

**TOWN OF UNDERHILL  
SPECIAL SELECTBOARD MEETING MINUTES  
6:30 p.m., Monday, November 2, 2015**

**Selectboard:** Clifford Peterson, David Rogers and Rick Heh

**Town Staff:** Rachel Fifield and Brian Bigelow

**Public:** Warren Palmer

**6:34 p.m.** Meeting called to order by Chair. No adjustments made to the agenda.

**6:34 p.m. Public Comment** – None

**6:35 p.m. Warner Creek Road Issues**

Given the general complexity and unresolved questions, and buyer and seller wishing to close promptly on Lot #3, this Special Meeting was called to receive information.

Discussion ensued among Warren Palmer, Selectboard and staff regarding issues related to Warner Creek Road, most specifically the pending request for a Certificate of Occupancy for Lot #3 (WC022). The Chair noted the Selectboard's limited authority on some matters in light of legislation passed in 2007. Circumstances that complicated the Certificate of Occupancy request included the time between the subdivision's approvals (2006 and 2009) and 2015 development, changes to local and state regulations in the interim, and three amendments to state permit WW-4-2103 (originally issued in 2004).

**7:23 p.m. Executive Session**

Clifford Peterson moved to enter Executive Session with Town Administrator and Zoning Administrator under 1 VSA §313 (a)(1)(e and f), to receive advice of counsel and discuss pending litigation, on specific findings that premature general public knowledge would clearly place the Selectboard at a substantial disadvantage in pending or future civil litigations. David Rogers seconded; the finding and motions passed by a 3-0 vote.

**8:05 p.m.** Staff excused from Executive Session

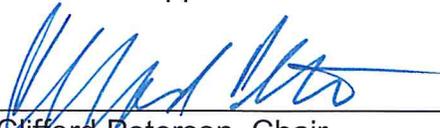
**8:24 p.m.** On a motion made and seconded the Board came out of Executive Session on a 3-0 vote. No actions were taken as a result of Executive Session.

**Adjournment**

**8:25 p.m.** On a motion made, seconded and passed 3-0; the Board adjourned.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended.

  
Clifford Peterson, Chair

  
Date