

**Town of Underhill
Development Review Board Minutes
July 16, 2018**

Board Members Present:

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

Staff/Municipal Representatives Present:

Andrew Strniste, Planning Director

Others Present:

Andy Rowe (14 Morse Drive, Essex, VT)
Marilyn Frederick (14 Evergreen Drive)
Marjory Curran (81 Maple Leaf Road)

6:30 PM – 06/04/2018 DRB Public Meeting

- DRB Members convened at Town Hall at 6:25 PM after attending a site visit at 81 Maple Leaf Road Stevensville Road.
- [6:30] Chair Van Winkle asked for public comment. No public was in attendance, and therefore no public comment was provided.

**6:36 PM – St. Thomas Church Site Plan Review
2 Green Street (GR002X), Underhill, Vermont**

Docket #: DRB-18-12

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- [6:36] Chair Van Winkle began the meeting by explaining the procedure for a site plan review hearing. The applicant's representative, Andy Rowe, was before the Board to discuss the application pertaining to the construction of an addition on the south side of the existing church on land St. Thomas Church owns located at 2 Green Street in Underhill, Vermont. Another representative from the church, Marilyn Frederick, was also in attendance. No ex parte communications between the Board and applicant occurred and no conflicts of interest were present. Exhibit M – Floor Plans were added to the record.
 - [6:40] Mr. Andy Rowe advised that the church had two lots, the subject parcel at 2 Green Street and the parking lot at 4 Pleasant Valley Road. The church and partage were located on the 2 Green Street parcel, which was 1.55 acres. The purpose of the addition was to make the church full accessible, as right now, the church's nativity area has limited accessibility and the basement has none. Mr. Rowe continued by explaining the addition was 18 feet by 18 feet in the location of the existing ramp. He informed the Board that the proposed project was done as an addition to avoid the installation of a sprinkler if the project had been proposed as a renovation of an existing part of the building. Exhibit N – Elevations was added to the recording. A discussion about lighting ensued. The installation of a new recessed fixture would be installed at the end of the ramp. Exhibit O – LED Recessed Can Lighting Information was added to the record. Marilyn Frederick advised that the church would be adding stained glass windowing, consistent with the other existing stained glass windowing, to the addition. Board Member Chapek inquired about the existing ramp. Mr. Rowe advised that the current ramp is 6 inches past the right-of-way boundary, where the addition will be approximately 6 feet before the right-of-way. Exhibit P – Photograph of Existing Ramp was added to the record. Chair Van Winkle asked if the applicant was hoping to build this year, which the applicant responded in the affirmative.
 - [6:49] Staff Member Strniste provided an overview of his comments in the staff report. Board Member Miller asked a clarification question about the setback requirements as they

relate to the new 2018 zoning regulations. Chair Van Winkle inquired about an access permit. Staff Member Strniste advised that he would write a memorandum to the Selectboard advised that access review is not required. Board Member Chapek asked a clarification question about the right-of-way. Exhibit Q – Survey of 2 Green Street was submitted into the record. Mr. Rowe advised that he found some of the pins and that the roadway was not centered in the right-of-way.

- [6:53] Board Member Green asked about the location of the septic system.
- [6:54] No other comments were provided. No members of the public provided comment. The Board advised that they had enough information to make a decision on the application. Board Member Turkos made a motion to close the evidentiary portion of the hearing, which was seconded by Board Member Lee. The motion was approved unanimously. Board Member Turkos made a motion to vote to approve the application and craft the decision in closed, deliberative session. Board Member McKnight seconded the motion, which was approved unanimously.

7:02 PM – Other Business

- [7:02] Chair Van Winkle inquired with the Board if they were open to delegating authority to the Zoning Administrator to approve deviations consistent with Board decisions until the certificate of occupancy permit is issued. Board Member Green advised that he was comfortable with the concept with the current zoning administrator; however, would like to revisit for subsequent zoning administrators. Chair Van Winkle advised that the Board does not have to allow this action for every application, and that he would like to include this condition in both the Howard and St. Thomas Church decisions. Staff Member Strniste advised that the zoning administrator could provide notice to the Board should anything change.

