working landscape" of the district.

27  
28 Available Services:

29 Depending on the provider, telephone cellular service is spotty in this zoning district.  
30 There are no large community septic systems available, although soils may support this  
31 kind of use in certain areas. There are public water sources located at the Underhill  
32 Town Hall, Underhill Central School; Maple Leaf Farm; and the Water District station on  
33 River Road.

34  
35 Abutting Community:

36 The border with the town of Jericho lies on the western side of Park Street.

37  
38 **Policy:            Underhill Center Village Center Planning:**

39            **The town should establish either a village center overlay district or**  
40            **separate district in Underhill Center that: reflects traditional**  
41            **development pattern; has permitted and conditional uses and lot sizes**  
42            **that maintain the historic settlement pattern of the compact village**  
43            **center; and encourages future development within the village center.**

44  
45 **Goal:**            Amend Regulations: To amend the zoning district regulations to add  
46 either an overlay or separate district that accurately reflects the traditional

1 development pattern and lot sizes in Underhill Center and encourages  
2 denser development.  
3

4 **Strategies:**  
5

- 6 1. Overlay District vs. Separate District: The Planning Commission should examine  
7 whether to propose an overlay district or a separate zoning district for the  
8 Underhill Center Village district.  
9
- 10 2. Boundaries: The Planning Commission shall hold public forums with community  
11 members to determine where the boundaries of the Underhill Center overlay or  
12 separate district should be.  
13
- 14 3. Lot Sizes and Set-backs: The Planning Commission shall hold public forums on  
15 proposals as to lot size and set-backs in the Village Center district so that mixed  
16 use development, in-fill, and greater densities are encouraged.  
17
- 18 4. Permitted/Conditional Uses: The Planning Commission shall hold public forums  
19 on proposed types of permitted and conditional uses in this area.  
20
- 21 5. Proposed Purpose Definition: “To allow for the continuation of existing small-  
22 scale commercial, residential, and public uses and to encourage development that  
23 is compatible with and promotes a compact, historic village settlement pattern.  
24 This may include higher density of development as supported by existing and  
25 planned infrastructure, while being mindful of the important gravel recharge  
26 area.”  
27
- 28 6. Gravel Recharge Area Regulations: The Planning Commission, in consultation  
29 with the Conservation Commission, should develop regulations that give guidance  
30 to landowners as to how to protect the gravel recharge area while allowing for the  
31 proposed increased density of the Village Center.  
32
- 33 7. Community Septic Systems: The Town shall encourage through regulations the  
34 development of community septic systems and innovative septic designs as  
35 allowed by the state to encourage the denser development of the proposed village  
36 center overlay district.  
37
- 38 8. Land Use Regulations Amendment: After public forums and consensus on the  
39 boundaries, uses, and dimensional lot requirements of the district, the Planning  
40 Commission will amend the land use and development regulations to allow for the  
41 new requirements of the district and recommend adoption of the amendments to  
42 the Selectboard.  
43
- 44 9. Zoning Map Changes: If required by new information, the Planning Commission  
45 shall propose changes to the zoning map to reflect new district configurations; and  
46

1           10. State Village Center Designation: The Town should apply for Village Center  
2           designations for the Underhill Center overlay district from the State of Vermont  
3           Department of Housing and Community Affairs. This designation will make  
4           various grant programs for improvements available to landowners within the  
5           overlay district.

6  
7           **Policy:**           **Land Uses in Water Conservation District**  
8                           **Land uses allowed within a zoning district shall conform with the**  
9                           **purpose of the zoning district and be approved by the community.**

10  
11          **Goal:**           Permitted and conditional uses, and lot size and set-backs for the Water  
12                           Conservation district shall be reviewed by the Planning Commission and  
13                           amended based on feedback from the community.

14  
15          **Strategies:**

- 16  
17           1. The Planning Commission shall gather information from citizens as to what kind  
18           of uses should be allowed and whether they should be allowed as permitted or  
19           conditional, in this zoning district.  
20           2. The Planning Commission shall propose amendment of the current regulations,  
21           giving more precise definitions of permitted and conditional uses allowed in this  
22           district(s).  
23           3. The Planning Commission shall examine and revise, if necessary, dimensional  
24           requirements to reflect different uses in the district(s). The Planning Commission  
25           shall hold public forums and hearings to get community feedback on any  
26           proposed amendments.

27  
28          **Policy:**           **Water Conservation Zoning District Purpose Definition**  
29                           **The zoning district purpose definition should reflect both the**  
30                           **traditional use within the zoning district and provide guidance for**  
31                           **future development within the zoning district.**

32  
33          **Goal:**           **Water Conservation Zoning District Definitions**  
34                           The Water Conservation zoning district purpose definition should reflect  
35                           the geologic reason for creation of the district and the traditional uses  
36                           within the zoning district and also provide guidance for future  
37                           development within the zoning district.

38  
39          **Strategy:**

40  
41          Re-Define the Purpose of the Water Conservation Zoning District:

- 42  
43           1. Once the Planning Commission has determined what types of uses shall be  
44           allowed in the district and how the district(s) shall be configured, they should  
45           propose a new definition for the district(s).

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**Section 2.6 Mount Mansfield Scenic Preservation Zoning District**

Current Definition and Uses:

The current purpose of the "Scenic Preservation" district is "to protect the scenic vistas along Pleasant Valley Road." The lot size for this zoning district is ten (10) acres. This zoning district was established when the land along Pleasant Valley Road was largely clear cut for logging and farming. Since the creation of this district, the trees along Pleasant Valley Road have grown in and mountain views are intermittent.

This is another district whose purpose should be redefined to reflect the current reasons for maintaining these large lot sizes. The Scenic Preservation district contains some upland areas that do not support great density, and make access difficult. Front-lot setback requirements, currently at 200 feet, should be reduced so as to lessen the creation of impermeable surfaces, to accommodate low-impact development policies for stormwater management. Another benefit of the larger lot size is that the lower density aids in animal migration patterns from the west to the green mountain forest system, *see* Natural Resources Section.

Permitted residential development in this area is limited to a "single unit structure" (interpreted to mean a primary dwelling) and an "accessory apartment" (interpreted to mean an accessory dwelling unit). Conditional uses in this district are: private schools; indoor and outdoor recreation clubs; public utility structures; home occupations; towers; natural resource extractions; ponds; commercial camp grounds; kennels; and cemeteries.

Available Services:

Depending on the provider, telephone cellular service is spotty in this zoning district. There are not large community septic systems available, although soils may support this kind of use in certain areas.

Abutting Community: This zoning district is bound by a border with Cambridge.

**Policy:            Zoning District Definitions**  
**The Scenic Preservation zoning district purpose definition should reflect both the traditional use within the zoning district and provide guidance for future development within the zoning district.**

**Goal:**            The Planning Commission shall propose a new definition of this zoning district to reflect the current reasons for maintaining the large lot sizes as well as the traditional purpose of the zoning district.

**Strategy:**

1 Re-Define the Purpose of the Scenic Preservation Zoning District:

- 2
- 3 1. A proposed zoning district definition to begin discussion may be:
- 4 "The purpose of the Scenic Preservation District is to protect the scenic
- 5 vistas along Pleasant Valley Road; to protect animal migration routes; and
- 6 to protect upland areas that have development and access constraints. This
- 7 is achieved by allowing lower densities of development or clustered
- 8 development that maintains Underhill’s rural character while protecting
- 9 the views along Pleasant Valley Road";
- 10
- 11 2. The Planning Commission shall hold public forums to determine if there is
- 12 community support for the proposed definition change.
- 13

14 **Policy:** **Land Uses**

15 **Land uses allowed within a zoning district should conform with the**

16 **purpose of the zoning district and be approved by the community.**

17

18 **Goal:** Permitted and conditional uses, and lot size and set-backs for the Scenic

19 Preservation district should be reviewed by the Planning Commission and

20 if necessary, recommendations for changes made to the community in the

21 course of regulatory amendment.

22

23 **Strategies:**

24

- 25 1. The Planning Commission shall review and propose amendments for permitted
- 26 and conditional uses, lot dimensional and set-back requirements if deemed
- 27 necessary to comply with the new definition and this Plan.
- 28 2. The Planning Commission shall hold public forums and hearings to get
- 29 community feedback on any proposed amendments.
- 30

31 **Goal:** Protect Animal Migration Routes:

32

33 **Strategies:**

34

- 35 1. The Commission shall consult with the Conservation Commission to find out
- 36 about animal migration and develop proposed regulation changes to achieve this
- 37 goal;
- 38 2. The Planning Commission and the Conservation Commission shall hold public
- 39 forums to educate the public about animal migration; and
- 40 3. The Planning Commission should propose amendments to the regulations to
- 41 promote protection of animal corridors and hold public forums to seek community
- 42 approval of this goal.

1 **Section 2.7 Soil and Water Conservation Zoning District**

2  
3 Current Definition and Uses:

4  
5 The current purpose of the Soil and Water district is “to protect the vulnerable bedrock  
6 aquifer recharge areas.” The current lot size is 15 acres. The purpose language should be  
7 amended to more fully explain the reason behind the large lot size. This district includes  
8 the steepest land in town and the soils are notably thin. This district also includes the  
9 1500’ elevation overlay district. Development above the 1500’ elevation mark is  
10 currently prohibited.

11  
12 As noted earlier, the zoning district is located in pockets on the west side of town, all  
13 down the spine of the geographic center of town, and on the east side of town, which  
14 encompasses portions of Mt. Mansfield and the Mt. Mansfield state forest. While  
15 expanding the definition of the zoning district will bolster the reason for the large lot size  
16 on the high land located in the center of town and on the eastern edge of town, it remains  
17 to be seen if the large lot sizes can be reasonably supported in the odd outlier areas  
18 located in the western part of town by the new proposed definition.

19  
20 Currently these small "outlier" areas are inserted within the 3 acre rural-residential zoning  
21 district. Landowners in these areas cannot understand why their surrounding neighbors  
22 are only required to have three acres, while they must have 15 acres. The current zoning  
23 district is defined by its geology alone. Expanding the definition to include additional  
24 considerations for these large lots should make it easier for the Planning Commission to  
25 re-evaluate the outlier areas and determine if changes to these areas should be made.

26  
27 Permitted residential development in this area is limited to a “single unit structure”  
28 (interpreted to mean a primary dwelling) and an “accessory apartment” (interpreted to  
29 mean an accessory dwelling unit); and one camp unit. Public parks and playgrounds are  
30 also currently permitted in the district. Conditional uses in this area are: private schools;  
31 agricultural operations; indoor and outdoor recreation clubs; public utility structures;  
32 home occupations; towers; natural resource extractions; ponds; commercial camp  
33 grounds; kennels; and cemeteries.

34  
35 Available Services:

36 Depending on the provider, telephone cellular service and high speed internet  
37 connections are spotty in this zoning district. There are no community water or septic,  
38 systems.

39  
40 Abutting Community: This zoning district is bound by a border with Cambridge and  
41 Stowe.

42

1 **Policy:** **Zoning District Definitions**  
2 **The Soil and Water district purpose definition should reflect both the**  
3 **traditional use within the zoning district and provide guidance for**  
4 **future development within the zoning district.**

5  
6 **Goal:** The Planning Commission shall propose a new definition of this zoning  
7 district to reflect the current reasons for maintaining the large lot sizes as  
8 well as the traditional purpose of the zoning district.

9  
10 **Strategy:**

11  
12 Re-Define the Purpose of the Soil and Water Conservation Zoning District:

- 13  
14 1. A proposed zoning district definition to begin discussion may be:  
15 "The Soil and Water Conservation District includes significant headwater  
16 and aquifer recharge areas; unique and fragile natural areas; critical  
17 wildlife habitat; and mountainsides and ridges characterized by steep  
18 slopes and shallow soils. The purpose of this district is to protect  
19 Underhill's more remote and inaccessible forested upland areas from  
20 fragmentation, development, and undue environmental disturbance, while  
21 allowing for the continuation of traditional uses such as forestry, outdoor  
22 recreation, and compatible development."  
23  
24 2. The Planning Commission shall hold public forums to seek community  
25 approval for the proposed definition change.  
26

27 **Policy:** **Lands to which District Requirements Apply**  
28 **Land use zoning districts are in themselves a restriction on land**  
29 **development. As such, lands designated within a zoning district must**  
30 **meet the definition of the district purpose.**

31  
32 **Goal:** Determine Proper Zoning District for Outlier Soil and Water District areas  
33 The Planning Commission shall determine if the outlier areas in the soil  
34 and water district meet the protection needs as stated in the purpose  
35 definition for the district. If not, the Commission shall determine the  
36 correct district.  
37

38 **Strategies:**

- 39  
40 1. Using the new zoning district definition, the Planning Commission shall  
41 determine if the outlier 15-acre zones on the zoning map achieve the purpose of  
42 the district.  
43  
44 2. The Commission shall hold public meetings for community input when making  
45 this determination.  
46

- 1 3. If the Commission finds that the outlier areas do not meet the zoning district  
2 requirements, they shall assign the outlier areas to the appropriate zoning district.  
3
- 4 4. The zoning map shall be amended to reflect any changes made.  
5

6 **Policy:**        **Land Uses**

7                    **Land uses allowed within a zoning district should conform with the**  
8                    **purpose of the zoning district and be approved by the community.**  
9

10 **Goal:**            Permitted and conditional uses, and lot size and set-backs for the Soil and  
11                    Water district shall be reviewed by the community in the course of  
12                    regulatory amendment.  
13

14 **Strategies:**

- 15
- 16 1. The Planning Commission shall amend the current regulations, *see* §2.10 below.  
17                    During that process, the permitted and conditional land uses and the lot size and  
18                    set-backs for the district shall be reviewed, and may be amended.
- 19 2. The Planning Commission shall hold public forums and hearings to get  
20                    community feedback on any proposed amendments.

