

TOWN OF UNDERHILL  
APPLICATION OF RICHARD & BARBARA ALBERTINI,  
ALBERTINI REVOCABLE TRUST, JOHN & DENISE ANGELINO  
FOR A 5-LOT SUBDIVISION/PRD/ BOUNDARY LINE ADJUSTMENT  
FINDINGS AND DECISION

In re: Richard & Barbara Albertini  
109 Pleasant Valley Road  
Underhill, VT 05489

Docket No. DRB-15-01

**I. INTRODUCTION AND PROCEDURAL HISTORY**

This proceeding concerns lands owned by Richard and Barbara Albertini, and Albertini Revocable Trust's preliminary hearing application for a 5-lot subdivision and boundary line adjustment of property located at 109 Pleasant Valley Road in Underhill, VT.

- A. On 19 January 2015, the Albertini's filed an application for subdivision for the project. A sketch plan review of the project was held on 16 February 2015, continued on 1 June 2015 and was accepted.
- B. Application for Preliminary Approval was made on 31 August 2015. A hearing was scheduled for 19 October 2015, and a Preliminary Plat approval decision was issued by the Development review board on 16 November 2015. On 24 December 2015 an application for Final Approval was received, determined complete by the "acting" Zoning Administrator Brian Bigelow, and a hearing date scheduled for 18 January 2016.

On 30 December 2015 , a copy of the notice of final hearing was mailed via Certified Mail to the following owners of properties adjoining the property subject to the application:

- 1. Carolyn Gregson
  - 2. Andrew Fitzgerald
  - 3. Mary Tomasi
  - 4. John and Denise Angelino
  - 5. Richard and Barbara Albertini – Hand Delivered by town administrator
  - 6. Underhill Town Selectboard – Hand Delivered by town administrator
- C. On the same date a copy of the final hearing notice was also sent out via First Class Mail, to the following people, registered as interested parties at the Preliminary Plat Hearing.
    - 1. Peter Duval
    - 2. Jean Archibald
    - 3. Cynthia Seybolt
    - 4. Steve Abair
    - 5. Peter Bennett
    - 6. Carla Hochschild

7. Ann Linde
  8. Irene Linde
  9. Mike & Pat Weisel
  10. Marcy Gibson
- D. On 30 December 2015, notice of the public hearing for the proposed Albertini subdivision was posted at the following places:
1. The Underhill Town Clerk's office;
  2. The Underhill Center Post Office;
  3. The Underhill Flats Post Office
- E. During the week of 2 January 2016, the notice of the public hearing was published in *The Burlington Free Press*.
- F. The final plat hearing convened at 6:40 PM on 18 January 2016 at the Underhill Town Hall.
- G. Present at the final hearing were the following voting members of the Development Review Board: Charles Van Winkle, Chairman, Matt Chapek, Mark Hamelin, Karen McKnight, Penny Miller, and Will Towle. Mark Green a DRB Alternate was also present and voting on behalf of the absent board member Jim Gilmartin.
- Acting Planning and Zoning Administrator Brian Bigelow, Applicants Richard and Barbara Albertini and Consultant Jenn Desautels (Trudell Engineering) also testified at the hearing.
- H. At the outset of the hearing, Chairperson Charles Van Winkle explained the criteria under 24 V.S.A. § 4465 (b) for being considered an "interested party." Those who spoke at the hearing were:
1. Peter Duval (25 Pine Ridge Road)
  2. Jean Archibald (22 Harvey Road)
  3. Irene Linde (68 Pleasant Valley Road)
- I. Those who provided an entry of appearance letter to be read at the hearing were:
1. Carolyn Gregson (99 Pleasant Valley Road)
- J. In support of the final plat application the following exhibits were submitted to the Development Review Board:
1. Letter of Transmittal from Jennifer A Desautels, PE (Trudell Consulting Engineers), dated 12-23-15
  2. Draft warranty deed
  3. A draft common roadway maintenance agreement
  4. Application for Subdivision: Final (dated 12-24-15), with signatures of abutting property owners regarding boundary line adjustment
  5. Sight distance photographs of existing conditions
  6. Wetlands memo and photograph by Karina Dailey, Environmental Scientist, dated 12-3-15

