

APPROVED

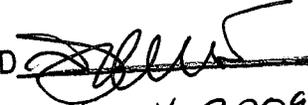
**Huntington Planning Commission
June 9, 2009**

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

Commissioners Absent: Beverly Little Thunder, Lucinda Hill

Others Present: Ron LaRose, Nancy Bretschneider, Diane Cummings, Ellen Tomlinson, Anne Connell

Minutes: Heidi Racht

RECEIVED 
DATE July 16, 2009

7 pm Minutes of May 26, 2009
Mail

7:15 pm Public Comment

7:20 pm Review:
*Checklist for Final Review

7:30 pm Bretschneider Final Subdivision Review

8:15 pm Member Business

8:30 pm Douglas LeBrun Sketch Plan Review

9 pm Discussion of Salaries for FY 2009-2010

9:15 pm Adjourn

The meeting was called to order at 7:07 pm, chaired by Everett Marshall.

Items for Discussion	Discussion	Action
Minutes of May 26, 2009	Tabled until June 23, 2009	
Mail	No mail was read.	
Public Comment	No public was present.	
Review of Final Review Checklist	The Commission briefly examined the Final Review Checklist draft done by Lucinda Hill. Heidi Racht said that the changes she had suggested had not been made to the last draft. After some discussion, it was decided to try a list form of the checklist for the Bretschneider Final Subdivision Review, instead of the paragraph form.	
Bretschneider Final Subdivision Review	Present: Nancy Bretschneider, Ron LaRose (surveyor), Diane Cummings and Ellen Tomlinson The review opened at 7:30 pm, chaired by Everett Marshall,	

Items for Discussion	Discussion	Action
	<p>who conducted introductions and explained the process of the hearing, which began with the Preliminary Subdivision Review on May 12, including a site visit by the Commission.</p> <p>Ron LaRose explained the project, which is a three-lot subdivision on the 10.8 acres remainder of the Cummings-Kenfield property. LaRose reviewed the survey, which had been previously submitted.</p> <p>LaRose explained that all sources of water and septic that fall under the jurisdiction of the state have been addressed;</p> <p>Bretschneider presented a letter from State Biologist John Gobeille regarding the deeryard near the property, but which is not exactly on her property. She also had an aerial map that showed where the deeryard was in relation to her property. Copies were added to her file.</p> <p>The property also contains the Cummings family cemetery and Diane Cummings expressed concern about access to the cemetery by family members, including her daughter whose father is buried there. Bretschneider explained that her deed included access to the cemetery. LaRose pointed out the cemetery on the map, showing the present access, which would be maintained.</p> <p>Ellen Tomlinson, an adjacent neighbor who lives on Hinesburg Hollow, said she was concerned about noise and noted that the Mitchell development across the road from her house was very noisy since there was nothing to mask the noise. LaRose responded that there would be only one residence beyond the house now on the property, so vehicular traffic would be minimal.</p> <p>LaRose pointed out the easement for utility on the survey, which showed poles coming up Cummings Drive to the Bretschenider residence. Heidi Racht stated that the subdivision regulations required buried utility lines. LaRose said the utilities would be buried from the last pole and it would be noted on the survey. The Commission decided to make this a condition.</p> <p>Tom Bailey raised the issue of the survey notes, saying that he had a concern with the language of the surveyor. The language had a disclaimer about rights-of-way not shown on the survey. LaRose replied that this was standard language, that he wouldn't remove it and for the HPC to send it to the Board of Land Surveyors Board of Certification (through Secretary of</p>	

Items for Discussion	Discussion	Action
	<p>State Office of Professional Regulation) which would confirm that all surveys had this language of this sort. After some more discussion, the matter remained unresolved.</p> <p>An overview of site features was done with LaRose explaining the species of trees on the property, beginning with the edge of the tree line behind the barn: small birch, poplar. He also noted that there was a 4-foot to 6-foot high pile of topsoil along the property line behind the Tomlinson house, which had been placed there when the area by the gravel pit had been cleared for the removal of gravel. It was mentioned in discussion that the gravel pit had been closed for over 25 years, but at one time had been the source of the town's gravel.</p> <p>It was noted that the subdivision is going through Act 250.</p> <p>An extensive discussion ensued around natural features which include a brook, a stream and a seepage area in the gravel pit. A condition for approval is that natural vegetation be maintained as 50 foot buffer from the brook. In discussion about the gravel pit, it was determined that evidence showed that the area doesn't hold water long enough in the spring, so even though it is a Class III wetland, there is no breeding habitat for amphibians.</p> <p>Another condition will be that all dogs will be fenced or leashed to avoid impacts to the deer winter area.</p> <p>The final approval will include Condition #3 from the Preliminary Approval.</p> <p>A cultural feature is the access to the Cummings family cemetery, which will be retained in deeds for the subdivision, as a condition of approval.</p> <p>The Commission agreed to waive a separate utility plan.</p> <p>Diane Cummings raised the issue of the shared road, which is on the Bretschneider property. She stated that her deed required a shared maintenance by all the users. Bretschneider was unclear as to whether this was also in her deed. Tom Bailey replied that the issue of the private road had come up before and that there should be a road maintenance agreement between landowners.</p> <p>A condition will be shared road maintenance.</p> <p>The Board then directed its attention to the concern expressed</p>	

