

APPROVED

**Huntington Planning Commission
August 25, 2009**

Commissioners Attending: Tom Bailey, Everett Marshall, Eric Silman, Gordon Miller, Lucinda Hill

Commissioners Absent: Beverly Little Thunder

Others Present: Cathleen Gent

Minutes: Tom Bailey

RECEIVED [Signature]
DATE September 14, 2009

- 7:00 PM Minutes of August 11, 2009 Meeting
Mail
- 7:15 PM Public Comment
- 7:20 PM HPC Project list - Zoning Regs Revisions – compile and discuss changes
to the Subdivision and Zoning Regulations
- 8:45 PM Planning Grant
- 9:00 PM Member Business
- 9:15 PM Adjourn

The meeting was called to order at 7:03 PM by Everett Marshall, Chair of the Commission.

Items for Discussion	Discussion	Action
Minutes of August 11, 2009	Gordon Miller moved to approve the Minutes of August 11, 2009, and the motion was seconded by Eric Silman.	The Minutes were unanimously approved with changes.
Mail	In reviewing the mail, Everett Marshall noted: (1) In the matter of Application of John Petell before the Vermont PSB the Commission received a copy of a hearing officer's recommendation for decision to the PSB. (2) A memorandum from Cathleen Gent regarding the necessity for approval of our flood hazard ordinance by FEMA (which is discussed later in these minutes).	
Public Comment	None.	
HPC Project List & Zoning Regulations Revisions	Cathleen Gent, the Administrative Officer tasked with administering the Zoning Regulations, appeared at the request of the Commission and proposed possible changes to the current Zoning Regulation for discussion: (1) Cathleen's first question: Does the 30% maximum size of an accessory apartment (of the primary dwelling) contained in Subsection 5.7.1(1) need to be increased? Cathleen highlighted this question because of a recent case where the primary dwelling was only 1200 sq. ft. permitted an accessory dwelling of less than 400 sq. ft. which had been intended for a mother and grandmother. It was suggested that some fixed minimum	

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	<p>floor be inserted (such as 700 sq. ft.) be inserted. Gordon Miller indicated that federal HUD minimum standards for elderly housing be considered instead. Cathleen also questioned how the other standards set forth in Subsection 5.7.1 should be maintained after the ‘mother’ dies (hypothetically speaking) or the property is sold. Can the accessory apartment be rented (contrary to the existing regulation)?</p> <p>(2) Cathleen next suggested that the Zoning Regulations should address farm accessory structures for hired farm help. In discussion, it was generally acknowledged by the Commission members that there is a need for accessory residential structures for farm help and that the Zoning Regulations should address it systematically. Tom Bailey suggested that at least site review should be required to avoid setback problems if, at a later time, the farm is converted to residential development. It was suggested that other towns may have confronted this problem, and Cathleen mentioned that she could (and will) research with the Vermont Planners Association in this regard. It was suggested that mobile homes might be an inexpensive approach for farms and Lucinda Hill noted the requirements regarding camping vehicles in Subsection 5.1.9(1). There followed a brief discussion of Section 5.9(Existing Small Lots and Merger) and its application in a recent matter.</p> <p>(3) Cathleen next noted that Huntington, unlike Richmond, has no regulation controlling stormwater runoff. Cathleen indicated that, as with other concerns she had raised, residents’ complaints highlighted the problem, and Commission members recalled earlier instances of stormwater incursions.</p> <p>(4) Next Cathleen questioned whether Huntington should have a site alteration regulation limiting the moving of soil, bringing in fill or, in effect, creating a gravel pit. She had recently observed someone leveling a lot extensively and suggested that site alterations that change the contours of the property should require a permit.</p> <p>(5) Cathleen confirmed (and the Commission agreed) that interior renovations do not require a permit but that change of use does. Cathleen questioned the definition of “land development” (contained in Section 8.1). While she acknowledged that it should exclude routine maintenance and general repair, she expressed concern that “structural alteration” should be more clearly defined. In addition, she questioned whether increasing the livable floor area, such as the converting of a basement, requires a permit since it is, in effect, changing its use.</p> <p>(6) Cathleen sought a clarification of Section 3.3 as to whether a</p>	<p>Gordon Miller agreed to research the HUD standards so that the discussion could continue in the next meeting.</p> <p>The Commission agreed to consider farm accessory apartments at a future meeting.</p> <p>Tom Bailey indicated that he would try to draft an appropriate stormwater runoff regulation.</p>

