

Underhill Town Planning 1961 - 2014

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2014



photo: Kika McArthur, 2014

UNDERHILL TOWN PLANNING 1961-2014

~~ PREFACE

The Town Boundary of Underhill includes the undeveloped western slope of Mount Mansfield, the highest and most scenic mountain in Vermont. The National Park Service has designated Mount Mansfield a National Natural Landmark. While the upper elevations are owned by the State and UVM and are protected from development through inclusion in the State Forest and Park system, Underhill has the stewardship responsibility for the lower elevations and foothills which are the gateway to the national landmark. The Mount Mansfield area is an important resource, not just for Town residents, but for the State of Vermont and its visitors. It is appreciated not only for its scenic beauty, but also as an economic asset.

~~ THE BEGINNING

On the Warning for the Town Meeting, March 7, 1961 was the item “To authorize the Selectmen to appoint a Zoning Commission and to adopt zoning regulations based on the Zoning Commission’s report and present such zoning regulations to the legal voters of the Town for approval.” The proposal passed handily at Town Meeting, only to be challenged by opponents. At a special meeting held the following month, a proposal to rescind the initiative was strongly rejected. Serving on the Selectboard at the time were Luella Lamphere, Marion Fay and Crick Fuller, all with deep historical roots in the community.

The Commission was appointed, with Dr. R.D. “Doc” Towne as chair and Lorraine Dwyer, Town historian, secretary. With the help of a consultant from the Vermont Development Commission, regulations were drafted. The first Underhill Zoning Ordinance was duly adopted at the Town Meeting in March 1963.

“Sec.1 Purpose: The purpose of this ordinance is to promote the health, safety and welfare of the inhabitants of the Town of Underhill; to protect and conserve the value of property; to secure safety from fire, congestion or confusion, all in accordance with Title 24, Chapter 67 of the Vermont Statutes Annotated.” The regulations were simple, establishing an Agricultural-Residential District everywhere in town, requiring a lot size minimum of 1 acre with 150 foot road frontage, and Commercial Districts in Underhill Flats and Underhill Center with minimum acreage of 15,000 square feet and frontage of 75 feet. Setbacks and usage were also defined. Home occupations were encouraged.

A Zoning Board of Adjustment was appointed with Doc Towne as chairman and members Neil and Wendell Metcalfe, Paul Cook and Lorraine Dwyer. Bill Linde was the Zoning Administrator. In 1964 a Planning Commission was appointed with Wes Grady as chairman and Paul Cook as vice-chairman. Dr. Bert Kusserow, Peter Allendorf, Don Breen, Harold Gillette, and Ray Thornton also served. (In the early days, Selectmen took turns serving on the Planning Commission and Zoning Board. Matt Parisi was the Selectman on the first commission.

~~ FUNDAMENTAL STUDIES

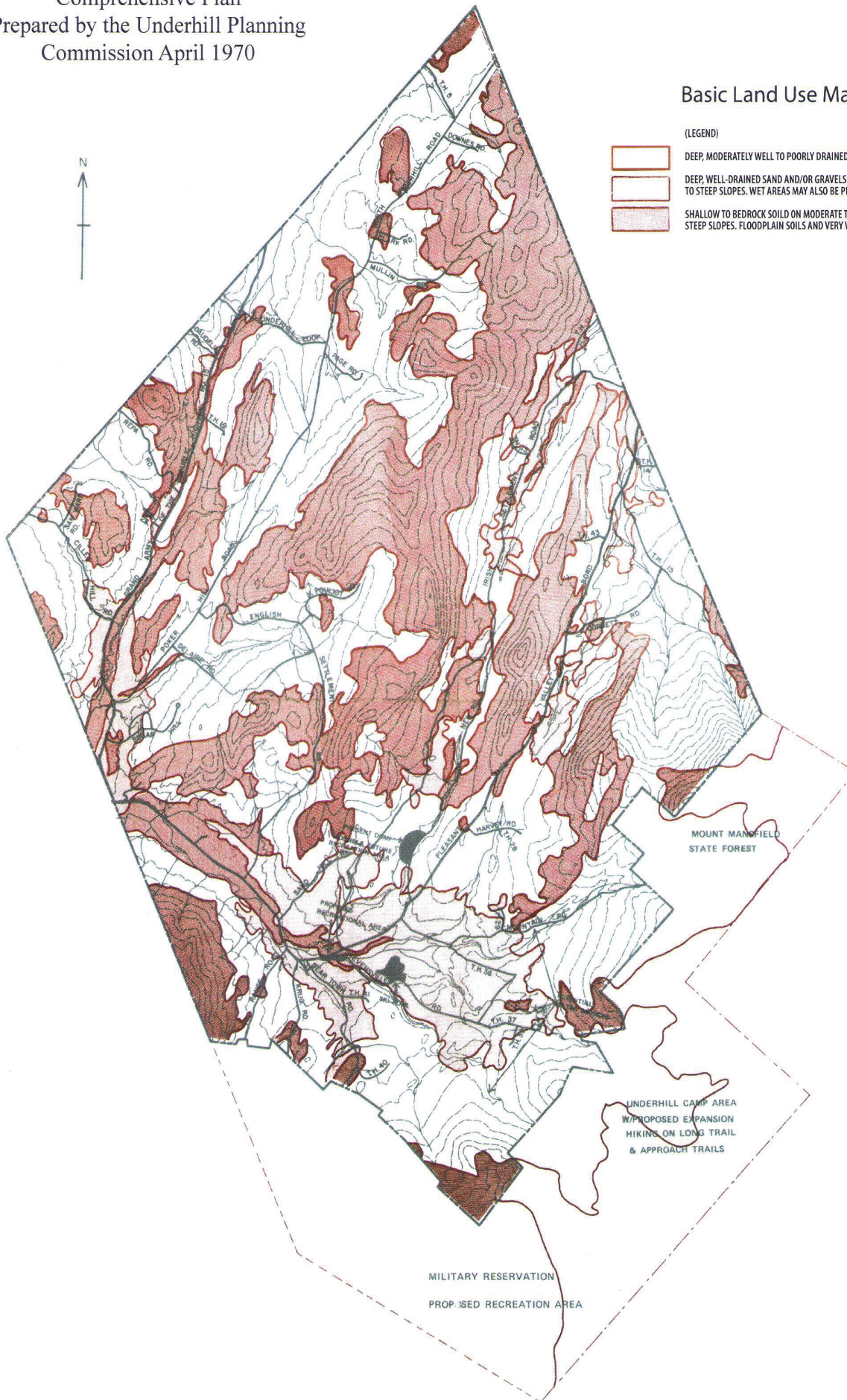
The Planning Commission recognized that fundamental studies were needed to prepare for drafting zoning regulations which would be more appropriate than the original “stopgap” measures. By 1967 the strip development along Route 15 and the economic and population pressures moving out to Underhill were of serious concern. A Land Use Study committee was appointed to do research and to make recommendations.

