

**TOWN OF UNDERHILL, VT**  
Planning & Zoning Administrator

P.O. Box 120, Underhill, VT 05489  
E-mail: [smcshane@underhillvt.gov](mailto:smcshane@underhillvt.gov)

Phone: (802) 899-4434, x106  
Fax: (802) 899-2137

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**MEMORANDUM**

To: DRB, SB, UJFD, UCC  
From: Sarah McShane, PZA  
Date: June 15, 2015  
Re: Agenda and Information for 6/15/2015 Meeting

**Development Review Board**  
**AGENDA**

**Monday, June 15, 2015 - 6:30 Public Hearing**  
**Underhill Town Hall, 12 Pleasant Valley Rd. Underhill, VT**

*Note: The DRB will perform a site visit at 18 Meadow Lane at approximately 5:45 PM. The DRB will reconvene at Town Hall at approximately 6:30 PM for the public hearing.*

- 6:30 PM            Public Comment Period
- 6:35 PM            Conditional Use Review- Per Section 3.18 (Continued)  
Applicant: D. Walker  
Docket #: DRB 15-02  
Location: 53 Tupper Road  
*(Note: This application is continued from 4/20/2015 & 5/18/2015)*
- 7:00 PM            Conditional Use Review- Per Section 4.2  
Applicant: A. Morse  
Docket #: DRB 15-03  
Location: 18 Meadow Lane  
*(Applicant requests approval to expand existing garage for a one bedroom accessory dwelling.)*
- 7:30 PM            Conditional Use Review- Per Section 4.2  
Applicant: G. Johnson & H. Howard  
Docket #: DRB 15-04  
Location: 16 Paul Cook Road  
*(Applicant requests approval to construct a yurt as an accessory dwelling.)*
- 8:00 PM            Other Business  
Review minutes of 6/1/2015
- 8:15 PM            Adjourn
- 
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Morse  
Conditional Use Review  
June 15, 2015

**DRB 15-03 (MD018) Contents:**

- a) Conditional Use Review Hearing Request (signed by applicant 5/14/15);
- b) Conditional Use Review Standards Findings Checklist;
- c) Site Plan (tax map) indicating existing improvements and proposed accessory dwelling (5/16/15);
- d) Sketch drawing of proposed addition/accessory dwelling;
- e) Building Permit Application (signed by applicant 5/14/15);
- f) A copy of the public hearing notice posted in Seven Days Newspaper;
- g) A copy of the memo to Selectboard regarding access requirements (dated 5/20/15);
- h) A copy of the Listers' Card indicating existing house and habitable floor space;
- i) Aerial photograph/tax map of the property;
- j) A copy of the procedure checklist for this meeting.

**Hearing on the Application of Alan Morse for Conditional Use Review to Construct an Accessory Dwelling**

Applicant(s): Alan Morse  
Consultant(s): N/A  
Property Location(s): 18 Meadow Lane (MD018)  
Acreage: ±1.0 Acres  
Zoning District(s): Underhill Flats Village Center

**Underhill Flats Village Center:**

1.0 acre minimum lot size

150 ft road frontage

Setbacks:

*Principal*

- Front – None
- Side & Rear – 20 ft

Max. Bldg. Coverage: 50%

Max. Lot Coverage: 75%

Max. Building Height: 35 ft

Relevant Regulations: Unified Land Use & Development Regulations (as amended 3/4/14);  
2015 Road, Driveway & Trail Ordinance

- Article II, Table 2.2 – Underhill Flats Village Center
- Section 3.7 - Lot, Yard, & Setback
- Section 3.11 – Outdoor Lighting
- Section 3.13 - Parking, Loading, & Service Areas

- Section 3.22 – Water Supply & Wastewater Systems
- Section 4.2 – Accessory Dwelling
- Section 5.4 – Conditional Use Review

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### Comments/Questions

- The applicant is requesting DRB approval to expand the existing garage by 12' x 24' for the purposes of converting the garage to a one bedroom accessory dwelling.
- “Conditional use review under Section 5.4 shall be required prior to the issuance of a zoning permit for any accessory dwelling that... requires the construction of a new accessory structure or the expansion of an existing structure.” [§4.2(B)]
- The regulations require that new accessory dwellings must be clearly subordinate to the primary dwelling and shall not exceed 50% of the total habitable floor area [unless an increase is requested- under Section 4.2(B)(3)].
- The Listers card (see attachment) indicates that the existing dwelling has approximately 1712 Sf of total finished floor space. The applicant is proposing a ~1056 sf 1 bedroom accessory dwelling. This total SF should be confirmed with the applicant. If it exceeds 50%, the applicant should request an increase under Section 4.2(B)(3).
- Shared driveway access and one additional onsite parking must be provided. The proposal appears to meet this requirement.
- Section 4.2 (Accessory Dwellings) contains the following requirements.
  1. The single family dwelling or the accessory dwelling must be occupied by the owner of the single family dwelling or a member of the owner’s family.
  2. The accessory dwelling must be clearly subordinate to the principal dwelling, and shall not exceed 50% of the existing total habitable floor area of the single family dwelling, excluding unfinished attics and basements.
  3. The accessory dwelling shall meet all setback, building and lot coverage requirements for the district in which it is located, unless a waiver is granted by the Development Review Board under Section 5.5. If an accessory dwelling is to be located within a pre-existing, nonconforming structure, it shall not increase the degree of nonconformance, except in accordance with Section 3.9.
  4. Sufficient water supply and wastewater capacity must exist to serve both the principal and accessory dwellings, as documented by a wastewater and potable water supply permit issued by the state.
  5. Shared driveway access, and one additional onsite parking space shall be provided for residents of the accessory dwelling.

