

Town of Underhill
Development Review Board Minutes
Chairperson Charles Van Winkle

August 6, 2012

6:15 PM: Site Visit at 352 Mountain Road (MT352X, end of Stevensville Rd.) for the VT ANR Dept. of Forests, Parks, and Recreation Site Plan Review Hearing.

Board Members Present:

Penny Miller, Vice/Acting Chair
Will Towle (recused)
Chuck Brooks
Matt Chapek

Staff/Municipal Representatives Present:

Kari Papelbon, Zoning & Planning Administrator
Brad Holden, Selectboard Chair

Also Present:

Gary Sawyer, VT Dept. of Forests, Parks, and Recreation, Applicant; 4 neighbors

The Underhill Development Review Board does not take testimony during a site visit. The purpose of the visit is to afford the Board Members and interested parties the opportunity to familiarize themselves with the existing conditions of the project site. Any discussion, comments or communication made during the site visit is not considered as testimony and is therefore not part of the official record or evidence submitted for consideration.

At the conclusion of the site visit the DRB traveled back to the Underhill Town Hall.

7:10 PM: Vice/Acting Chairperson Penny Miller called the Niles sketch plan review meeting to order at the Underhill Town Hall.

Board Members Present:

Penny Miller, Vice/Acting Chair
Will Towle
Chuck Brooks
Matt Chapek

Staff/Municipal Representatives Present:

Kari Papelbon, Zoning & Planning Administrator
Brad Holden, Selectboard Chair

Applicant(s) Present:

Thomas and Roxanne Niles
137 River Rd.
Underhill, VT 05489

Others Present (all for next hearing):

Gary Sawyer, VT Dept. of Forests, Parks, and Recreation
Karen and Rob Williams
Donald and Gail Canedy
Bob and Patsy McLaughlin
Jeff and Karen Davis

Identifier:	Contents:
ZA-1	Thomas and Roxanne Niles' Application for Subdivision: Sketch Plan (dated 7-11-12)
ZA-2	A copy of the completed Subdivision Checklist: Sketch Plan
ZA-3	A copy of the proposed plan prepared by Thomas Niles (map dated 6-22-12)
ZA-4	A copy of the written intentions for sketch plan

- Vice/Acting Chairperson Penny Miller began the meeting by explaining the procedure for the sketch plan meeting, which comes under the 2012 Unified Land Use and Development Regulations and the 2002 Road Policy.
- Thomas Niles, Applicant, provided a brief summary of the project. The property has been acquired over several years and the desire is to create a 10-acre lot around the existing house. No additional development is proposed.
- Board Member Will Towle asked whether the remaining 90 acres would be undeveloped. Mr. Niles stated that it would.
- Board Member Chuck Brooks stated his personal opinion that the 90 acres should remain separate from the recently-purchased adjacent property at 44 Orchard Rd.
- Vice/Acting Chair Miller read the comments/questions from the information packet. ZA/PA Papelbon provided additional clarifications.
- Mr. Niles stated that test pits had been dug for a replacement septic system.
- Vice/Acting Chair Miller asked if there were any public comments. There were none.
- Board Member Matt Chapek asked if the hope was to keep the 90 acres undeveloped in perpetuity. Mr. Niles explained that they purchased the land when it was subdivided to keep it undeveloped but that they do not want to add restrictions to the land restricting or prohibiting future development. Vice/Acting Chair Miller suggested contacting the Land Trust.

- Vice/Acting Chair Miller asked if there were further comments.

7:24 PM: Vice/Acting Chairperson Miller asked if the Board felt they had enough information to make a decision on the sketch plan application. The Board indicated that they did and determined that the proposal qualified as a minor subdivision. Vice/Acting Chair asked whether the Niles would like to request a waiver of the preliminary hearing requirement. A brief discussion ensued. Mr. Niles requested a waiver of the preliminary hearing requirement.

7:28 PM: Board Member Chuck Brooks made a motion, seconded by Board Member Will Towle, to waive the preliminary hearing requirement. The motion was passed by all Board Members present.

Vice/Acting Chairperson Miller asked if the Board wished to discuss the application in open or closed session. After a very brief discussion of procedure, the Board felt that they had enough information to vote. Board Member Will Towle made a motion, seconded by Board Member Chuck Brooks, to accept the sketch plan application. The motion was passed by all Board Members present.

7:30 PM: End of sketch plan meeting. Mr. and Mrs. Niles left at this point. Board Member Will Towle recused himself for the next hearing (VT ANR).

Board Members Present:

Penny Miller, Vice/Acting Chair
Chuck Brooks
Matt Chapek

Staff/Municipal Representatives Present:

Kari Papelbon, Zoning & Planning Administrator
Brad Holden, Selectboard Chair

Applicant(s) Present:

Gary Sawyer, VT Dept. of Forests Parks, and Recreation
111 West St.
Essex Junction, VT 05452

Others Present:

Will Towle
260 Stevensville Rd.
Underhill, VT 05489

Karen and Rob Williams
P.O. Box 139 (ST223)
Underhill Center, VT 05490

Donald and Gail Canedy

P.O. Box 6 (EM044)
Underhill Center, VT 05490

Bob and Patsy McLaughlin
Wheeler Associates
37 Foster Rd. (ST246)
Essex Junction, VT 05452

Jeff and Karen Davis
P.O. Box 229 (ST204)
Underhill Center, VT 05490

Identifier:	Contents:
ZA-1	Gary Sawyer's (VT Dept. of Forests, Parks, and Recreation) Conditional Use/Site Plan Review Hearing Request (dated 7-18-12)
ZA-2	A copy of the completed Site Plan Review Standards Findings Checklist
ZA-3	A copy of the Parking Area Site Plan prepared by Gary Sawyer (dated 7-19-12)
ZA-4	A copy of the tax map for MT352X
ZA-5	A copy of the hearing notice published in <i>The Burlington Free Press</i> by 7-21-12

7:32 PM: Vice/Acting Chair Penny Miller called the VT ANR Dept. of Forests, Parks, and Recreation Site Plan Review hearing to order. Vice/Acting Chair Miller apologized and explained that there was not a quorum of the Board present; therefore, the hearing would have to be continued. After a brief explanation of process, all interested parties provided their mailing addresses to be entered into the record as having attended and for further notifications.

The Board decided to continue the hearing to Monday, August 20, 2012 at 6:30 PM.

7:42 PM: End of meeting.

These minutes of the 8-6-12 meeting of the DRB were accepted

This 7th day of September, 2012.

Penny M Miller
Penny Miller, Vice Chairperson

These minutes are subject to correction by the Underhill Development Review Board. Changes, if any, will be recorded in the minutes of the meeting of the DRB.