7. Spreadsheet with point-by-point response to Town and Third Party Comments
8. Stormwater Narrative and Supporting Documentation
9. Truck Turning Radii Exhibit
10. Wastewater Permit WW-4-4552 issued by the VT Agency of Natural Resources, DEC
11. Federal/non-Federal Town Highway Crash Data since road realignment
12. Copy of previous speed study memo by Abigail Dery, PE, dated 8-31-2015
13. Site Plan Package with the following drawings
  - a. C0-00 Cover, undated
  - b. C1-00 Legend and Notes dated 8/19/15, last revised 12/15/15
  - c. C1-01 Subdivision Plat dated 7/13/15
  - d. C1-02 Existing Conditions Plan, dated 8/19/15
  - e. C2-01 Site Plan, dated 8/19/15, last revised 12/15/15
  - f. C-2-02 Isolation Plan, dated 8/19/15, last revised 12/15/15
  - g. C3-01 Sanitary Notes, dated 8/19/15, last revised 12/15/15
  - h. C3-02 Sanitary Plan, dated 8/19/15, last revised 12/15/15
  - i. C4-01 Pre and Post Development Drainage areas, dated & last revised 12/15/15
  - j. C5-01 Stormwater & Erosion Control Plan, dated 12/1/05, last revised 12/15/15
  - k. C6-01 Plan & Profile Applewood Land, dated 8/19/15, last revised 12/15/15
  - l. C6-02 Driveway Profiles, dated 8/19/15, last revised 12/15/15
  - m. C6-03 Sight Distance Plan, dated 8/19/15, last revised 12/15/15
  - n. C8-01 Site Details, dated 8/19/15, last revised 12/15/15
  - o. C8-02 Sanitary Details, dated 8/19/15, last revised 12/15/15
  - p. C8-03 Sanitary Details, dated 8/19/15, last revised 12/15/15
  - q. C8-04 Water Details, dated 8/19/15, last revised 12/15/15
  - r. C8-05 EPSC Details, dated 8/19/15, last revised 12/15/15
  - s. C8-06 Erosion Details, dated 12/01/2015
  - t. C8-07 Erosion Details, dated 12/01/2015
14. Drawing C10-01, Sight Distance Comparison Exhibit, 8/19/15, last revised 12/15/15
15. Drawing C10-02 Casey Hill Road Rendering Exhibit Only, 8/19/15, last revised 12/15/15
16. Harry Schoppmann/Underhill Jericho Fire Department letter of October 19, 2015, submitted at the hearing
17. Abutter Gregson's email of December 8, 2015 to Brian Bigelow, submitted in advance of the hearing
18. Proposed findings of Fact prepared by Trudell Consulting Engineers, submitted in advance of the hearing
19. Interested party Peter Duval's two page submission at the hearing entitled "PV109 Access Permit: Three Speeds" dated 23 December 2015
20. Drawing C2-01, Site Plan, dated 8/19/15, with an incorrect revision date of 2/12/16
21. In addition to the Exhibits listed above the following exhibits submitted as part of the record for the preliminary plat decision were used by the board to determine findings and the basis of our decision. They are listed as follows:
  1. A copy of the letter provided to the Applicant after Sketch Plan Review (dated 6/3/2015)
  2. A copy of the minutes from the Sketch Plan meeting (2/16/2015)
  3. Cover letter from Jennifer A Desautels, P.E. of Trudell Consulting Engineers (dated 9/2/2015);
  4. Richard & Barbara Albertini- Application for Subdivision: Preliminary (undated);
  5. A copy of the completed Subdivision Checklist: Preliminary;

6. A copy of the proposed Albertini Subdivision Preliminary Plan prepared by Trudell Consulting Engineers (C00-00-C8-05);
7. A copy of the project review sheet
8. A copy of the ability to serve letter from the UJFD (dated 6/1/2015)
9. A copy of the ability to serve letter from the MMUSD (dated 8/5/2015)
10. A copy of the traffic study completed by Trudell Consulting Engineers (dated 8/31/2015)
11. A copy of the correspondence regarding the independent review of the traffic study
12. A copy of the independent review letter from Lamoureaux & Dickinson (dated 10/9/2015)
13. A copy of the draft shared maintenance agreements and enforcement documents
14. A copy of the Preliminary Access Permit (A15-04 prelim) issued by the Underhill Select Board on 12 May 2015.
15. A copy of the procedure checklist for the meeting.
16. A copy of the State of Vermont "Guidelines for Review and Mitigation of White-Tailed Deer Habitat"
17. Source Protection Map
18. The Preliminary Findings and Decision dated 16 November 2015

All exhibits are available for public review in the Albertini PV109, subdivision file (DRB- 15-01) at the Underhill Zoning & Planning Office.