That year the Town Report included the report of the committee, written by Gael Boardman. In particular, it recommended the development of a land use map and development of zoning regulations based on graded lot sizes. By 1968 the Planning Commission was hard at work developing a comprehensive town plan, now required by the recently passed Vermont Planning and Development Act 250 as a basis for zoning by-laws.

Robert Towne of the US Soil Conservation Service compiled a soils analysis map for Underhill, combining the variety of soils shown on the US Soil Conservation maps into areas of similarity, especially for their adaptability for septic systems and building purposes. (See base map.) With the assistance of the Vermont Department of Water Resources, all Town water was classified. The natural water systems were related to the soils in which they were found. The sandy soils, especially the glacial kame terraces fanning Underhill Center, held a natural aquifer. The rocky hillsides, thinly covered with poorly permeable glacial till, were the locations of the deep water bedrock aquifer. (These aquifers are associated with cracks in the rock and are especially vulnerable to pollution which can travel far through interconnecting cracks.) The two different kinds of aquifers were obvious areas to zone differently.

UNDERHILL, VERMONT
 Comprehensive Plan
 Prepared by the Underhill Planning
 Commission April 1970

Basic Land Use Map



(LEGEND)

- DEEP, MODERATELY WELL TO POORLY DRAINED SOILS ON MODERATE TO STEEP SLOPES
- DEEP, WELL-DRAINED SAND AND/OR GRAVELS ON LEVEL TO STEEP SLOPES. WET AREAS MAY ALSO BE PRESENT
- SHALLOW TO BEDROCK SOILD ON MODERATE TO VERY STEEP SLOPES. FLOODPLAIN SOILS AND VERY WET LAND ON SLIGHT SLOPES.

MOUNT MANSFIELD
 STATE FOREST

UNDERHILL CAMP AREA
 W/PROPOSED EXPANSION
 HIKING ON LONG TRAIL
 & APPROACH TRAILS

MILITARY RESERVATION
 PROP. USED RECREATION AREA

Explanation of the Base Map

The base map essentially inventories the natural resources, highways and municipal facilities of the Town and will serve as a starting point for preparation of the land use plan. It was prepared by overlaying simplified topographical and soil maps of the area.

The topographical map combines major contours from the U.S. Geological Survey maps (1945 ed.) with the base map of the Town of Underhill provided by the Regional Planning Commission. It shows the watershed, the highway system and the municipal facilities. The soil map is based on the detailed studies which have been made by the U.S. Department of Soil Conservation.

There are many different soil types within the Town of Underhill, but with the kind assistance of Mr. Robert Towne of the USDSC in Essex Junction, these were grouped into three broad categories based on fundamental drainage and building support characteristics. These categories are represented by the cross-hatched areas on the map and indicate the limits of housing density which these soils could support.

In preparation of a land use plan to serve as a basis for improved zoning regulation, many other factors must be considered besides soil characteristics. These include land contours, bedrock geology, forest cover, wildlife preservation and scenic values, as well as present land use and proximity to municipal facilities. Only with such a firm ecological base can rational zoning regulations be designed which will preserve the quality of our environment and the rural aspect of the town so ardently desired by its citizens.

~~ COMMUNITY SURVEY

In 1968 Paul Cook became Planning Commission chairman and Bert Kusserow, Irene Snyder, Tom Hitchcock and Roland Burroughs were Commission members. The following year Betty Moore, Mary Fell, Eleanor Clark and Don McClellan were appointed. Dr. Kusserow became chairman of the Planning Commission and Paul Cook moved to the Zoning Board of Adjustment. The Commission was busy analyzing Town data and developing ideas.

In order to plan the future growth of Underhill in accordance with the desires of the citizens, the Planning Commission mailed two postcard surveys. One inquired of large landowners their future plans with the regard to the use of their properties. There was a 90% return from this inquiry. Approximately 85% indicated they planned to keep their land open, unless future taxation precluded such maintenance.

The other survey polled the wishes of the citizens with respect to the future character and facilities of the community. 70% of the cards were returned. An overwhelming majority (96%) wished to retain the rural aspect of the Town. Housing developments were vetoed by 65% , regardless of their character or regulation and 61% saw no need for a shopping center. More recreational facilities were favored by 59%, provided the facilities were reserved for the of the townspeople.

The replies came from 20 states and Canada, as well as from Underhill and surrounding towns. The large and prompt response was gratifying and indicated a sincere interest in intelligent planning for Underhill's future.

~~ CHANGE IN LAND APPRAISAL CRITERIA

In 1969 the Vt Supreme Court invalidated land appraisal based on agricultural criteria. (see appendix). (i.e.. what it will grow). It mandated an 'ad valorem' method, based on 'fair market value'. The Underhill listers were encouraged by the State Tax Dept to reappraise the land according to the new system. Basically, land was valued by the number of acres. The effect on the value of land in Vermont was staggering. It was yet another urgent reason for expediting town planning. A short history of the effect of the listers' action on the Town of Underhill is shown in the appendix. It lead to the formation of a Taxpayers Association, a lawsuit against the listers, a counter lawsuit by the listers and a great deal of distress in the community. The net effect was that the County Court finessed a decision and sent the problem back to the Tax Dept for consultation. In the end, the listers were able to add other criteria than lot size to the appraisal of land, including such as access, scenic location, usefulness for development. The Town was responsible for the legal fees for both sides of the argument.

