

# UNDERHILL PLANNING COMMISSION

Thursday, April 12, 2018 @ 6:00 PM

Minutes

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## Attendance

### **Planning Commissioners:**

Commissioner Cynthia Seybolt, Chair  
Commissioner Carolyn Gregson, Vice Chair  
Commissioner Nancy Bergersen  
Commissioner Johnathan Drew  
Commissioner David Edson  
Commissioner David Glidden

Commissioner Lea Van Winkle

### **Staff/Municipal Representatives:**

Andrew Strniste, Planning Director

### **Others Present:**

None

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[5:55] The Planning Commission convened at Underhill Town Hall at 5:55 pm.

[5:59] Chair C. Gregson called the meeting to order.

[6:00] Chair C. Gregson asked for public comment. No members of the public were present to make public comment.

## AGENDA ITEM: DISCUSSION ABOUT THE RULES OF PROCEDURE

[6:01] A discussion ensued about whether the Planning Commission could perform an engineering study. Commissioner Drew informed the Commission that under the Capital Improvement Plan, they could conceivably commission a study to support improvements in the plan. Commissioner Seybolt advised that upon reflection of Mr. Peter Duval's comments at a previous meeting, the Commission could, if funds were available, perform a study to help make planning related decisions. Commissioner Seybolt advised that the meeting date and time need to be updated to reflect the meeting changes. Commissioner Seybolt asked if they could change the quorum requirement to the number of commissioners in attendance rather than total number of members on the Commission. Staff Member Strniste and Chair C. Gregson advised that that requirement is statutory.

[6:06] A discussion ensued about implementing an attendance policy. Attendance at at least 50% of the regularly scheduled meetings was agreed upon. Staff Member Strniste will update the Rules of Procedure and send out the draft to be voted on and approved at the next meeting.

## AGENDA ITEM: NEW BUSINESS – UPDATES FROM THE PLANNING & ZONING ADMINISTRATOR

[6:08] Staff Member Strniste advised that a couple of the commissioners could attend the spring Planning & Zoning Forum, and if there is interest, to let him know.

[6:11] Staff Member Strniste provided an overview of the April 9, 2018 Development Review Board meeting, which included the Rade Holdings, LLC Conditional Use Review application, as well as an inquiry by Mr. Michael Diffenderffer. Staff Member Strniste then provided an a preview of the April 16, 2018 Development Review Board's agenda (Maheux Final Subdivision; Wells/McLaughlin Conditional Use Review) and the May 7, 2018 agenda (Duval Conditional Use Review).

[6:20] A discussion ensued about when zoning applications are considered complete. Staff Member Strniste advised that the Development Review Board could create a policy about applications to assist the Planning & Zoning Administrator. Commissioner Drew suggested that the Commission should also review the regulations to see if they need to codify any policies. Chair C. Gregson advised that getting a procedure in place would assist the applicants.

[6:27] Staff Member Strniste then provided an overview of the May 21, 2018 Development Review Board's tentative agenda (Jacobs Subdivision Amendment, Costes Variance Request, Curran Sketch Plan Review, and Duval Conditional Use Review). He then advised that Mr. Phil Jacobs found someone to partner with in developing the field at 16 Harvest Run. Commissioner Seybolt agreed to write a letter advising that the Planning Commission was receptive of the ideas proposed by Mr. Jacobs, which will be reviewed by the Planning Commission prior to being sent to Mr. Jacobs.

**AGENDA ITEM: NEW BUSINESS – ROAD ORDINANCE RECONCILIATION W/ UNIFIED LAND USE & DEVELOPMENT REGULATIONS**

[6:40] Staff Member Strniste provided an overview of the work performed and what the proposed changes entail – taking the road design regulations out of the *Underhill Unified Land Use & Development Regulations* and moving them to the *Underhill Road Ordinance*. A discussion ensued about the proposed changes. The Commission then discussed whether they should eliminate references to public waters.

[6:53] The Commission debated whether a lot lacking frontage at the end of a dead end road or cul-de-sac should be exempt from the regulations, or whether the requirement should be waived by the Development Review Board. The Commission discussed several hypotheticals. Commissioner Edson explained that requiring frontage for a lot at the end of a driveway or development road is absurd as it would require the owner to run the road up into the property in order to create frontage to satisfy the frontage requirement. Staff Member Strniste advised that access was an important policy of frontage. Chair C. Gregson advised that frontage also ensures that spaghetti lots aren't formed. Commissioner Drew advised that he'd rather trust the Development Review Board in granting a waiver. Commissioner Seybolt asked if there were any added expenses to the Development Review Board granting a waiver. Staff Member Strniste advised in the negative. Staff Member Strniste then advised that if the Commission could not finalize the proposed edits in time for the November 2018 deadline, they could push back the proposed edits to Town Meeting Day 2019.

[7:08] Commissioner Edson informed the Board that the only issue he really had was in regards to comment AS19 (Gen. Reg. Art III) in consideration of the exemption of frontage for an end lot. Commissioner C. Gregson advised that she would like to review the proposed changes at home to discuss at the next meeting. In regards to the proposed changes in the Road Ordinance, Commissioner Edson advised that the capitalization and bolding were inconsistent. The Commission discussed what authority should be delegated to the Planning & Zoning Administrator and the Development Review Board. Staff Member Strniste informed Commissioner Drew about the issues pertaining to the preliminary access permit v. the access permit. Further discussion ensued about the interaction between the Selectboard and the Development Review Board regarding the Road Ordinance.

**AGENDA ITEM: OLD/OTHER BUSINESS**

[7:27] Commissioner Seybolt advised that residents Chris Miller and Susan Thomas were not interested in becoming members of the Planning Commission. Commissioner Bergersen advised the Selectboard Member Catherine Kearns was unaware of anyone who would want to serve on the Planning Commission.

[7:33] Staff Member Strniste recommended tabling the lot area debate mentioned at the previous Planning Commission meeting, as keeping all the proposed changes to road ordinance related modifications would be easier.

**AGENDA ITEM: APPROVE MINUTES**

[7:34] Commissioner Bergersen made a motion to approve the minutes from March 22, 2018. Commissioner Drew seconded the motion, and was approved unanimously.

**AGENDA ITEM: QUORUM FOR NEXT PLANNING COMMISSION MEETING: APRIL 26, 2018**

[7:35] A quorum will be attained for the April 26, 2018 meeting. Commissioner Seybolt advised that the commission should reread the energy section of the Town Plan and the energy implementation portion of the implementation plan in the Town Plan to discuss with the Energy Committee at that meeting.

[7:37] Commissioner Seybolt made a motion to adjourn. The motion was seconded by Commissioner Drew and was approved unanimously.

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Respectfully Submitted By:

Andrew Strniste, Planning Director

The minutes of the April 12, 2018 meeting were accepted this ~~26~~<sup>29</sup> day of April, 2018.



Carolyn Gregson, Planning Commission Chair

**New Action Items**

- Staff Member Strniste: Update and distribute the Rules of Procedure
- Commissioner Seybolt: Draft a letter to send to Phil Jacobs Regarding the 16 Harvest Run Field
- Commission: Review Road Ordinance reconciliation materials
- Commission: Review Energy portion of the Town Plan and energy implementation portion of the implementation plan.

**Old, Incomplete Action Items**

- Commissioners Lamphere and Drew: Schedule a meeting with RaMona Sheppard to discussion CIP.
- Staff Member Strniste: Provide materials pertaining to the zoning pamphlet in the coming weeks.
- Commission: Reexamine the Regulation's use chart.