

**Town of Underhill  
Development Review Board Minutes  
January 20, 2020**

**Board Members Present:**

Charles Van Winkle, Chair  
Stacey Turkos, Vice Chair  
Matt Chapek  
Daniel Lee

**Others Present:**

Timothy Potvin (145 Moose Run)  
Theresa Potvin (145 Moose Run)  
Jason Marias (318 Irish Settlement Road)  
Pamela Billings (310 Irish Settlement Road)  
William Billings (310 Irish Settlement Road)

**Staff/Municipal Representatives Present:**

Andrew Strniste, Zoning Administrator

**6:30 PM – 01/20/2020 DRB Public Meeting**

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- DRB Members convened at Town Hall around 6:25 PM.
- [6:30] Chair Van Winkle commenced with the evening's meeting. No adjustments to the agenda were made. No general public were in attendance to provide general public comment.

**6:36 PM – Potvin Sketch Plan Review  
145 Moose Run (MO145), Underhill, Vermont**

**Docket #: DRB-20-01**

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- [6:36] Chair Van Winkle began the evening's hearing by explaining the meeting procedures for a sketch plan review meeting. The application pertains to a 2-lot subdivision of land located at 145 Moose Run. The Applicants, Timothy and Theresa Potvin, were before the Board to discuss their application. No other parties were in attendance to comment about the application. No ex parte communications between the Board and the Applicants were identified, nor were any conflicts of interest identified. No additional exhibits were submitted into the record, though Staff Member Strniste did advise that Exhibit D, which had been reserved, was available for the Board to view.
- [6:40] Timothy Potvin informed the Board that they were looking to subdivide their land to make everything easier in the future. Staff Member Strniste inquired if Moose Run had a Road Maintenance Agreement, which it does. Mr. Potvin informed the Board that he had been maintaining Moose Run for 30 years, and that it had worked fine. A discussion then ensued about potentially obtaining a new wetlands delineation. Ms. Theresa Potvin then informed the Board that the proposed lot layout had changed slightly from what was originally submitted. The Board discussed the new layout. Staff Member Strniste informed the Board that he had concerns that the subdivision would make the property at 145 Moose Run and irregular lot, which would conflict with Section 8.2.F of the Unified Land Use & Development Regulations. A brief discussion ensued about the zoning districts in the area.
- [6:58] Chair Van Winkle asked if the Board had enough information to make a decision on the application. The Board answered yes. Board Member Chapek made a motion to classify the subdivision as a minor subdivision. Board Member Turkos seconded the motion, which was approved unanimously. The Potvins requested that the preliminary subdivision review hearing be waived. Board Member Turkos made a motion to waive preliminary subdivision review and conduct a combined preliminary and final subdivision review hearing. The motion was seconded by Board Member Chapek and approved unanimously. Board Member Turkos made a motion to accept the Sketch Plan application submitted by Timothy

and Theresa Potvin. The motion was seconded by Board Member Chapek and approved unanimously.

- [7:02] Prior to the evening's next Sketch Plan Review meeting, the Board briefly discussed the Potvin Sketch Plan Application. Board Member Chapek inquired about the both Lap Run and Moose Run rights-of-way through Lot 1 and what other options were might be available to the Potvins.

**7:10 PM – Marias Sketch Plan Review**

**Docket #: DRB-20-02**

**318 Irish Settlement Road (IS318), Underhill, Vermont**

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- [7:10] Chair Van Winkle began the evening's hearing by explaining the meeting procedures for a sketch plan review meeting. The application pertains to a re-subdivision of a previously approved 3-lot subdivision of land located at 318 Irish Settlement Road. The Applicant, Jason Marias, was before the Board to discuss their application. Pamela and William Billings adjacent landowners to the project were in attendance to comment about the application. No ex parte communications between the Board and the Applicants were identified, nor were any conflicts of interest identified. No additional exhibits were submitted into the record.
  - [7:14] Mr. Jason Marias informed the Board that he was looking to subdivide the lot he retained from his previous subdivision into two lots. A discussion ensued about the frontage requirement and how it applied to the proposal, followed by a discussion about the septic system. Mr. Marias informed the Board that he was contemplating placing the septic system on the lot with the existing house and garage. The Board and Mr. Marias then discussed the impacts from the surface waters, which includes Settlement Brook, as well as the wetlands.
  - [7:32] Ms. Pamela Billings inquired about how much of a driveway needs to be shared in order for it to be a shared driveway. Mr. William Billings informed the Board that as long as the subdivision satisfied the requirements, there were no issues with them. Board Member Lee inquired about the inclusion of a turnaround. A discussion between the Billings and Mr. Marias ensued relating to the property boundary. Board Member Chapek vocalized his concerns about the potential of creating a spaghetti lot.
  - [7:51] The Board advised that they had enough information to vote on the application. Board Member Chapek informed the Board that he supported the project conceptually if one of the proposed lots was to have 250 ft. road frontage on Irish Settlement. Ms. Billings inquired about why frontage could be waived. Board Member Turkos made a motion to classify the subdivision as a minor subdivision. Board Member Lee seconded the motion. Board Member Turkos suggested that the subdivision be classified as a minor subdivision, and therefore, not a re-subdivision, because Mr. Marias did not have any interest in the two other lots from the previous subdivision application. Board Member Lee informed the Board that he could not in good faith classify the subdivision as a minor subdivision given the language in the regulations. Chair Van Winkle called for a vote on the motion. Board Members Van Winkle and Turkos voted in favor of the motion. Board Members Chapek and Lee voted opposed. Board Member Turkos made a motion to categorize the subdivision as a major subdivision, which was seconded by Board Member Chapek. The motion was approved unanimously. Board Member Chapek made a motion to accept the Sketch Plan Application. Board Member Turkos seconded the motion, and was approved unanimously. Chair Van Winkle informed Mr. Marias he would receive a letter within 15 days of the evening's meeting.

**7:42 PM – Other Business**

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- [8:03] Board Member Turkos made a motion to approve the minutes of January 6, 2020. Board Member Chapek seconded the motion, which was approved unanimously. The Board will review the proposed edits to the Board's Rules of Procedure at the next meeting, February 3, 2020. Staff Member Strniste informed the Board of the upcoming schedule.
  - [8:26] Board Member Turkos made a motion to adjourn. The motion was seconded by Chair Van Winkle and was approved unanimously.
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Submitted by:  
Andrew Strniste, Planning Director & Zoning Administrator

These minutes of the 01/20/2020 meeting of the DRB were accepted  
this 3 day of FEBRUARY, 2020.



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Charles Van Winkle, Development Review Board Chair