

Town of Underhill
Development Review Board Minutes
Chairperson Charles Van Winkle

January 21, 2013

Board Members Present:

Charles Van Winkle, Chair
Penny Miller
Will Towle
Matt Chapek
Karen McKnight

Staff/Municipal Representatives Present:

Kari Papelbon, Zoning & Planning Administrator

6:34 PM: Chairperson Charles Van Winkle called the Moore sketch plan meeting to order at the Underhill Town Hall.

Applicant(s) Present:

Darah Zurit-Moore (via phone)
238 River Rd. (CD074)
S. Lake Tahoe, CA

Others(s) Present:

Ellen Goodman
35 Highland Rd.
Underhill, VT 05489

Shanie Bartlett, applicant for appointment to DRB

Identifier:	Contents:
ZA-1	Michael Moore's Application for Subdivision: Sketch Plan (dated 12-31-12)
ZA-2	A copy of the completed Subdivision Checklist: Sketch Plan
ZA-3	A copy of the proposed plan (tax map dated 12-31-12)
ZA-4	A copy of the written intentions for sketch plan (dated 1-2-13)
ZA-5	A copy of the meeting notice
ZA-6	Copies of the ANR Natural Resources Atlas maps (3)
ZA-7	A copy of the ANR information on habitat blocks

- ZA-8 A copy of the emails between ZA/PA Papelbon and State Wildlife
 Biologist John Gobeille
- ZA-9 Staff report

- Chairperson Van Winkle began the meeting by explaining the procedure for the sketch plan meeting, which comes under the 2012 Unified Land Use and Development Regulations.
- Darah Zurit-Moore, Applicant, provided an overview of the proposal, which includes creating a 3-acre parcel on the northern portion of the land with the existing home. The Applicants would like to improve or move the house outside of the floodplain, and, in the future, demolish the house and construct a new house outside of the floodplain. Mrs. Moore stated that the plan is to construct a 3-bedroom house on the proposed 9-acre lot. She added that the plan is to move into the existing structure in late spring, and live in it temporarily until the new home is constructed on the larger parcel. At that time they would finalize plans for the existing structure (move or comply with NFIP).
- Chairperson Van Winkle summarized that to comply with the regulations for subdivision, it must be demonstrated that there is adequate septic capacity for the existing structure as well as a replacement area and adequate septic for the new structure. ZA/PA Papelbon asked if Mrs. Moore knew what the existing septic capacity was for the structure. Mrs. Moore stated that a septic inspection has not yet been done, but that some portions of the system had been looked at and that it was recommended that they pump the system in the spring. She added that Ben Gordesky conducted perc tests and determined that adequate soils existed to install an alternative septic system.
- ZA/PA Papelbon provided her staff report, which was included in the information pack (Comments/Questions). As long as the proposed new house is outside of the SFHA (floodplain), it will comply with NFIP and local regulations. She explained that there are additional requirements for complying with NFIP standards for the existing structures. Some discussion of the requirements ensued. The parcel is accessed via a private road with a Road Association. ZA/PA Papelbon recommended that the Applicants contact the Road Association prior to the next hearing.
- Board Member Will Towle stated that the 12-acre parcel at the end of Cloverdale Road is in 3-acre zoning, which has the potential to be subdivided again after this subdivision. He asked whether the Town has any input into the private road. ZA/PA Papelbon stated that the DRB had jurisdiction over the driveway, but not necessarily the existing road unless there was a major issue. She stated that she received a question from a neighbor as to whether there were any plans to connect Cloverdale Road to North Underhill Station Road in the future. ZA/PA Papelbon explained that there were no plans to do so at this point. Mrs. Moore added that she has no plans to connect the roads through her property.