\*\*The application appears to meet all of the requirements listed in Section 4.2, however the applicant has not submitted a copy of the wastewater permit or demonstrated capacity. Supplying a wastewater/potable water supply permit should be a condition of approval.\*\*

- According to the applicant’s building permit application existing building and lot coverages are well within the allowable limit ( 5% & 11% respectively).
- Review Section 5.4 – Conditional Use Review  
 Conditional use review is intended to ensure compliance with standards addressing the potential impacts of development on adjoining properties, the neighborhood, and/or zoning district in which the development is located, and the community at large. Typically, land uses are subject to conditional use review because their scale, intensity

and potential for off-site impacts warrant more careful scrutiny by the Development Review DRB. Standards and conditions relate to the identification, avoidance and/or mitigation of potential impacts.

**General Standards for Conditional Use Review**

1. The capacity of existing or planned community services or facilities.
2. The character of the area affected.
3. Traffic on roads and highways in the vicinity.
4. Bylaws in effect.
5. The utilization of renewable energy resources.
6. Performance Standards.
7. Legal Documentation

Note: In addition to the Conditional Use general standards set forth in Section C above, the Development Review DRB shall also apply all applicable site plan review standards set forth in Section 5.3.

Note: The 2015 Underhill Road, Driveway and Trail ordinance requires that applicants requiring DRB review schedule a preliminary access review with the Selectboard prior to the DRB hearing. Staff sent a memo (see attached) to the Selectboard but has not received a response. The applicant should be required to obtain a written response from the Selectboard in terms of whether or not an access permit is required.

Suggested conditions of approval:

1. *The applicant must obtain a building permit from the Zoning Administrator prior to any construction.*
2. *The permit issued for an accessory dwelling shall clearly state that the accessory dwelling is permitted only as accessory to the principal residential use of the property and as such shall be retained in common ownership.*
3. *Prior to the issuance of a building permit, the Applicant shall obtain written approval from the Selectboard that the driveway and road serving the accessory dwelling is adequate for new dwelling unit. Failure to do so will void this board's approval.*
4. *Prior to the issuance of a building permit, the Applicant shall file with the Zoning Administrator and in the land records, a state issued Wastewater & Potable Water Supply permit indicating there is adequate wastewater and potable water to serve the accessory dwelling.*
5. *Prior to the issuance of a Certificate of Occupancy the Applicant must file the following with the Zoning Administrator. [See Section 10.4]*
  - A. *The applicant documents that all necessary permits and approvals required by the zoning regulations, including applicable state and federal permits, have been obtained.*
  - B. *The applicant provides certification from a professional engineer or site technician (designer) licensed by the state that wastewater and water supply systems have been installed and tested as approved by the state.*
  - C. *The applicant provides certification from a licensed engineer that all permitted road and driveway improvements have been completed in conformance with approved plans.*

*D. The Zoning Administrator determines that the development has been completed in conformance with permits and approvals, from as-built drawings submitted by the applicant and/or site inspection.*

6. *Minor revisions to the location or dimensions can be administrative approved so long as the requested revisions are still compliant with the applicable zoning regulations and do not exceed the permitted the total habitable floor area.*
7. *The single family dwelling or the accessory dwelling must be occupied by the owner of the single family dwelling or a member of the owner's family.*
8. *The accessory dwelling must be clearly subordinate to the principal dwelling, and shall not exceed ##% of the existing total habitable floor area of the single family dwelling, excluding unfinished attics and basements.*
9. *The accessory dwelling shall meet all setback, building and lot coverage requirements for the district in which it is located, unless a waiver is granted by the Development Review Board under Section 5.5.*

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Underhill DRB Rules of Procedure  
Hearing Checklist  
Conditional Use Hearing  
Application of Alan Morse  
6-15-2015

State the following:

1. "This is a conditional use review hearing on the application of Alan Morse for approval to expand and convert the existing garage on property located at 18 Meadow Lane in Underhill, VT to a one bedroom accessory dwelling.

