

**Town of Underhill  
Development Review Board**

**Boundary Line Adjustment to Cure Existing Zoning Violation**

**In re: Chamberlin 28 Chamberlin Woods**

**Permit Application No. DRB-07-14**

1. On December 8, 2006 the Development Review Board issued a decision wherein they found the applicants, Timothy and Jennifer Chamberlin in violation of the Town of Underhill Zoning Regulations for constructing a deck without the required permit and variances. A violation letter was issued on February 7, 2007. This boundary line adjustment between the subject property, 28 Chamberlin Woods and that owned by Paul and Joan Chamberlin located at 97 River Road is a cure for the outstanding violation.
  
2. On July 20, 2007 notice of a public meeting was posted at the following places:
  - a. The Underhill Town Clerk's office.
  - b. The Underhill Center Post Office
  - c. The Underhill Flats Post OfficePublication in a newspaper of this meeting and certified mail notice to abutting neighbors was not required under the Underhill subdivision regulation as this 0.6 acre conveyance does not meet the definition of a subdivision.
  
3. Present at the hearing were the following members of the DRB:
  - Scott Tobin, Chair
  - Charles Van Winkle
  - Chuck Brooks
  - Penny Miller
  - Matt Chapek
  - Peter Seybolt
  - Stan Hamlet

Also present was Brad Holden, surveyor of Vermont Land Surveyors representing the Chamberlins.

**DECISION:**

The Board accepts the Boundary Line Adjustment of 0.6 acres. The outstanding zoning violation will be cured once the following conditions are fulfilled:

Permit Application No. DRB-06-17  
Chamberlin—Final; 12-08-06

1. All outstanding fees associated with the DRB hearings on this matter, including the violation and original hearing are paid;
2. The required building permit for the constructed deck is issued;
3. The deed reflecting the 0.6 acre conveyance from Paul and Joan Chamberlin to Timothy and Jennifer Chamberlin is recorded in the Underhill land records; and
4. The new survey Mylar is recorded in the Underhill land records.

  
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Scott Tobin, Chair

Dated at Underhill, Vermont this 27<sup>th</sup> day of August 2007.

This Decision will be recorded in the Underhill Land Records.

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.