21 **Section 2.8    Special Flood Hazard District**

22

23 In June of 1988 the Underhill Selectboard adopted a "Flood Hazard Zoning By-law" as  
24 part of its agreement with the federal government to be a part of the National Flood  
25 Insurance Program (NFIP). The NFIP is a federal program administered through the state  
26 floodplain coordinator that provides insurance for structures located in a floodplain. The  
27 NFIP makes it affordable for Town residents to buy flood insurance if there are any  
28 structures on their land that is within the special flood hazard area. Currently NFIP flood  
29 maps are being updated and digitized. These maps should be adopted once they have  
30 been fully vetted and the public comment period complete. See Natural Resources,  
31 Chapter 1 §§ 1.4 & 1.14 for more information on flood plains.  
32

33 The Town currently has an overlay district based on the federal floodplain maps. As part  
34 of the federal program we are required to meet federal minimum standards in regards to:  
35 allowed structures/development in a floodplain and flood way; storage of materials in a  
36 flood plain/floodway; and procedures that the Town and floodplain residents must follow  
37 should residents want to further develop in a floodplain. New FEMA maps mean a new  
38 timeframe that our regulations need to be updated by. For the floodplain regulations, the  
39 Planning Commission shall have an amendment to the current floodplain regulation that  
40 meets at least the minimum standard. The Town shall update the floodplain regulations to  
41 assure compliance with federal program requirements.  
42

43 **Policy:**            **The Town's floodplain regulation shall be compliant with federal**  
44                    **requirements so compliance with the NFIP is assured and our**  
45                    **regulation is enforceable.**

1  
2 **Goal:** The floodplain regulation shall be compliant with federal flood insurance  
3 program requirements.  
4

5 **Strategies:**  
6

- 7 1. The Planning Commission shall amend the regulations within the required FEMA  
8 time frame.
- 9 2. The Planning Commission will investigate whether it wants to pass a minimum  
10 regulation to meet the timeframe, or if it would like to regulate above the required  
11 minimum compliance level.

12 **Section 2.9 Fluvial Erosion Hazard Areas ("FEH")**

13 The State of Vermont has recently taken the lead in the nation with "fluvial erosion  
14 hazards" (FEH), those areas that are especially vulnerable to stream erosion. While a  
15 FEH area may overlap on a map with a special flood hazard district the purpose for each  
16 program is distinctly different. One, the NFIP, is an insurance program that serves to  
17 protect structures and by extension life. The Fluvial Erosion Hazard area is, by contrast,  
18 an environmental protection for a sensitive natural area. *See* Natural Resources §1.16. It  
19 is important when proposing regulations for these two areas to keep the distinct purpose  
20 of each planning area in mind: one is to assure compliance with a federally-regulated  
21 insurance program and one is to provide enhanced environmental protection for a  
22 sensitive natural resource area.  
23

24 The Planning Commission, in considering whether to add a fluvial erosion hazard district  
25 as a layer of regulation and another overlay district shall have a draft map from the state  
26 Agency of Natural Resources to ascertain how much of an area is proposed to be  
27 encompassed by this new district. Much public education and outreach would need to be  
28 done before this new district is incorporated into regulations. *See* Natural Resources  
29 section 1.16.  
30  
31

32 **Policy:** **A fluvial erosion hazard area should be considered if it provides a**  
33 **higher level of environmental protection than currently afforded by**  
34 **zoning set-backs from streambanks.**  
35

36 **Goal:** The Planning Commission shall investigate and make a decision about  
37 adding fluvial erosion hazard areas as an additional overlay district to the  
38 zoning map and what regulations will be appropriate for this area.  
39

40 **Strategies:**  
41

- 42 1. The Planning Commission shall request a draft fluvial erosion hazard area map  
43 from the Agency of Natural Resources. This map will allow the Planning  
44 Commission to see the extent of the hazard area and the extent of additional

1 environmental protection it shall afford. No fluvial erosion hazard regulations  
2 shall be proposed without a map.

- 3
- 4 2. The Planning Commission shall consult with the Conservation Commission on  
5 the FEH.
- 6
- 7 3. Based on the map and using models from other towns or state agencies or  
8 planning organizations the Planning Commission may propose regulations for a  
9 fluvial erosion hazard area.
- 10
- 11 4. The Planning Commission shall hold informational meetings with the public and  
12 in particular affected landowners to get their feedback on the proposed  
13 regulation/zoning overlay district.
- 14
- 15 5. Based on community feedback and science, the Planning Commission may decide  
16 to add a fluvial erosion hazard area to Town regulations.

## 17 **Section 2.10 Land Use Regulation**

18  
19 **Policy: Land Use Regulations: Underhill land use regulations should be user-  
20 friendly, enforceable, compliant with state law, internally consistent,  
21 and externally consistent with other town ordinances and regulations.**

22  
23 **Goal: Unified Land Use and Development Bylaw ("Unified By-law"):  
24 To develop a unified by-law that will effectuate the policies of this plan.**

### 25 26 **Strategies:**

- 27
- 28 1. The Planning Commission shall work with the consultant hired under a grant from  
29 the Department of Housing and Community Affairs to complete the proposed  
30 Unified By-law.
- 31
- 32 2. The Commission will hold a series of public forums and hearings and publish  
33 articles in the local paper explaining the proposed changes.
- 34
- 35 3. The first regulation revision shall bring Town regulations into compliance with  
36 state law, shall correct inconsistencies internally, and externally to other town  
37 regulations, and shall re-define the purpose sections for the zoning districts.
- 38
- 39 4. A second revision shall then be immediately undertaken by the Planning  
40 Commission to develop village center regulations for Underhill Flats and  
41 Underhill Center, and to also determine if changes to the zoning map are required.
- 42
- 43 5. Public outreach for this second revision could be achieved through community  
44 visioning sessions and other outreach strategies. The Commission shall consult  
45 with planning professional whenever possible to aid in this public outreach effort.

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- 6. The Commission shall pursue all available grant opportunities to achieve the goals of the second revision and conduct public outreach.

**Section 2.12 Land Use Contracts**

There is support in the town plan survey to use tax incentives such as those eligible under state law (24 V.S.A. §2741) as a tool to keep open lands undeveloped.<sup>3</sup>

**Policy:** Underhill shall continue to use the open space land/farmland/forest land contracts to preserve undeveloped, productive space.

**Goal:** Town open space land/farmland/forest land contracts shall be compliant with state law

**Strategies:**

- 1. The Planning Commission should make recommendations to the Selectboard as to any changes to the contract so that the goals of this Plan are implemented.
- 2. Working with legal counsel, the Town will amend the current town contract if necessary to assure compliance with state law.

**Goal:** The Town land contracts will achieve the purpose of maintaining productive space by amending it to include farmland and forest land.

**Strategies:**

- 1. The Town should amend the contract; and
- 2. The Town will determine the required acreage to achieve this goal.

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<sup>3</sup> Id., p 9.

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## CHAPTER 3: SERVICES

The quality of life in a rural community in Vermont depends to a large extent on the services offered to residents. Underhill, at present, offers its residence a variety of services, some of which are adequate to meet current needs and those projected for the next five years. For these, no changes are required and only a brief description suffices. Other services however, are either not available or will be inadequate to meet needs in the near future. These are discussed in more detail, presenting the Town policy regarding the service, the specific service, described as a goal, and the strategy required to implement the service.

### Adequate Services

The following services appear to be adequate for current needs and are likely to remain so for the next five years.

#### **Section 3.1 Police, Emergency Services, Fire Protection**

Police services are provided by the Vermont State Police. In addition, the Town currently contracts with the Chittenden County Sherriff, who provides 5-6 hours per week of additional traffic control coverage. Essex Junction and Cambridge support ambulance services which are readily accessed and respond to 911 calls. The volunteer Underhill-Jericho Fire Department provides fire protection. There are two stations; one on Route 15 in Underhill Flats and the other on Browns Trace Road in Jericho Center. Where hydrants are not available, water must be transported by tanker trucks or pumped from local ponds and streams. The Fire Department has mutual assistance agreements with other Chittenden County municipalities and the Vermont Air National Guard.

#### **Section 3.2 Health Care**

The closest facility where comprehensive medical care is available is Family Practice Associates in Cambridge. This facility includes five physicians, two nurse practitioners, one dentist, one optometrist, one physical therapist and two mental health practitioners. Essex Junction also has several health care centers. Burlington has many health care centers, some associated with the University of Vermont/Fletcher-Allen Health Care Facility and others not. In addition to the comprehensive health care available in many localities (Cambridge, Essex Junction, Burlington and Morrisville), all medical and surgical specialties are available at the UVM/FAHC facilities. Comprehensive home nursing care, physical therapy and medical social services are available through the Visiting Nurses Association of Chittenden and Grand Isle Counties. There are no long-term nursing care facilities within the Town of Underhill.

#### **Section 3.3 Water and Septic Systems**

The Jericho-Underhill Water District is a separate municipal entity that serves the Underhill Flats population and maintains a network of fire hydrants. Privately managed water systems exist on Beartown Road in Underhill Center and on Timber Ridge Road off of Poker Hill Road. The Roaring Brook community operates a common water and

1 septic system, the operations of which are reported to the State of Vermont and the Town  
2 of Underhill, respectively. All other water and septic systems are private.

3 **Section 3.4 Solid Waste Disposal**

4 The Town of Underhill is a part of the Chittenden-Solid Waste District, with drop-off  
5 centers at Richmond, Essex, Hinesburg, Milton, South Burlington and Williston. All but  
6 Hinesburg accept bulky items. Hazardous waste is accepted at the Environmental  
7 Depot.<sup>4</sup> CSWD also sends around the Rover to each Town in the service area once a year  
8 to pick up hazardous household waste. The Town of Underhill has a contract with a  
9 private hauler for curbside trash and garbage collection although residents are free to  
10 choose another hauler. The program is a sticker program, where residents purchase a  
11 sticker for each bag of trash they put out curbside. Recycling is also picked up at no  
12 charge if it accompanies a bag with a sticker. Recycling is mandatory.

13 **Section 3.5 Electricity**

14 Electricity is provided to residents of Underhill by Central Vermont Public Service and  
15 Vermont Electric Cooperative.

16 **Section 3.6 Post Office**

17 There are two Post Offices in Underhill. One is in Underhill Center and the other in  
18 Underhill Flats. Both provide counter service and postboxes; the office in Underhill  
19 Flats provides rural mail delivery for the entire Town.

20 **Section 3.7 Veterinarians**

21 Animal hospitals in Jeffersonville, Jericho and Essex provide care for small animals.  
22 Large animal care can be obtained from veterinarians in Burlington, Charlotte,  
23 Morrisville and Stowe.

24 **Section 3.8 Library**

25 The Deborah Rawson Library serves the Underhill-Jericho Library District. The  
26 Library's computer network allows Underhill residents to borrow specific books from  
27 other libraries throughout the State of Vermont. A "home-card" system also allows  
28 members to borrow books at eleven nearby libraries. Library users can access the  
29 internet through high-speed wireless available in the building.

30 **Section 3.9 Cemeteries**

31 The three non-denominational cemeteries available to Underhill residents are the  
32 Underhill Cemetery on Park Street, the North Underhill Cemetery on Poker Hill Road  
33 and the Deane Road Cemetery. St. Thomas Cemetery on Range Road, Irish Settlement

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<sup>4</sup> Environmental Depot is located at 1011 Airport Parkway So. Burlington, VT. The Depot is open W, Th, and Fri from 8:00-2:00 PM and Sat 8:00-3:30 PM.

1 Cemetery and Doran Cemetery on Pleasant Valley Road are owned by the Catholic  
2 Church.

3 **Section 3.10 Adequate Services: A Note**

4 While some of the services listed above can be found in neighboring communities, the  
5 Planning Commission feels strongly that having these services provided in our own  
6 community would add to the quality of life in Underhill, make the community more  
7 sustainable, and reduce the necessity for residents to travel several miles to avail  
8 themselves of those services. The Planning Commission shall endeavor in the course of  
9 Village Center Planning to accommodate the development of these services by proposing  
10 regulations that make it attractive for service providers to work in Underhill.

11 **Inadequate Services**

12 In three areas, the level of services available to Underhill residents is non-existent or  
13 inadequate.

14 **Section 3.11 Public Transportation**

15 At present, there is no public transportation with local stops that is available to residents  
16 of Underhill. Given the anticipated growth in the Town with more affordable housing, it  
17 is expected that there will be an increasing need for residents to have reliable and  
18 reasonably convenient transportation between Underhill and Burlington. In addition,  
19 increased availability of public transportation may reduce residents reliance on personal  
20 transportation, thus reducing greenhouse gas emissions. The development of village  
21 centers with higher density residential units should make it profitable for transportation  
22 companies to locate pick-ups near to where potential commuters live. *See*  
23 Transportation, Chapter 5; Energy Chapter 8.

