

**Town of Underhill
Development Review Board Minutes
March 5, 2018**

Board Members Present:

Charles Van Winkle, Chair
Matt Chapek
Mark Green
Daniel Lee
Karen McKnight
Penny Miller
Stacey Turkos

Staff/Municipal Representatives Present:

Andrew Strniste, Planning Director

Others Present:

Marc Maheux (38 Poker Hill Road)
Mary Potvin (27 Moose Run)
Phil Potvin (27 Moose Run)
Tammy Boudah (318 Pleasant Valley Road)
Liam Murphy (275 College St., Burlington, VT)
Katelyn Ellermann (275 College St., Burlington)

6:32 PM – 02/05/2018 DRB Public Meeting

- DRB Members convened at Town Hall at 6:25 PM.
- [6:30] Chair Van Winkle called the meeting to order.
- [6:31] Chair Van Winkle asked for public comment. Marc Maheux, resident at 38 Poker Hill Road, provided comment in regards to a subdivision approval he obtained in 2016. He informed the Board that he did not final his Mylar in time, thus invalidating the subdivision approval. He attended the public comment period at the evening's hearing to ask the Board to waive sketch plan review and preliminary subdivision review, and go straight to final subdivision review. He advised that a number of the Board members knew of the project. Chair Van Winkle advised that the Board has to be transparent with what is happening. Mr. Maheux advised that he didn't want to drag out the subdivision. Mr. Maheux confirmed that he had all of the permits. The Board would like conduct a site visit. Chair Van Winkle and Staff Member Strniste discussed the interplay with the Unified Land Use & Development Regulations.

**6:41 PM – Duval Continued Conditional Use Review Hearing
27 Moose Run (MO027), Underhill, Vermont**

Docket #: DRB-18-05

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- [6:41] Chair Van Winkle began the meeting by providing an overview of conditional use review hearing's purpose. The applicants' children, Mary and Phil Potvin, were before the Board to discuss the application pertaining to the proposed construction of a detached accessory dwelling on property their parents own at 27 Moose Run (MO027) in Underhill, Vermont. Also in attendance were Tammy Boudah, Liam Murphy, and Katelyn Ellermann. While members of the Board advised that the Potvins had performed work on their vehicles; however, these members advised that they would be able to render an impartial decision. The attending Potvins did not raise any issues. Staff Member Strniste entered Exhibit O, a memorandum from the school district advising their ability to serve, into the record. The Board apologize for not attending the site visit as there was miscommunication between Staff and the Board.
 - [6:47] Ms. Mary Potvin confirmed that the location of the detached accessory dwelling and that it would have onsite water and wastewater. Chair Van Winkle advised that the applicants were in front of the Board to approve two requests: 1) building a detached

accessory dwelling, and 2) exceeding the 50% of the principal dwelling's square footage requirement. The applicants were permitted to have up to 75% with approval from the Board. Ms. Potvin advised that the loft area was not included in the calculation. When recalculating the percentage of the principal dwelling's square footage requirement, the detached accessory dwelling would be approximately 62% of the principal dwelling unit.

- [6:52] Staff Member Strniste provided an overview of his staff report and his comments. Ms. Potvin provided the Board an updated site plan illustrating the isolation distances and well shields (Exhibit P). No public comment was offered in regards to the application. Board Member Chapek asked about the road width and whether Moose Run would need to be widened. Board Member Green asked a clarification about the detached accessory dwelling unit's setback. Board Member Chapek asked if the 200 ft. setback requirement from Pleasant Valley Road was still in effect, which Staff advised that it was not.
- [6:59] Chair Van Winkle asked if the Board had enough information to make a decision on the application. The Board advised that they did. Board Member Chapek made a motion to close the evidentiary period of the hearing. Board Member McKnight seconded the motion, which was approved unanimously. Board Member Chapek made a motion to approve the decision and craft the decision in deliberative session. Board Member Turkos seconded the motion, which was approved unanimously. Staff Member Strniste advised of the purpose of crafting the decision in deliberative session.

7:03 PM – Other Business

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- [7:03] Board Member McKnight made a motion to move into executive session, which was seconded by Board Member Chapek. The motion was approved unanimously.
 - [9:40] Board Member McKnight made a motion to come out of executive session, which was seconded by Board Member Miller. The motion was approved unanimously.
 - [9:41] The minutes of March 5, 2018 will be approved at the next meeting.
 - [9:42] Board Member Green made a motion to adjourn. The motion was seconded by Board Member Turkos and approved unanimously.

Submitted by:

Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 03/05/2018 meeting of the DRB were accepted
this 19 day of MARCH, 2018.



Charles Van Winkle, Development Review Board Chair