Conditional use review is intended to ensure compliance with standards addressing the potential impacts of development on adjoining properties, the neighborhood, and/or zoning district in which the development is located, and the community at large. Typically, land uses are subject to conditional use review because their scale, intensity and potential for off-site impacts warrant more careful scrutiny by the Development Review Board. Standards and conditions relate to the identification, avoidance and/or mitigation of potential impacts.

This application is subject to review under the Unified Land Use and Development Regulations, as amended 3/4/2014."

2. Copies of the Rules of Procedure that the Board follows are available for review from the Planning & Zoning Administrator.
3. The order of speakers tonight will be:

- a. We will hear from and ask questions of the Applicant(s);
  - ~~b. Then we will hear and ask questions of the Zoning & Planning Administrator, Sarah McShane;~~
  - c. Then we will give other persons in the room a chance to speak. Under our Rules of Procedure each speaker is limited to five minutes; however, that time can be extended upon request to and majority consent of the Board; then
  - d. The Applicant will have an opportunity to respond; then
  - e. Final comments will be solicited from all parties.
  - f. All speakers should address their comments to the Board, not to other parties present at the hearing.
  - g. Board Members may feel free to ask questions of any speaker.
4. Are any State or municipal representatives present?
  5. An Interested Parties Info Sheet has been provided to all attendees. Please review it for further information.

***Then state:***

"Only those interested persons who have participated, either orally or through written statements in a DRB proceeding may appeal a decision rendered in that proceeding to the Environmental Division of Superior Court.

6. If you are an applicant, or an interested party who wants to participate in the hearing, we will have you come up to the witness chair and clearly state your name, residential address, and mailing address if it differs.
7. I am now going to swear in all those present who wish to speak tonight. All individuals who plan to testify must take the following oath by responding "**I do**" at the end: ***"Do you hereby swear that the evidence you give in the cause under consideration shall be the whole truth and nothing but the truth under pains and penalties of perjury?"***
8. Are there any conflicts of interest or have there been any ex parte communications on the part of the Board Members?
9. At this point I am going to enter into the record the information package that was sent by the Zoning & Planning Administrator prior to the hearing. The information included in this package relevant to this hearing is:
  - a) Conditional Use Review Hearing Request (signed by applicant 5/14/15);
  - b) Conditional Use Review Standards Findings Checklist;
  - c) Site Plan (tax map) indicating existing improvements and proposed accessory dwelling (5/16/15);

- d) Sketch drawing of proposed addition/accessory dwelling;
- e) Building Permit Application (signed by applicant 5/14/15);
- f) A copy of the public hearing notice posted in Seven Days Newspaper;
- g) A copy of the memo to Selectboard regarding access requirements (dated 5/20/15);
- h) A copy of the Listers' Card indicating existing house and habitable floor space;
- i) Aerial photograph/tax map of the property;
- j) A copy of the procedure checklist for this meeting.

10. We'll begin testimony, and hear from the applicants.

~~11. Next we will hear from the Zoning & Planning Administrator.~~

12. Are there members of the public who would like to speak? Please indicate your name and address for the record.

13. Any final comments from anyone?

14. Does the Board feel that they have enough information at this time to make a decision on the application?

- a. *If more information is needed to make a decision on the application, continue the hearing to a date and time certain, and outline for the Applicant(s) what is required at that continued hearing; or*
- b. *If, by consensus, enough information has been presented to make a decision on the application, announce that the evidentiary portion of the hearing is closed.*

15. Does the Board wish to discuss the application in open or closed session? (After the ruling, continue with the info below.)

“Within 45 days from this hearing, the Planning & Zoning Administrator, on behalf of the DRB, will send a copy of the decision and letter to the Applicant(s) and those who have participated in tonight’s hearing. A 30-day appeal period will begin on the date the decision is signed.

If there are no other comments or questions we will close [this portion of] the meeting.”

DICB 15-03

# TOWN OF UNDERHILL

P.O. Box 120  
Underhill, VT 05489

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

## CONDITIONAL USE/SITE PLAN REVIEW HEARING REQUEST

### INSTRUCTIONS TO APPLICANT:

**FEES:** \$150 + Certified Mail costs + recording fees

Complete the form below and submit it to the Zoning Administrator with a check for the initial hearing fees. Include a copy of the building permit application (if applicable), two original and twelve 11" x 17" copies of a site development plan, a copy of the State Project Review Sheet, draft legal documents (if applicable), the information on the attached checklist(s), and any written waiver or modification requests. Separate State permits including, but not limited to, water/wastewater, stormwater, Act 250, and Construction General permits may be required. It is the obligation of the Applicant to contact the State Permit Specialist at 802-879-5676 to obtain a Project Review Sheet.