24  
25 **Policy:           The Town shall explore available public transportation options to**  
26 **serve Underhill**

27  
28 **Goal:             To provide cost-effective, convenient, and accessible public transportation**  
29 **services.**

30 **Strategies:**

- 31
- 32       1. Explore the requirements, costs, and benefits of joining the Chittenden County
  - 33       Transit Authority (“CCTA”).
  - 34       2. Conduct public forums to determine the needs of the Town’s residents.
  - 35       3. Join the CCTA if the need is warranted and the service is economically feasible.

36 *See Also:* Transportation Chapter 5

37 **Section 3.12 Telephone Services**

1 Verizon provided all telephone service to Underhill residents until recently, when they  
2 sold the “land-line” telephone service to Fairpoint. Verizon however, retained its cell  
3 phone service for Underhill. This service is currently inadequate with many (most) areas  
4 in the Town being “dead zones”. AT&T also provides cellular telephone service to the  
5 Underhill area which is currently more reliable than that provided by Verizon. Cellular  
6 telephone service is a necessary service in the 21<sup>st</sup> Century and an argument can be made  
7 that it is more important in a rural area than in an urban community. Residents of  
8 Underhill must demand such service.

9 **Policy:**           **The telephone service in Underhill, with special emphasis on cellular**  
10                           **telephone service, shall be made comparable to that in urban centers**  
11                           **in Vermont.**

12 **Goal:**             All areas in Underhill will be accessible to cellular telephones.

13 **Strategies:**

- 14         1. Amend Town regulations so that the placement of cell towers is encouraged in  
15           accord with Natural Resources Sections for ridge and hillside protection. *See*  
16           Natural Resources Chapter 1.
- 17         2. Provide links on the Town web site to cell service providers so that residents can  
18           check on whether a provider serves their area.

19 **Section 3.13 High-speed Internet Service**

20 Most residents of Underhill currently do not have high-speed internet access. Consistent  
21 with the changing face of employment everywhere, more and more Town residents can  
22 potentially work at home or in local (home) offices, given internet support. For this  
23 reason, which is a factor in the economic development of Underhill, and because high-  
24 speed internet access is a necessity for modern informed citizens, the current situation is  
25 unacceptable.

26 **Policy:**           **High-speed internet access is a necessity that shall be provided in**  
27                           **Underhill**

28 **Goal:**             All residents in Underhill shall have high-speed internet access.

29 **Strategy:**

- 30         1. Continue to put pressure on providers and state regulators to provide wireless  
31           high-speed internet access to all areas in Town.

32 **Section 3.14 Emergency Operations Planning**

34 **Policy:** **Underhill shall have an Emergency Operations Plan (EOP) for use in an**  
35 **emergency or incident in accord with state and federal regulations.**

36

1 **Goal:** To develop a functional plan that guides the Town’s response in an  
2 emergency.

3 **Strategies:**

- 4 1. To continue to meet with an EOP team consisting of the Selectboard
- 5 members, Town Administrator, Town Clerk, Essex Rescue, UJFD, State
- 6 Police, CCRPC representatives, and other stakeholders;
- 7 2. To develop and maintain an EOP by modifying templates from Vermont
- 8 Emergency Management.
- 9 3. To conduct one or more tabletop exercises to identify areas of improvement,
- 10 additional hazards, and to outline response and mitigation strategies.

11  
12 **Goal:** To inform the community of local emergency response developments,  
13 strategies, and resources.

14 **Strategies:**

- 15 1. Utilize mailings, the Town website, and other resources to inform the community
- 16 of meetings and/or documents available related to the local Emergency
- 17 Operations Plan;

18  
19 **Goal:** To train local volunteers and officials in required emergency response  
20 roles and responsibilities.

21 **Strategies:**

- 22
- 23 1. Establish a volunteer Underhill Community Emergency Response Team that has
- 24 gone through CERT training
- 25 2. Have local officials and volunteers participate in trainings as provided/required by
- 26 the federal and state government;
- 27 3. Participate in other training opportunities as offered by the UJFD and Essex
- 28 Rescue.

29  
30 **Goal:** To identify at-risk citizens in the community while maintaining their  
31 confidentiality.

32 **Strategies:**

- 33 1. Utilize local resources, such as the Champlain Valley Agency on Aging, Visiting
- 34 Nurse Association, Jeri-Hill Seniors, and mass mailings to residents to help
- 35 identify vulnerable populations;
- 36 2. Develop a record keeping system if necessary that protects the confidentiality of
- 37 any list developed and that is compliant with HIPPA requirements;
- 38 3. Develop a system of volunteers who will perform safety checks on those
- 39 identified as vulnerable in an emergency.

40

41

1  
2 **CHAPTER 4: INFRASTRUCTURE**  
3

4 As used here, “infrastructure” includes, but is not necessarily limited to, all land,  
5 buildings, roads, road equipment and supplies, water and septic capacity, energy  
6 networks, and communications networks owned by the Town.  
7

8 In planning for the future, the Town should be aware of potential population growth as  
9 well as changing needs and priorities of its residents, but should think in terms of  
10 developing only the infrastructure appropriate to the requirements and budget of a rural  
11 town. Any Town infrastructure component that is determined to be unnecessary should  
12 be eliminated.

13 **Section 4.1 Background Information**

14 Town assets, as of March 1, 2009, consisted of the following, with an aggregate  
15 approximate value of \$5,357,900<sup>5</sup>  
16

17 Buildings: Town Hall, Underhill Center Post Office, Town Garage and outbuildings, Old  
18 Schoolhouse No. 5  
19

20 Land: a total of approximately 132 acres, including Casey’s Hill, Recreation area on  
21 Stevensville Road, Moore Park, Underhill Center Park, Veterans’ Park in Underhill Flats,  
22 land on New Road, old gravel pit on Beartown Road, Sand Hill Cemetery  
23

24 Roads: 63.47 miles of public roads and bridges, 20.29 miles of which are paved and  
25 43.18 are gravel. There are 5 miles of state highway, 8.75 miles of Class 2 town  
26 highways, 42.97 miles of Class 3 town highways, 6.42 miles of Class 4 town highways,  
27 and .33 miles of Trails.  
28

29 Drainage culverts: 759  
30

31 Bridges: 16  
32

33 Equipment:

34 Road: 7 trucks, 1 excavator, 1 grader, 1 loader, 1 equipment trailer, 4 sanders, 16 plows.  
35 The oldest truck was purchased in 1995; the newest in 2008  
36

37 In addition to upkeep on the above assets, the town is also responsible for maintaining the  
38 sidewalks in the Underhill Flats area, and providing electricity for street lights located in  
39 the Flats and in the Center.  
40

41 Other infrastructure components are dealt with in the Services section of the Plan, and  
42 include fire, police and emergency services, water, waste water, solid waste, electricity,  
43 communications systems.

---

<sup>5</sup> Based on VLCT Property and Casualty insurance valuation. Detailed information available in the 2008 Town Report.

1 **Section 4.2 2008 Planning Survey**

2  
3 The 2008 Underhill Planning Survey included several questions relating to infrastructure.

4  
5 Road maintenance: 78.6% of respondents registered a level of satisfaction with current  
6 town road maintenance compared to 8% who expressed a level of dissatisfaction. 13.5 %  
7 were neither satisfied nor dissatisfied.<sup>6</sup>

8  
9 Bicycle paths and recreation trails: 63.1 % of survey respondents stated that the  
10 construction of bicycle paths and recreation trails in Underhill had a degree of  
11 importance, while 27.7% of respondents felt this proposal had a degree of unimportance.  
12 9.1% had no opinion.<sup>7</sup> 72.9% of respondents supported extending the shoulders to Town  
13 right-of-way limits to accommodate shared recreational uses such as walking and biking;  
14 while 23.5% did not support this effort.<sup>8</sup> However, only 48.9% of respondents were  
15 willing to pay for the shoulder expansion while 35.9% would not be willing to pay for  
16 that expansion and 15.2% did not know if they would be willing to pay for shoulder  
17 expansion. There were questions in the Planning Survey about the types of trail use that  
18 would be supported if a town trail system were developed; these questions will be  
19 discussed in further detail in the Recreation Chapter. See §§9.1; 9.2 & 9.4.

20  
21 Tennis courts: 52.3% support repairs; 31.4% do not support repairs; and 16.3%  
22 undecided.<sup>9</sup>

23  
24 These statistics indicate that the Town should continue the existing level of road  
25 maintenance, and should investigate shoulder widening to possibly accommodate  
26 recreational uses, including exploring non-tax methods of financing this project, such as  
27 grants. Through a capital improvement program, the Town should make plans to  
28 maintain all its infrastructure assets, including the recreational ones such as the tennis  
29 courts, the town pond, and Casey's Hill.

30  
31 **Section 4.3 Capital Improvement Program and Capital Budget**

32  
33 It is essential that Underhill plan for and maintain infrastructure that is sufficient to meet  
34 the needs of a rural town in the 21<sup>st</sup> century. To do this effectively a capital improvement  
35 plan should be developed and adhered to.

36  
37 Capital planning and budgeting is only effective if the Town has a way to finance the  
38 plan consistently. In order to accomplish this, it is recommended that the Selectboard ask  
39 the voters at an annual Town Meeting to create two reserve funds:

40  

---

<sup>6</sup>Very Satisfied: 43.3%; Somewhat Satisfied: 35.3%; Neither Satisfied nor Dissatisfied: 13.5%; Somewhat Dissatisfied: 6.6%; Very Dissatisfied: 1.4%. Planning Survey, page 8.

<sup>7</sup>Very Important 36.3%; Somewhat Important 23.8%; Neither Important or Unimportant 9.1%; Somewhat Unimportant 9.7%; Very Unimportant 18%. Town Planning Survey, page 12.

<sup>8</sup>Town Planning Survey, page 12.

<sup>9</sup>Town Planning Survey page 13.

- 1 • A capital reserve fund dedicated to funding only capital improvement projects
- 2 • A “rainy day” fund to create a cushion should an infrastructure crisis occur in any
- 3 given year

4  
5 Creation of these funds would reduce the need for the Town to borrow for the cost of  
6 capital improvements.

7  
8 The Planning Commission believes that the establishment of a “rainy day” fund is a  
9 responsible way to manage the Town’s financial affairs and to insure that the Town  
10 continues its program of capital improvement. Without such a fund, we could be one  
11 major unforeseen disaster away from considerable debt. We recommend that the “rainy  
12 day” fund be established with enabling language allowing it to be used in a variety of  
13 circumstances, for example:

- 14 • To defray an unanticipated budget deficit so the Town does not have to
- 15 borrow;
- 16 • In case of a crisis, such as urgent road repairs after a flood, so the capital
- 17 budget program for that year can still be accomplished;
- 18 • To help defray the cost of a major purchase, such as a plow truck, if such a
- 19 purchase exceeds the capacity of the capital reserve fund.

20  
21 The Commission recommends that the establishment and funding of these accounts be  
22 part of a Capital Improvement Plan and Budget developed by the Selectboard and that the  
23 Selectboard establish a policy for each account that defines how each will be funded,  
24 under what circumstances the fund can be draw on, and the minimum and maximum fund  
25 balances. This information should be presented at a public hearing.

26  
27 There are two mechanisms that are typically used to fund such accounts when  
28 established. One is to use surplus funds. The other is to add a penny or two onto the tax  
29 rate and dedicate that income to the reserve funds. Initially, it might be advisable to use a  
30 combination of these two funding mechanisms to get the funds up and running. For  
31 instance, because of the nature of the “rainy day” fund, it might be funded only with  
32 available surplus funds. However, because of the ongoing nature of capital improvement  
33 projects that create continuing obligations each year, it might be preferable to fund the  
34 capital reserve fund with a dedicated tax to insure fund stability. Initially, if there are  
35 sufficient surplus funds, we may want to roll some of those surplus funds into both the  
36 “rainy day” fund and the capital reserve fund so that the corpus of the capital reserve fund  
37 is more quickly established.

38  
39 **Policy:**           **Financing Infrastructure Projects: The Town should create**  
40 **mechanisms to guarantee that capital improvement projects can be**  
41 **accomplished without borrowing for each project.**

42  
43 **Goal:**             Creation of Reserve Funds: The Town should establish two reserve funds,  
44 a capital improvement fund and a “rainy day” fund.

45  
46 **Strategies:**

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1. As part of a Capital Improvement Plan and Budget project, the Selectboard should include the creation of the two reserve funds to pay for projects and defray debt.
2. The Selectboard in conjunction with the Planning Commission will hold a public hearing to educate the public about the advisability of these funds to accomplish established Town goals for capital improvement and reduction of debt, and to gain input from residents on how they would like a “rainy day” fund to be used.
3. The Selectboard will place on the Annual Town Meeting Australian ballot questions to establish the two proposed funds.

**Policy:**           **Planning: To plan for, finance, provide and maintain infrastructure that is adequate to meet the needs of Underhill town residents and government.**

**Goal:**               Since Underhill’s infrastructure has grown over the years and will continue to evolve, a Capital Improvement Plan (CIP) should be developed by the Selectboard

**Strategies:**

1. Formulate capital improvement policies, procedures, and evaluation criteria for the CIP;
2. In accord with CIP policy: Create a capital assets inventory and assess the condition of all town properties, including but not limited to roads, buildings, land and recreational facilities;
3. Prioritize needed repairs, restoration, maintenance, and acquisitions; and
4. Determine proposed method of financing for each project or asset.
5. Selectboard shall establish a capital budget for the each fiscal year.
6. The Planning Commission shall review the CIP annually and make recommendations for plan amendment to the Selectboard.