(In 1974 Underhill set up a Farmers Contract, recently enabled by the VT legislature, in order to assist the few farmers yet left in Underhill with the unprecedented rise in taxes, due to the appraisal changes. This was later extended to large landowners, as a Land Use Contract, which had a ten year basis for keeping land open. The State later created similar contracts, but many Underhill landowners have preferred to enroll in the Town contract, which is still in effect today.)

~~ EARLY PLANNING PROGRESS

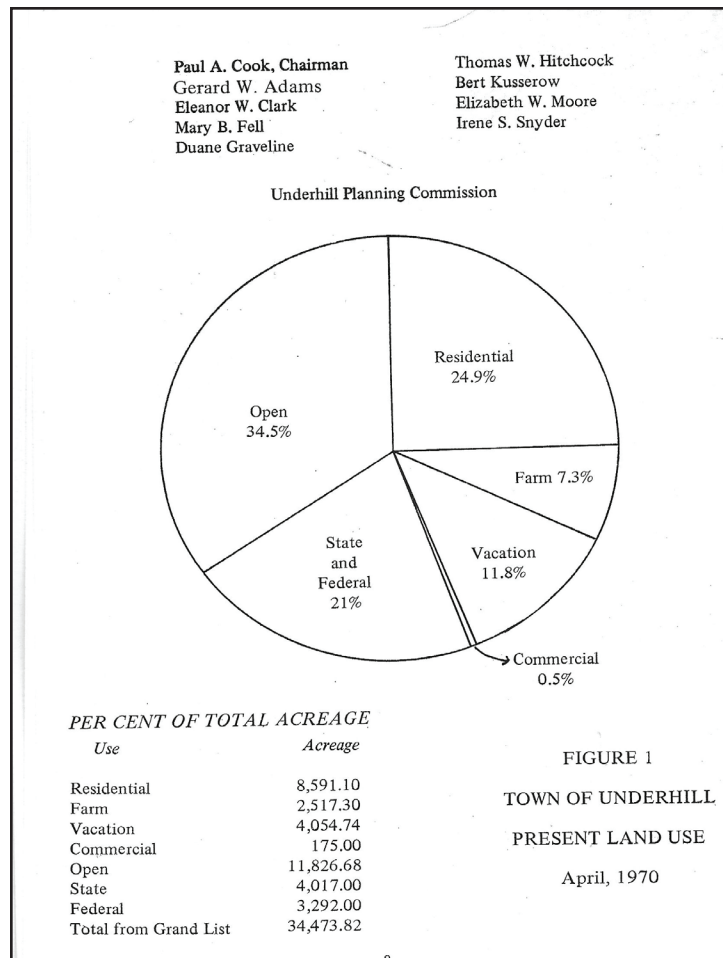
1970 was the most significant year of planning progress, marking the adoption of the first Comprehensive Town Plan, with a basic soils map, new Zoning by-laws and a Transportation Plan. Also passed were revised Subdivision regulations, which were "primarily intended to shield the Town from unnecessary and excessive expenses resulting from road construction costs and the provision of other municipal services from badly planned developments, and to provide protections against sudden development of massively large housing tracts which the Town could not assimilate." (Prior to the adoption of the regulations, some subdivisions had been developed with road problems which may never be solved.) The Planning Commission was charged with the responsibility of overseeing the subdivision regulations for developments of three or more lots.

~ WATER STUDIES

In the early 70s two significant water studies were undertaken. With State funding an investigation was made by Don Hamlin's engineering firm to see if a municipal water source could be found in Underhill Center. The results were negative. The State also funded analyses of streams in Underhill Center to determine sources of pollution. With the help of the Selectboard several homeowners in the village were able to improve their sewage disposal systems.

~1970 THE FIRST UNDERHILL TOWN PLAN

In 1972 the revised Comprehensive Municipal Plan was adopted. It contained all the collected planning data and analyses and a land use map to serve as a basis for the revised Zoning Ordinance. At the time of writing, approximately 13 % of the Grand List was non-residential open land and seasonal homes. (Also, at the time there was so little use of the military reservation that there was some thought that the government might return the land to the town.)



Throughout the year six explanatory meetings had been held, neighborhood by neighborhood. Everyone was personally contacted and invited. Summer meetings were held so the summer residents could attend. At Town Meeting in 1973 the 10 year old Zoning Ordinance was replaced by a new ordinance based on "critical area zoning" to protect the surface and ground water, soils and scenery. The vote was overwhelming in favor. Since that time, the Town Plan has been updated every five years, as required by statute. Each revision has reflected the will of the community as expressed in surveys and public meeting. The mandate has remained clear. The community of Underhill understands its role as steward of the one unspoiled aspect of Mt Mansfield and its approach through the foothills. It wants to maintain insofar as possible the rural nature

and scenic beauty, in spite of the inexorable trend toward becoming a suburb of Burlington.

