

Town of Underhill
Development Review Board Minutes
May 16, 2016

Board Members Present:

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

Others Present:

Tim Potvin (PO Box 135, Underhill Center)
Theresa Potvin (PO Box 135, Underhill Center)
Bill Russell (270 Pleasant Valley Road)
Shane McCormack (268 Pleasant Valley Road)

Staff/ Municipal Representatives Present:

Brian Bigelow, Town Administrator

6:30 PM- DRB Public Hearing

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

6:35 PM- Potvin- Home Industry/Conditional Use (14 Lap Run) Docket# DRB 16-04 [CONTINUED]

- Chair Van Winkle began the hearing by explaining that it was to be a continuation of the Potvin Conditional Use review from May 2, 2016, which was continued from April 18. The Applicant Mary Potvin did not attend the meeting, but her representatives Tim & Theresa Potvin were before the Board for approval of a Wedding Venue at 14 Lap Run.
- Chair Van Winkle explained that the Board had been in Executive session for the previous 2 weeks & was tasked with reviewing the 2015 Underhill Town Plan relative to the Potvin application.
- The Board moved out of Executive Session at 6:40pm.
- Chair Van Winkle summarized the Potvin project to date and the most recent exhibits received.
- Chair Van Winkle asked if board members had any conflicts of interest or ex parte communications and all answered there were none.
- Discussion ensued about the Town Plan. Chair Van Winkle noted that if there is disagreement on how to interpret the zoning regulations, the Town Plan can give insight into the intent of the regulations.
- Mr. Potvin requested clarification of the regulation that abutters be notified by the Town of an upcoming DRB hearing. This resulted in further discussion between C. Van Winkle & B. Bigelow.
- Chair Van Winkle indicated to Mr. Potvin, that the acting ZA made a decision to notify the abutter's of the parent parcel to lot #2, Van Winkle acknowledged receipt of the letter from Mr. Potvin's attorney. Van Winkle indicated the route to appeal a ZA decision was to the DRB.
- Chair Van Winkle indicated to Mr. Potvin that this issue was reviewed at the hearing onset of 18 April 2016, and Mr. Potvin's concerns were of an economic nature. At the time chair Van Winkle understood Mr. Potvin did not wish to appeal the ZA decision to notice the abutters.

- Discussion ensued about acoustics, decibel levels, and locations for monitoring. The most recent exhibits on acoustics from applicant M. Potvin and from board member M. Green were referenced.
- Members of the public spoke briefly. B. Russell felt he had no new comments to add; S. McCormack reiterated his concern about how the anticipated sound from the Wedding Venue will affect the quality of life in the neighborhood.
- Discussion ensued about a sign and its possible locations.
- Chair Van Winkle read Section 3.14-Performance Standards of the Town of Underhill Unified Land Use & Development Regulations.
- At 8:04pm, board member Chapek moved to close the Evidentiary portion of the hearing, seconded by board member McKnight and the motion passed 6-0.
- At 8:05pm, board member Chapek moved to deliberate in closed session, seconded by board member Green and the motion passed 6-0.

8:10 PM- DRB Administrative Business

- DRB reviewed and approved the meeting minutes from May 2, 2016.
- DRB discussed the Baizley driveway relocation and recommended that it be handled administratively by B. Bigelow.
- DRB discussed meeting with the Planning Commission on a more regular basis.

8:30 PM- DRB Deliberative Session

- DRB entered closed deliberative session relative to the Potvin Wedding Venue application.

9:40 PM- DRB Adjournment

- On a motion made, seconded and passed on a unanimous vote; the DRB adjourned for the evening.

These Meeting Minutes reflect a brief summary of the topics discussed at the Monday, May 16, 2016 hearing. An audio recording of the hearing is available to the public.

Submitted by:
Penny Miller, clerk

These minutes of the 5/16/16 meeting of the DRB were accepted
This _____ day of _____, 2016.

Charles Van Winkle, Chairperson

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