**Section 4.4   Town Buildings**

**Policy:**           **Town buildings shall be well maintained and provide a safe and efficient environment for town employees**

**Goal:**             To implement the above policy without undue tax burden

**Strategies:**

- 1
- 2 1. Establish a regular maintenance program in accordance with CIP policy
- 3
- 4 2. Carry out energy audits and budget for and follow recommendations made when
- 5 economically feasible.
- 6

7 **Section 4.5 Town Lands**

8

9 **Policy:** **To maintain town-owned land and natural resources in a manner that**  
10 **is compliant with state and local environmental rules and regulations**  
11 **while maximizing the Town-approved uses of these areas.**

12

13 **Goal:** The Town should maintain town land in a manner that protects the health,  
14 safety, and public welfare of users. Town land should be utilized for  
15 approved town uses and the Town should encourage maximum use  
16 through its maintenance of the lands.

17 **Strategies:**

- 18
- 19 1. Plan and budget for the rehabilitation of the former gravel pit on Beartown Road
- 20 to reduce safety hazards and erosion. Once rehabilitated, the Selectboard should
- 21 hold a public hearing on what the Town can and should do with this land.
- 22
- 23 2. Establish a Garden Committee to maintain all Town park gardens and develop
- 24 new ones.
- 25
- 26 3. Seek donations of time and materials to make Town lands more attractive.
- 27
- 28 4. Investigate potential recreation opportunities for Town lands. *See Recreation*
- 29 *Chapter 9.*
- 30

31 **Section 4.6 Town Roads**

32

33 **Policy:** **The Town shall strive to provide a safe, convenient and economic**  
34 **transportation system that respects the integrity of the natural**  
35 **environment.**

36

37 **Goal:** To look for all possible efficiencies while maintaining town residents'  
38 high level of satisfaction with current maintenance  
39

1 **Strategies:**  
2

- 3 1. Explore using possible local sources of sand and gravel, with considerations to  
4 include both cost effectiveness and environmental issues. *See* Natural Resources  
5 §§ 1.7 & 1.17.  
6  
7 2. Protect roadways from floods and stormwater runoff by adopting and  
8 implementing low impact development strategies and land use practices through  
9 Unified Development Bylaws. *See* Natural Resources §§ 1.4 & 1.14; Land Use  
10 §2.6; Transportation §5.2.  
11  
12 3. Ensure private roads and driveways are adequately designed by revising the Town  
13 Road Standards and incorporating them into the Unified Development Bylaws.  
14 *See* Transportation § 5.2.  
15  
16 4. Continue to require “shared maintenance agreements” for all new subdivisions to  
17 ensure private roads and driveways are properly maintained so as not to  
18 negatively impact town roads. *See* Transportation §5.2.  
19  
20 5. To reduce budget expenditures, the Selectboard should consider whether to make  
21 homeowners responsible for the expense of driveway culvert maintenance. *See*  
22 Transportation § 5.2.  
23  
24 6. The Town should continue to actively pursue grants for road infrastructure  
25 improvements from entities such as the Agency of Transportation and the  
26 Northern Vermont RC&D Council, Better Backroads Program.

27 **Section 4.7 Other Town Infrastructure**  
28

29 **Policy: The Town shall maintain and replace its highway equipment and**  
30 **maintain other Town assets such as Casey's Hill, the Town Pond, and**  
31 **the tennis courts in accord with the CIP.**  
32

33 **Goal: Town assets and equipment shall be maintained and replaced on a**  
34 **schedule so that the Town reduces unexpected expenses and deterioration**  
35 **of assets to a point where the cost of repair is high.**

36 **Strategies:**  
37

- 38 1. The Town shall include all Town assets in the CIP;  
39  
40 2. Town Highway equipment should be evaluated annually for operating status,  
41 anticipated repairs, and energy efficiency;  
42  
43 3. If equipment is inefficient, a cost benefit analysis should be done to determine if  
44 an efficiency upgrade would be cost effective; and  
45

1 4. Casey's Hill, the Town Pond, and the tennis courts shall be maintained annually  
2 so that they do not deteriorate and lose value.

3 **Section 4.8 Communications Systems**

4

5 **Policy: The Town shall have high-speed internet and cellular telephone  
6 service throughout Town.**

7 *See Chapter 3, §§ 3.11 and 3.12 for goals and strategies.*

8 **Section 4.9 Village Centers**

9

10 **Policy: As part of Village Center planning, the Town shall assure that  
11 existing or potential infrastructure could meet the needs of more  
12 densely populated village centers.**

13

14 **Goal: Since the Town Survey indicates that residents would like to see  
15 population concentrated in the village centers, enabling regulations should  
16 be enacted to allow for greater housing density and increased water and  
17 septic/sewage capacity in designated areas of town.**

18 *See Land Use Chapter 2.*

19

20 **Strategies:**

21

22 *See §§ 2.3 and 2.5 for detailed strategies for this goal.*

23 **Section 4.8 Development of Recreational Trails**

24

25 *See Chapter 9, Recreation for a detailed discussion of this topic.*

26

27

1 **CHAPTER 5: TRANSPORTATION**

2  
3 The Town of Underhill is committed to providing safe, convenient, economic and energy  
4 efficient transportation systems that respect the integrity of the natural environment,  
5 including public transit options and paths for pedestrians and bicyclers.<sup>10</sup>  
6

7 **Section 5.1 Current Conditions**

8  
9 Underhill’s physical geography of parallel north-south trending mountains and valleys  
10 has had a limiting effect on the development of roads in town. Route 15 is the major  
11 transportation artery for through traffic, and for town roads that feed into it, and generally  
12 runs north -south along the western side of town. The eastern part of town, Underhill  
13 Center, is connected to the west by River Road which runs east-west and connects to  
14 Route 15.<sup>11</sup> River Road turns into Pleasant Valley Road in Underhill Center and  
15 connects to Cambridge, the abutting community to the north.  
16

17 The existing public transportation infrastructure in Underhill is comprised of 63.47 miles  
18 of public roads and bridges, 20.29 miles of which are paved and 43.18 are gravel. There  
19 are 5 miles of state highway, 8.75 miles of Class 2 town highways, 42.97 miles of Class 3  
20 town highways, 6.42 miles of Class 4 town highways, and .33 miles of Trails.<sup>12</sup> There is  
21 an additional 13.34 miles of private gravel roads. All public and private roads are shown  
22 on the Transportation Map. In addition to roads, there are 16 bridges and 759 culverts.  
23

24 Maintenance of Underhill’s roads is carried out by the Town Highway Department which  
25 is headed by the Town Highway Foreman and located at the Town Garage. A recent  
26 survey conducted for the Town by the Center for Rural Studies at UVM (“Town of  
27 Underhill Community Planning Survey 2008”) demonstrated a high level of satisfaction  
28 among Underhill residents with current town maintenance and snowplowing services  
29 with 43.3% very satisfied, 35.3 % somewhat satisfied, 13.5 % neutral, 6.6 % somewhat  
30 satisfied and 1.4 % very dissatisfied. In light of this high level of satisfaction, that same  
31 survey found a majority of residents (52.1%) would not be willing to pay for increased  
32 road maintenance.<sup>13</sup>  
33

34 The Town Plan Survey 2008 also asked residents if they would use a Park and Ride  
35 commuter lot located near Route 15. The response was divided with 44.6 % of  
36 respondents answering yes, 37.7% of respondents answering in the negative, and 17% of  
37 respondents undecided.<sup>14</sup>  
38

39 The Survey also asked respondents about their support of expanding Chittenden County  
40 Transportation Authority (CCTA) bus service including Senior Services Transportation

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<sup>10</sup> 24 V.S.A. § 4302(c)(4).

<sup>11</sup> See Town Profile, Pg. 1.

<sup>12</sup> 17 V.S.A. § 302, “Classification of Town Highways” provides descriptions of each class of town highway.

<sup>13</sup> Town Planning Survey page 8.

<sup>14</sup> Town Planning Survey page 8.

1 into Underhill. When asked how important this expansion of service would be, 42.6% felt  
2 it was very important; 36.3% felt it was somewhat important; 7.1 % responded it was  
3 neither important nor unimportant; 5.2% felt it was somewhat unimportant, and 6.4% felt  
4 it was very unimportant. All totaled those who felt it held a degree of importance was  
5 78.9% compared to 13.9% who felt it held a degree of unimportance.<sup>15</sup>  
6

7 The Town of Underhill Community Planning Survey 2008 revealed strong support  
8 among residents for the construction of multi-modal recreation paths with 63.1% of  
9 residents stating such construction was either “very important” or “somewhat important.”  
10 Nearly 73% of residents support extending road shoulders to town right of way limits to  
11 accommodate shared recreational uses and 48.9% of residents would be willing to pay for  
12 the expansion.<sup>16</sup>  
13

14 This Transportation Plan is designed to meet the requirements of the state statute,  
15 conform to the Chittenden County Regional Plan, and serve the needs and interests of  
16 the residents of Underhill. Therefore, in order to maintain a high level of resident  
17 satisfaction and to continue to provide safe, convenient, economic and energy efficient  
18 transportation systems that respect the integrity of the natural environment, including  
19 public transit options and paths for pedestrians and bicyclers, the Town of Underhill’s  
20 Transportation Plan will pursue the following Policies, Goals and Strategies:  
21

## 22 **Section 5.2 Town Roads**

23  
24 **Policy:**        **The Town shall strive to provide a safe, convenient, and economic**  
25 **transportation system that respects the integrity of the natural**  
26 **environment.**  
27

28 **Goal:**         To look for all possible efficiencies while maintaining town residents’  
29 high level of satisfaction with road maintenance.  
30

### 31 **Strategies:**

- 32  
33 1. Protect roadways from floods and stormwater runoff by adopting and  
34 implementing low impact development strategies and land use practices through  
35 Unified Development Bylaws. *See* Natural Resources §§ 1.4 & 1.14.  
36
- 37 2. Ensure private roads and driveways are adequately designed by revising the Town  
38 Road Standards and incorporating them into the Unified Development Bylaws.  
39
- 40 3. Continue to require “shared maintenance agreements” for all new subdivisions to  
41 ensure private roads and driveways are properly maintained so as not to  
42 negatively impact town roads.  
43

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<sup>15</sup> Town Planning Survey page 7.

<sup>16</sup> Town Planning Survey pages 12-13.

- 1 4. To reduce budget expenditures, the Selectboard should consider whether to make  
2 homeowners responsible for the expense of driveway culvert maintenance.  
3

4 **Policy:**        **The Town shall preserve and enhance the rural character and**  
5 **livability of Underhill’s roads while at the same time promoting**  
6 **safety.**  
7

8 **Goal:**            Ensure safe operating conditions are maintained on public roads.  
9

10 **Strategies:**

- 11  
12 1. Ensure public transportation infrastructure repair is appropriately planned by  
13 developing a Capital Budget Plan with a schedule of annual repairs to roads and  
14 culverts.  
15  
16 2. Implement the following 2008-2009 Traffic Committee recommendations:  
17     a. Commence dynamic striping experiment on River Road leading  
18        into Sand Hill Road;  
19     b. Square off entry of Beartown Road onto Pleasant Valley Road;  
20     c. Narrow fog lines for purpose of traffic calming along Park Street  
21        and River Road;  
22     d. Reevaluate the speed limit of 35 mph on hill section of Pleasant  
23        Valley Road;  
24     e. Complete warning and regulatory sign update;  
25     f. Change configuration of intersection of Stevensville road and  
26        Pleasant Valley Road;  
27     g. Conduct follow-up studies where traffic calming measures have  
28        been taken to measure effectiveness;  
29     h. Utilize VTRANS District 5 resources by making use of their  
30        available radar speed sign. It is the recommendation of the Traffic  
31        Committee to not purchase a radar sign;  
32     i. Paint crosswalks with designating signs in appropriate areas;  
33     j. Consider treescape and landscape options that will provide traffic  
34        calming initiatives as part of Village Center planning; and  
35     k. Study treescape options for the purpose of traffic calming on all  
36        Town roads.

37 **Section 5.3: Public Transportation**

38  
39 **Policy:**        **The Town shall explore available public transportation options to**  
40 **serve Underhill.**  
41

42 **Goal:**            To provide cost-effective, convenient, and accessible public transportation  
43 services.  
44

45 **Strategies:**

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1. Explore the requirements, costs, and benefits of joining the Chittenden County Transit Authority (“CCTA”).
2. Conduct public forums to determine the needs of the Town’s residents.
3. Join the CCTA if the need is warranted and the service is economically feasible.

**Section 5.4 Alternative Modes of Transportation**

**Policy:** To provide facilities for alternative modes of transportation such as bicycling, walking, and carpooling.

**Goal:** Pursue the development of a multi-modal trail system.

**Strategy:**

1. Coordinate efforts and expertise of the Selectboard, Planning Commission, Recreation Commission and the Trails Committee to identify funding sources and begin a coordinated planning effort. *See* Recreation Chapter 9.

**Goal:** Encourage carpooling.

**Strategies:**

1. Advertise the availability of the existing Park and Ride facility located at the old school house at the corner of Stevensville Road and Pleasant Valley Road.
2. Conduct a public forum(s) aimed at providing information to town residents about carpooling, particularly those residents represented by the 17.6 % identified in the Town of Underhill Community Planning Survey 2008 as “undecided” about whether or not they would use a new Park and Ride facility located on Route 15.
3. Investigate the possibility of a Park and Ride lot on Route 15 in Underhill.