## II. **FINDINGS**

Based on the application, testimony, exhibits, and evidence submitted relative to this proceeding, the Development Review Board makes the following findings under the requirements of the Underhill Unified Land Use and Development Regulations (ULUDR):

### **General Standards, Section 8.2**

**Development Suitability:** The Applicant seeks a permit to subdivide land and perform a boundary line adjustment with an adjacent landowner John & Denise Angelino. The subject property is a parcel located at 109 Pleasant Valley Road in Underhill, VT (PV109); the boundary line adjustment is with the Angelino property located to the north. The property is in close proximity to the village of Underhill which is more densely populated. The board finds that the boundary line adjustment can be administratively approved by the Zoning Administrator, and does not need detailed review by the DRB. The board finds that the development is suitable and compatible with the surrounding area.

**Development Density:** The majority of the proposed subdivision (21.4 +/- acres) is located within the Water Conservation District which is 5 acre zoning. A small portion of the lot (3.6 +/- acres) is located within the Rural Residential district which allows 3 acres/lot. Single-family residential is a permitted use within both of these zoning districts. The board finds the proposed development density is consistent with the zoning districts and surrounding area.

**Existing Site Conditions:** The existing site conditions comprise rolling terrain extending upward from Pleasant Valley Road and extending downwards to Crane Brook. The landscape and

vegetative cover (mainly forest land) are indicative of land masses typical of the area along Pleasant Valley Road. The board finds that the proposed development will not adversely affect the existing site conditions.

**Underhill Town Plan & Regulations:** The board finds that the proposed development is consistent with the goals of the Underhill Town Plan and conforms to the ULUDR as amended.

**District Settlement Patterns:** The board finds that the proposed development will maintain the rural character of the town. Forested hillsides, hilltops, open fields and moderate to low densities will be achieved within this development. The proposed homes will remain secluded within the development and will be mostly unseen from Pleasant Valley Road.

**Lot Layout:** The board finds the proposed lot layout allows for open space protection by clustering the homes. The rear portion of Lots 4 & 5 will be preserved in the existing condition. The proposed lot layout conforms to the desired settlement patterns and is suitable for single family homes.

**Building Envelopes:** A Planned Residential Development (PRD) is being utilized to cluster homes together near Pleasant Valley Road off a shared access roadway. This allows the homes to be located in such a way as to reduce the amount of impact on the existing land. The ULUDR provides relief for planned comprehensive projects. The board finds that building envelopes as proposed allow for clustering of the homes while preserving larger portions of natural areas.

However, the board notes through prior experience that some of the proposed building envelopes may be overly restrictive. While the board appreciates the smaller envelopes, and the applicant is welcome to maintain such restrictions, the board may be more liberal in the dimensional variances than proposed by the applicant. The board's intent is to allow for some flexibility in housing size, layout, drive location, and access while maintaining the purpose and intent of the PRD concept.

**Landscaping & Screening:** Given the concentration of development close to Pleasant Valley Road the board was concerned with the visual impact experienced by an individual traveling north on the road. The vista and one's attention is drawn to the dramatic view of Casey's Hill in the foreground and Mt. Mansfield in the background. The board was concerned with the placement of the house on lot #1 and the visual impact created by it. The board finds the addition of landscaping on lot #1 will sufficiently mitigate the visual impact of the development.

**Energy Conservation:** The board finds that all of the homes have the potential for some southern exposure, which provides the potential for solar energy and utilization of natural sunlight. The project incorporates existing topography and natural vegetation to provide wind breaks and shade to reduce heating and cooling costs. The board finds the development loosely meets energy conservation objectives. The board finds no evidence was presented with regards to group net metering or collective energy conservation measures, and therefore the board does not find a density bonus is warranted.

### **Natural & Cultural Resources, Section 8.3**

The board finds the development contains lands that consist of Steep Slopes and Very Steep Slopes as defined by the ULUDR as amended, and development is proposed near but not in these areas. The board finds that the applicant presented a plan to stabilize the area during and after construction, and if followed will not adversely affect the natural and cultural resources of the site.

Erosion control measures such as erosion control blanket and rip rap will be utilized to prevent sediment from leaving the site. Stormwater control measures have also been added to treat runoff from the site. Additional landscaping has been proposed to help prevent erosion along Pleasant Valley Road and the Access Road.

