

APPROVED

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HUNTINGTON DEVELOPMENT REVIEW BOARD

Minutes of May 31, 2016

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

ABSENT: Mark Smith

OTHERS PRESENT: Zoning Administrator Ed Hanson, Jedediah Randall, Peter Purinton

MINUTES: Heidi Racht

6:30 pm Weaver Site visit - approximately 3/4 mi up Weaver Road on the left
7 pm Public Comment
Minutes of April 12, 2016
Mail
7:15 pm Nat Weaver Sketch Plan Review Weaver Road
7:45 pm Jedediah Randall Continual Use continuation - 111 Maple Ridge Lane
8:50 pm Member Business
9 pm Adjourn

6:30 pm Site Visit: Weaver Road (Nat Weaver)

The DRB conducted a Site Visit to Weaver Road to see a proposed three-lot, major subdivision, proposed by Nat Weaver.

The meeting began at 7 pm; chaired by Joe Perella.

Public Comment: No public present.

Minutes of March 8, 2016: Carr moved to approve; second by Cummings. Approved with changes.

Nat Weaver Sketch Plan Review: Nat Weaver discussed a proposed three-lot subdivision on Weaver Road. He is proposing carving off two 5.3-acres lots from the farm, located on the north side of the road. Currently, the property is in Current Use and Weaver said he would like to make the properties available to two family members.

Joe Perella asked if Weaver had any other subdivision plans for the future. Weaver responded that he had no plans for "anything else."

Weaver explained that the wastewater system is a Presby system, a new innovative onsite wastewater treatment system. He said the state engineer was there for test pits and Kevin LaRose is the designer.

The DRB referred Weaver to section 3.1.1(5) on page 7 of the Subdivision Regs.

After reviewing the next step, the Board agreed that the project was ready to move to Preliminary Subdivision. Tentatively scheduled for July 12 if Weaver brings in the complete application by June 24.

Jedediah Randall Continuation of Conditional Use and Site Plan Review: The hearing opened at 7:45 pm.

Attendance: Applicant Jedediah Randall and former property owner Peter Purinton, adjoining property owner.

Randall presented a sketch for landscaping/screening. The sketch included a split rail fence along the property line, apples trees lower on the property toward Barron, and a planting of deciduous flowering shrubs near the base of the building. Randall talked about his wife wanting pollinators.

Joe Perella said, "Pollinators are an admirable goal, but seclusion and privacy, cover for the neighbor" are the goals. Apple trees don't grow as fast as conifers – and conifers provide year-round coverage.

John Altermatt clarified that the apple trees would be near the split rail fence. Randall also said that there would be "a nice flower bed" near the building. Perella responded that while the apple trees and split rail fence would be nice, the aesthetic is to provide cover to the neighbor. Britt Cummings added, the idea was to break up the line of the building. Perella suggested conifers between the fence and building. The building is 80 from the property line. Altermatt added that the purpose of the conifer planting was not to block the building, but for transition it. Randall responded that the apple trees will be nice. Cummings asked about the number of conifers. He said, "We are not looking for a solid wall."

Altermatt pointed out that the conifers would be tall. Perella again stated that the goal is to provide cover to the neighbors and to break up the building. Conifers grow 18" to 24" each year "if you don't shear them. They could get 60 feet tall. He went on, "This is my opinion. The building was put up close to the neighbor's house and now we are trying to impose conditions."

Ed Hanson reminded the Board, "You can apply conditions that I can't with a by-right permit." He also stated that another role is to protect the value of the neighbor's property.

Randall said that they didn't want to "obstruct our view" with tree. Mature conifers could do this.

Perella talked about spruce or fir species. How many feet below the base of the building would these be planted. Randall said he planned to bring up the grade in front of the north and east side of the building by two feet. Cummings stated that the goal was to "help the neighbor, not build a wall." Altermatt added, "I don't want to create another eyesore trying to hide another." Peter Purinton said, "When they get through grading that building that will do a lot to improve it."

