

**Town of Underhill
Development Review Board Minutes
September 15, 2014**

Board Members Present:

Charles Van Winkle, Chairperson
Penny Miller
Will Towle
Jim Gilmartin
Matt Chapek
Mark Hamelin
Karen McKnight

Staff/ Municipal Representatives Present:

Sarah McShane, PZA

Others Present:

Phil Jacobs (resident)
Jason & Karen Guymon (Applicants);
Tony Catudal (272 Pumpkin Harbor Rd.
Cambridge, VT)
Merianne O'Brady (61 Highland Rd.)
Ellen Goodman (35 Highland Rd.)
Cathy Bassler (71 N.Underhill Station Rd.)

- Chairperson Van Winkle called the meeting to order at 6:35 PM.
- Chairperson Van Winkle asked for public comment. No public comments were presented.
- Note: The Powell Sketch Plan (3 Poker Hill) application scheduled for the evening was withdrawn. The continued hearing for final subdivision review (Applicants - Darah Zurit & Michael Moore, 74 Cloverdale Rd.) requested for the Board to continue their application to the next regularly scheduled DRB meeting.

6:36 PM- Meeting with Resident

- Board members met with resident Phil Jacobs to discuss potential uses of his property in Underhill Flats.
- Phil Jacobs explained that he is currently searching for ideas to generate income from his property and would like to explore the potential of putting storage units on his property in the Flats. He explained that storage units are low impact and do not require public services.
- Chairperson Van Winkle explained that the Planning Commission drafts the Town Plan and the zoning bylaws and the Development Review Board interprets the regulations.
- Discussion ensued regarding village center planning, the Underhill Flats Village Center zoning district, and compatible uses in the traditional historic village.
- PZA Sarah McShane stated that although the Underhill Flats Village Center zoning district section does not mention whether or not storage facilities are permitted, however the definition section prohibits self-storage facilities except for adaptive reuse projects.
- Board member Penny Miller provided an update regarding what the Town of Jericho is doing in terms of village center planning, including implementing a form based code for the area.
- Chairperson Van Winkle suggested for Mr. Jacobs to meet with the Planning Commission to discuss amending the zoning bylaws.
- Board members discussed other possible compatible uses including senior housing or a potential mixed use project.
- The discussion concluded at 7:25 PM

7:25 PM- Other Business

- Board members briefly discussed old business items but decided to complete the discussion after review of the scheduled applicant.

7:30 PM- Conditional Use Review- Jason & Karen Guymon, 73 N. Underhill Station Rd.

- Chairperson Van Winkle began the hearing by explaining the procedure for conditional use review, which comes under the 2012 Unified Land Use and Development Regulations and the definition of interested party.
- Chairperson Van Winkle swore in all speakers and entered exhibits A-T into the record. PZA provided exhibit Q- Recommendations from Harry Schoppmann III, Captain, Underhill Jericho Fire Department, (Email dated 9/15/2014 4:11 PM); and Applicant Jason Guymon provided Board members with Exhibit R- a Letter from Kristin F. McCusker P.E., T.R. Fellows Engineering (dated September 13, 2014); and Exhibit S- Additional bridge design drawing (Drawn By Tony Catudal, Reviewed by T.R. Fellows Engineering 9/13/14).
- Applicant Jason Guymon provided an overview of the application including a verbal request to the board for an approval of an accessory dwelling on the parcel. Board members agreed that since the request for approval of the accessory dwelling was not part of the public notice, it therefore could not be considered as part of this application. The applicants will be required to come back for another public hearing to obtain approval for the accessory dwelling.
- The Applicant also explained that they will need a Category 2 permit for construction in the stream if work in the stream is to continue beyond October 1st.
- PZA Sarah McShane provided her comments on the application which included a discrepancy on bridge and driveway dimensions, discussion of whether or not guard rails will be on the bridge, the timing of construction and stream alterations permit, as well as the possibility of obtaining approval for the construction of an accessory dwelling.
- Chairperson Van Winkle asked if any member of the public would like to provide comments.
- Ellen Goodman (35 Highland Rd. Underhill) inquired about the regulations pertaining to having two houses on one parcel. Chairperson Van Winkle answered that the town's zoning bylaws allow for accessory dwellings with approval from DRB and must meet the applicable size regulations.
- The applicant discussed why constructing the bridge is the only physically feasible way to provide safe access.
- Applicant Jason Guymon explained that the only other area to access the property is via Highland Drive (private) and the Highland Road Association denied the proposal. He also stated that all other areas around the property boundaries have slope issues.
- Abutter Ellen Goodman (35 Highland Rd) explained that the previous individual interested in the property requested access permission from the Highland Road Association and that the current property owner(s) never made such request. She also stated that an easement would be required for them to access the property via Highland Rd.
- Tony Catudal (272 Pumpkin Harbor Rd., Cambridge, VT) stated that the bridge dimensions are 30' x 14'.
- Merianne O'Brady (61 Highland Rd., Underhill) asked if the Applicant is required to obtain a permit for impacts to the stream. Applicant Jason Guymon answered that they have obtained a stream alterations permit from Chris Bruenelle, VT River Engineer.

- Cathy Bassler (71 N.Underhill Station Rd., Underhill) stated that she supported the application and that she attended the meeting to better understand the public process.
- Chairperson Van Winkle stated that the town does not take ownership of the bridge or maintain the bridge. He asked if Board members had enough information to make a decision and explained the decision process and timeline to the applicant.
- Board members indicated that they had enough information to make a decision.
- Board member Mark Hamelin, seconded by Penny Miller, made a motion to approve the application as presented. The motion passed by all members present.

8:00 PM- Old Business

- Board members discussed scheduling upcoming applications.
- Board members collectively agreed to re-schedule the continued hearing for Final Subdivision Review (74 Cloverdale Rd) for October 20, 2014 at 6:30 PM.
- Board members discussed the final conditions of the Butler (IS621) decision.
- At 8:50 PM, Board member Will Towle, seconded by Penny Miller, made a motion to exit (Butler-IS621) executive session. The motion passed by all Board members present.
- Board member Will Towle, seconded by Jim Gilmartin, made a motion to approve the application of Tristan Butler for a Home Industry permit to host wedding and other special events on the property located at 621 Irish Settlement Road. The motion passed (6 in favor, 1 opposed) (M. Chapek-opposed).
- Board members discussed the August 18, 2014 DRB minutes. Board member Karen McKnight, seconded by Penny Miller, made a motion to approve the minutes as submitted. The motion passed by all Board members present.

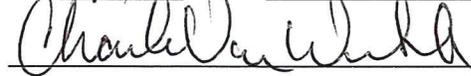
Meeting adjourned at 8:50 PM.

Submitted by:

Sarah McShane, PZA

These minutes of the 9-15-2014 meeting of the DRB were accepted

This 17 day of November, 2014.



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.