1 **CHAPTER 6: HOUSING**

2 **Section 6.1 Background**

3  
4 Per the Vermont Planning and Development Act (24 V.S.A. Chapter 117), municipal  
5 plans are required to include a plan addressing the housing needs of low and moderate  
6 income persons as identified by the regional planning commission. (4382).

7  
8 According to 24 V.S.A 4303, the definition of affordable housing is housing that is  
9 owned or rented by its inhabitants, whose gross annual income does not exceed 80 % of  
10 the county median income, or 80% of the standard metropolitan statistical area (MSA) as  
11 defined by the U.S. Department of Housing and Urban Development, and the total annual  
12 cost of housing is not more than 30% of the household's gross income. Housing costs for  
13 homeowners include principal, interest, taxes, insurance, and condominium association  
14 fees. For renters, costs include rent, utilities, and association fees.

15  
16 In 2008 only 1.6% of Vermont's housing stock was vacant and available for  
17 homeownership. This percentage was the fourth lowest in the nation. Vermont's rental  
18 vacancy rate of 3.5% was the lowest in the country. It is generally agreed that a healthy  
19 housing stock for homeownership is 3.5% and for rentals, 5%. The lack of availability  
20 drives up the market cost making the homes less affordable for many as the median  
21 purchase price of a home has out-paced the growth of median household incomes.  
22 Chittenden County and Underhill have some of the tightest markets in the state which  
23 makes it difficult for both the young people and elderly of our community to remain in  
24 Underhill. While 72.8% of Vermonters own their own homes, most of these homes were  
25 purchased prior to 2000.

26  
27 28 properties were sold in Underhill in 2008. The average price was \$274,729, the  
28 median price sold was \$260,000, while the median price for a primary home in VT was  
29 \$200,000. The median income for all VT households is \$51,566. A household with that  
30 income could purchase a home priced at \$163,000 with \$11,000 cash for closing costs.  
31 To purchase a home of \$200,000 a VT household would need an annual income of  
32 \$63,000 as well as \$14,000 in cash. The median price for a newly constructed home was  
33 \$270,000. A household would need an annual income of \$85,000 and \$18,000 for  
34 closing costs.

35  
36 While applications for small lot subdivisions have remained stable these past five years,  
37 the number of building permits for new dwellings in Underhill has declined. In 2005  
38 there were 12 permits, in 2006 there were 10. This is similar to the number of permits in  
39 the previous five years. In 2007 the number declined to 7, there were no permits issued  
40 in 2008 and only three for the fiscal year ending June 30, 2009.

41  
42 In the 2008 Town Plan Survey, there was strong support for single family housing  
43 (75.7% for vs. 7.2% against). Two-family housing (duplexes) were also favored, with  
44 46.1% favoring this type of housing versus 30.5% against this type of housing option,  
45 although 23.5% had no opinion. Multi-family housing was not supported, with 54.9%

1 against, 23.8% for and 21.3% with no opinion. Seeming somewhat at odds with this  
2 result is the very strong support for senior housing, which is typically a multi-unit type of  
3 housing. 73.1% of respondents were in favor of senior housing with 9.2% of respondents  
4 against this type of housing.<sup>17</sup>

5  
6 Other survey results that were relevant to housing include that 64.8 % of respondents  
7 agree that the Town should encourage increased density and mixed-use development  
8 (commercial and residential development) in the Underhill Flats Village Center area  
9 compared to 21.6 % who were against this kind of housing development for the Flats. In  
10 the Underhill Center village center area, 47.9% agreed with development scheme while  
11 37% opposed it. For rural areas outside of the traditional village centers, 74.7% of  
12 respondents agreed that housing development should be grouped to protect scenic, natural  
13 resources and/or open space areas while only 12.5% disagreed.

### 14 **Housing Targets**

15 In the 2006 Chittenden County Regional Plan a housing target for new housing units in  
16 Underhill was identified. The target was to develop 205 new housing units in Underhill  
17 by 2010, with 21 of those units being moderate income housing and 21 being affordable  
18 housing.<sup>18</sup> The Plan clearly articulates that these are goals, not mandates. The Town is  
19 obligated to identify whether or not we expect to achieve the housing target by 2010; if  
20 we are not able to achieve the target the factors that likely cause this; and the local  
21 actions designed to address the identified housing factors the community agrees should  
22 be addressed and that the community is capable of addressing.

23  
24 Currently the Town has roughly 1100 housing units, so 205 units represent a 20%  
25 increase in new housing units. Since 2006 there have been 17 new housing units  
26 developed in Underhill.<sup>19</sup> The Town will not be able to meet the 2006 RPC housing  
27 target.

28  
29 Why will Underhill not be able to reach the housing targets? There are a variety of  
30 reasons: land prices in Underhill are high; the land that is left to build on is harder to  
31 develop; there is not a municipal septic system in Underhill so all new homes must be  
32 able to support a septic system; 55 % of Underhill's land is in 10 and 15 acre zoning;<sup>20</sup>  
33 there is a prohibition on development above 1500' elevation which comprises 21% of  
34 developable land;<sup>21</sup> current zoning only allows for duplexes or multi-family housing in  
35 one out of five districts; the Town has 4003 acres in either Town land contracts or state

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<sup>17</sup> Town Planning Survey 2008 pg.11

<sup>18</sup> 2006 Regional Plan page 7.9. "moderate income is defined as \_\_\_\_\_ and affordable housing is defined as \_\_\_\_\_.

<sup>19</sup> This includes both single family homes and accessory apartments. The totals were: 2006: 8; 2007: 5;  
2008: 0; 2009 to date [August 09]: 4.

<sup>20</sup> 18,017 acres are in the Scenic Preservation (10 acre) zone or Soil and Water Conservation (15 acre) zone.  
The 18,017 acres does not include acreage in the state park or the Ethan Allen Firing Range. Information  
from Underhill Zoning Administrator.

<sup>21</sup> 7,058 acres are above the 1500' elevation mark. The 7,058 acres does not include acreage in the state  
park or the Ethan Allen Firing Range. Information from Underhill Zoning Administrator.

1 current use contracts, which represents 12 % of the developable land in Underhill; and  
2 the economic downturn has had a negative effect on land development in Underhill.

3  
4 What can the Town do to encourage development of new housing units? We can make  
5 zoning regulations accommodate multi-family housing in more districts; we can ease the  
6 zoning regulations regarding accessory apartments to encourage affordable, multi-  
7 generational housing on individual lots; and in the course of village center planning we  
8 can discuss with the community creating greater density and mixed use development in  
9 these distinct planning areas to encourage development of additional housing units. *See*  
10 §§ 6.2; 6.3 below and Chapter 2, Land Use.  
11

## 12 **Section 6.2 Housing and Income**

13  
14 **Policy:**           **The Town should strive to make residence in the Town available to all**  
15 **income levels.**

16  
17 **Goal:**            Increase the affordable housing stock for those of low and moderate  
18 incomes.

### 19 **Strategies:**

- 20  
21       1. Encourage density in areas designated as village centers by writing regulation that  
22       allows for duplexes and small multi-family dwellings. *See* Land Use, Chapter 2.  
23  
24       2. Encourage density in areas designated as village centers by writing regulation that  
25       decreases the minimum lot size. *See* Land Use, Chapter 2  
26  
27       3. Encourage affordable housing by writing regulations that remove some of the  
28       strictures on accessory dwellings. *See* Land Use, Chapter 2.  
29  
30       4. Establish an Affordable Housing Task Force (or Committee). This would be an  
31       advisory committee for the Selectboard and the Planning Commission which  
32       would gather information, formulate and prioritize ideas and plans to stimulate the  
33       development of affordable housing, i.e. inclusionary zoning.

## 34 **Section 6.3 Housing and Age**

35  
36 **Policy:**           **The Town should strive to make housing affordable for all residents.**

37  
38 **Goal:**            To increase housing stock that allows for young families and individuals  
39       and older community members to remain in the community.

### 40 41 **Strategies:**

42

- 1 1. Educate residents through a housing forum about what the term "affordable  
2 housing" means and the necessity for affordable housing so young families can  
3 live here and older residents can afford to stay in Underhill.  
4
- 5 2. Encourage multi-generational and multi-income residents by including planned  
6 residential and planned unit development as a form of development as well as a  
7 form of subdivision.  
8
- 9 3. Allow for condominiums;  
10
- 11 4. Encourage cottage housing;  
12
- 13 5. Encourage multi-generational, multi-income and senior housing in the village  
14 centers.

#### 15 **Section 6.4 Housing Targets**

16  
17 **Policy:** The Town of Underhill should have achievable housing targets.  
18

19 **Goal:** To work with the Regional Planning Commission to modify the housing  
20 target identified in the 2006 Regional Plan for Underhill and then to  
21 propose regulation changes that will make it possible to achieve those  
22 goals.

#### 23 **Strategies:**

- 24  
25 1. Encourage housing density in areas designated as village centers by writing  
26 regulation that allows for duplexes and small multi-family dwellings. *See Land*  
27 *Use, Chapter 2.*  
28
- 29 2. Encourage housing density in areas designated as village centers by writing  
30 regulation that decreases the minimum lot size. *See Land Use, Chapter 2*  
31
- 32 3. Encourage housing development by writing regulations that remove some of the  
33 strictures on accessory dwellings. *See Land Use, Chapter 2.*  
34
- 35 4. Encourage multi-generational and multi-income residents by including planned  
36 residential and planned unit development as a form of development as well as a  
37 form of subdivision.  
38
- 39 5. Allow for condominiums;  
40
- 41 6. Encourage cottage housing;  
42
- 43 7. Encourage multi-generational, multi-income and senior housing in the village  
44 centers.  
45
8. Consider development bonuses for plans that implement the above strategies.

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**CHAPTER 7: ECONOMIC DEVELOPMENT**

**Section 7.1 Background**

There seems to be serious interest in creating a more vibrant local economy that allows residents to work and meet their household and recreational needs without leaving Underhill. In response to this, it is recommended that economic incentives (tax breaks, appropriate zoning regulations, etc.) be developed for accomplishing the goals listed below.

This is the first time an Economic Development section has appeared in the Town Plan. It is a response to the evolving character of the Town and the preferences and concerns expressed in the 2008 Community Planning Survey. 63% of respondents think it is important to increase local employment opportunities;<sup>22</sup> 79% would like more small retail business;<sup>23</sup> 77% want a local restaurant;<sup>24</sup> 66% would like to see more professional and trade services.<sup>25</sup> At the same time, 88% think it is important to protect natural resources<sup>26</sup> and 85% think we should protect open spaces.<sup>27</sup> This seeming conflict can be resolved by the development of Village Centers in Underhill Flats and Underhill Center, allowing for mixed use development and increased density in these areas while preserving the outlying areas for open space and larger lot residential development. With careful long-range planning, it should be possible to develop local commerce and employment while maintaining Underhill’s rural character. *See* Land Use Chapter 2.

**Section 7.2 Economic Policy, Goals and Strategies**

**Policy: Underhill shall strive to be an affordable community for the full socio-economic range its population, and shall encourage the development of small-scale local services and employment opportunities.**

**Goals**

1. To increase local economic activity (home-based employment as well as local businesses);
2. To expand availability of affordable housing; and
3. To maintain and increase working landscape.

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<sup>22</sup> Town Planning Survey page 12.  
<sup>23</sup> Id.  
<sup>24</sup> Town Planning Survey page 5.  
<sup>25</sup> Town Planning Survey page 6.  
<sup>26</sup> Town Planning Survey page 9.  
<sup>27</sup> Id.

1 **Strategies**  
2

- 3 1. Establish an economic development committee to make recommendations to the  
4 Planning Commission and Selectboard on how to achieve goals and pursue  
5 funding;  
6  
7 2. Strengthen relevant infrastructure, especially access to high speed internet service  
8 See Services § 3.13;  
9  
10 3. Hold public forums to determine what residents consider the appropriate type of  
11 business; industries, and land uses for Underhill;  
12  
13 4. Have the Economic Development Committee identify products and services not  
14 currently available locally and encourage their development;  
15  
16 5. Explore development of Village Centers in Underhill Center and Underhill Flats  
17 that encourage greater densities and mixed-use development; *See* Land Use  
18 Chapter;  
19  
20 6. Consider land use regulations that provide incentives for commercial  
21 development in village centers (see Infrastructure section); and  
22  
23 7. Utilize existing facilities for local production, sales, and services.

1  
2  
3 **CHAPTER 8: ENERGY**

4  
5 **Section 8.1: Background**

6 In 2008, the Underhill Selectboard created an Energy Committee with a charge to  
7 research the energy issues for the Town and to make recommendations for changes and  
8 best practices to the Planning Commission and the Selectboard. The guiding principle of  
9 the Energy Committee's recommendations is for the Town as an entity and for Town  
10 residents to reduce greenhouse gas emissions. *See* Natural Resources §§ 1.10 & 1.18.  
11 This will be accomplished through setting town policies that require energy efficiency in  
12 Town infrastructure and encouraging residents to do the same in their own homes and by  
13 utilizing renewable energy resources.