Jeanine Carr said, she had "No problem with the proposal. I think apple trees will be really beautiful."

Perella said that reasonable people can disagree on aesthetics.

After a few more comments on the appropriateness of the building and its location and the fact that it was built before the applicant went through Conditional Use.

Randall then said that he will bring the grade up along the frost wall and retaining wall by 2' to 3' and have a 4' to 5' retaining wall at the end.

Carr responded that the grading will be a condition of the permit.

Perella then talked about spacing standard rootstock. Cummings added, that he "would have preferred a few conifers, but the neighbors aren't here arguing for them."

Bringing the discussion back to the timing of the application (after the building was up), Altermatt noted that [had the applicant gone through the permitting process for Conditional Use] “we would have approved the building and not had to spend as much time.” Cummings disagreed. Altermatt said, “We knew he is a mechanic. I was fine with it then and I’m fine with it now.” Perella said, “The critical breakdown here was the application when Jed Randall didn’t tell” the Zoning Administrator the purpose of the building. He said to Randall, “You build a business and we have a lot of leeway here to impose mitigating conditions.”

Carr pointed out that the major issue is the size of the building. Randall responded that the building is 500 square feet less than it could have been and 10’ lower than the height limit.

Carr said the landscaping plan will mitigate and the neighbors aren’t here. Perella responded that the DRB’s responsibility is “much more than the neighbor’s comments.” He said to Randall that he had shown “no contriteness that you didn’t tell Ed [Hanson] what you planned to do when you put up the building. You have a sense of entitlement. You don’t seem to think you did anything wrong.”

Hanson said that he could have saved the cost of an improperly drawn permit. Perella said he wasn’t concerned with Randall being “blocked a little. You still don’t recognize that you should have disclosed what your intentions were.” This is a legal proceeding.

Purinton suggested putting in balsams between the boundary and the building and “taking them out in 10 years.” They would be planted knowing that they would grow out.

Perella said it didn’t address the long-term screening. He asked Randall to be specific about the apple trees.

If Randall needs to come back for a modified Conditional Use (amendment to Conditional Use), the entire project is open for review.

In addressing a condition about the amount of traffic on the private road, the DRB considered **15 vehicles per day**.

Randall proposed a 12 square-foot sign in accordance with the regs. The Board discussed a sign near the entrance to the private road. Hanson said the regs prohibit it. Randall said he had talked to Road Foreman Yogi Alger who said a sign was ok if it was 25’ from the center of Bridge Street,

The bottom line is the regs are not clear on public versus private road setbacks and Perella will ask the HPC to clarify that the sign ROW is public road, not private. Cummings said, “His right-of-way is considered to be part of his premises and he should be able to put a sign up.”

The Board looked at Section 5.4.3 of the Zoning Regs and determined that the regulation applies to public rights-of-way and is not applicable here.

In Randall’s quest to broaden his Conditional Use to the sale of outdoor power equipment, it was determined that the warning did not include retail sales. Therefore, the hearing will be renoticed for July 12, with notices send to the neighbors.

Randall mentioned that he wanted to advertise the retail sales and his business in the local paper. Perella replied, "I'm not sure that advertising puts you in a worse position with our board."

A corrected notice that includes retail sales will be posted and sent for July 12.

Hearing recessed at 8:47 pm. Since the warning for the review did not include retail sales, per application, the continuation will be rewarned with a corrected notice for July 12 at 7:15 pm.

Motion: Cummings moved to continue hearing on July 12; seconded by Carr. Approved unanimously.

Member Business : none

Adjournment: The meeting adjourned at 9:09 pm. Cummings moved to adjourn; Altermatt seconded.

DRAFT MINUTES POSTED ON THE WEBSITE: June 5, 2016

UNAPPROVED MINUTES TO THE DRB: July 8, 2016

MINUTES APPROVED: September 13, 2016

MINUTES SUBMITTED TO THE TOWN CLERK: September 13, 2016