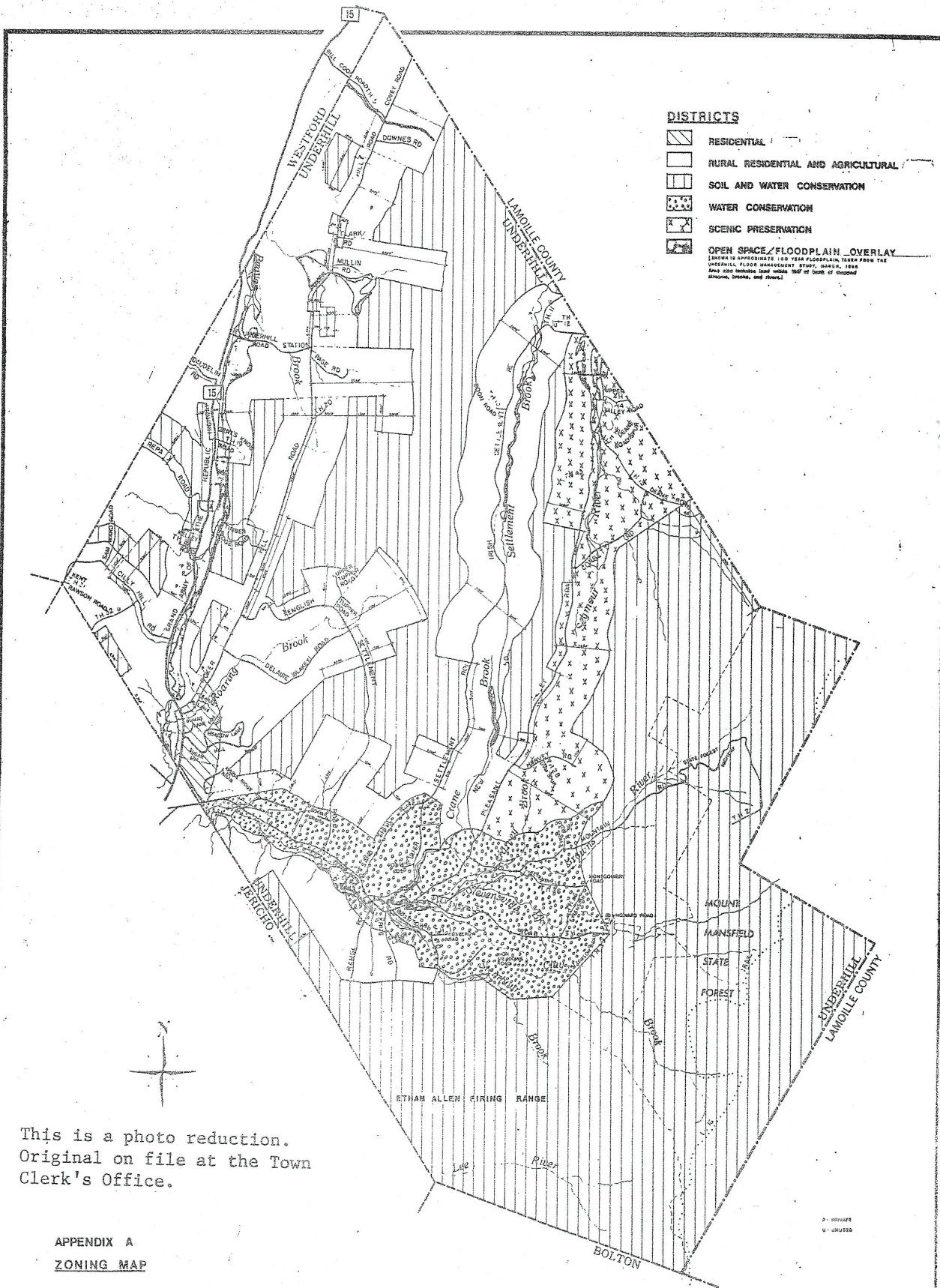
~~ THE 1973 ZONING MAP

The production of the first zoning map was a challenging project. The soils map produced manually by Robert Towne was overlaid by a sheet of transparent mylar and lines were drawn on the mylar following the major soil categories. The soils represented the gravel and bedrock aquifers which became the major zoning districts. The gravel aquifer became the Water District. The bedrock areas with thin soil overlay became the Soil and Water District. The area including a private water system located in Underhill Flats, which served the houses and businesses there, mostly on small lots, was designated the Residential District. Since most of the private residences and farms had been built along the roads, areas along the roads became the basis for the major zoning district, called The Rural Residential District.

The one arbitrary district was along the Pleasant Valley road which had splendid views of Mt Mansfield. It was drawn as The Mt Mansfield Scenic Preservation District, to have 10 acre lots with long road frontage and deep setbacks for the building envelopes. (In 1970, the roadsides were clear, except for splendid old sugar maple trees. Tourist buses regularly visited in the fall foliage season. With the increased use of winter salt on the roads, the maple trees died and have since been removed and the roadside has mostly seen the appearance of secondary overgrowth. Over the years, the grand, sweeping views of Mt Mansfield have largely disappeared.) To protect the upper elevations of the mountain, all development above 1500 feet was precluded. The regulation has survived several challenges.

Most of the zoning lines were irregular, following the irregularities of the soils map. The principle was to draw the zoning lines well within the more restrictive area, so parcels on the boundaries would not be in dispute. The transparent Zoning Map was to be used by overlaying it on a USGS map, on which locations could be defined. The problem was that the USGS map and the US Soil Conservation map were not on the same scale. It was thanks to the expertise of the photographic department at the UVM Medical School and Dr. Bert Kusserow, then Chair of the Planning Commission, that the creative mylar Zoning District map was produced on the same scale as the USGS map. The system was primitive and not the most desirable, but it was useful at the time. (The original set is in the Town vault.)

The irregular zoning lines were problematical and the Chittenden County Regional Planning Commission helped to redraw them as straight lines, measured from identifiable locations on the ground. Dick Wadhams was chair of the Planning Commission at the time. Mary Fell and Irene Linde were also commission members, who spent long hours measuring and drawing the new lines, which have largely remained the same ever since. (See map)



- DISTRICTS**
- RESIDENTIAL
 - RURAL RESIDENTIAL AND AGRICULTURAL
 - SOIL AND WATER CONSERVATION
 - WATER CONSERVATION
 - SCENIC PRESERVATION
 - OPEN SPACE/FLOODPLAIN OVERLAY
- (X MARKS APPROXIMATE 100 YEAR FLOODPLAIN, BASED FROM THE UNDERHILL FLOOD MANAGEMENT STUDY, MARCH, 1988 AND DOES NOT INCLUDE LAND WITHIN 100' OF BANK OF DISCHARGED STREAMS, BROOKS, AND RIVERS.)