14 In the early 2000's the Town voted to become a part of the "10 % Challenge", a  
15 voluntary program to raise public awareness about global climate change and to  
16 encourage households and businesses to reduce their greenhouse gas emissions by at least  
17 10 percent. The Energy Committee has already held informational sessions about how  
18 residents can lower their energy use, (thus lowering greenhouse gas emissions) and what  
19 resources are available to community members to help them become more energy  
20 efficient. In addition to this work, the Town should encourage measurable energy  
21 efficiencies through regulations and fees structures. It may also prove useful to have the  
22 Energy Committee develop recommended targeted emission standards of Town  
23 infrastructure. In developing this recommendation the Energy Committee should consult  
24 with the Conservation Commission for data about how much CO2 is absorbed by  
25 Underhill's current tree canopy.  
26

27 In the Underhill Town Plan Survey, overall 85.5 % of respondents thought the  
28 development of renewable energy sources in Underhill was important ( 56.9% very  
29 important, 28.6% somewhat important); while only 6.9% thought it was neither important  
30 nor unimportant; 2.7% thought it was somewhat unimportant; and 4.9% thought it was  
31 very unimportant.<sup>28</sup> Another interesting result of the planning survey came in response to  
32 the question: "how important is maintaining our current policy of protecting all land in  
33 Underhill above the 1500' elevation mark from development?" To this question, 67% felt  
34 it was very important, 17% felt it was somewhat important, 6.6 % felt it was neither  
35 important nor unimportant, 2.8% felt it was somewhat important and 6.4% felt it was  
36 very unimportant.<sup>29</sup>  
37

38 Based on these responses and the goal of reducing greenhouse gas emissions, the Town  
39 should encourage through its regulations and fee structure the development of renewable  
40 energy. However, in reviewing and amending regulations, the Planning Commission  
41 shall have to reconcile the development of renewable power sources such as wind power  
42 with the desire to protect the natural ridgelines above the 1500' elevation mark.

---

<sup>28</sup> Town Planning Survey pg. 10.

<sup>29</sup> Town of Underhill Community Planning Survey 2008 pg. 7

1  
2 Finally, as a possible alternative source of energy, it has been suggested that methane  
3 from the old town landfill on New Road could be used to fuel the Town garage. The  
4 viability and economic benefit of doing this should be investigated.

5 **Section 8.2 Energy Consumption Reduction**

6  
7 **Policy: The Town shall work to reduce energy consumption of Town**  
8 **equipment and Town properties and also encourage Town residents**  
9 **to do the same.**

10  
11 **Goal:** The Town shall have energy efficient infrastructure

12  
13 **Strategies:**

- 14  
15 1. The Town shall implement the recommendations of the energy audit for the Town  
16 Hall in fiscal year 2009-2010.  
17  
18 2. The Town shall conduct an energy audit for the Schoolhouse and the Town  
19 Garage and schedule these improvements in the capital plan. See Infrastructure  
20 chapter.  
21  
22 3. Once energy improvements are made, the Town shall continue to maintain and  
23 improve the energy efficiency of Town buildings through capital planning. See  
24 Infrastructure § 4.3.  
25  
26 4. As a part of having energy efficient infrastructure, Town vehicles shall adhere to  
27 all emission standards as established by the state and federal government.  
28  
29 5. The Town should use local natural resources whenever feasible to reduce Town  
30 energy expenditures.  
31  
32 6. The Town shall follow the recommendations of the Transportation Chapter, in  
33 particular Policies 3 and 4 in regard to public and alternative forms of  
34 transportation.  
35  
36 7. Energy performance values should be established for any new Town of Underhill  
37 infrastructure construction.  
38

39 **Goal:** To encourage public and private entities to reduce energy use.

40  
41 **Strategies:**

- 42  
43 1. The Energy Committee shall continue to educate residents in ways to reduce their  
44 energy consumption.  
45

- 1 2. The Planning Committee shall consult with the Energy Committee and review  
2 Town regulations and fee structures to consider ways to encourage energy  
3 efficient construction. One possible solution is to offer building fee rebates based  
4 on the proven energy efficiency of new construction and existing structure  
5 improvements. A recommendation shall be made by the Planning Commission to  
6 the Selectboard about fee rebates or other strategies to achieve energy savings in  
7 conjunction with regulatory amendments.  
8
- 9 3. The Energy Committee, in consultation with the Conservation Commission, shall  
10 make recommendations to the Planning Commission and Selectboard to consider  
11 about targeted emission standards for Town infrastructure, as well as suggested  
12 methods for achieving those targeted standards by 2014.  
13
- 14 4. The Town shall explore the development of a public transportation system and  
15 alternative transportation systems such as multi-modal paths in accord with the  
16 planning goals set forth in the Transportation chapter of this Plan. See  
17 Transportation, Chapter 5.

18 **Section 8.3: Development of Renewable Energy Resources**

19  
20 **Goal:** Encourage the development of alternative renewable energy sources in  
21 Underhill.  
22

23 **Strategies:**

- 24  
25 1. The Planning Commission shall review Town regulations to determine if they are  
26 flexible enough to accommodate development of renewable energy sources in  
27 identified use areas.  
28
- 29 2. If necessary, the Planning Commission shall propose amendments to the  
30 regulations and hold public forums on the proposed changes.  
31
- 32 3. When drafting amendments to accommodate development of renewable energy  
33 sources, the Planning Commission shall consult both the Conservation  
34 Commission and the Energy Committee.  
35
- 36 4. The Planning Commission shall reconcile the seeming conflict between the  
37 competing interest of 1500' elevation ridgeline protection and wind power  
38 development through regulatory tools such as specific regulations; individual site  
39 plan review; and conditional use review.  
40
- 41 5. The Energy Committee shall make a recommendation to the Planning  
42 Commission as to the viability of potentially capturing methane gas resources  
43 from the former New Road landfill and using it to fuel the Town garage.  
44  
45

1  
2

1 **CHAPTER 9: RECREATION**

2 **Section 9.1 Recreational Trails**

3  
4 Underhill has traditionally been a community that has been characterized as an active  
5 area for hiking, biking, horse-back riding, skiing, sledding, swimming, and other outdoor  
6 activities. At times, as population increased and the traditional trails in town became  
7 better known, tension has arisen between private user groups and private landowners.  
8 When landowners feel that they have been ill-used, private land is posted and trails are  
9 lost to community use.

10  
11 The Town Plan survey had several questions regarding recreational opportunities and  
12 how important recreational services are to the community. In response to a question  
13 regarding the desirability of "entertainment facilities" in town, these types of services  
14 ranked second to last on a favorability scale, just above large scale retail. Roughly 30%  
15 of survey respondents favored this type of development, while over 50% were against  
16 this type of development.<sup>30</sup>

17  
18 In contrast to this, over 63% responded that the development of recreational trails and  
19 bicycle paths was important, with only 28% responding that it was unimportant. A  
20 further question found that 69% supported development of a non-motorized recreation  
21 trail network compared to 27% who did not support this type of development. When  
22 questioned about development of motorized recreational trails, an overwhelming 78% of  
23 respondents did not support this type of trail development compared with 15% who did  
24 support it.

25  
26 When asked about expanding road shoulders to right-of-way limits to the extent possible  
27 to accommodate shared recreation uses, 73% of respondents supported this idea  
28 compared to 24% who did not. However, not quite as many people were willing to pay  
29 for the shoulder expansion, with 49% agreeing to pay for the expansion while 36% did  
30 not want to foot the bill. Finally, 52% of respondents supported repairing the Town  
31 tennis courts, while 31 % did not.<sup>31</sup>

32  
33 While there is a clear desire on the part of town residents to develop non-motorized trail  
34 networks in town, unless the Town owns the land we have little control over trail  
35 development. In the past, the Town has required the preservation of existing trails in the  
36 course of subdivision review, and the Town could look at the open land contract as a  
37 mechanism to give a tax incentive for providing user access to a trail. However, these  
38 ideas would need to be thoroughly discussed and any policy developed along these lines  
39 must be cognizant of the inherent property rights of the private landowner.

40  
41 In January of 2008 the Selectboard created a Trails Committee consisting of members of  
42 the public, the Planning Commission, the Conservation Commission, and the Recreation  
43 Committee to develop a policy for use of trails on Town-owned land and to develop a

---

<sup>30</sup> Town Plan Survey, p7.

<sup>31</sup> Town Plan Survey, pages 12-13.

1 trail use model that could be used by residents and user-groups in their private  
2 establishment of trails. As of the writing of this plan, the Committee has drafted a "Trails  
3 Handbook" a guide to public and private property owners and user groups that suggests  
4 best practices and gives information about the development of a trail or the maintenance  
5 of an existing trail. This document was the result of over a years worth of investigation  
6 by the Committee into how a trail could be developed or maintained while being  
7 respectful of the natural environment and the private property rights of landowners.

8  
9 Outdoor recreation provides great exercise in a natural setting. However, trail users and  
10 landowners should be cognizant of the effect of trail use on the natural environment: from  
11 the soils and tree roots underfoot to the fragile vegetation and special habitats that exist  
12 along the trail route to the wildlife that lives there. Users also need to recognize the  
13 importance of the landowner's wishes with regard to trail use on private property. A  
14 good trail conserves the total trail environment, actively respects a landowner's property  
15 rights, and provides a fun and healthy recreational opportunity for users.

16  
17 The use of the Town shoulder rights-of-way to make more room for walkers, bikers and  
18 other recreational users of the Town roads is an idea that should be investigated. In the  
19 past there has been a discussion about connecting the Underhill Flats area with the  
20 Underhill Center area by some sort of path, and when efforts have been made they have  
21 not been successful. It may be time to consider this again as part of our proposed village  
22 center planning efforts. *See* Chapter 1 Land Use. It may be that we find that the only  
23 feasible way to accomplish this goal is to widen the shoulders along River Road. If that  
24 is the solution for River Road or any other road in Town, we should either look for  
25 available funding through grant programs or make this a part of a capital improvement  
26 plan that is presented to the voters.

## 27 **Section 9.2 Ancient Roads**

28  
29 Ancient roads have been defined by the legislature as:

- 30  
31 a. Highways that were laid out by proper authority through the process provided by  
32 law a the time they were created or by dedication and acceptance;  
33 b. Do not, as of July 1, 2010 appear on the town highway map;  
34 c. Are not otherwise clearly observable by physical evidence of their use as a  
35 highway or trail; and  
36 d. Are not legal trails.<sup>32</sup>

37  
38 The Town has procured a grant through the Vermont's Department of Housing and  
39 Community Affairs to identify any ancient roads we may currently have and where they  
40 are located. Once all the ancient roads are identified, the Selectboard will hold a public  
41 hearing about the results of the ancient road study and ask voters what they would like to  
42 do about these rights of way, either retain some or all of them or discontinue them.

43  

---

<sup>32</sup> 19 V.S.A. § 302 (6)(A).

1 The statute provides that unidentified corridors shall be open to use by the public, but  
2 only in the manner as they were used from January 1, 1996-January 1, 2006, although  
3 neither the landowner nor the Town shall owe any duty of care to a user.<sup>33</sup> Some  
4 communities have used this section of the law to use ancient roads as a method for  
5 developing trail systems.

6  
7 This is a method of trail development that is fraught with potential problems. Oftentimes,  
8 a landowner is not aware that such an encumbrance on his land even exists. This is  
9 because the record of the road has been buried in the town records long before the 40-  
10 year look-back period required under the law for title searches; and the right of way by  
11 definition is no longer discernable by use as a highway or trail.

12  
13 In general, the Planning Commission is not in favor of using ancient roads to develop  
14 trail systems. However, the Commission will withhold final judgment and  
15 recommendation to the Selectboard until the ancient road project is finished and the  
16 rights of way have been identified. This is a discussion for all community members to  
17 have at public hearing. In addition to the Planning Commission, the Conservation  
18 Commission and the Recreation Committee should also weigh in with recommendations  
19 to the Selectboard as they make a final decision as to the disposition of ancient roads.

### 20 **Section 9.3 Town Pond/Tennis Courts/Casey's Hill**

21  
22 The Town has a town pond, a tennis court and a sledding hill. These are all valuable  
23 Town assets that add to the quality of life for all Underhill residents. These assets should  
24 be maintained as part of our capital improvement program. *See* Chapter 4, Infrastructure.

### 25 **Section 9.4 Trail Development and Maintenance**

26  
27 **Policy:** It is a benefit to Underhill residents to have access to traditional trail  
28 systems. Those trail systems should protect the flora and fauna of the  
29 trail area, should respect the rights of private landowners and be  
30 maintained in an environmentally responsible manner.

31  
32 **Goal:** The Town shall facilitate recreational trail usage through the development  
33 of a trail use handbook that compiles best practices for trail development  
34 and maintenance and encourages users to be respectful of all aspects of the  
35 environment and of private property owners wishes.

### 36 37 **Strategies:**

- 38  
39 1. The Trails Committee will continue work on the Trails Handbook.  
40

---

<sup>33</sup> 16 V.S.A. § 302(C), (E).

2. The Committee will forward the proposed Handbook to the Selectboard for adoption. It should be reviewed by the Conservation Commission, the Planning Commission, and the Recreation Committee.
3. The Selectboard will hold a public meeting on the proposed Handbook before adoption.