### **Open Space & Common Land, Section 8.4**

The board finds sufficient evidence was presented with regard to the public benefit achieved as part of the PRD process. In particular the designation of functional open space incorporates natural and scenic resources identified for protection. The board finds that deed restrictions that prohibit the clear cutting of the deer yard as currently mapped and associated buffer as designated on lots 4 & 5 will satisfy the open space criteria.

In addition to the deer yard protections, the applicant proposes an easement over an existing trail that establishes a means for non-motorized recreational access of the lands within the protected deer yard and associated buffer. The board finds that although no common land is specifically associated with this development, the access easement allows for continued public benefit.

### **Stormwater Management & Erosion Control, Section 8.5**

The board finds sufficient evidence was presented with regards to stormwater management as required in Section 3.18-C-5. The board finds the storm water management plan incorporated infiltration as the primary mechanism for stormwater management and complies with a 50 year design storm event.

### **Transportation Facilities, Section 8.6**

The board finds that the proposed development access location conforms to access requirements as outlined in section 3.2-D-10. However the development road was and remains the subject of much concern, as expressed by interested parties and select members of the DRB. At the preliminary hearing, the board found that instances involving local knowledge can sometimes conflict and be more accurate than expert testimony based on a limited sample size and contrasted against academic or theoretical criteria. In light of the significant amount of testimony received regarding the access location, the board requested additional evidence from all parties regarding the access location.

The board requested and received from the applicant a detailed analysis of an alternate 4 way intersection with the project access at Mountain Road. The board finds that the alternate 4 way

intersection does not offer any significant safety features, and in fact may offer a reduced sight distance to the south as portrayed on exhibit C10-01 Sight Distance Comparison. The board finds that one accident has occurred within ½ mile in either direction on Pleasant Valley Road of the proposed access road. Said accident was 0.47 miles south of the Pleasant Valley Road/ Mountain Road intersection and was the result of the motorist following another vehicle too closely and not that of intersection geometry.

The board received evidence submitted by one interested party Peter Duval regarding traffic speed along Pleasant Valley Road traveling both north and south of the proposed access intersection. The board finds the Duval submittal presented the 85<sup>th</sup> percentile speed profile to be 51-MPH southbound and 54MPH northbound as measured in 2001, decreasing to 43-MPH north and southbound as measured in 2005. The board finds the speed survey conducted by the applicant's traffic engineer in June of 2015 indicated the 85<sup>th</sup> percentile speed was 44-MPH. The board finds the posted speed limit on Pleasant Valley Road in the vicinity of the project access road to be 30-MPH, and that a majority of the vehicles passing the project area exceed the posted speed limit.

The board find the proposed access road intersection with Pleasant Valley Road is designed to meet the minimum safe stopping speed of 50-MPH, which exceeds the 85<sup>th</sup> percentile speed quoted in the Duval submittal and the applicants traffic report.

The board finds the average daily traffic volume along Pleasant Valley Road to be 1400 vehicles per day. The board finds the AM peak hour volume to be 120 vehicles per hour and the PM peak to be 130 vehicles per hour. The board finds that traffic generated by the project at full build out will be 67 vehicle trip ends per day with an AM peak hour volume of 14 vehicle trip ends and PM peak to be 8 vehicle trip ends. The board finds that the additional traffic as calculated by the applicants engineer will not create an undue adverse impact to the traffic conditions on Pleasant Valley Road.

The board considered the testimony of the applicant's engineer, the applicant's traffic study, the independent analysis of the traffic study, and supplemental written statements of the applicant's traffic engineer as to the suitability of the proposed intersection. The board finds that No other interested parties presented credible evidence disputing or conflicting with the traffic study's findings or the independent review of the traffic study. The board finds that the proposed development intersection with Pleasant Valley Road will not create an undue adverse impact with regards to safe vehicular ingress and egress.

### **Travel Lanes and Shoulder Widths, Rural Roads**

The board finds the travel lanes and shoulder widths of the project access road conform to the VAOT design standard A-76, which is incorporated as part of the ULUDR.

### **Public Facilities & Utilities, Section 8.7**

The board finds there are no public facilities proposed with this project and the board finds that electric, data and communication utilities are proposed to be underground.

## **Legal Requirements, Section 8.8**

The board finds the proposed roadway maintenance agreements satisfactorily outline the continued operation and maintenance of the common infrastructure improvements associated with the proposed project.