This is a photo reduction.
Original on file at the Town
Clerk's Office.

**APPENDIX A
ZONING MAP**

1988	1985	1982	1979	1976	1973	1970	1967	1964	1961	1958	1955	1952	1949	1946	1943	1940	1937	1934	1931	1928	1925	1922	1919	1916	1913	1910	1907	1904	1901	1898	1895	1892	1889	1886	1883	1880	1877	1874	1871	1868	1865	1862	1859	1856	1853	1850	1847	1844	1841	1838	1835	1832	1829	1826	1823	1820	1817	1814	1811	1808	1805	1802	1799	1796	1793	1790	1787	1784	1781	1778	1775	1772	1769	1766	1763	1760	1757	1754	1751	1748	1745	1742	1739	1736	1733	1730	1727	1724	1721	1718	1715	1712	1709	1706	1703	1700	1697	1694	1691	1688	1685	1682	1679	1676	1673	1670	1667	1664	1661	1658	1655	1652	1649	1646	1643	1640	1637	1634	1631	1628	1625	1622	1619	1616	1613	1610	1607	1604	1601	1598	1595	1592	1589	1586	1583	1580	1577	1574	1571	1568	1565	1562	1559	1556	1553	1550	1547	1544	1541	1538	1535	1532	1529	1526	1523	1520	1517	1514	1511	1508	1505	1502	1499	1496	1493	1490	1487	1484	1481	1478	1475	1472	1469	1466	1463	1460	1457	1454	1451	1448	1445	1442	1439	1436	1433	1430	1427	1424	1421	1418	1415	1412	1409	1406	1403	1400	1397	1394	1391	1388	1385	1382	1379	1376	1373	1370	1367	1364	1361	1358	1355	1352	1349	1346	1343	1340	1337	1334	1331	1328	1325	1322	1319	1316	1313	1310	1307	1304	1301	1298	1295	1292	1289	1286	1283	1280	1277	1274	1271	1268	1265	1262	1259	1256	1253	1250	1247	1244	1241	1238	1235	1232	1229	1226	1223	1220	1217	1214	1211	1208	1205	1202	1199	1196	1193	1190	1187	1184	1181	1178	1175	1172	1169	1166	1163	1160	1157	1154	1151	1148	1145	1142	1139	1136	1133	1130	1127	1124	1121	1118	1115	1112	1109	1106	1103	1100	1097	1094	1091	1088	1085	1082	1079	1076	1073	1070	1067	1064	1061	1058	1055	1052	1049	1046	1043	1040	1037	1034	1031	1028	1025	1022	1019	1016	1013	1010	1007	1004	1001	998	995	992	989	986	983	980	977	974	971	968	965	962	959	956	953	950	947	944	941	938	935	932	929	926	923	920	917	914	911	908	905	902	899	896	893	890	887	884	881	878	875	872	869	866	863	860	857	854	851	848	845	842	839	836	833	830	827	824	821	818	815	812	809	806	803	800	797	794	791	788	785	782	779	776	773	770	767	764	761	758	755	752	749	746	743	740	737	734	731	728	725	722	719	716	713	710	707	704	701	698	695	692	689	686	683	680	677	674	671	668	665	662	659	656	653	650	647	644	641	638	635	632	629	626	623	620	617	614	611	608	605	602	599	596	593	590	587	584	581	578	575	572	569	566	563	560	557	554	551	548	545	542	539	536	533	530	527	524	521	518	515	512	509	506	503	500	497	494	491	488	485	482	479	476	473	470	467	464	461	458	455	452	449	446	443	440	437	434	431	428	425	422	419	416	413	410	407	404	401	398	395	392	389	386	383	380	377	374	371	368	365	362	359	356	353	350	347	344	341	338	335	332	329	326	323	320	317	314	311	308	305	302	299	296	293	290	287	284	281	278	275	272	269	266	263	260	257	254	251	248	245	242	239	236	233	230	227	224	221	218	215	212	209	206	203	200	197	194	191	188	185	182	179	176	173	170	167	164	161	158	155	152	149	146	143	140	137	134	131	128	125	122	119	116	113	110	107	104	101	98	95	92	89	86	83	80	77	74	71	68	65	62	59	56	53	50	47	44	41	38	35	32	29	26	23	20	17	14	11	8	5	2	1
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~~ THE PARCEL MAP

With the help of Town Clerk Zilda Bolio Metcalfe, Jim Nassau, a retired Pratt and Whitney engineer, undertook to draw a parcel map for the Town. Using the Underhill orthophotos as a base, he drew whatever survey data was available on a transparent overlay map. He mostly had only Deed descriptions to work from. The project took four years to complete. When computerization became available, Ed Moore digitized the Nassau map and set it up in the town office computer. It replaced the base USGS map for zoning purposes. The Zoning map was also computerized and the overlay system became much more workable and accurate. As new surveys became available, they were incorporated into the basic parcel map.

~~ COMPUTERIZATION of the VERMONT SOILS MAP

A grant was given to the Natural Resources Dept of UVM to computerize all of the USSC soils maps for the State. Students digitized the printed data. The project took many years. Underhill was among the first towns to have the information in its computer. It made the basic planning data more accurate and was very helpful.

