

**APPROVED**

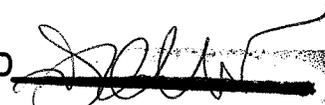
**Huntington Planning Commission  
October 21, 2009**

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

Commissioners Absent: Lucinda Hill

Others Present: Zoning Administrative Officer Cathleen Gent, Margaret Taft

Minutes: Heidi Racht

RECEIVED   
DATE November 9, 2009

- 7 pm Minutes of October 7, 2009
- Mail
- 7:15 pm Public Comment
- 7:20 pm Update on LeBrun
- 7:30 pm Zoning Reg Revisions with ZAO Cathleen Gent
  - a. Accessory Dwellings - Gordon Miller/Margaret Taft
  - b. Farm Labor Housing - Gordon Miller/Margaret Taft
  - c. Contour changes - Tom Bailey
  - d. Change of Use
- 8:30 pm Flood Hazard reg - prepare for October 28 hearing
- 9 pm Member Business
- 9:15 pm Adjourn

The meeting was called to order at 7:10 pm, chaired by Everett Marshall.

Items for Discussion	Discussion	Action
	Everett Marshall welcomed back HPC Beverly Little Thunder, who had taken a few months off from meetings due to her new work schedule. He encouraged her to make the decision that was bet for her and to communicate her intentions with the Commission. Little Thunder mentioned that she would have to leave the meeting around 9 pm as she had to get up early for work.	
<b>Minutes of October 7, 2009</b>	Tom Bailey moved to approve; seconded by Eric Silman.	Approved unanimously with changes with Beverly Little Thunder abstaining.
<b>Mail</b>	No mail.	
<b>Public Comment</b>	No public was present.	
<b>Douglas LeBrun Appeal to Environmental Court</b>	Heidi Racht had forwarded to the Commission Jim Carroll's filing with the Environmental Court and the response from the Court regarding LeBrun's list of interested persons; nothing new has happened since that.	

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<p><b>Subdivision Regulations Revisions</b></p>	<p>The Commission reviewed sections for Accessory Apartments and Farm Accessory Structures presented by Gordon Miller. Miller and Margaret Taft had drafted the sections using wording from other towns' regulations.</p> <p>Miller reviewed the four points of the purpose of an accessory apartment, which included:</p> <ol style="list-style-type: none"> <li>1. to provide homeowners with tenants for a number of purposes including to be able to afford to remain in residence;</li> <li>2. to add inexpensive rental units for smaller households;</li> <li>3. provide housing for low and moderate incomes;</li> <li>4. protect property values with owner-occupied houses.</li> </ol> <p>Miller started by explaining why he had increased the maximum size of an accessory apartment from 800-square feet to 1200' noting that there was an investment in site work and septic and it would be more cost-effective to have the larger size.</p> <p>As this addressed an accessory apartment as a separate building, Everett Marshall asked about shared services like septic and kitchen. A property owner might only need a permit to add on to an existing house.</p> <p>It was noted that the state septic permit was based on bedrooms and that adding on might still require an expansion of the septic system.</p> <p>Could someone do a double-capacity septic system and then add on to match the bedrooms allowed on the permit? It was agreed that this could certainly be the case, but generally people built the septic system that was needed for the number of bedrooms in an existing or house under consideration</p> <p>Miller observed that the Fire Marshal is stringently enforcing on rentals.</p> <p>Cathleen Gent wanted to know why these standards didn't apply to duplexes. She expressed concern with the 1200' size, stating, "it could be the principal dwelling. It needs to be subordinate."</p> <p>Margaret Taft asked, "What would happen if a property owner wants to make a larger house and move into it and then make the primary residence the accessory apartment?"</p> <p>Also, discussed was the case of the property owner with a 3000'-4000' house. It was decided that this was a moot point</p>	