Items for Discussion	Discussion	Action
	<p>'grandfathered' primary home located in the Woodland District (where only seasonal dwellings are now allowed) would constitute a permitted use. Everett Marshall responded that it does and the Commission agreed.</p> <p>(7) Cathleen next wondered how we should enforce noise complaints. She has received a number of complaints from neighbors regarding a particular home occupation that commences vehicle noise at 3:30 AM, which Lucinda Hill, also a neighbor, confirmed. It was pointed out that state police do not respond to noise complaints and that the regulation, while limiting noise at night, is difficult to enforce.</p> <p>(8) Cathleen had already sent a notice to the Commission regarding the flood hazard ordinance and she reiterated its central thesis in the meeting: The Huntington Flood Hazard Ordinance, whether in its current form or as newly rewritten, must be approved by the State and FEMA by March, 2010 or Huntington's residents will risk being unable to obtain federally guaranteed flood insurance. She indicated that Richmond's ordinance has just received FEMA approval and that the process takes two months. Cathleen wondered whether Huntington's current ordinance should be submitted for approval. Tom responded that the current ordinance conflicts in some places with the Zoning Regulations, so at least some rewriting should occur.</p> <p>(9) Next Cathleen addressed the issues surrounding enforcement of the Zoning Regulation. She explained that the Selectboard had emphasized the need for consistency in enforcement to avoid the appearance of capriciousness or favoritism. Cathleen indicated that she is going to develop a 'complaint' form and is attempting to build a data base (to demonstrate consistency). There appears to be some pent up demand for enforcement partly occasioned by the new regulations, she added. "There never is enough time to do all the enforcement that is needed", she said.</p>	<p>Tom Bailey agreed to review Richmond's ordinance and meet with Cathleen next Tuesday (September 1st) to determine how best to resolve the redraft problem quickly.</p>
Planning Grant	<p>Everett Marshall indicated that he had spoken with Wally Jenkins of the Conservation Commission to explore the possibility of both Commissions working jointly on a grant application. Wally expressed interest in the grant (although he could not speak on behalf of the whole Conservation Commission).</p>	<p>Tom Bailey moved that Everett be authorized and directed to take all appropriate actions to secure a state grant to conduct a resource inventory of Huntington. Eric Silman seconded the motion and the Commission unanimously approved it.</p>
HPC Project List	<p>The Commission informally decided to postpone a discussion of possible changes to the Subdivision Regulations until the next meeting.</p>	
Member	<p>Lucinda Hill reported that she had attended the HERO workshop which</p>	

Items for Discussion	Discussion	Action
Business	produced a transportation questionnaire that has been distributed with the most recent Times, Inc.	
Tentative Agenda for the September 8, 2009 of the Commission.	7:00 PM Minutes of August 11, 2009 Meeting Mail 7:15 PM Public Comment 7:30 PM Furno – Mayo Sketch Plan Review 8:00 PM HPC Project list – changes to the Subdivision and Zoning Regulations 9:00 PM Planning Grant progress 9:15 PM Member Business 9:30 PM Adjourn	
Adjournment	Tom Bailey moved to adjourn; seconded by Eric Silman. The meeting adjourned at 8:15 pm.	

Date UNAPPROVED minutes submitted to HPC: August 30, 2009
Date minutes APPROVED by the HPC: September 9, 2009
Date Approved Minutes submitted to Town Clerk: September 14, 2009