### **PRD General Standards**

In addition to meeting all applicable subdivision review standards under Article VIII, a proposed Planned Residential Development (PRD) shall meet additional standards in accordance with Article IX:

1. The board finds that the Planned Residential Development (PRD) was utilized for the purpose of clustering the homes near Pleasant Valley Road so the rear portion of the lot could be preserved. The homes are situated in such a way to completely avoid development in the Deer Wintering Area, the Special Flood Hazard Area and the stream. The board finds this is consistent with the goals and policies of the Underhill Town Plan, the purpose of the zoning district where the project is located, and the regulations not modified through PRD review and approval.
2. The board finds the PRD presented an environmentally sensitive, effective and unified treatment of the site, with the additional findings:
  - i. The board finds that the project locates and clusters development on the most developable portions of the site(s) and excludes from development areas of very steep slope (>25%), surface waters, wetlands and associated buffer areas in accordance with the regulations;
  - ii. The board finds that the preservation of the deer wintering area designates functional open space which meets the requirements of Sections 8.3 and 8.4, and, to the extent physically feasible, is contiguous with such land on adjoining parcels and incorporates significant natural, cultural and scenic resources identified for protection;
  - iii. The board finds that the proposed development reinforces planned patterns and densities of development for the zoning district, including lot size and layout, a pedestrian-scale and orientation, and connections to existing roads;
  - iv. The board finds the proposed development integrates vehicular and pedestrian circulation with neighboring properties and public rights-of-way;
  - v. The board finds that the proposed development minimizes site disturbance and infrastructure development costs and, through lot layout, orientation and site design maximizes opportunities for energy efficient design and access to and the sustainable use of renewable energy resources.
3. The board finds that much of the internal development is screened from adjoining properties either by vegetation or topography. The landscaping proposed on lot #1 & #3 will help screen the development from the public and, will aid in maintaining the character of the district, and will minimize the visual impact of the development from adjoining public rights of way.

### **III. CONCLUSION**

The board is satisfied with the level of investigation, engineering and evaluation conducted in the application submittal and review process concerning the project. While much of the testimony, discussion and emotion with regards to the project focused around traffic, safety and the access road, the board thoroughly reviewed all aspects of the proposal under the evaluation criteria in the ULUDR.

The board concludes that the level of detail requested was met and the board finds there will be no undue adverse impact to the town from the proposed development.

### **IV. DECISION AND CONDITIONS OF APPROVAL**

Based upon the findings above, and subject to the conditions below, the Development Review Board grants approval for the subdivision as presented at the final hearing with the following conditions.

- A. The proposed curb-cut for the development road and lot access drives shall carry an Access Permit as approved by the Underhill Selectboard pursuant to the Underhill Driveway, Road and Trail Ordinance.
- B. The roadway name of the project development access road shall be approved by the Underhill Selectboard to ensure no duplication and conformance with E911 conventions.
- C. Modifications to driveway design and location within an individual lot to access the approved building envelopes shall be governed by the Underhill Selectboard and do not need to come before this board for approval, provided:
  - a. The curb cut application includes a letter from an engineer or qualified consultant confirming no impact or adverse effect on the overall storm water management plan.
  - b. A size modification of the approved building envelope is not proposed.
- D. The Common Roadway Maintenance Agreement shall be executed and recorded prior to the issuance of an occupancy permit for any lot.
- E. Clear cutting of any of the parcels is restricted to the building envelope areas and those areas necessary for utility installation.
- F. Electric, data and communication utilities shall be underground.
- G. For purposes of issuing a certificate of completion or occupancy permit, the board requires the landscaping be provided on lot #1 and lot #3. Additional landscaping is at the discretion of the developer.
  - a. The board requires a one year surety on the landscaping installed on lot#1 & #3.
- H. Conditions of the ANR Wastewater System and Potable Water Supply Permit shall be incorporated herein.
- G. The Board approves a Planned Residential Development layout for the property, with some lots less than the standard minimum acreage. Building envelopes, for all the lots are identified and modified as follows:
  - a. Lot #1 - Front yard is identified along Pleasant Valley Road. The land along the project access roadway shall be considered side yard. Approved acreage 2.74 acres; Zoning Setbacks are modified as follows:

