

**Town of Underhill**  
**Development Review Board Minutes**  
**July 21, 2014**

**Board Members Present:**

Charles Van Winkle, Chairperson  
Penny Miller  
Mark Hamelin  
Shanie Bartlett  
Karen McKnight

**Staff/ Municipal Representatives Present:**

Sarah McShane, PZA

**Others Present:**

Darah Zurit (Applicant)  
Michael Moore (Applicant)

- Chairperson Van Winkle called the meeting to order at 6:30 PM.
- Chairperson Van Winkle asked for public comment. No public comments were provided.

**6:35 PM- 74 Cloverdale Road- Cont. Moore Final Subdivision Review for a 2 Lot subdivision**

---

- Chairperson Van Winkle began the hearing by explaining the procedure for final subdivision review, which comes under the 2012 Unified Land Use and Development Regulations. This is a continued hearing from 7/7/14.
- Chairperson Van Winkle stated that he had recently ran into the Applicant, Darah Zurit, at the local gas station and was asked a procedural question regarding waiver requests. He discussed the issue with the Applicant. He asked Board members whether or not they felt he needed to recuse himself from the hearing. All Board members present felt that he could still make an unbiased decision based on the evidence and should continue to participate in the decision making process.
- The following items were entered into the record; letter from Applicant requesting waivers (7/19/14); copy of warranty deed indicating right-of-way over Cloverdale Road (V. 201 P. 218); updated deed language for Shared Roadway, Water Line Easements and Utility Easements; a copy of a letter from Planning Commission to Selectboard in regards to Cloverdale Road improvements (dated 7/16/14); Copy of Y turn-around diagram from Town Road Policy (dated 12/12/78); copy of the revised subdivision plat from Button Professional Land Surveyors (last revised 7/14/14); copy of revised subdivision plan from Button Professional Land Surveyors (last revised 7/14/14); and draft DRB minutes from (7/7/14).
- Board members reviewed the revised subdivision plan for the Moore Subdivision on Cloverdale Road.
- Board members discussed the turn-around indicated on the revised subdivision plan and stated that the Fire Department would need to review the updated plans to make sure they are able to access the property in case of an emergency.
- Board member Mark Hamelin stated that the Y turn-around design typically has less impact than the circular turn-around.
- Board member Penny Miller stated that the Applicants should try to reduce the impact to the wetland and associated buffer.

- Applicant Michael Moore stated that regardless of whether they decide to go with the Y or circular turn-around, they will still need a waiver for the width of the road since it is only 20' wide at the property boundary.
- Board members stated that they would be inclined to waive the width of the turn-around since the road width itself does not meet the requirements.
- Board members continued to discuss the turn-around and identify areas that may be more suitable and feasible.
- The Applicants were recommended to contact the Fire Department. A letter from the Fire Department indicating they can serve the subdivision will be required prior to the next hearing.
- Board members reviewed Section 8.2 Subdivision Standards. Chairperson Van Winkle asked for comments and concerns.
- Board members discussed the lot layout requirements and the requested waivers for the existing structures on Lot A. Applicants will not be required to request waivers for Lot A since it is a separate parcel and not involved with the subdivision application.
- Board member Penny Miller asked if revisions were made to the driveway on Lot 2.
- Darah Zurit, Applicant, stated that that the revisions were made and the plan indicates the slope of the driveway to be 12%.
- Board members discussed grade requirements and inconsistencies between the Town Road Policy and zoning regulations. The Town Road Policy has a maximum grade requirement of 10% and the zoning regulations list a maximum 12% grade.
- Board members discussed the letter submitted by the Planning Commission.
- Board member Penny Miller made a motion, seconded by Shanie Bartlett, to consider the opinion of the Planning Commission, but to weigh the input from the Road Foreman more heavily. The motion passed by all Board members present. Board members agreed that the Road Foreman is the Town's local expert regarding road issues.
- Board members discussed the required Access Permit (curb cut) issued by the Selectboard.
- PZA Sarah McShane suggested that it may be in the best interest of the Applicant to request an Access Permit from the Selectboard prior to receiving final subdivision approval.
- Board member Penny Miller requested to review the waiver request letter.
- Board members agreed that the Applicant will be required to request the following waivers; setback waiver for existing garage on Lot 1, a 4' waiver request for the width of the existing road (existing road is 20', regulations require 24' travel width), and a waiver from improving the entire length of Cloverdale Road beginning at Rt. 15. If the Applicant decides to continue with the circular turn-around, a request to deviate from the recommended Y turn-around will also be required.
- Board member Penny Miller made a motion, seconded by Shanie Bartlett, to continue the hearing to August 18<sup>th</sup> at 6:45 PM. The motion passed by all Board members present. The hearing concluded at 8:00 PM.

#### Other Business

---

- Board members reviewed the minutes from the July 7, 2014 DRB meeting. Board member Shanie Bartlett made a motion, seconded by Penny Miller, to approve the minutes from the July 7, 2014 DRB meeting. The motion passed.
- Meeting adjourned at 8:07 PM. The next DRB meeting will be Monday August 4<sup>th</sup> -site visit at 6:00 PM.

DRB Meeting Minutes  
July 21, 2014

Submitted by:

Sarah McShane, PZA

These minutes of the 7-21-2014 meeting of the DRB were accepted

This 18 day of August, 2014.

Charles Van Winkle  
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.*

