

## DEVELOPMENT REVIEW BOARD

Town of Underhill, VT

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June 11, 2014

Patrick Lamphere  
176 Beartown Road  
Underhill, VT 05489

At the meeting on June 2, 2014, the Development Review Board reviewed your sketch plan application for a 2-lot subdivision of the Estate of Luella Lamphere at 108 Beartown Road (BE108) in Underhill, VT. This letter is provided per Section 7.3 (D) of the Unified Land Use and Development Regulations, and is valid for one year.

### SUBDIVISION CLASSIFICATION

As you are aware, this application is being reviewed under the Unified Land Use and Development Regulations effective March 2012. The subdivision process must distinguish between major and minor classifications. Due to the nature of your proposal, the DRB has classified this as a **minor subdivision** [Section 7.2 (E)], but has voted to hold the preliminary and final hearings on the same night.

### REGULATION CONFORMANCE

Based upon the information submitted at the sketch plan meeting, it appears that the proposed subdivision has the potential to conform to the regulations. However, you and your consultants should ensure that all of subdivision review standards in Article VIII are addressed and all of the preliminary and final hearing requirements in Section 7.5 & 7.6 are met.

### REVIEW CRITERIA & ISSUES TO BE ADDRESSED

This sketch plan letter outlines "specific areas of concern to be addressed" per Section 7.3(D) and per Section 8.2, General Standards for subdivision review. Several items were discussed at the sketch plan review meeting:

1. If your subdivision is proposing a new curb cut, an Access Permit from the Selectboard will be required. §3.2 (D)(3) states "*no additional access rights to a public highway shall automatically result from the subdivision or re-subdivision of parcels established after the effective date of these regulations [March 2, 2011].....Such lots shall be accessed from a shared access and driveway, a cross connection to an adjoining lot, or a development road, unless otherwise approved by the DRB in consultation with state or town highway officials under Subsection D.2*"
2. A copy of the VT Wastewater System and Potable Water Supply permits for the proposed lot;
3. A copy of the ANR Project Review Sheet;
4. A site visit will need to be scheduled prior to the final hearing.

Other preliminary and final plan requirements are outlined in the checklist and the Unified Land Use and Development Regulations. The Board expects that all of the requirements will be included in the final subdivision review application package.

## **PRELIMINARY & FINAL HEARING-PROCESS**

As mentioned above, the Board voted to approve your request to combine the preliminary and final subdivision review, therefore only one hearing is required. Within one year of the date of this letter, but not before the expiration of the 30-day appeal period, you may submit a complete application for a final hearing. The following are required as part of the application package (see Section 7.5 & 7.6 and Article VIII for further information on application requirements and review standards):

1. A completed Application for Subdivision: Final Hearing (enclosed)
2. A completed Subdivision Checklist: Final Hearing (enclosed);
3. Final responses on the Subdivision Standards Findings Checklist (enclosed);
4. Required State Permits (e.g. Wastewater System, Potable Water Supply, etc.);
5. One large copy of the final plat and engineering plans;
6. Twelve reduced (11" x 17") copies of the final plat and engineering plans;
7. Draft legal documents (deeds, Homeowner/Road Association documents, etc.);
8. Payment of final subdivision hearing fees.

The Zoning Administrator will schedule a combined hearing (and a site visit) within 30 days of receipt of a completed application package. The hearing will be warned in accordance with 24 VSA §4426; therefore, not less than 15 days prior to the scheduled hearing date, notice of the hearing must be published in a newspaper, at the property, in at least three locations in Underhill, and sent via Certified Mail to adjoining neighbors. The Zoning Administrator will take care of the notice requirements and ask that you post the red "Z" sign at the end of your driveway. The cost of the newspaper notice will be included in the final invoice and mailed with your final decision.

The Board will have 45 days to issue a written and signed decision following the adjournment of the final hearing. A 30-day statutory appeal period will begin from the date of the signed decision. You will receive a copy of the decision via Certified Mail. Any participants in the combined preliminary and final hearing proceeding will also receive a copy of the final decision. Appeal procedures are outlined in Section 10.5 of the Underhill Unified Land Use and Development Regulations.

Please do not hesitate to contact me if you have any questions or need assistance with the required submissions.

Sincerely,

Sarah C. McShane  
Zoning & Planning Administrator

cc: File  
encl: Application(s) for Subdivision: Final  
Subdivision Checklist(s): Final Hearing  
Subdivision Standards Findings Checklist