**Policy:**            **The Town shall encourage recreational trail development throughout Town, particularly along the River Road corridor to connect Underhill Flats and Underhill Center.**

**Goal:**                To provide incentives to private landowners to allow for community use of trails on their land.

**Strategies:**

1. The Planning Commission shall explore the use of density bonuses and other development incentives for sub-dividers to either preserve existing or to create new trails when creating a subdivision.
2. The Planning Commission shall explore the use of the open land contract to aid in development of a trail network.
3. If adopted, the Town shall make available the Trails Handbook to private landowners and user groups and encourage its use when developing trail systems.
4. The Planning Commission should investigate the feasibility, cost, and identify potential funding sources for expanding road shoulders for recreational use and make a capital plan recommendation to the Selectboard.
5. The Planning Commission should investigate connecting the two proposed village centers with a recreational path of some kind as part of Village Center planning.

**Section 9.5    Town Recreational Infrastructure**

**Policy:**            **The Town shall maintain all its recreational infrastructure.**

**Goal:**                The Town shall make maintenance of Town infrastructure a part of the capital improvement plan per §4.7 of this Plan.

**Strategies:**      See §4.2 & 4.7 of this Plan.

**Section 9.6    Ancient Roads**

**Policy:**              **The Town should know where their ancient roads lie and make decisions as to continuance based on public input.**

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19

**Goals:** The Town shall complete the Ancient Road project identifying the ancient roads to the best of our abilities, and hold a public hearing to discuss what should be done in regards to them.

**Strategies:**

1. The Town shall continue to complete the work under the DHCA grant to identify our ancient roads;
2. The Selectboard shall hold a public hearing for comment on whether to discontinue the ancient roads;
3. After public hearing, the Planning Commission, Conservation Commission, and Recreation Committee shall make a recommendation to the Selectboard in regards to the disposition of the ancient roads;
4. The Selectboard shall make a decision after considering all available public comments and recommendations.

1 **APPENDIX A: REFERENCES**

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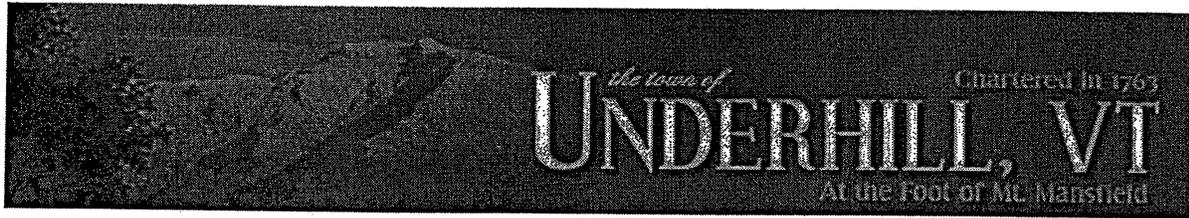
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46



# Town of Underhill

## Community Planning Survey

### 2008

Conducted and Prepared by  
Michael Moser,  
The Center for Rural Studies  
University of Vermont



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## **Methodology**

As a part of the State of Vermont mandated Town Plan Update process, towns must provide opportunities for citizen input into the town plan revision process. Throughout November 2008 the Center for Rural Studies confidentially collected Underhill citizen input utilizing a mailed survey methodology.

The Center for Rural Studies utilized a written survey instrument developed by the town in conjunction with CRS. The instrument was distributed to a random sample of stakeholders using both the Underhill voter checklist and the Grand List of property owners. Copies of the survey were mailed out to 1,193 individuals. The survey mailing included a brief description of the reason for the survey, its importance to the town planning process, a confidentiality assurance and a description of the random drawing for selected gift certificates to local businesses. All surveys could be mailed postage free, back to the Center for Rural Studies. Mailing instructions were provided on the survey.

To provide an incentive for respondents, Underhill supplied The Center for Rural Studies with eight, \$25 gift certificates to Underhill businesses that were sent to random drawing winners with surveys postmarked no later than November 24<sup>th</sup> 2008.

### **The Random Sample**

The random sample was pulled from a combination of the Underhill grand list (property owners) and voter checklist (registered voters) in an effort to be as inclusive as possible of all community stakeholders. Town of Underhill staffers were responsible for merging the town's grand list and voter checklist and for pulling duplications from this new merged list. The new merged list was comprised of 2,702 individual names. From this list, 1,193 randomly selected names were pulled to create the survey's random sample.

### **Statistical Relevance**

The total number of returned and completed surveys was 367. Given a 2008 US Census population estimate of 3,080 for Underhill, the 367 respondents resulted in a statistical confidence level of 95% and +/- 5% confidence interval. In layperson's terms, this means that 95% of the time that these questions are asked, respondent responses would be within +/- 5% of the answers found in this report. This level of statistical representation to the community as a whole is on par with general social sciences survey research methodology and is regularly attained by the Center for Rural Studies in similar community-based research projects.

## Land-Use

**In Underhill Flats the Town should encourage increased density and mixed-use development in which housing is located near businesses and stores.**

	Frequency	Percent
Strongly Agree	82	22.7
Agree	152	42.1
Neither Agree nor Disagree	49	13.6
Disagree	44	12.2
Strongly Disagree	34	9.4
Total	361	100.0

**In Underhill Center the Town should encourage increased density and mixed-use development in which housing is located near businesses and stores.**

	Frequency	Percent
Strongly Agree	54	15.0
Agree	118	32.9
Neither Agree nor Disagree	54	15.0
Disagree	84	23.4
Strongly Disagree	49	13.6
Total	359	100.0

**If housing development occurs in rural areas it should be grouped to protect scenic, natural resources, and/or open space areas.**

	Frequency	Percent
Strongly Agree	147	40.8
Agree	122	33.9
Neither Agree nor Disagree	46	12.8
Disagree	25	6.9
Strongly Disagree	20	5.6
Total	360	100.0

**What types of services do you want to see in Underhill?**

### Restaurants

	Frequency	Percent
Strongly Favor	111	30.5
Favor	170	46.7
No Opinion	31	8.5
Against	26	7.1
Strongly Against	26	7.1
Total	364	100.0

**What type(s) of services do you want to see in Underhill?**

**Lodging**

	Frequency	Percent
Strongly Favor	39	11.0
Favor	110	31.1
No Opinion	112	31.6
Against	56	15.8
Strongly Against	37	10.5
Total	354	100.0

**What type(s) of services do you want to see in Underhill?**

**Small scale retail**

	Frequency	Percent
Strongly Favor	88	24.4
Favor	197	54.7
No Opinion	27	7.5
Against	22	6.1
Strongly Against	26	7.2
Total	360	100.0

**What type(s) of services do you want to see in Underhill?**

**Large scale retail**

	Frequency	Percent
Strongly Favor	10	2.9
Favor	19	5.4
No Opinion	28	8.0
Against	98	28.1
Strongly Against	194	55.6
Total	349	100.0

**What type(s) of services do you want to see in Underhill?**

**Professional and trade services**

	Frequency	Percent
Strongly Favor	83	22.8
Favor	158	43.4
No Opinion	68	18.7
Against	20	5.5
Strongly Against	35	9.6
Total	364	100.0

**What type(s) of services do you want to see in Underhill?**

**Entertainment facilities**

	Frequency	Percent
Strongly Favor	32	8.9
Favor	76	21.1
No Opinion	82	22.8
Against	84	23.3
Strongly Against	86	23.9
Total	360	100.0

**Comparison of "Strongly Favor" responses for services in Underhill.**

	"Strongly Favor" Percentage
Restaurants	30.5
Small scale retail	24.4
Professional and trade services	22.8
Lodging	11.0
Entertainment facilities	8.9
Large scale retail	2.9

**Over the next 5 years how important is maintaining our current policy of protecting all land in Underhill above the 1500 feet elevation mark from development?**

	Frequency	Percent
Very Important	242	67.0
Somewhat Important	62	17.2
Neither Important nor Unimportant	24	6.6
Somewhat Unimportant	10	2.8
Very Unimportant	23	6.4
Total	361	100.0

**Transportation**

**Over the next 5 years how important is expanding Chittenden County Transportation Authority bus service, including Senior Services Transportation, to Underhill?**

	Frequency	Percent
Very Important	156	42.6
Somewhat Important	133	36.3
Neither Important nor Unimportant	26	7.1
Somewhat Unimportant	19	5.2
Very Unimportant	32	8.7
Total	366	100.0

Would you use an Underhill Park and Ride commuter lot located near Route 15?

	Frequency	Percent
Yes	162	44.6
No	137	37.7
Undecided	64	17.6
Total	363	100.0

## Utilities and Facilities

Over the next 5 years how important is it to: improve availability of quality childcare from birth to age 12 in Underhill?

	Frequency	Percent
Very Important	84	23.2
Somewhat Important	107	29.6
Neither Important nor Unimportant	92	25.4
Somewhat Unimportant	36	9.9
Very Unimportant	43	11.9
Total	362	100.0

Please indicate your level of satisfaction with the current town road maintenance and snowplowing.

	Frequency	Percent
Very Satisfied	157	43.3
Somewhat Satisfied	128	35.3
Neither Satisfied nor Dissatisfied	49	13.5
Somewhat Dissatisfied	24	6.6
Very Dissatisfied	5	1.4
Total	363	100.0

Would you be willing to pay for increased road maintenance?

	Frequency	Percent
Yes	78	22.3
No	182	52.1
Undecided	89	25.5
Total	349	100.0

## Natural Resources

Over the next 5 years how important is it to “protect wetlands, wildlife habitat, endangered species, forest land, water quality, and other natural resources” in Underhill?

	Frequency	Percent
Very Important	245	66.9
Somewhat Important	73	19.9
Neither Important nor Unimportant	18	4.9
Somewhat Unimportant	12	3.3
Very Unimportant	18	4.9
Total	366	100.0

How important is the protection of open space within Town to the people and the future of Underhill?

	Frequency	Percent
Very Important	221	61.2
Somewhat Important	85	23.5
Neither Important nor Unimportant	26	7.2
Somewhat Unimportant	8	2.2
Very Unimportant	21	5.8
Total	361	100.0

Which methods would you use to keep open lands undeveloped?

### Land Exchanges

	Frequency	Percent
Yes	121	33.2
No	243	66.8
Total	364	100.0

### Density Bonuses

	Frequency	Percent
Yes	102	28.0
No	262	72.0
Total	364	100.0

### Tax Incentives

	Frequency	Percent
Yes	198	54.4
No	166	45.6
Total	364	100.0

### Zoning Regulations

	Frequency	Percent
Yes	213	58.5
No	151	41.5
Total	364	100.0

### None

	Frequency	Percent
Yes	39	10.7
No	325	89.3
Total	364	100.0

## Energy

How important is the development of renewable energy sources in Underhill?

	Frequency	Percent
Very Important	207	56.9
Somewhat Important	104	28.6
Neither Important nor Unimportant	25	6.9
Somewhat Unimportant	10	2.7
Very Unimportant	18	4.9
Total	364	100.0

## Housing

What type(s) of residential development do you want to see within Underhill?

Single-family housing

	Frequency	Percent
Strongly Favor	125	34.8
Favor	147	40.9
No Opinion	61	17.0
Against	14	3.9
Strongly Against	12	3.3
Total	359	100.0

**What type(s) of residential development do you want to see within Underhill?**

**Two-family housing**

	Frequency	Percent
Strongly Favor	41	11.5
Favor	124	34.6
No Opinion	84	23.5
Against	65	18.2
Strongly Against	44	12.3
Total	358	100.0

**What type(s) of residential development do you want to see within Underhill?**

**Multi-family housing**

	Frequency	Percent
Strongly Favor	23	6.6
Favor	60	17.2
No Opinion	74	21.3
Against	96	27.6
Strongly Against	95	27.3
Total	348	100.0

**What type(s) of residential development do you want to see within Underhill?**

**Senior housing**

	Frequency	Percent
Strongly Favor	101	28.1
Favor	162	45.0
No Opinion	64	17.8
Against	13	3.6
Strongly Against	20	5.6
Total	360	100.0

**Comparison of "Strongly Favor" responses for residential development types in Underhill.**

	"Strongly Favor" Percentage
Single-family housing	34.8
Senior housing	28.1
Two-family housing	11.5
Multi-family housing	6.6

## Economic Development

Over the next 5 years how important is it to increase employment opportunities in Underhill?

	Frequency	Percent
Very Important	102	28.0
Somewhat Important	128	35.2
Neither Important nor Unimportant	72	19.8
Somewhat Unimportant	33	9.1
Very Unimportant	29	8.0
Total	364	100.0

Over the next 5 years how important is it to expand retail/service business in Underhill?

	Frequency	Percent
Very Important	79	21.7
Somewhat Important	143	39.3
Neither Important nor Unimportant	59	16.2
Somewhat Unimportant	44	12.1
Very Unimportant	39	10.7
Total	364	100.0

## Recreation

Over the next 5 years how important is the construction of bicycle paths and recreation trails in Underhill?

	Frequency	Percent
Very Important	142	39.3
Somewhat Important	86	23.8
Neither Important nor Unimportant	33	9.1
Somewhat Unimportant	35	9.7
Very Unimportant	65	18.0
Total	361	100.0

Would you support extending road shoulders to Town right-of-way limits to accommodate shared rec. uses such as biking and walking?

