

Town of Underhill
Development Review Board Minutes
May 2, 2016

Board Members Present:

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

Others Present:

Sue Kusserow (PO Box 125, U'hill Ctr)
Mary Potvin, Applicant (PO Box 135, U'hill Ctr)
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
Kurt Johnson, Selectman

6:40 PM- DRB Public Hearing

- DRB members convened at Town Hall at 6:40 PM. Chair Van Winkle called the meeting to order.
- Sue Kusserow discussed her property with the DRB.

6:50 PM- DRB Administrative Business

- DRB reviewed and approved the meeting minutes from April 18, 2016.
- DRB reviewed and approved the Decision for the Wells McLaughlin Final Subdivision Review (493 VT Route 15) Docket# DRB 16-03

7:00 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 April 16, 2016. The Applicant Mary Potvin was before the Board for approval of a Wedding Venue at 14 Lap Run.
- Chair Van Winkle referenced the definition of interested party.
- Chair Van Winkle referenced the exhibits in the DRB info packet. Administrator Bigelow compiled a comprehensive list of exhibits and will make that available as part of the record.
- Chair Van Winkle asked if board members had any conflicts of interest or ex parte communications and all answered there were none. He noted that DRB members Towle and Chapek had attended the prior Potvin hearing date and were not present; however, DRB member Hamelin had acquainted himself with all documentation and was fully prepared to participate in the Potvin's hearing.
- Prior to the continued hearing date, the Applicant M. Potvin submitted a site plan sketch and a conceptual building plan in addition to other supporting documents. She updated the DRB on the project and proposed changes to the project scope after having met with the VT Department of Fire Safety, her engineer, etc. within the prior 2 weeks including: building design, septic design, times & months of operation, parking spaces, number of guests, home design, lighting and landscape design.

- Chair Van Winkle referenced the staff report prepared by Emily Nosse-Leirer the contracted regional planning zoning assistant.
- Discussion ensued about acoustics, decibel levels, locations for monitoring - with the Applicant offering to routinely monitor the decibel level at the property line during events and limit the decibel level at the source of the sound.
- The Applicant noted that their engineers have indicated no retention pond is required by the project & there is no further impact on the wetlands. Beyond the building envelope no trees will be cut.
- Chair Van Winkle advised that this project may be subject to a Construction General Permit & erosion control measures.
- Neighbor S. McCormick voiced concerns that the project is being reviewed under Home Industry criteria and feels it is an incorrect application of the Home Industry definition. In addition, he registered his concerns about the anticipated sound generated from the business and its compatibility the character of the neighborhood. He cautioned that an Act 250 permit may be required for the project.
- Neighbor B. Russell spoke to similar concerns about the project and commented on the noise potentially affecting quality of life and value of nearby properties.
- Much discussion ensued on acoustics and its relationship to the character of the neighborhood.
- Increase in traffic on Pleasant Valley Road was discussed.
- At 8:45pm Chair Van Winkle proposed that the hearing be suspended until a determined date and time and the DRB consider moving into Executive Session to discuss the issues related to this application.
 - The DRB voted to move into Executive Session and continue the hearing on Monday, May 16 at 6:35pm. The vote was unanimous.

9:30 PM- DRB Adjournment

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

These Meeting Minutes reflect a brief summary of the topics discussed at the Monday, May 2, 2016 hearing. An audio recording of the hearing is available to the public.

Submitted by:
Penny Miller, clerk

These minutes of the 5/2/16 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.