7:11 PM – Curran Combined Preliminary & Final Subdivision Review Docket #: DRB-18-09 81 Maple Leaf Road (ML081), Underhill, Vermont

- [7:11] Chair Van Winkle began the meeting by explaining the procedure for a combined preliminary & final subdivision review hearing. The applicant, Marjory Curran, was before the Board to discuss the application pertaining to the 2-lot subdivision of property she and her husband, Dennis Curran, own located at 81 Maple Leaf Road in Underhill, Vermont. No other interested parties or people were in attendance. No ex parte communications between the Board and applicant occurred and no conflicts of interest were present. Exhibits H, I, J as they relate to the wastewater plans were distributed to the Board prior to the hearing.
- [7:14] Chair Van Winkle summarized the application on behalf of the applicants – that the applicants were subdividing a 10 acre lot with the existing single-family dwelling on the south side of Maple Leaf Road. The remaining lot would be considered a “wood lot,” and would not additional review should the applicants wish to further develop the lot.
- [7:15] The Board discussed the septic design that was submitted before the hearing. Ms. Curran advised that they (the applicants) wanted to know if the soil was good for wastewater. Board Member Chapek inquired if the land north of Maple Leaf Road will be retained with one of the lots to the south of Maple Leaf Road. Ms. Curran informed the Board that that issue was up for debate. Staff Member Strniste opined that the land north of Maple Leaf Road should likely be retained with one of the lots for the Listers. In addition, he advised how he would approach the subdivision of the land north of Maple Leaf Road as it

relates to the definition of "Contiguous Land." Board Member McKnight asked about the logic of obtaining a wastewater plan at this point since the lot would be a "wood lot." The applicant advised that they wanted to see if they had a buildable lot. Chair Van Winkle also advised that obtaining a wastewater permit would avoid having to get a wastewater permit under the new rules being drafted.

- [7:24] A discussion about frontage ensued.
- [7:33] The Board advised that had enough information to make a decision on the application. Board Member Turkos made a motion to close the evidentiary portion of the hearing. Board Member Chapek seconded the motion, which was approved unanimously. Board Member Chapek made a motion to approve the application in open session and craft the decision in closed deliberative session. The motion was seconded by Board Member Miller and approved unanimously.
- [7:35] Ms. Curran advised that the Board did not have to prolong the issuance of the Board's decision.

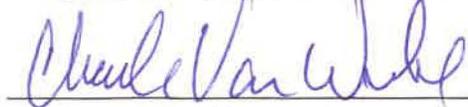
7:38 PM – Other Business

- [7:38] Board Member Green made a motion to approve the minutes of April 9, 2018. The motion was seconded by Board Member Lee, and approved unanimously. Board Members Miller, Van Winkle and McKnight abstained from the vote.
- [7:40] Board Member Miller made a motion to approve the minutes of April 16, 2018. The motion was seconded by Board Member Chapek, and approved unanimously. Board Members Van Winkle, Turkos and McKnight abstained from the vote.
- [7:42] Board Member McKnight made a motion to approve the minutes of June 4, 2018. The motion was seconded by Board Member Chapek, and approved unanimously. Board Members Miller and Green abstained from the vote.
- [7:45] Board Member Miller made a motion to approve the minutes of June 18, 2018. The motion was seconded by Board Member McKnight, and approved unanimously. Board Member Turkos abstained from the vote.
- [7:48] Board Member Turkos advised that she would try using google documents during the drafting of the Curran decision to determine if using the google document function was a better way to draft decisions. Staff Member Strniste provided an overview of a Poker Hill School boundary line adjustment proposal issue. In addition, he also provided an overview of the Maple Leaf Farm/ReTribe zoning issue occurring. Chair Van Winkle inquired about the current approval and how the Board feels about it. Board Member Chapek advised that the he felt the Board had been flexibility, and that the application got the support of the community.
- [8:26] Board Member Turkos made a motion to adjourn, which was seconded by Board Member Chapek. The motion was approved unanimously.

Submitted by:

Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 07/16/2018 meeting of the DRB were accepted
this 29 day of October, 2018.



Charles Van Winkle, Development Review Board Chair