Kari Papelbon
ZONING ADMINISTRATOR
TOWN OF UNDERHILL, VERMONT

P.O. Box 32, Underhill Center, VT 05490
E-mail: underhillzoning@comcast.net

Phone: (802) 899-4434, x106
Fax: (802) 899-2137

October 20, 2009

Amanda and Wade Bosley
73 Bill Cook Rd.
Underhill, VT 05489

Dear Amanda and Wade:

At the meeting on October 19, 2009, the Development Review Board reviewed your sketch plan application for a 2-lot subdivision at 73 Bill Cook Rd. in Underhill, VT. Based on the information presented, it appears that you meet the basic requirements for subdivision as voted by the Board. Please understand that this sketch plan determination is non-binding and in no way implies approval of the subdivision.

The next step in the subdivision process is to hold a preliminary hearing. This is a hearing that I will publish in the newspaper and warn by first-class mail to all abutting property owners at least 15 days prior to the scheduled hearing date. A site visit will be scheduled either immediately before your hearing, if possible, or on a Saturday morning. This site visit also must be warned at least 15 days in advance, but I will take care of the newspaper warning and first class mail notice to your abutting neighbors. I will also ask you to post another red "P" sign at the end of your driveway notifying neighbors of a site visit and hearing.

Before the preliminary hearing and site visit, 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.

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.

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 engineering plans that are submitted must be tied to the survey, meaning that the engineering drawing must be based on the survey points. 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.

The Town Road Policy prohibits the creation of a driveway with an excess of 10% grade unless a waiver from the Selectboard is granted. Additionally, the Town Zoning Regulations prohibit construction of a dwelling within 100 feet of a watercourse, including wetlands. For preliminary hearing, please provide a list of all waivers and/or variances required by your proposed subdivision.

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; however, in order to make your final hearing as pro forma as possible, you and your consultant should be aware of the criteria and 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.

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 preliminary hearing and site visit. Boundary lines, septic locations, proposed building envelopes, and proposed driveway locations must be delineated by flags, using different colors if possible, at the site visit. Per the Rules of Procedure, the DRB reserves the right to continue or schedule a site visit at such times as no snow is present on the ground.

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 as well as your abutting neighbors and other interested parties before the final hearing. As such, the final hearing should be fairly pro forma, having solved 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 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 and on the Town website. 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

Kari Papelbon

cc: File

encl: Application for Subdivision: Preliminary
Subdivision Checklist: Preliminary Hearing
Subdivision Evaluation Criteria