

Town of Underhill
Development Review Board Minutes
April 6, 2015

Board Members Present:

Charles Van Winkle
Jim Gilmartin
Karen McKnight
Matt Chapek
Penny Miller
Will Towle

Others Present:

Marc Maheux, Applicant (PH038)
Jim Massingham, Abutter (PH046)
Sara McKay, Abutter

6:30 PM- 4/6/2015 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- (DRB 12-04) Maheux- Preliminary Subdivision Review (38 Poker Hill Road)

- Chair Van Winkle began the hearing by explaining the procedure for final subdivision review and the definition of interested party. He stated that the Applicant, Marc Maheux, is before the board for preliminary subdivision approval for a 2 Lot subdivision of property at 38 Poker Hill Road.
- Chair Van Winkle swore in hearing participants and exhibits A through Z, plus exhibit AA the letter from the Jericho Underhill water district and asked if board members had any conflicts of interest or ex parte communications. There were no conflicts of interest or ex parte communications reported.
- Applicant Marc Maheux provided an overview of the current proposal. He stated that the application is for the same subdivision they proposed more than a year ago. That subdivision process was not completed because Mr. Maheux understood that he had more time to submit a final application than he actually had & missed the deadline for filing a final subdivision application. Consequently, he is now reapplying. The only change in the subdivision documents, he states, is the removal of the building envelope from the Site Plan per the DRB's suggestion at the previous hearing in January of 2014.
- Discussion ensued about which Road Policy applies to this subdivision and it was confirmed the 2002 Road Policy is currently in effect for this project.
- Mr. Maheux commented that the earth disturbance project he previously received approval for is complete. The only anticipated future earth disturbance will be during building construction and typical of the construction process.
- C. Van Winkle read the staff review notes aloud. The Board members felt there were no concerns.
- Both abutters S. McKay and J. Massingham commented that they had no concerns about the project.

- Discussion of Building Envelopes ensued.
- Discussion of Road Policy ensued.
- Discussion of Stream Setbacks and the definition of Riparian Buffer ensued.
- Discussion of Section 3.22 – Water & Supply & Wastewater Systems ensued. A question came from the public about the septic permit language: “proposed four bedroom single family residence and a two bedroom single family residence” on the subdivided lot. Mr. Maheux stated that the State of Vermont required him to show buildings for the Wastewater Permit, but he is not committing to what structures will be constructed on the property. C. Van Winkle indicated that the DRB is reviewing the subdivision relative to a single-family dwelling on the proposed new lot. If the dwelling is a duplex, under the current regulations it may require a separate review by the DRB.
- Chair Van Winkle asked if the board had any final comments or questions. Hearing none, Chair Van Winkle asked if the board had enough information to make a decision. Board members indicated they had enough information.
- At 7:20 PM board member K. McKnight made a motion, seconded by M. Chapek to close the evidentiary portion of the hearing. The motion passed by all board members present.
- At 7:21 PM board member M. Chapek made a motion, seconded by J. Gilmartin, to approve the Preliminary 2-lot subdivision application DRB 12-04, applicants Marc and Jane Maheux at 38 Poker Hill Road. The motion passed by all board members present.
- Board Chair C. Van Winkle made a motion, seconded by M. Chapek to re-confirm that the subdivision is a Minor subdivision. The motion passed by all board members present.
- PZA S.McShane will draft a decision for DRB approval. The board will provide a written decision to the applicant within 45 days of closing the hearing.

7:35 PM- Old Business

- Board members reviewed the minutes from 3-2-2015. Board member J. Gilmartin made a motion, seconded by M. Chapek to approve the minutes of 3-2-2015 as submitted. The motion passed by all board members present.

7:45 PM- New Business

- Board members elected new officers. Board member J. Gilmartin made a motion, seconded by M. Chapek to appoint the following:
 - Charlie Van Winkle – Chair
 - Will Towle – Vice-chair
 - Mark Hamelin – co-Clerk; Penny Miller – co-Clerk
- Board members re-adopted the Rules of Procedure as currently written. Board member J. Gilmartin made a motion to re-adopt the Rules of Procedure, seconded by M. Chapek.
- The next DRB meeting will be Monday April 20th. Public hearing to begin at 6:30 PM.
- Meeting adjourned at 8:00 PM.

Submitted by:
Penny Miller

DRB Meeting Minutes
April 6, 2015

These minutes of the 4/6/2015 meeting of the DRB were accepted
This 20 day of April, 2015.



Charles Van Winkle, Chairperson

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

