

Kari Papelbon
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TOWN OF UNDERHILL, VERMONT

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September 16, 2008

Steve and Wendy Guay
63 River Road
Underhill, VT 05489

Dear Steve and Wendy:

As you know, the Board approved your sketch plan for a 2-lot PRD and boundary line adjustment with the Jericho Underhill Water District as presented at the meeting on September 15, 2008. The next step is to hold a preliminary hearing. This is a hearing that is warned by first class mail to all your abutting property owners, something that I do and the cost of which is borne by the Town. Before that hearing, however, I must have a copy of your preliminary hearing application materials, including the following:

1. A survey that shows the current property boundaries and the proposed new lot lines and acreages. The survey should include the items listed on the enclosed checklist. The survey should also include the proposed acreage to be transferred to the Jericho Underhill Water District.
2. Engineering plans by a registered engineer or site technician. The engineering plans should include the items listed on page 2 of the enclosed checklist.
3. Any additional requirements on page 3 of the enclosed checklist.

The engineering plans that are submitted must be tied to the survey, meaning that the engineering drawing must be based on the survey points. Please be sure to give your engineer a copy of the survey, or have him working closely with your surveyor so that both drawings line up.

Please submit 2 large (18" x 24" or 24" x 36") copies of the preliminary survey and engineering drawing and 11 copies of each drawing at 11"x 17" for the Board to have for review prior to the hearing and site visit. Also, I am enclosing an application and Subdivision Checklist for preliminary hearing. This checklist will aid in preparing your hearing submissions and will also aid the Board in reviewing the required documents. The left-hand column indicates items that are required for preliminary hearing. Check the box under "Submitted" for each required item and return a copy of the checklist with your hearing requirements.

The Development Review Board bases its final subdivision approval on the 13 "Evaluation Considerations" outlined on pages 11-12 of the Subdivision Regulations (enclosed). You will be asked to submit proposed "Findings of Fact" on each of these criteria at the final hearing, but in order to make your final hearing as pro forma as possible, you and your consultants should be aware of the criteria and, if feasible, to address the Considerations in your preliminary plans.

While this is not required at this stage, I think it is wise to address possible objections under the criteria at the preliminary stage, rather than at the final hearing. In addition, you must meet the Planned Residential Development Standards in the Zoning Regulations (enclosed).

The Town Road Policy prohibits the creation of a driveway with an excess of 10% grade unless a waiver from the Selectboard is granted. For preliminary hearing, please provide a list of all waivers required by your proposal.

Once I receive a complete application with all of the required submissions for preliminary hearing—application form, completed checklist, engineering plans, preliminary survey—I will schedule a site visit and preliminary hearing. The Development Review Board will conduct a site visit of your property immediately preceding your scheduled preliminary hearing, if possible. Otherwise, a site visit may be scheduled for a Saturday morning. Please keep in mind that the Board may choose to schedule or continue a site visit to a date and time at which there will not be snow cover.

At the site visit, boundary lines, septic locations, proposed building envelopes, and proposed driveway locations, must delineated by flags using different colors if possible. This site visit will be noticed to the abutting property owners by first class mail, along with notice of the preliminary hearing.

As you can see, the bulk of the work is done at the preliminary hearing stage. This allows for plenty of review of your proposed plan by the Development Review Board and your abutting neighbors and other interested parties before the final hearing. In my mind, the final hearing should be fairly pro forma, having ironed out most of the problems before we get to that stage.

Once the preliminary plans have been approved, the last step is to have a final hearing. This is a warned by certified mail notice to the abutting neighbors, by posting at the post offices and Town Hall, by posting a sign in front of your property, and by publication in the Mountain Gazette. The cost of the certified mailings and the published warning are borne by you. Any amendments to your plans that were identified at the preliminary hearing must be made and final amended plans submitted before the hearing is scheduled. You will also be asked to submit finalized "Findings of Fact," and letters from the UJFD and the Chittenden East School District addressing the impact of the proposed PRD on their respective organizations. After your preliminary plat application is approved, I will provide you with more detailed information about your final hearing requirements; this is just to give you a broad overview of the process.

If you have any questions or need assistance with the required submissions, please call me at the number listed above.

Sincerely,

Kari Papelbon

cc: Development Review Board
File

encl: Application for Subdivision: Preliminary
Subdivision Checklist: Preliminary Hearing
Planned Residential Development Standards
Subdivision Evaluation Criteria