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APPROVED

HUNTINGTON DEVELOPMENT REVIEW BOARD

Minutes of September 9, 2014

PRESENT: Joe Perella, John Altermatt, Jeanine Carr, Britt Cummings, Mark Smith

ABSENT:

OTHERS PRESENT: Peter Purinton, Jedediah Randall, Jennifer Purinton, Roman Livak, Bonnie Gordon, Lynda Swannie, Mark Sylvester

MINUTES: Heidi Racht

- 7 pm Purinton site visit (enter property at 450 Bridge Street)
- 7:30 Purinton Final Subdivision Review
- 8 pm Public Comment
Budget for 2014-2015
- 8:20 Lynda Swannie
- 8:45 Minutes of August 12, 2014
- 8:50 Agenda for next meeting / set date
- 9 pm Adjourn

After a visit to the Purinton property, the meeting began at 7:26 pm; chaired by Joe Perella.

Purinton/Randall Minor Subdivision Minor Review:

The Board heard the Purinton/Randall Minor Subdivision on Bridge Street. The project is located on Bridge Street, east of the Lower Village, and is located in the zoning district named the Village District, which is zoned for one acre. The project is located on Town Tax Map # 02-061.000.

The proposed subdivision is 2.03 acres on an existing 50-foot right-of-way at 450 Bridge Street; plus one remaining larger parcel of land on Bridge Street/Pond Road in Huntington Lower Village. The entire property is 359 acres.

The following documents were presented in support of the project

The completed required Subdivision Information form filed August 11, 2014. (Exhibit A)

- a) Survey entitled "Plat of Survey showing portion of lands belonging to Peter and Carla Purinton, Bridge Street, Huntington, Vermont" dated August 4, 2014, and prepared by Brad M Ruderman and Associates, Inc., Hartland, Vermont. (Exhibit B)
- b) Site Plan entitled "Purinton Subdivision/Septic Design," Huntington, Vermont, prepared by Vermont Contours, Bristol, Vermont. (Exhibit C)
- c) Road maintenance agreement, which will be put in place and implemented (Exhibit D).

- d) Letter from Huntington Fire Chief Tate Jeffrey, dated August 6, 2014, outlining driveway requirements and recommendations for fire alarm and a residential sprinkler system. (Exhibit E);
- e) Letter from Chittenden East Supervisory Union Superintendent John Alberghini, dated July 22, 2014, stating that the school district will be able to provide services at all levels. (Exhibit F);
- f) Request from the Applicant for a waiver to limit survey to Lot 2, which is clearly indicated on the survey. (Exhibit G)
- g) Erosion control measures addressed in a written statement from the applicant that the total area of disturbance during construction will be less than one acre and hay bale dams will be used. (Exhibit H)

In reviewing the checklist for final subdivision in conjunction with the project plan, the Board determined that all points had wither been addressed or were not applicable.

- a) there are no natural features of significance on the property.
- b) the site has no significant historic or cultural features.
- c) no Prime Agricultural soils are found on the site.
- d) proposed drilled well on proposed Lot 2: shown on the site plan, but not the survey.
- e) all future utilities will be buried from Pole 17, shown on site plan.
- f) monuments are shown on the plat. The Applicant stated that the monuments are in place.

The Board has concluded the materials in the application and up to and during the hearing on September 9, 2014 satisfies the requirements of Section 5.1 of the Regulations and complies with the Huntington Town Plan, the Huntington Zoning Regulations amended July 9, 2012 and other applicable Town regulations, subject to the conditions set forth below.

In addition, the Board concluded that:

- a) The project is not in a floodplain.
- b) This area has single family residences, open areas and wooded areas. The Board concludes the project complies with the provision of compatibility with surrounding properties.
- c) The project is suitable for the proposed site density.
- d) Based on the Applicant's testimony, there will be sufficient water to meet the needs of the proposed project for the reasonably foreseeable future.

- e) This subdivision as proposed will not cause highway congestion or unsafe conditions, subject to the conditions set forth below.
- f) A waiver of a survey of the entire property, as requested by the Applicant, has been granted. The Purinton property east of the project does not impact the boundaries of the proposed Lot 2 and therefore requiring a survey of the remaining 357 acres will cause unnecessary expense to the Applicant.

After a discussion about inclusion points in Section 5.1.12 (consideration of Energy Conservation measures), a motion by Mark Smith made a motion to include this as a condition. The motion failed for lack of a second.

