

**Town of Underhill  
Development Review Board Minutes  
March 20, 2017**

**Board Members Present:**

Charles Van Winkle, Chairperson  
Matt Chapek  
Mark Green  
Mark Hamelin  
Karen McKnight  
Penny Miller

**Staff/Municipal Representatives Present:**

Andrew Strniste, Planning Director

**Others Present:**

Stacey Turkos (Prospective Board Member)

**6:30 PM – 03/20/2017 DRB Public Meeting**

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- DRB Members convened at Town Hall at 6:30 PM. Chair Van Winkle called the meeting to order.
- [6:31] Chair Van Winkle asked for public comment. No public comments were provided.

**6:32 PM – Review of Rules of Procedure**

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- [6:34] Chair Van Winkle began the meeting by explaining that the Board’s main purpose for the evening’s meeting was to review and discuss the Rules of Procedure that have been in place since 2014. He continued to explain that the rules of ethics/conflicts of interest end when a Board Member’s term ends. Board Member Green asked if the Board was considering adopting the Rules of Procedure that evening, and Chair Van Winkle answered in the affirmative. Board Member Miller recommended that the Board read the Rules of Procedure at home, and that they should discuss any potential changes at a later date. The Board concurred, and an editable copy would be sent to the Board by Staff Member Strniste.
- [6:40] Board Member Miller asked if applicants should be flagging areas of interest during site visits. Staff Member Strniste advised the Board that flagging areas is something that he would begin informing the applicants to perform prior to the site visit.
- [6:42] A discussion ensued about the Planning Commission’s presentation regarding accessory apartments and multi-family housing. Staff Member Strniste provided the Board background about the questions that were asked in mid-December that led to the presentation materials. The Board agreed that they should have a unified voice in their comments to the Planning Commission, and that Charlie’s responses provided a good overview of the Board’s opinions. Board Member McKnight inquired about if the Board was overstepping their authority, as the Board may be better suited on pointing out incongruences. Board Member Miller advised that the Board could be helpful in “teasing out” scenarios that the Planning Commission may not have thought about. A brief discussion then ensued about the owner occupancy requirement incorporated into the Regulations for accessory dwellings.
- [6:52] Chair Van Winkle advised the Board that they needed to elect officers. Board Member Chapek nominated Board Member Van Winkle to be the Chair, which was seconded by Board Member Miller. The Board unanimously voted to have Board Member Van Winkle serve as Chair. Chair Van Winkle stated that his desire of having the Board continue with job captains to prevent one board member having influence over all of the decisions.

- [6:56] The Vice Chair position is to remain vacant, and if Chair Van Winkle is unable to attend a meeting, then the rest of the Board will share the responsibility that the Vice Chair would typically have.
- [6:57] Board Member Miller volunteered to be the Clerk. Chair Van Winkle nominated Board Member Miller to be the Clerk, which was seconded by Board Member McKnight. The Board unanimously voted to have Board Member Miller serve as clerk.
- [6:58] Chair Van Winkle asked for a motion to approve the minutes of March 6, 2017. Board Member McKnight made a motion to approve the minutes of March 6, 2017, which was seconded by Board Member Hamelin. All were in favor.
- [6:59] Chair Van Winkle began a discussion about the Board's upcoming schedule. He informed the Board that the Vermont League of Cities & Towns (VLCT) would be providing a training seminar in the upcoming weeks. Staff Member Strniste advised that the Board that there would be sketch plan application during the April 3 meeting date. The April 17 meeting date would contain a preliminary subdivision hearing, a conditional use hearing, and a subdivision amendment hearing. A discussion ensued about the subdivision amendment hearing and what the Board would like to see as part of that application. In addition, the Board expressed their desire to have the material reviewed by a third-party engineer.
- [7:12] Board Member McKnight informed Chair Van Winkle that the Conservation Commission would like to attend the future Chamberlin site visit in order to observe the impacted wetlands. A brief discussion ensued on when site visits should be scheduled for subdivision applications.
- [7:22] Staff Member Strniste fielded opinions from the Board regarding an applicant wishing to move his drilled well that was a part of a recent subdivision amendment. Chair Van Winkle advised that the Board relies on the State (who is the entity that issues the permit), which indicates to the Board that the applicant is not polluting the ground water or impacting adjacent neighbors, and therefore, an updated permit would not impact the Board's decision. Chair Van Winkle also advised that the Board granted subdivision approval and not site plan approval, and therefore, the relocation of the drilled well would be the equivalent of the house being relocated within the building envelope. Staff Member Strniste expressed his concern with the recorded engineering drawings; however, believe he may have the authority to administratively approve the proposal given the discussion that occurred.
- [7:36] Staff Member Strniste asked the Board what they wanted to see with an upcoming waiver application regarding a single-family dwelling built either entirely within, or mostly within, a side setback. Afterward, Staff Member Strniste updated the Board about the Tomasi application, and the conversation he had with the applicant's representative regarding the requested trail and pedestrian easement. Following the update, Staff Member Strniste advised the Board of a potential application regarding access to a lot abutting a Class IV highway. He and the Board determined that the application would need be to be submitted as a site plan review application.
- [8:14] Staff Member Strniste advised the Board that upcoming application containing the house located within the setback would likely be scheduled in the month of May. The Board determined they would be able to hold the other three hearings on April 17, and then determined which hearings would require site visits. They also addressed what materials would be required for the subdivision amendment application.
- [8:32] Board Member McKnight advised Staff Member Strniste that Ms. Mahoney from the Chittenden County Regional Planning Commission would come and advise the Conservation

Commission and the Planning Commission about the importance of habitat blocks and prime agricultural soils, as well as any applicable criteria.

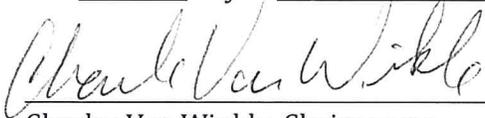
- [8:40] Chair Van Winkle asked for a motion to adjourn. Board Member Miller made the motion to adjourn, which was seconded by Board Member Chapek. Motion approved unanimously.

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Submitted by:

Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 03/20/2017 meeting of the DRB were accepted  
this 3 day of APRIL, 2017.



Charles Van Winkle, Chairperson