Items for Discussion	Discussion	Action
	<p>by Ellen Tomlinson about noise. Heidi Racht asked if the Tomlinsons had lived in the house when the gravel pit was open and, if so, did they hear the trucks? Tomlinson replied that they had moved into the house after the gravel pit had closed. LaRose showed on the aerial map that there was a considerable stand of trees behind the Tomlinson residence that was on the Tomlinson property between the house and the gravel pit and there were also the mounds of topsoil near the property line. Tomlinson said that she felt that the vegetation “should be sufficient” to meet her concerns.</p> <p>Bretschneider produced a letter from Huntington Fire Chief Tate Jeffrey which was copied and added to the file. The Commission discussed Jeffrey’s recommendations, which included driveway radius requirements and residential sprinkler systems, since the access to the new houses was considered remote and a house fire would be engaged before it was seen. The costs for this were discussed and it was noted that the recommendation was a new one, although Jeffrey had recommended ponds and dry hydrants for other projects.</p> <p>In response to the road access for fire fighting equipment, LaRose said that the road to the gravel pit needs to be opened up.</p> <p>Bretschneider also produced a document from CESU Superintendent James Massingham stating the schools’ capacities to additional students from the subdivision. This was also copied and put in the file.</p> <p>Heidi Racht noted that these documents were usually sent directly to the HPC in advance of the hearing, instead of to the applicant. Since the applicant had the documents in her folder and there was a copier in the room, this was not an issue.</p> <p>Tom Bailey moved to close the hearing; seconded by Eric Silman. The Bretschneider Final Subdivision Review Hearing closed at 8:40 pm.</p>	<p>Motion to close the hearing passed unanimously.</p>
<p>Douglas LeBrun Subdivision Amendment Sketch Plan Review</p>	<p>Anne Connell appeared before the HPC as the agent for Douglas LeBrun who wishes to build a seasonal dwelling on a piece of land that was a deferred lot in the Mary Lou Kenfield (Cummings) subdivision in 1997.</p> <p>Everett Marshall explained the Sketch Plan process.</p> <p>Connell said she wasn’t sure that the HPC wanted from the</p>	

Items for Discussion	Discussion	Action
	<p>Mary Lou Kenfield Subdivision Required conditions.</p> <p>This led to discussion about whether the amendment would follow the old regs or the current ones approved on March 3, 2009. Marshall said that he would check with the VLCT (Vermont League of Cities and Towns).</p> <p>The old regs and current regs were both pulled out. If the current regs are to be used, the project would fall under Minor Subdivision, as an amendment, which means that there would be no preliminary review. Connell was given a copy of the Minor Subdivision Regs checklist.</p> <p>The Commission looked at the Findings of Fact, etc., from 1997 for the list of waivers.</p> <p>Again, the deeryard was discussed with Eric Silman pointing out that the maps presented by Bretschneider and Connell showed this feature in slightly different places on LeBrun's property. Connell provided a map, showing the proposed location of the structure, which is near, but not in, the deeryard.</p> <p>A site visit was scheduled for June 23 at 5:30 pm; the final review was scheduled for July 14 at 7:30 pm.</p> <p>It was noted that there was an additional \$100 due to the town since Connell had paid the fee for preliminary review and that all materials needed to be in by June 23, in order to warn the hearing for this date. Connell was told that the materials could be brought to the site visit.</p> <p>Gordon Miller is the HPC contact for the project (434-7096).</p>	
<p>Discussion of Salaries for FY 2009-2010</p>	<p>This item was put on the agenda by Heidi Racht since July 1 is the change of the fiscal year. Racht said that she had proposed a procedure to the Selectboard that would have had a discussion of salaries initiated to Board and committee chairs in mid-May. Since it hadn't happened again this year, individual boards needed to have the discussion. It was unclear what the decision was by the Selectboard concerning the salaries for town employees, since the topic of no pay increases had been raised at Town Meeting. The Zoning Administrator's budget cuts were mainly made in salary and she did not provide for an increase, based on the aforementioned discussion. It was</p>	

Items for Discussion	Discussion	Action
	suggested that Racht get the information about the salaries from Town Administrator Ed Wildman and report back to the HPC.	
Member Business	<p>Tom Bailey reported on his DRB (Development Review Board) research. He spoke about the positive aspects: one-stop shop for developers; the DRB can do some things that the HPC or the ZBA can't like go into Act 250 jurisdiction and impose the ten Act 250 criteria.</p> <p>His phone calls to neighboring towns, similar in size to Huntington:</p> <ol style="list-style-type: none"> 1. Starksboro – has DRB which shares two or three members in common with the elected PC. Zoning Administrator works 24 hours per week; 2. Underhill has DRB; 3. Lincoln does not; 4. Ferrisburgh does not; 5. Charlotte does not; Westford created at DRB last fall and has three members from the PC. <p>Due to the lateness of the hour, the topic will be discussed at a future meeting.</p>	

Adjournment	Tom Bailey moved to adjourn; seconded by Eric Silman. The meeting adjourned at 10:15 pm.
--------------------	--

Date UNAPPROVED minutes submitted to HPC: June 14, 2009

Date minutes APPROVED by the HPC: July 14, 2009

Date Approved Minutes submitted to Town Clerk: July 16, 2009