

Laurel Williams  
TOWN ASSISTANT  
TOWN OF UNDERHILL, VERMONT

PO Box 32, Underhill Center, VT 05490  
E-mail: underhillvt@comcast.net

Phone: (802) 899-4535  
Fax: (802) 899-2137

April 1, 2007

Peter Geise  
10 Krug Road  
Underhill, VT 05489

Dear Peter:

I am writing to memorialize our recent conversations regarding your proposed subdivision of land at 1 Brook Bend Road and 431 VT Route 15. As you know, your sketch plan application was rejected by the DRB at the 3/19/07 sketch plan meeting. The main reason for this was that the Ken Mitchell Jr. lot located at 483 Vermont Route 15, may or may not have merged with your other adjoining holdings if the wastewater system and potable water supply were not functioning at the time of conveyance, per Underhill Zoning Regulations § III (I) and 24 VSA § 4412 (B). The Board was also confused by the submitted drawings, and asked that you resubmit 2 drawings, one showing current lot lines, and another showing proposed lot lines.

I have received new drawings from your consultant, Nick Nowlan, and I understand that you are proceeding to get the wastewater/potable water supply system checked out before the scheduled sketch plan. It is important to have an answer as to whether the lots merged before your sketch plan so that the DRB knows what development on which lot is included in the subdivision review.

As we discussed, I have scheduled you for a sketch plan meeting on May 21, 2007. However, after reviewing the MT Gazette publication schedule, I have decided that it would be best to move you to a sketch plan date of Monday, May 7, 2007. This will give time for publishing the date of your preliminary hearing in the paper for a June 4, 2007 preliminary hearing, something that while it is not required under our regs, I think is a good practice. So, you should have your wastewater/potable water test results to me no later than Tuesday, May 1, 2007.

If you succeed at sketch, then I have penciled in a June 4, 2007 preliminary hearing date for you. There are many requirements to meet before this date, (This week I will send you a preliminary hearing requirements letter), so please be sure to consult with Nick to make sure that this date is realistic. I have also penciled in a July 16, 2007 hearing date

for you for a final hearing if all your required preliminary elements are in order and you pass onto final application in June.

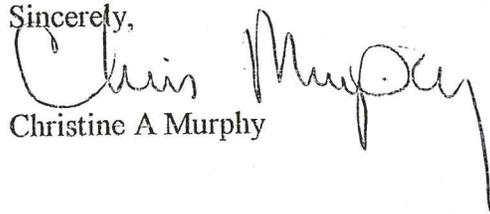
This is a very tight subdivision schedule, and the DRB is a very busy Board, so please let me know as soon as possible if you are not going to be able to meet any of these dates. If this schedule cannot be kept, I have also reserved August 6, 2007 as a possible hearing date.

This schedule is a result of your request to move the process along as soon as possible. While I do try to accommodate these requests, (and I get them with almost every subdivision), it is often not feasible to complete a subdivision on such a short schedule. This is mainly because issues crop up at hearings from Board review that have not been anticipated by the Applicant, or there hasn't been time for consultants to get their work done and permits applied for.

To forestall this happening, and in particular because of the drainage issues that were raised by abutting neighbors at the sketch meeting, we discussed having Mike Weisel review your engineering plans before the preliminary hearing for compliance with regulations and best practices. As I explained to you, Mike is the engineer that the Town hires for independent review of plans when there is a site that may be more difficult to develop. The Applicant, under our regulations must bear 80% of the cost of this review. This is not required at this point, but you expressed a wish to get his sign-off on your plans in an effort to address any possible questions raised by the plan. Should you wish to have this review, please let me know and as soon as I have your plans I will contact Mike to make sure that he can attend the site visit that the DRB and Selectboard will conduct to review your proposal prior to the preliminary hearing.

I think that about sums up where we are at this point. Please let me know if you have any more questions, and keep me posted on your test results.

Sincerely,

A handwritten signature in cursive script that reads "Christine A. Murphy". The signature is written in black ink and is positioned to the right of the typed name.

Christine A Murphy

cc: Nick Nowlan (by e-mail)  
File