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	<p>since there was only one property in Huntington which could have a 1200' accessory apartment that was actually the legislated 30% minimum size.</p> <p>In response to being asked her opinion, Gent asked, "What is the goal? It looks like you are creating two single-family residences on one property. It's meant by state statute to have parents or single person to live near family. What makes this different than a duplex?"</p> <p>She further asked, "Do you want stand-alone accessory apartments? Are you creating a new use on property that you don't intend?"</p> <p>Everett Marshall replied, "Gordon has made a strong effort to convince us that there is a need."</p> <p>Eric Silman stated his concern about the division of lots down the road and the reduction of lot size in the districts.</p> <p>Miller asked, "What's wrong with that?"</p> <p>Silman replied, "It may have consequences you don't want."</p> <p>Gent noted, "People get into it and then they want something else."</p> <p>Tom Bailey talked about "condo-izing" and suggested that the town should set up regulatory framework to do it.</p> <p>Bailey asked, "What is our goal here?"</p> <p>Gent asked about Conditional Use Approval, which Miller had removed from the original section on Accessory Apartments. As proposed by Miller, a property owner would need a zoning permit issued by the Zoning Administrative Officer and would not need to go before the Zoning Board.</p> <p>Beverly Little Thunder asked why this was being expanded and Margaret Taft asked about when something might be a duplex, which is an allowed use. "Is there something wrong with that?"</p> <p>Silman explained that generally with duplexes, there is a common wall.</p> <p>Gent noted that the proposed section stated that the Accessory Apartment had to be subordinate, "it has to be clearly smaller."</p>	

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	<p>There followed a discussion about what was “clearly smaller” or subordinate, with 80% being suggested.</p> <p>Heidi Racht proposed a two-tier standard: if a residence is less than 1500’, the Accessory Apartment could be 80% up to 1200; residences larger than 1500’ would be allowed 1200’ or 30% by state statute, whichever is larger.</p> <p>Gent again urged the Commission to look at the goal, saying it “might provide more rental housing.”</p> <p>Everett Marshall summarized the discussion:</p> <ol style="list-style-type: none"> <li>1. size: 1200’ needed further discussion</li> <li>2. percent of primary for subordinate</li> <li>3. complying with state statute</li> <li>4. long-term zoning issues</li> <li>5. rentals – steer people to duplexes</li> <li>6. fire marshal</li> <li>7. converting to condos</li> </ol> <p>The discussion then moved on the Agricultural Labor Housing, with Gordon Miller and Margaret Taft again leading the discussion, noting that they had looked at farm family dwellings and group housing, which had different components: residential and seasonal. With seasonal, group housing, there could be a bunkhouse with common areas and the minimum size of a room would also be a factor.</p> <p>Cathleen Gent raised the issue of conditional use standard for a bunkhouse, which would need to take into account neighbors and, therefore, parking and possibly landscaping. Taft remarked that parking “may be an issue.”</p> <p>The discussion then took a turn to group homes, which are an allowed use.</p> <p>Meanwhile, back at the agricultural labor housing discussion, Taft said that she was concerned about a change of zoning that becomes stricter. “What do you do when a farmer has followed the zoning and then can’t subdivide later because the zoning has become stricter?” She noted that the farmer had followed the zoning when the housing was built</p> <p>Gent asked, “What’s the mechanism that Huntington wants to make this feasible?” She went on, a “PUD might be considered.”</p>	

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	<p>The discussion on both topics will be continued at a later meeting.</p> <p>Gent brought up a couple of inconsistencies in the existing regulations:</p> <p>Section 5.14.5 – Temporary Uses and Structures: a permit is required to 100 square feet – shouldn't this be 150?</p> <p>Section 5.14.4 a temporary structure is allowable for 6 months. What about 6 months to a year? Should it be extended beyond a year? What's the point when they would need a permit?</p> <p>Nonconforming lot definition – what are some provisions?</p> <p>Tom Bailey shared the Current Use map that Bill Hegman had developed. This map shows the Huntington properties that are in the Current Use program.</p>	<p>The Commission decided to consider making changes to the regs.</p>
<p><b>Flood Hazard Overlay District</b></p>	<p>Tom Bailey had sent, prior to the meeting, a copy the Powerpoint he suggested be used for the hearing on October 28.</p> <p>A few revisions were made to the proposal.</p> <p>The Commission discussed the hearing format.</p>	
<p><b>Member Business</b></p>	<p>Everyone enjoyed the fresh banana bread and cream cheese that Tom Bailey brought to the meeting noting it was "exceptional."</p>	

<p><b>Adjournment</b></p>	<p>Everett Marshall moved to adjourn; seconded by Tom Bailey. The meeting adjourned at 9:34 pm.</p>
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Date UNAPPROVED minutes submitted to HPC: October 26, 2009

Date minutes APPROVED by the HPC: November 4, 2009

Date Approved Minutes submitted to Town Clerk: November 9, 2009