A hearing before the Development Review Board will be scheduled upon receipt of a complete application. For assistance with this application, please contact the Zoning Administrator at 899-4434, x106.

ZONING DISTRICT(S): Check all that apply

PROPERTY CODE: MD018

- Underhill Flats Village Center  
  Rural Residential  
  Water Conservation  
  Scenic Preservation  
  Soil & Water Conservation

APPLICANT: <u>ALAN MORSE</u>	MAILING ADDRESS: <u>18 MEADOW LANE</u>
PHONE: <u>899-3939</u>	E-MAIL: <u>MORSECODEG17@COMCAST.NET</u>
SUBJECT PROPERTY ADDRESS: <u>18 MEADOW LANE</u>	
DESCRIPTION OF PROPOSED PROJECT: <u>CONVERSION OF AN EXISTING ATTACHED GARAGE WITH A 12x24 ADDITION.</u>	
APPLICANT SIGNATURE <u>Alan Morse</u>	DATE <u>5/14/15</u>
HEARING DATE (to be determined by the Zoning Administrator) <u>June 15, 2015</u>	
SIGNATURE OF ZONING ADMINISTRATOR <u>Sarah Mathone</u>	DATE <u>5-14-2015</u>

*Paid \$150 on 5-14-2015, Check #1358 Morse*

# TOWN OF UNDERHILL, VERMONT

## Article V, Section 5.4 – Conditional Use Review Standards Findings Checklist

Docket #: DRB 15-03 Property ID: MD018 Hearing Date: 6-15-15

Applicant/Consultant: A. MORSE

Check the zoning district(s) in which the proposed use will occur:

- Underhill Flats Village Center     Rural Residential     Water Conservation  
 Scenic Preservation     Soil & Water Conservation

*The following standards are excerpted from Article V, Section 5.4 of the Unified Land Use and Development Regulations. For full standards, refer to the complete regulations document.*

*Applicant(s) shall submit proposed findings of fact for each of the relevant standards below as part of the application for conditional use review. Proposed findings shall address how the proposed development relates to each portion of the standard.*

<u>Required</u>	<u>Submitted</u>	<u>Section 5.4(B) General Standards</u>
<input type="checkbox"/>	<input type="checkbox"/>	(1) Capacity of existing or planned community services or facilities.

Indicate how the proposed conditional use affects the demand for community services and facilities.

THE JERICHO UNDERHILL WATER DIST.  
HAS APPROVED MY REQUEST FOR  
ADDITIONAL WATER SERVICE.

A SECOND SEPARATE SEPTIC SYSTEM  
IS BEING DESIGNED BY A SYSTEM  
TECH FOR STATE APPROVAL

# TOWN OF UNDERHILL, VERMONT

## Article V, Section 5.4 – Conditional Use Review Standards Findings Checklist

Required

Submitted

### Section 5.4(B) General Standards Cont'd

(2) Character of the area affected.

Indicate how the proposed conditional use relates to the character of the area in terms of location, scale, type, density, and intensity. Include any mitigation measures that will be utilized to avoid undue adverse impacts to the character of the area.

AN EXISTING GARAGE IS BEING RENOVATED TO LIVING SPACE WITH A 12X24 ADDITION CREATING A MINOR CHANGE TO THE EXISTING FOOTPRINT

(3) Traffic on roads and highways in the vicinity.

Specify the projected impact of traffic resulting from the proposed conditional use. Include the impacts to the condition, capacity, safety, efficiency and use of existing and planned roads, bridges, intersections and associated highway infrastructure in the vicinity.

THIS PROPOSED CONVERSION WILL BE A ONE BED ROOM ADDITION CREATING MINIMAL IMPACT, AMPLE PARKING EXISTS.

# TOWN OF UNDERHILL, VERMONT

## Article V, Section 5.4 – Conditional Use Review Standards Findings Checklist

<u>Required</u>	<u>Submitted</u>	<u>Section 5.4(B) General Standards Cont'd</u>
<input type="checkbox"/>	<input type="checkbox"/>	(4) Bylaws in effect.

Indicate how the proposed conditional use complies with all municipal bylaws and ordinances.

THIS PROPOSAL COMPLIES WITH SECTION 4.2

<input type="checkbox"/>	<input type="checkbox"/>	(5) Utilization of renewable energy resources.
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Demonstrate how the proposed conditional use will not interfere with the sustainable use of renewable energy resources, including access to, or the direct use or future availability of such resources.