- Board Member McKnight asked whether there was a right-of-way through the property, to which ZA/PA Papelbon stated that there was not one she was aware of.
- Board Member Towle stated that if the access or easements proposed by this subdivision were placed through the proposed 3-acre lot in such a way as to inhibit potential future development of the 9-acre lot, that the DRB might hold that against the application if an easement or accommodation was later requested (for flexibility with road placement or setbacks). Mrs. Moore stated that the ultimate goal was to keep the land as a family parcel, but that the proposed 3-acre parcel to the north may have to be sold in the future. The purpose of the proposal is to create a parcel for her mother-in-law.
- ZA/PA Papelbon stated that the other half of the question asked by a neighbor was that Cloverdale Road originates in Westford and there is a culvert that should be replaced. The concern was for loss of access in a flood event due to the problematic culvert, and the question was whether an alternate access could be created. ZA/PA Papelbon stated that there has been no discussion at the Town level of connecting North Underhill Station Road and Cloverdale Road.
- Board Member Towle asked whether the Applicants had contacted the Road Association about the ability to expand the burden on the road. Mrs. Moore stated that her husband was going to contact the Association, but that he had not yet. ZA/PA Papelbon stated that she needed to get the contact info to the Applicants.
- ZA/PA Papelbon continued her staff report. Mrs. Moore stated that her consultant walked the property with a representative from the VT Wetlands Office. ZA/PA Papelbon stated that the State had identified a "habitat block" and stated that she would ask the Underhill Conservation Commission provide comments on the proposal.
- Chairperson Van Winkle asked for public comment.
- Ellen Goodman, 35 Highland Road, stated that she was not clear where the floodplain was. ZA/PA Papelbon showed where the natural features, including the floodplain, were on the property. Ms. Goodman asked about additional lines on the map, which ZA/PA Papelbon explained was deer yard. Ms. Goodman asked where a house could be sited on the property since part of it is fairly steep. Mrs. Moore stated that there is a plateau area where the proposed house would be sited on the proposed 3-acre parcel and that there may be a driveway request through the wetland area to the house site on the 9-acre piece. The driveway is still a question. Ms. Goodman asked whether the woods would remain or be cleared. Mrs. Moore stated that the woods would remain and only clearing for the house, driveway, and a view would occur.
- Discussion of wetlands permitting with regard to the driveway and floodplain requirements ensued.
- Board Member Towle suggested the DRB should solicit an opinion from the Town of Westford with regard to the proposal's impact on traffic since Cloverdale Road originates in that town. ZA/PA Papelbon stated that she will

send a letter, and that she submitted the sketch plan information to the Underhill Selectboard and the Underhill Jericho Fire Department.

7:13 PM: Chairperson Van Winkle asked if the Board would like to discuss the application in open or closed session. Chairperson Van Winkle stated that there were a few things to discuss and asked whether the Board felt they had enough information to make a decision on the application. The Board stated that they did. Chairperson Van Winkle asked whether the Board wished to classify the application as a major or minor subdivision. Discussion ensued regarding the driveway, wetlands, and floodplain.

Chairperson Van Winkle asked if any waivers were requested. ZA/PA Papelbon stated that there were none at this point.

7:24 PM: Chairperson Van Winkle asked if the Board would like to continue discussion of the application in open or closed session. A brief discussion of process ensued. Board Member Will Towle recommended accepting the sketch plan application subject to feedback provided, classified as a minor, but requiring both preliminary and final hearings, and to solicit input from the town of Westford about possible traffic or other impacts to Westford in light of the origination of the road in Westford. Board Member Chapek seconded the recommendation. All Board Members present voted in the affirmative.

Chairperson Van Winkle explained the next steps in the process.

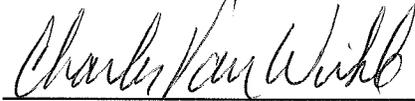
7:35 PM: End of hearing.

Chairperson Van Winkle explained the hearing process to Ms. Goodman. Ms. Goodman then departed. The Board discussed general items.

8:00 PM: End of meeting.

These minutes of the 1-21-13 meeting of the DRB were accepted

This A day of February, 2013.



Charles Van Winkle, Chairperson

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