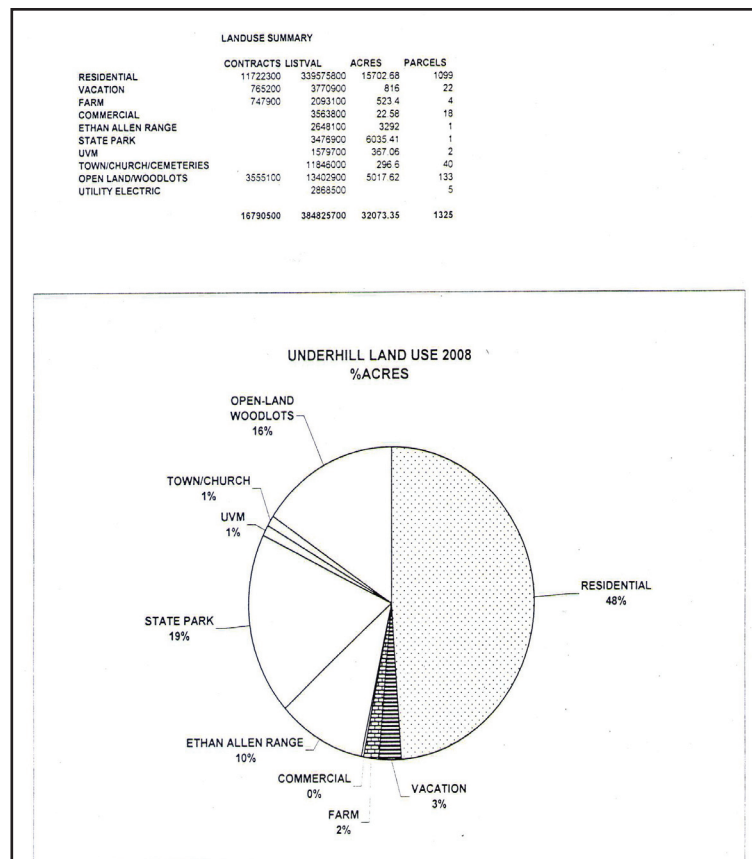
~~ ZONING AND SUBDIVISION OVERSIGHT

Since the first adoption of the Subdivision Regulations, they have been revised, as needed, to reflect the road policy as developed by the Selectmen. The Zoning Ordinance has required continual refinement to clarify definitions and language and to respond to changes as suggested by the Zoning Board of Adjustment. (ZBA) which was originally responsible for enforcing and interpreting the ordinance. Since no ordinance can fit every situation, the ZBA was empowered to bring human judgment to bear in special situations and to give variances, where appropriate. When the Board was repeatedly asked for variances of a certain kind, they requested the Planning Commission and the Selectboard to decide if the ordinance should be changed to respond to a need. Changes proposed by the Planning Commission were then put to the townspeople for a vote at Town Meeting. The Zoning Ordinance has been refined many times, but the fundamental principles upon which it is based, namely, the imperatives of the natural environment, have not been changed. Home occupations have been strongly encouraged and, in accordance with the wishes of the residents, all commercial usage has been conditional, so that compatibility with the neighborhood could be assured.

~~ THE DEVELOPMENT REVIEW BOARD

The Vermont Legislature approved a new arrangement for handling subdivisions, which became optional for the Towns. Instead of a Zoning Board of Adjustment, a Development Review Board (DRB) is appointed which reviews the subdivision designs, formerly under the oversight of the Planning Commission. Where appropriate and sensible, it can give variances and waivers with respect to the Zoning Ordinance. The idea was to simplify the subdivision process, reducing the oversight to one Town commission, instead of two. The Underhill Selectboard made the change in 2006 and since then, the subdivision of land has been overseen by the DRB. Scott Tobin was the chairman until 2012, when he was followed by Charles van Winkle, present chairman.

The major role of the Planning Commission is to rewrite the Town Plan, which has to be updated every five years. The Town Plan has been especially important since the Legislature passed Act 200 in 1967 to complement the original Planning Act 250. Act 200 was essentially a 'growth management' law. Its original purpose was to encourage growth decisions to take place through public, community-wide consensus ahead of the project. It required Town Plans to be approved by the Regional Planning Commissions and adjacent towns to ensure that the plans are consistent with the plans of neighboring municipalities. (It also provided for State Agency coordination for regional plans, but this coordination did not prove successful. The Natural Resources Agency and the Agency of Transportation did not work together as harmoniously as had been planned.)



~ CHITTENDEN COUNTY REGIONAL PLANNING COMMISSION

Since the establishment of the Chittenden County Regional Planning Commission in 1966, the support of the CCRPC, under the leadership of Art Hogan for many years, has been instrumental in the Underhill planning projects. His assistant, Don Rich, was extremely helpful in all of the early town planning initiatives.

Each town in the County has a representative and an alternate serving on the Commission and attending monthly meetings. In addition, there are special members of the Commission with expertise in particular subjects, such as agriculture, natural resources, transportation, real estate, etc. The CCRPC professional staff has provided towns with planning data, interpretations of the State statutes, and special studies, as well as reproduction services for maps and town documents. The Regional Commissions also prepare their own inclusive Regional Plans every five years.

~ RECENT PLANNING PROJECTS

For several years the Planning Commission worked to coordinate all of the Town regulations, to make sure that the definitions and requirements were uniform. A grant from the State afforded the assistance of planning consultant, Sharon Murray, to coordinate and expedite that effort and also help with an update of the Zoning Regulations. The rewritten Zoning Ordinance was presented for a Town vote at March Meeting 2014, at which time the changes were rejected.

~ ACKNOWLEDGEMENTS

Over the years, more than 100 members of the Underhill community have served on the Planning Commission and Zoning Board. Of special note is Dr. Dick Albertini who served as the chair of the Planning Commission for 14 years, until his retirement in 2014. Marion Fay was a member of the Planning Commission for many years and then served as chair of the Zoning Board. Gerry Adams has been a member of the commission serving at various times since 1969. Mary Fell, Irene Linde, Betty Moore and Pat Lamphere also served for many years. Ed Moore has been invaluable as a computer expert, computerizing all of the Town data and creating innumerable maps.

~APPENDIX

Underhill Land Use Contracts - A Short History

1969 VT Supreme Court invalidates land appraisal based on agricultural criteria (what it will grow); mandates 'ad valorem' method.

1971 In Town Report Listers (Lorraine Dwyer, Josephine McClellan) state that land values in the Grand List are too low compared with what people were paying for land; has an effect on State Aid for schools. Show '69-'70 land sales by parcel size.