NA

VERMONT ROUTE 15

MD006

MD009

MD041

MD010

MD011

VT428

MD025

MD017

MD014

Meadow Ln

VT426

MD018

SU002

VT424

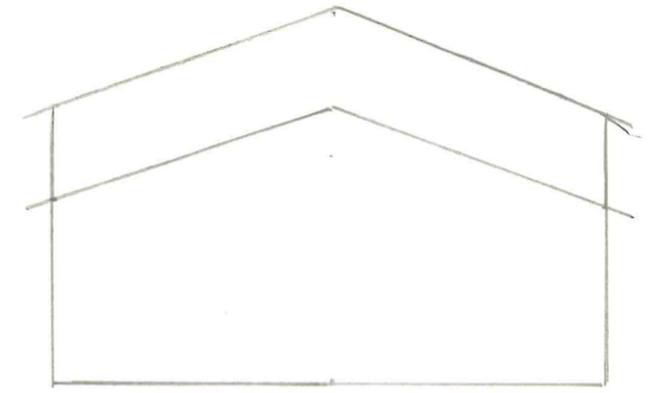
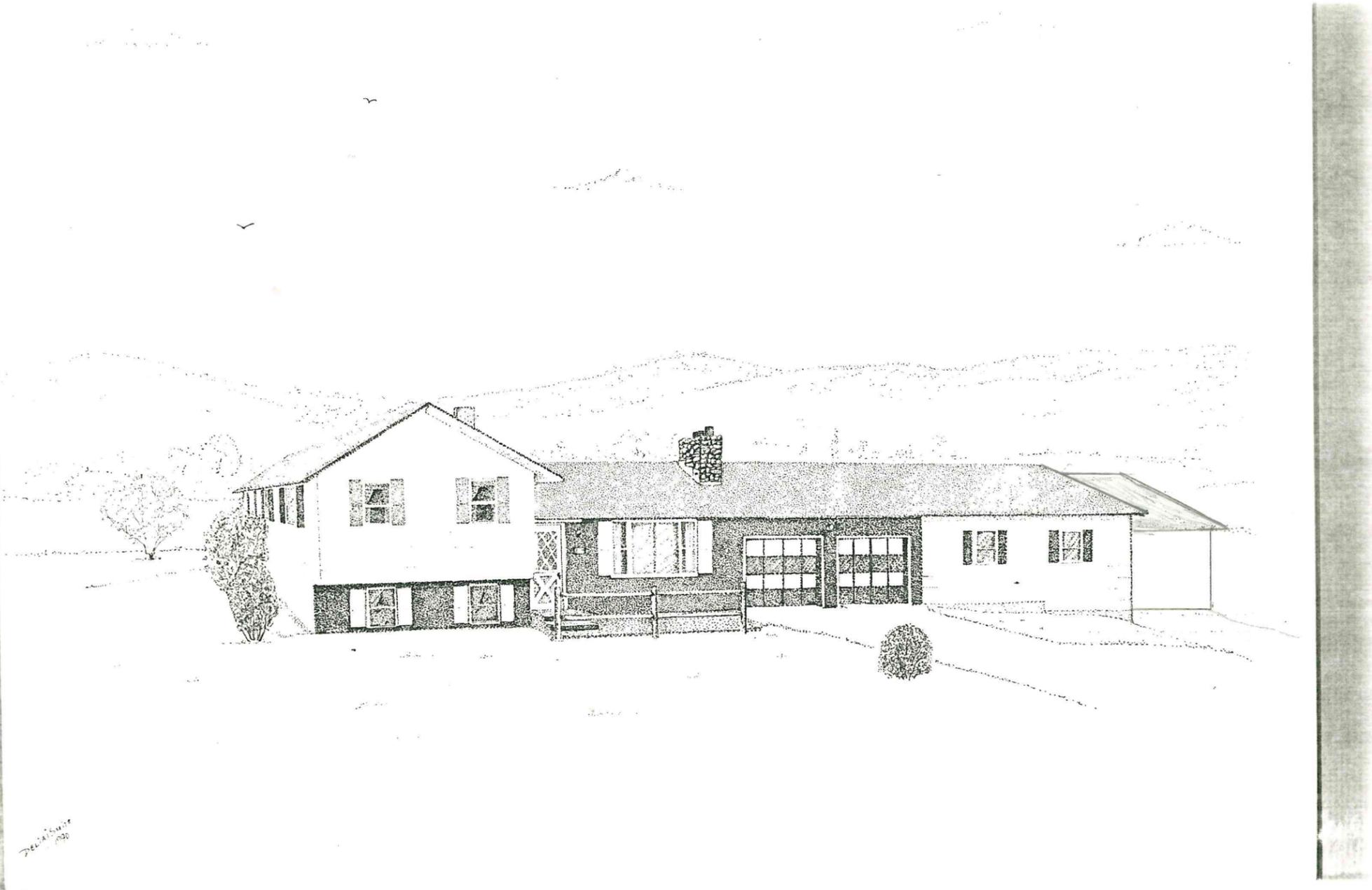
HR016

VT420X

VT418

For Planning Purposes Only.  
Scale and feature locations are approximate.  
Map created 4-8-2015