MOTION: Once the checklist review was complete, Jeanine Carr moved to approve the Purinton/Randall Minor Subdivision with conditions; Britt Cummings seconded. Approved unanimously.

In addition to the conditions that are part of every subdivision approval, the following conditions will be in the decision for subdivision:

1. Name of subdivision on map: Purinton/Randall.
2. The installation culverts as necessary of the driveway will be constructed to prevent erosion and promote adequate drainage.
3. The Road maintenance agreement will be in place and will remain in effect.
4. Show septic and well on plat.

LYNDA SWANNIE DISCUSSION:

Lynda Swannie appeared before the Board to discuss her property on Mayo Road. Swannie purchased 388 acres from Dan and Mack Riddick. She had previously come to the Planning Commission to discuss the same property and the issue regarding the merger of the property under the Zoning Regulations. The Commission consulted with Town Attorney Jim Carroll, who provided a recommendation for Swannie to go through subdivision in order to make the separation of the parcels clear. The Commission wrote a letter to Swannie in June 2014 stating that she should go through Minor Subdivision.

Swannie's property has been listed as two separate parcels and she has a buyer for 244 acres and the buildings now under contract.

Roman Livak stated that the Conservation Commission (HCC) was interested in purchasing 144 acres, which is shown on the map as Lot 2, for a town forest and recreation area. He asked for an exemption from subdivision, based on the definition of subdivision, 4b: lots for agriculture, forestry or conservation - transfer or lease of land solely for commercial forestry or agricultural purposes or solely

for land conservation, provided appropriate restrictions are inserted into the deed or the lease for agricultural, forestry or conservation purposes.

Marks Sylvester said that he wanted a decision from the Board in order to move forward on his purchase. The HCC has an agreement with Swannie to have something in place by January 1, 2015.

Livak objected to the need for Swannie to go through subdivision and discussed the correspondence from the attorney to the Planning Commission.

Swannie then said that she doesn't want to waive subdivision if it means that she would be limited in her options. She had heard from other people that day about other needs in the community, specifically, affordable housing for people as they age so they do not have to leave town.

The Board read the Planning Commission's letter and deferred to its decision. Also discussed was the process and how to streamline it.

MOTION: Britt Cummings moved to hear the Lynda Swannie Minor Subdivision Final Review, on September 30, 2014; seconded by Mark Smith. Approved unanimously. The hearing will be held on September 30, 7:15 pm.

There was a brief discussion about the Swannie property and other uses that she had discussed around town.

ROMAN LIVAK DISCUSSION:

Livak discussed a similar objection to the merger of adjoining lots as he purchased land adjacent to his property in Hanksville. He submitted an application to construct a yurt and the application was denied by the Zoning Administrator. The denial was based on the fact that this is a second residence on one property and does not meet the size requirement for Accessory Apartment.

Further, Livak said he felt that he should not have to pay the fee for an appeal to the DRB since the procedure of the ZA to follow the tax map number instead of a parcel ID number or span number, is incorrect. He said that he was not appealing the decision, but rather the process leading to the decision.

The Board will hear Roman Livak's appeal of a decision of the Zoning Administrative Officer, on October 14, 2014.

BUDGETS:

The Board reviewed the sum total budgets of the DRB and HPC for 2014-2015 (current year's expenses), as suggested by the HPC and then refined by John Altermatt, who made a recommendation of the division of funds to the HPC.

MOTION: Jeanine Car moved to accept the budget proposal; seconded by Britt Cummings. Approved unanimously.

REAPPOINTMENT OF THE ZONING ADMINISTRATOR:

Mark Smith explained the statute for a town to hire a Zoning Administrator. The Planning Commission recommends a candidate to the Selectboard, which then makes the three-year appointment.

The DRB works with the ZA. He recommended "more connectivity" between Hanson and the Boards.

Ed Hanson will meet with the HPC on September 16, at 7:15 pm. Smith said he hopes that members of the DRB will attend the HPC meeting on September 16 to meet with the Zoning Administrative Officer to discuss his tenure and its highlights of his last three years as Huntington's ZA.

Adjournment: Mark Smith moved to adjourn; Britt Cummings seconded. Passed unanimously.

The meeting adjourned at 9:42 pm.

DRAFT MINUTES POSTED ON THE WEBSITE: September 10, 2014

UNAPPROVED MINUTES TO THE DRB: September 26, 2014

MINUTES APPROVED: September 30, 2014

APPROVED MINUTES TO THE TOWN CLERK: October 1, 2014