- i. Front yard setback– increased to 250’ from Pleasant Valley Road R-O-W. This setback applies to all structure including outbuilding and accessory structures.
    - ii. Side & rear yard setbacks –  
Decreased to 20’ from boundary line shared with Lot #2  
Decreased to 45’ from Lot #3 north of the hammerhead  
Increased to 100’ from the easement for the development road
  - b. Lot #2 – Frontage waived. Front yard is identified along Pleasant Valley Road. Approved acreage 2.50 acres; Zoning Setbacks are modified as follows:
    - i. Front yard setback – increased to 110’ from Pleasant Valley Road R-O-W. This setback applies to all structure including outbuilding and accessory structures.
    - ii. Side & rear yard setbacks –  
Increased to 100’ from the boundary line shared with Lot #1  
50’ from the boundaries shared with Lot #4 and with NR003 (N/F Angelino)
  - c. Lot #3 - Front yard is identified along the project access roadway. Approved acreage 2.80 acres ; Zoning Setbacks are modified as follows:
    - i. Front yard setback– decreased to 50’
    - ii. Side & rear yard setbacks –  
50’ from boundary lines shared with Lot #1, Lot #4 and Lot #5.  
Increased to 95’ from boundary shared with PV099 (N/F Gregson)
  - d. Lot #4 – Frontage waived. Approved acreage 10.19 acres; Zoning Setbacks are modified as follows:
    - i. Front yard setback– does not apply
    - ii. Side & Rear yard setbacks –  
Decreased to 30’ from boundaries shared with Lot #2, Lot #3 & Lot #5  
50’ from the boundary shared with NR003 (N/F Angelino)
    - iii. Natural features and habitat - 100’ from mapped deeryard as shown on drawing “C2-01 Site Plan” and avoiding areas of steep slopes
  - e. Lot #5 - Frontage waived. Approved acreage 6.79 acres; Zoning Setbacks are modified as follows:
    - i. Front yard setback– does not apply
    - ii. Side & Rear yard setbacks –  
Increased to 90’ from boundary shared with Lot #3  
Decreased to 30’ from boundary shared with Lot #4  
50’ from boundary shared with PV099 (N/F Gregson)
    - iii. Natural features and habitat - 100’ from mapped deeryard as shown on drawing “C2-01 Site Plan” and avoiding areas of steep slopes
  - f. Applicant’s Engineer shall modify typical building envelopes show on drawing C2-01 Site Plan to reflect “approved” setbacks and shall include the avoidance of steep slopes. Building envelope restrictions are only intended to regulate placement of above surface structures.
- I. The proposed trail easement across lots 4 & 5 shall be benefit the Town of Underhill to be established by the Town of Underhill on the location as shown, or further west in order to provide a continuous path through the property.

- J. Prior to the issuance of any building permit for lots #4 & #5, the applicant shall provide evidence that deed language allowing the trail easement as described above and protecting the deer yard from clear cutting has been incorporated into the lot descriptions.
- K. The board recognizes significant earth work will be required during construction and requires the applicant follow the erosion control plan for mitigation of the movement of water borne sediment or airborne particles.
- L. The E-911 codes for the lots shall be posted per the Underhill Jericho Fire Department specifications prior to issuance of an occupancy permit.
- M. Per Section 7.2(B), no land shall be subdivided until final subdivision approval has been obtained from the DRB and the approved subdivision plat is recorded in the Underhill Land Records.
- N. No transfer, sale or long-term lease of title to property as defined under 32 VSA §9601 of any portion of an existing lot; predevelopment site work; or issuance of zoning permits to develop a subdivided lot shall occur until final subdivision approval has been obtained from the DRB and the final mylars have been recorded in the Underhill Land Records [Section 7.2(C)].
- O. The parcel codes for all Lots shall appear on the final mylars. Prior to submitting the mylars, please contact the Zoning Administrator for the parcel codes.
- P. The final plat and engineering site plan(s) shall be submitted for recording within 180 days of the date of this approval in accordance with Section 7.7.
- Q. All subdivision and recording fees must be paid in full prior to recording a subdivision plat in accordance with Section 7.7(B).
- R. While technically subject to an administrative approval, the board approves boundary line adjustment with the Angelino property (NR003 - N/F Angelino).
- S. Nothing in this decision shall alter the conditions of approval of the Home Industry Occupation of the Angelino property under DRB-13-03, issued 18 April 2013.

Dated at Underhill, Vermont this 1<sup>st</sup> day of **February, 2016**.

*Charles Van Winkle*

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Charles Van Winkle, Chair, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings 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. Appeal period ends 4 March 2016.