ALAN MORSE  
18 MEADOW LN,  
UNDERHILL, VT



7/20/15/16  
100

# TOWN OF UNDERHILL

P.O. Box 120  
Underhill, VT 05489

Phone: (802) 899-4434 x106

Fax: (802) 899-2137

## BUILDING PERMIT APPLICATION

**INSTRUCTIONS:** Complete the application in full and submit to the Zoning Administrator with a sketch showing dimensions of the proposed construction and a scaled sketch plan (min. 8.5" x 11") that accurately depicts: 1. the dimensions of the lot, including existing & proposed property boundaries, 2. the location, footprint, & height of existing and proposed structures & additions, 3. the location and dimensions of existing & proposed accesses (curb cuts), driveways, and parking areas, 4. the location of existing and proposed easements, rights-of-way, and utilities, 5. setbacks from property boundaries, road rights-of-way, surface waters, & wetlands, 6. the location of existing and proposed water & wastewater systems. Payment of applicable fees is due at the time of submission. Incomplete applications will be returned.

**ZONING DISTRICT(S):**

- Underhill Flats Village Center    
  Rural Residential    
  Water Conservation  
 Scenic Preservation    
  Soil & Water Conservation

OFFICE USE ONLY

APPLICATION #

PROPERTY CODE: MD018

APPLICANT: <u>ALAN MORSE</u>	MAILING ADDRESS: <u>18 MEADOW LANE</u>
PHONE / ALTERNATE PHONE: <u>899-3939 598-2190</u>	E-MAIL: <u>MORSECODEC@COMCAST.NET</u>
PROPERTY LOCATION: <u>18 MEADOW LANE</u>	ACREAGE / FRONTAGE: <u>1.5</u>
LANDOWNER (IF DIFFERENT FROM APPLICANT):	LANDOWNER CONTACT INFO:
CONTRACTOR: <u>JLG CONSTRUCTION</u>	CONTRACTOR CONTACT INFO: <u>363-0695</u>

**INDICATE WHETHER ANY OF THE FOLLOWING EXIST ON THE PROPERTY:**

- Rivers / Streams    
  Wetlands: Class (II or III) \_\_\_\_\_    
  Deer Wintering Areas    
  Floodplain: Zone \_\_\_\_\_

**EXISTING AND INTENDED USE OF THE LAND, STRUCTURES, AND/OR ANY PROPOSED STRUCTURAL CHANGES:**

CONVERSION OF GARAGE PLUS AN ADDITION TO AN ACCESSORY DWELLING

**PROPOSED CONSTRUCTION:** Accessory dwellings must not exceed 50% of the existing total habitable floor area of the principal single-family dwelling, excluding unfinished attics and basements. New buildings for accessory dwellings require Conditional Use approval. Attach copies of all State & Federal permit(s) and approval(s).

<input type="checkbox"/> Single Family Dwelling     Bedrooms: _____	<input type="checkbox"/> Addition/Other (specify): _____
<input checked="" type="checkbox"/> Accessory Dwelling     Bedrooms: _____	<input checked="" type="checkbox"/> Accessory Structure(s): <u>ADDITION TO EXISTING GARAGE TO BE CONVERTED TO LIVING SPACE</u>
Principle <u>288</u> sf     Bedrooms: <u>1</u>	_____
<input type="checkbox"/> Two Family Dwelling     Bedrooms: _____	_____
<input type="checkbox"/> Multifamily Dwelling     Bedrooms: _____	_____
Units _____	_____
<input type="checkbox"/> Commercial / Industrial	_____

Estimated value / cost of construction \$ 150,000

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## BUILDING PERMIT APPLICATION

**Dimensions:** Complete for ALL proposed construction.

Structure(s) (From Pg. 1)	Front	Side	Side	Rear	Stories	Height (Max. 35 ft)	Total Added SF
	12	24	24	12	1	12	288 SF

**Setbacks:** Measure the distance from the closest part of ALL NEW CONSTRUCTION to the lot lines and natural features.

Structure(s)	Front (Road ROW)	Side	Side	Rear	Rivers, Streams, Ponds	Wetlands
	75'	75'	—	86'	—	—

**Building and Lot Coverage Calculations:** Complete for ALL permit applications.

a. Total lot area (1 acre = 43,560 square feet)		65,340 ft <sup>2</sup>
b. Sum of ALL existing and proposed building/structure footprints (including porches, decks, sheds, garages, etc.)	3168 ft <sup>2</sup>	
c. Calculate percentage (line b / line a) * 100	<b>TOTAL BUILDING COVERAGE</b>	5 %
d. Enter total lot area from line a		65,340 ft <sup>2</sup>
e. Sum of area covered by ALL existing and proposed buildings, structures, impervious surfaces (driveways, parking/loading/service areas, access roads, etc.)	7102 ft <sup>2</sup>	
f. Calculate percentage (line e / line d) * 100	<b>TOTAL LOT COVERAGE</b>	11 %