	Frequency	Percent
Yes	263	72.9
No	85	23.5
Don't Know	13	3.6
Total	361	100.0

**Would you be willing to pay for that road shoulder expansion?**

	Frequency	Percent
Yes	177	48.9
No	130	35.9
Don't Know	55	15.2
Total	362	100.0

**Would you support development of *motorized* vehicle recreation trail networks in Underhill?**

	Frequency	Percent
Yes	56	15.3
No	285	78.1
Don't Know	24	6.6
Total	365	100.0

**Would you support development of *non-motorized* recreation trail networks in Underhill?**

	Frequency	Percent
Yes	251	68.8
No	97	26.6
Don't Know	17	4.7
Total	365	100.0

**Would you support repairing the Town tennis courts?**

	Frequency	Percent
Yes	190	52.3
No	114	31.4
Don't Know	59	16.3
Total	363	100.0

**Please use the following space to provide any suggestions or thoughts you may have regarding the future of Underhill in the next 5 years and beyond.**

**Categorized Responses**

	Frequency
Infrastructure	25
Land Use and Development	18
Business and the Economy	13
Miscellaneous	11
Taxes	6

### Full-text comments

25 mph speed limit in Underhill flats and Underhill center; 100% high speed internet
A good quality restaurant will go a long way. Some sort of evening facility that folks can go to like library.
Across from BRMS it's the center of the Flats. Restaurant, affordable/ senior housing, community center; car wash
Before we start expanding road shoulders for rec. use. Let's explore and develop a plan to improve road surfaces throughout town. Perhaps we can start paving roads that are currently dirt and gravel.
Charge a road maintenance fee to all property owners along publicly maintained roads- no road taxes of owners of land along private roads
Create hike trails
Current zoning regulations and topography are sufficient to limit growth.
diversity
Expand bike paths
Focus on single family residences and Senior housing with a tax of 4 units per citizen.
For safety purposes, believe we need sidewalks/ multi modal paths. It enhances a community.
Getting rid of the restriction regarding roads and driveways steeper than 10% grade which precludes building houses beyond those grades.
I believe that preserving the open space for Underhill will be a high priority.
I feel very strongly that we need to keep the character of Underhill as close to what it is now, that we can moved here because of the character and totally enjoy it.
I think a bike/hike trail between the schools and the library and mill's riverside park and Underhill Center / Underhill Central School is of the greatest importance.
I would like to have a sidewalk installed in Underhill Flats between the park and Poker Hill Road.
I would like to see light industry
I would like to see the town government stay out of issues outside of their responsibility. Stop wasting money on one-sided surveys where most of the questions have nothing to do with functions of government. The free market will work just fine in Underhill without the planning commission.
I would like to see us retain the rurality of Underhill with expanded opportunities to better help our environment.
I would stress the importance of expanding and developing recreation paths and opportunities in town.
I would support small scale lodging but no level larger
I'd favor tax breaks for a restaurant or bar/ pub in Underhill.
If the town courts are not redone, we should consider a skateboard park.
I'm concerned about the amount of retail properties.
Improve sidewalks from Park Street to Poker Hill Rd.
I moved to Underhill for its rural character
It's very important that the select board continue to pursue the gravel pit off of new road
Keep Taxes down/Lower Taxes-4
Keep the character rural
Keep the rural open spaces.
keep them all small scale
keep Underhill rural-2
Lessen zoning restrictions on small business! Require any town official or board member must have lived in Underhill 15 or more years.
Love the character of the town as it is. Hope future development is minimal.
minimum zoning

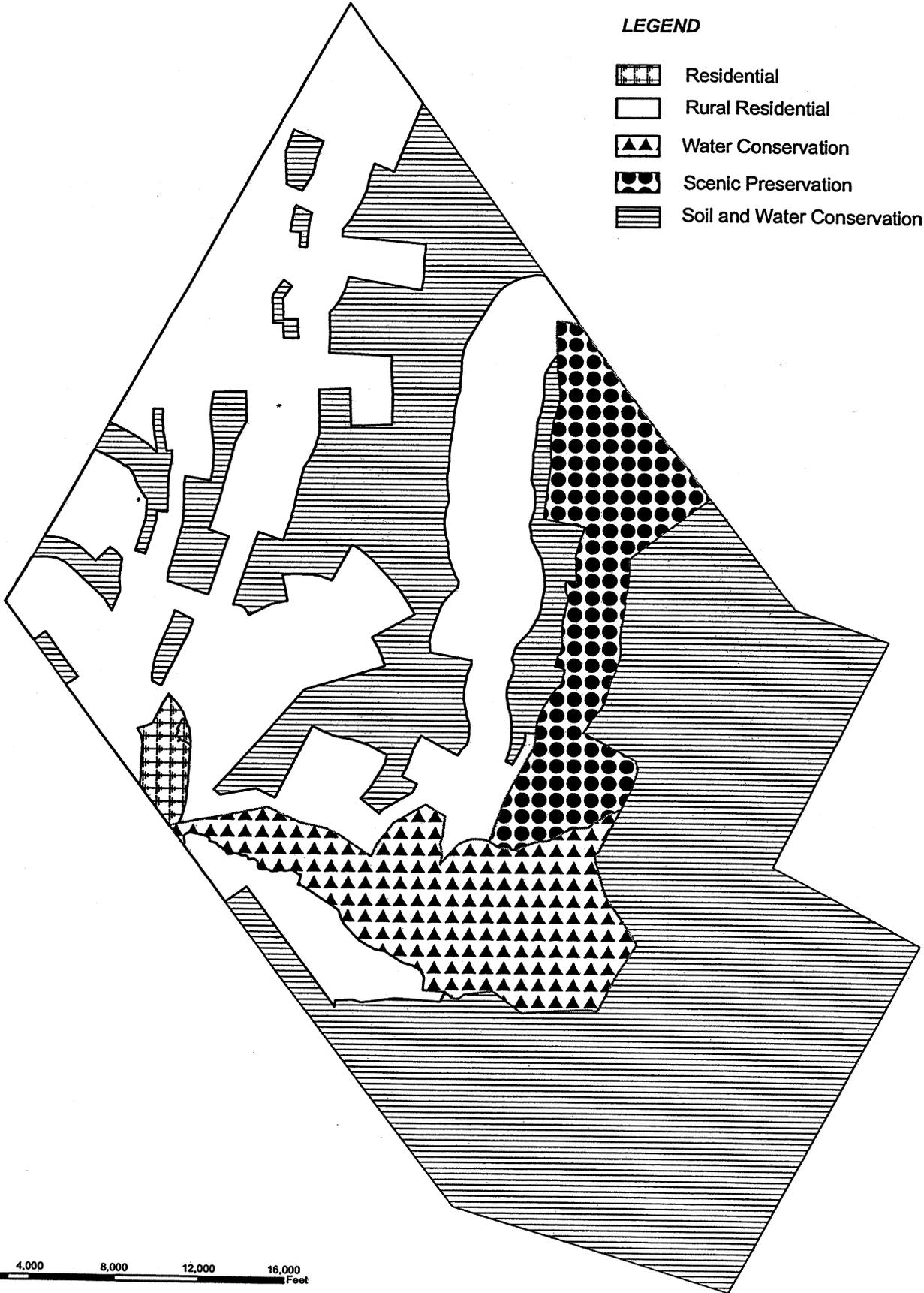
Model after German rural towns inclusive of services that the population can support; town center
Move fast in developing a plan for Jacob's land
need high speed internet connection available to north end of poker hill and Westford borders
Over the next 5 years and beyond I would love to see the area remain a country landscape. We are close to all the animals.
People living in pleasant valley, encouraged to cut down the trees to restore the views.
Pleasant Valley Rd. is a perpetual maintenance nightmare.
promote healthy living
Raise 1500 feet elevation limit to be consistent with state elevation limit for development.
Select local goods. Reduce cost of living in Underhill. Make the fire dept. accountable to the public.
sidewalks
Sidewalks in the flats are important to us.
Sidewalks in Underhill Flats are very important to myself and my family. Rt. 15 is so busy traffic is fast, it's just not safe place to so for a walk/run.
Some of questions were much too general to answer completely accurately.
Some of the topics that have been on my mind most
strongly support ice-skating outside
Taxes too high now without add recreation items. Those that want them should pay the cost not everyone.
This is a bad survey. 1. Includes canned questions with no realities application to Underhill "major retail". 2. Has questions that assume sophisticated incoming.
This town is all ready over populated. I would like to see development slow down
Underhill is the last country in Chittenden county. Please no development, no large food store
Underhill needs to grow at a reasonable pace. I have watched the town dry up for the past 30 years due to zoning making it so difficult for people to get permits.
Underhill needs to increase its business tax base to reduce residential property tax and add services. We need a police dept. Underhill could be made a shopping destination if the right anchor store came in.
Underhill should retain rural.
Underhill will be better if there is more businesses.
use pond area for skating- maintenance, seating
We have a lot of elderly people who live here with extended families, we should be able to live together, in multi age households as extended families so we can stay where we and our parents and grandparents were born. Also good jobs in small businesses in close proximity to home.
We live in Underhill because it's a small, quiet town away from traffic, college kids and, for the most part, crime. We can see the stars at night. We would hate to see a chain store go in anywhere near town. Let it be
Need to pave roads, mud season is a nightmare. I worry whether a fire truck could get through the mud. Rather than spending \$1 million for a gravel pit we should pave roads and increase gravel requirements.
We need more affordable housing such as land trust homes and small economical homes.
We would like our children to be able to bike or walk to school at the moment under current circumstances, it is the dangerous for them to do this.
Would like to see a part of the park across from the Underhill town hall be used as a dog park
Would support sidewalks near school
Zoning should be more restrictive for developers who purchase land for multiple homes. And less restrictive for individual homeowners who live in the community and choose to subdivide

# Underhill Zoning Districts

APPENDIX C: MAPS

## LEGEND

-  Residential
-  Rural Residential
-  Water Conservation
-  Scenic Preservation
-  Soil and Water Conservation



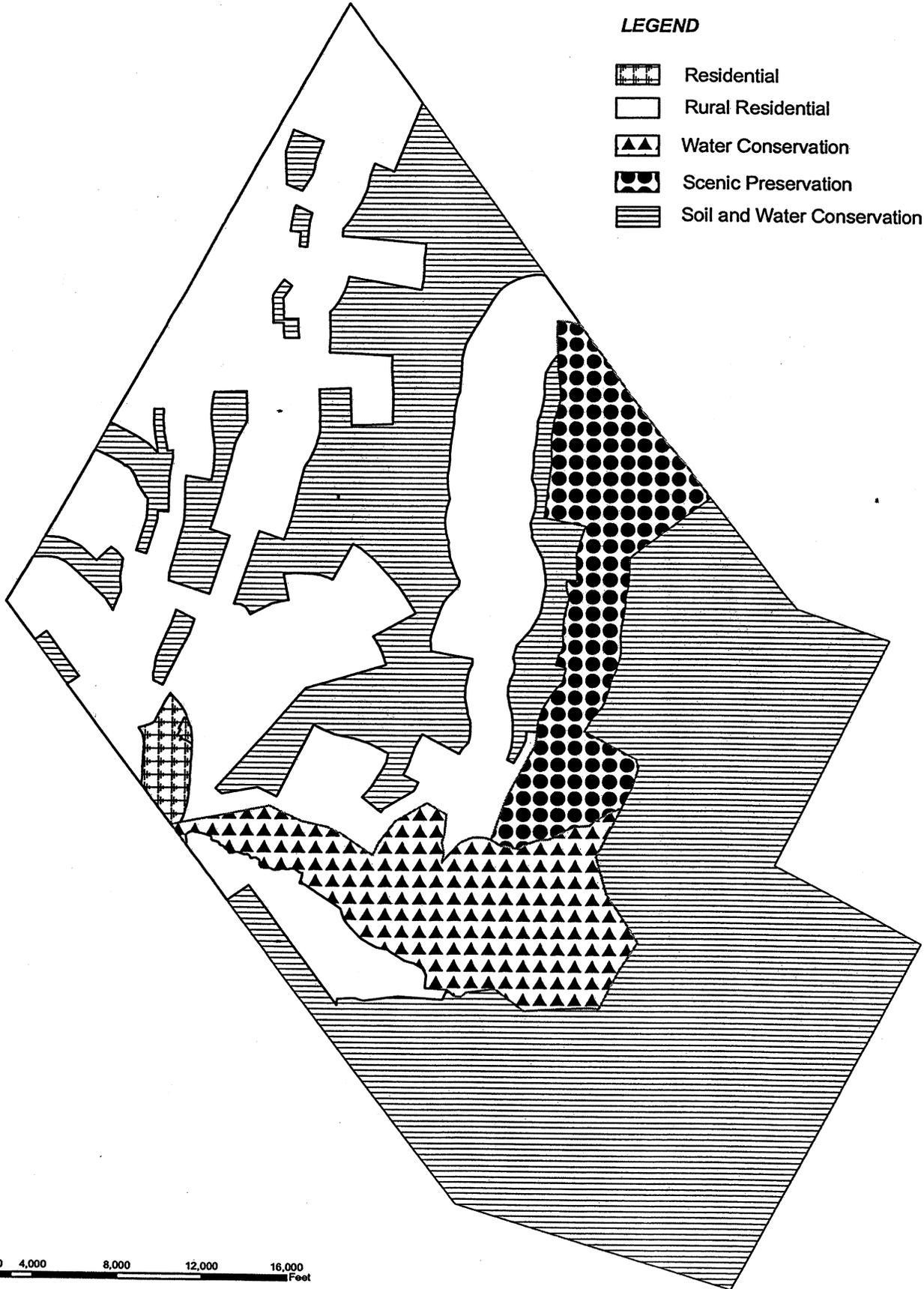
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0 2,000 4,000 8,000 12,000 16,000 Feet

# Underhill Roads