Listers subsequently re-appraise land using 'ad valorem' method. Taxes on land skyrocket. Bert Kusserow, Planning Comm. Chair and Selectboard plead for gradual increase in evaluation, perhaps over a 5 year period. No influence.

Nearly every land owner grieves and appeals to Board of Civil Authority (BCA).

BCA (including Selectmen Wendall Metcalf, Peter Allendorf, Ed Moore) view nearly all the land in town.

BCA roles back 1970 Grand List to 1969 values. Listers take BCA to court.

Taxpayer Association formed to represent landowners. Robert Patterson, President. Nearly every lawyer in the area has a job.

1972 Judge Martin 'strikes' BCA 1970 Grand List. Mandates new appraisals for 1970 and 1971 Grand Lists -- to be accomplished in 90 days with help of VT Dept. of Taxes. All costs and fees of lawyers (Perry and Schumacher) to be paid by the town.

3/24/1971 Meeting of Civil Board, Listers, Selectboard, Mr. Abair and Mr. Turner from State Tax Dept.

With Mr. Turners help, listers must correct construction costs and new house values; inspect all houses for depreciation correction; bring land values up also. Some modification of land values allowed for accessibility, desirability, location, topography.

3/7/1972 Town Meeting – Motion carried that Selectmen hold Special Town Meeting to afford some method of tax relief for farmers.

1973 Farmers Contract proposed. (Farmers with 2/3 income from farming.) Only 8 farmers qualify: Butler, W. Rawson, Lehoullier, Sturtevant, Pollard, K. Rawson, Tatro, Siple. Estimated 1614 acres would qualify. Cost to town estimated at \$3952.

3/5/1974 Town Meeting. Voted to give farmers tax relief through contracts. Enabled by Legislature.

1974 Contracts written. Only 4 farmers sign up. (Butler, W. Rawson, Lehoullier, Sturtevant.) Cost to town only \$1738.24. (Others later participated.)

1975 Town Meeting. By 2/3 majority voters approve Open Land Contracts for Underhill, similar to the tax stabilization for farmers.

1977 Land Use Contract drafted, but could not yet be implemented since Legislature had not yet passed enabling legislation.

1978 In February Legislature approves Open Land Contracts.

At March Town Meeting voters agreed “to allow the Selectmen to enter into Open Land Contracts with anyone having more than 10 acres of land. 10 years renewable. Open Land Contracts issued.

1979 State adopts a State “Current Use” program. Must be used for agriculture or forestry. Minimum 25 acres. Lien, in perpetuity.

1982 State adds ‘Tax Stabilization Contracts’ (25 acre minimum). Must be used for agriculture or forestry. 10 years, renewable.

Underhill Town Land Use Contract revised to meet State requirements. Hope to eliminate some of the reductions in Grand List used to figure State Aid to schools.

1996 Selectboard reviews Open Land, Tax Stabilization and Current Use Contracts, all of which reduce taxes in return for landowners not to develop their lands.

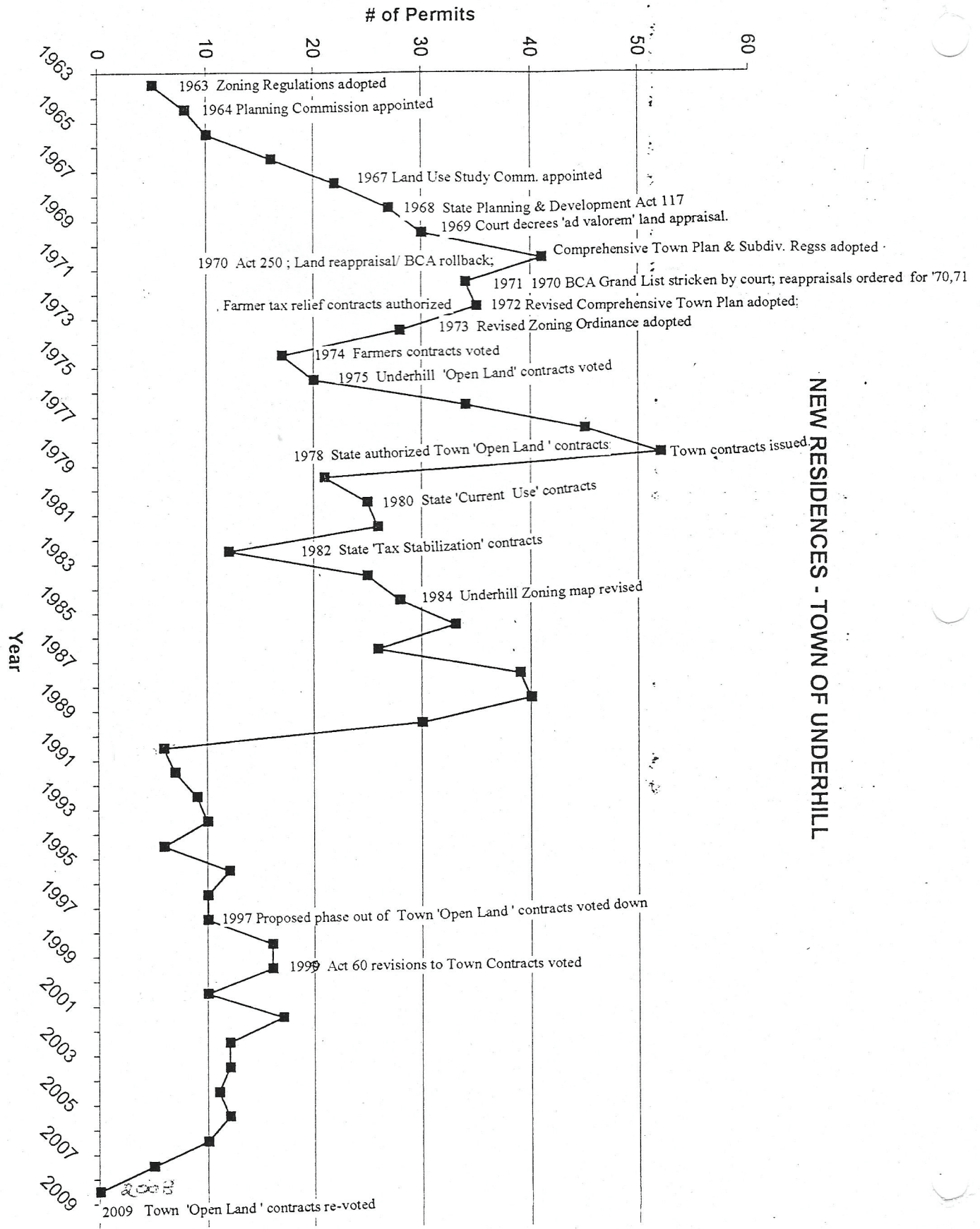
(Current Use properties are listed at the “current use” value; Town contract properties are listed at their fair market value minus the adjustment for acreage in the contracts.)