# TOWN OF UNDERHILL

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Phone: (802) 899-4434 x106

Fax: (802) 899-2137

## BUILDING PERMIT APPLICATION

The undersigned hereby requests a Zoning Permit for the construction project described in this application. By signing below, Applicant acknowledges that they will comply with the requirements of the permit, if granted, and all Town Regulations. **Separate State permits including, but not limited to, water/wastewater, stormwater, Act 250, and Construction General Permits may be required. It is the obligation of the Applicant to contact the State Permit Specialist at 802-879-5676 prior to construction.**

The Zoning Administrator (or representative) may access the subject property for purposes of inspections before, during, and upon completion of the project. A Permit Notice sign will be supplied to the Applicant with this application to be posted within view of a Town Highway until the 15-day appeal period expires. Interested parties may exercise their appeal rights pursuant to 24 VSA §4465.

Applicant and/or their consultant(s) should check with the Road Foreman for any posted road restrictions. Failure to substantially commence construction by the permit expiration date will require a new permit from the Zoning Administrator. Upon completion of construction, Applicant must contact the Listers' office and the Zoning Administrator to obtain a Certificate of Occupancy (where applicable).

Alan R. Morse  
Applicant Signature

5/19/15  
Date

Landowner Signature

Date

### OFFICE USE ONLY

RECEIVED Date 5-14-2015  
 APPROVED Date \_\_\_\_\_  
Effective Date \_\_\_\_\_  
Expiration Date \_\_\_\_\_

Permit Fee	\$
Posting Fee	\$
Recording Fee	\$
<b>TOTAL FEE</b>	<b>\$</b>
<input type="checkbox"/> Check #	<input type="checkbox"/> Cash

REFERRED  
To: DRB - Accessory Dwelling  
Date \_\_\_\_\_  
To: \_\_\_\_\_  
Date \_\_\_\_\_

REJECTED Date \_\_\_\_\_  
Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Comments/Conditions:  
Needs DRB approval per Section 4.2

Zoning Administrator

Date

**TOWN OF UNDERHILL, VT**  
Planning & Zoning Administrator

P.O. Box 120, Underhill, VT 05489  
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May 29, 2015

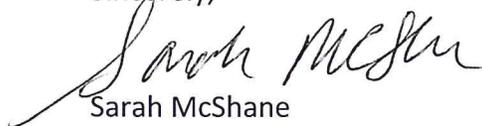
Alan & Bonita Morse  
18 Meadow Lane  
Underhill, VT 05489

Dear Applicant:

This letter is to notify you of your Conditional Use review hearing before the Development Review Board on **Monday, June 15, 2015** for approval to expand your existing garage in order to create a one bedroom accessory dwelling on your property at 18 Meadow Lane (Underhill Flats Village Center zoning district). A site visit will be held on the property at 5:45 PM preceding the public hearing. The public hearing will begin at the Town Hall, 12 Pleasant Valley Rd., at approximately 7:00 PM.

Pursuant to 24 VSA §§4464(a)(1)(C) and 4471(a), participation in this hearing is a prerequisite to the right to take any subsequent appeal. If you have any questions, I can be reached at the addresses or phone number listed above.

Sincerely,



Sarah McShane  
Planning & Zoning Administrator

cc: File

# Memo

**To:** Selectboard  
**From:** Sarah McShane, Planning & Zoning Administrator  
**Date:** May 20, 2015  
**Re:** MD018 & PC016

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Recently I have received two applications to construct accessory dwellings.

- The first application was submitted by Mr. Alan Morse, 18 Meadow Lane. Mr. Morse is proposing to expand his existing garage by 12' x 24' in order to construct a one bedroom accessory dwelling.
- The second application was submitted by Gary Johnson & Hanna Howard and property owner Kim Cook. They would like to construct a 24' diameter yurt on the property located at 16 Paul Cook Road to serve as an accessory dwelling. The yurt will have a wastewater system and potable water.

Section 4.2 of the Unified Land Use and Development Regulations requires the DRB to review accessory dwellings which *"require the construction of a new accessory structure or the expansion of an existing structure."* Since both of the applications require either new construction or expansion of an existing structure, I have referred the applicants to the DRB and have scheduled them for a June 15<sup>th</sup> DRB public hearing. The zoning regulations also require for accessory dwellings to provide one additional onsite parking space, unless otherwise approved by the Development Review Board. Both of the properties are served by a Town maintained road and have adequate existing space in their driveways to accommodate the one additional parking space (three parking spaces total). Neither application is proposing any revisions to the location of their existing curb cut or improvements to the existing driveway.

Since these applications are subject to DRB review, I assume Section 6.5(B)(10) of the 2015 Underhill Road, Driveway, and Trail Ordinance (see page 11) applies. This section of the ordinance requires the applicants to schedule a hearing with the Selectboard in order to obtain preliminary access approval. The ordinance states that the applicants should meet with the Selectboard prior to and after the DRB hearing to obtain a preliminary and final access permit.

## Questions:

- Does the Selectboard want to review access applications that are not extending, realigning or altering their existing curb cut or driveway? If so, what would the Selectboard like the application to include if there are no proposed changes? If so, does the Road Foreman and

Zoning Administrator have to perform a site visit and write a report if there are no proposed changes to the existing driveway and/or curb cut?

- If an applicant meets the standards of the ordinance and zoning regulations and are not proposing any improvements, can it be administratively approved?
- In order to provide good customer service to the residents of Underhill, I recommend that the Selectboard consider these types of scenarios and try to identify solutions. If interpreted literally, both of these applicants would be required to meet with the Selectboard twice in order to make no changes to their existing driveway.

# SKETCH/AREA TABLE ADDENDUM

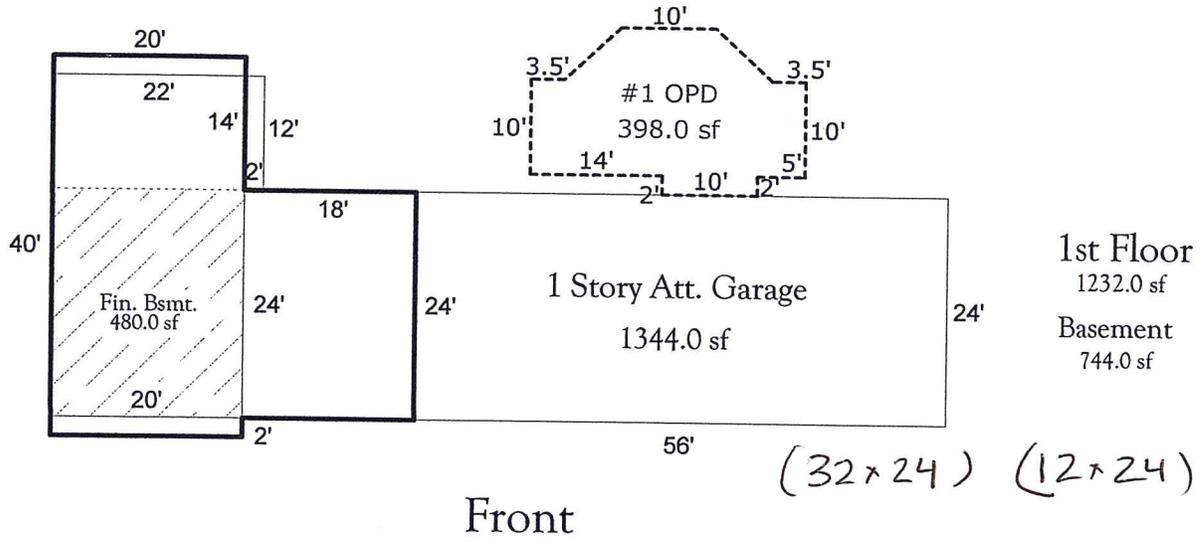
Address \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Pr \_\_\_\_\_

nt \_\_\_\_\_

Appraiser Name \_\_\_\_\_

**MD018**  
 05/20/05  
 Slope Level  
 Drawing Revised 7-22-2009  
 [Replaced 128 sf deck w/398 sf deck]  
 09.09.13



**1st Floor**  
 1232.0 sf  
**Basement**  
 744.0 sf

IMPROVEMENTS SKETCH

AREA CALCULATIONS

Scale: 1 = 20

AREA CALCULATIONS SUMMARY					
Code	Description	Factor	Net Size	Perimeter	Net Totals
1FL1	1st Floor	1.00	1232.0	156.0	1232.0
1BS	Basement	1.00	744.0	116.0	744.0
1BF	Fin. Bsmt.	1.00	480.0	88.0	480.0
GAR11	1 Story Att. Garage	1.00	1344.0	160.0	1344.0
P/P11	#1 OPD	1.00	398.0	86.3	398.0
<b>Net BUILDING Area (rounded w/ factors)</b>					<b>1232</b>

Comment Table 1	
Comment Table 2	Comment Table 3



### LEGEND

**Roads**

- Principal Arterial
- Minor Arterial
- Rural Major Collector
- Rural Minor Collector
- Urban Collector
- Local
- Not part of the Functional Classifica

— Stream

Parcels (where available)

Town Boundary

1: 875  
June 5, 2015

44.0 0 22.00 44.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere 1" = 73 Ft. 1cm = 9 Meters

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### NOTES

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