1997 March 4 Town Meeting. “Shall the Selectboard phase out the 10+ acre ‘open land’ contracts authorized in 1978, by not renewing them when they reach maturity?” Article was voted down.

1999 Act 60 requires adjustment in the way Open Land, Tax Stabilization and Current Use contracts are handled for tax purposes. Must clarify in the budget the actual cost of the transactions. At present time the total tax value of all these contracts is about \$45,000.

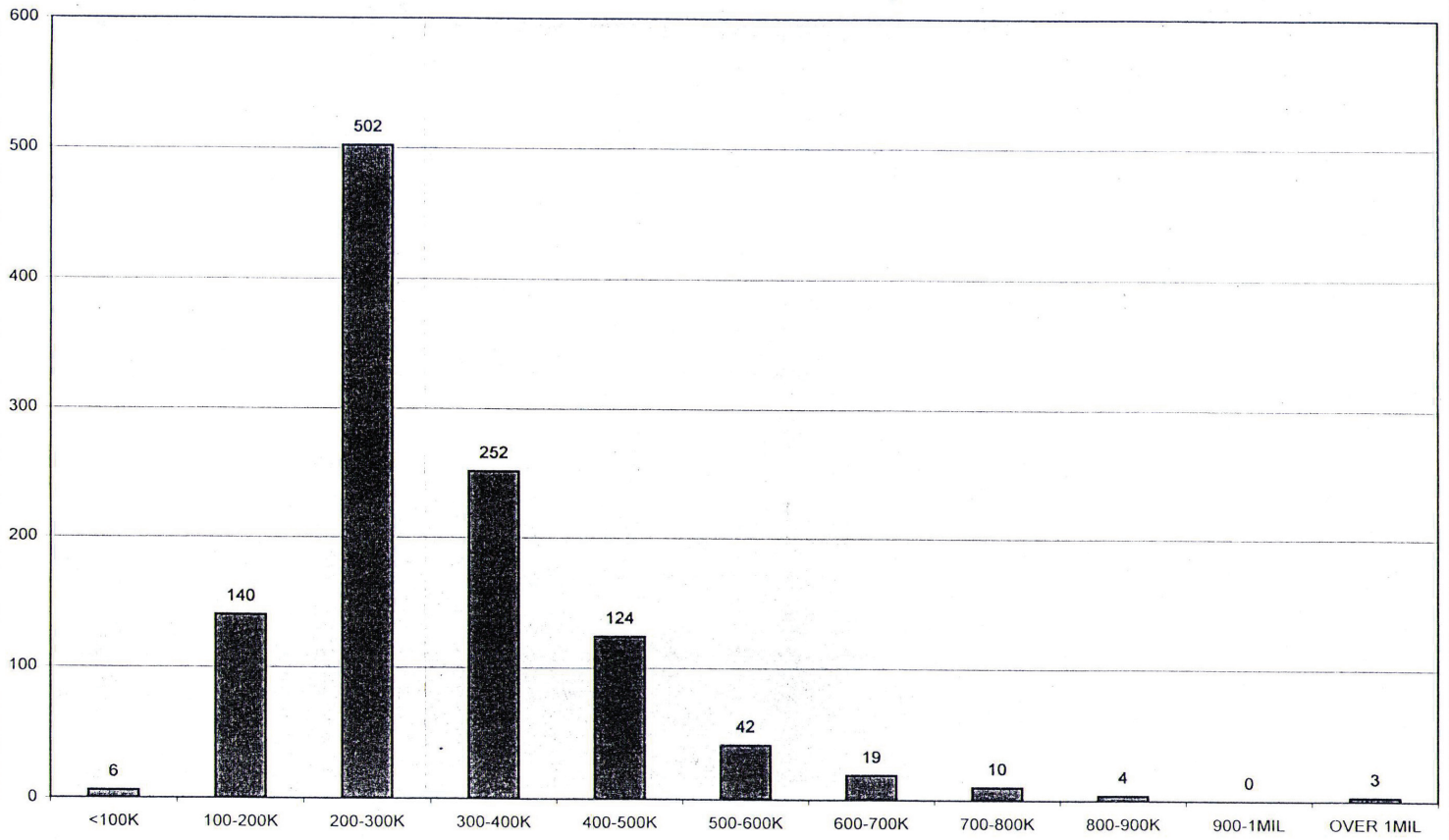
Town Meeting, March 2. Article VIII “Shall the Town continue municipally voted tax agreements, (Open Land, Tax Stabilization contracts, and the Maple Leaf Farm exemption), by raising a tax on its municipal Grand List at a rate sufficient to raise an amount equal to the difference between the municipality’s total education property tax liability to the State and the amount collected from education property taxes in the municipality after reductions for all tax agreements in effect?” Article passed.

2009 Town Meeting, March. Voted to continue “Open Land Contracts.”



TOWN OF UNDERHILL RESIDENCES BY LISTED VALUES (INCLUDING MOBILE HOMES)

2008



UNDERHILL, VERMONT

Comprehensive Plan

Box Holders

Residents of Underhill Only

One to each family

PREPARED BY THE UNDERHILL PLANNING
COMMISSION: April, 1970