

APPROVED

**Huntington Planning Commission
MINUTES
April 26, 2010**

Commissioners Attending: Gordon Miller, Tom Bailey, Heidi Weston, Beverly Little Thunder

Commissioners Absent: Everett Marshall

Others Present: Luke St. Clair, Attorney Joe Fallon, Barbara Mayo, Mike Gaito, Kevin LaRose

Minutes: Heidi Racht/Beverly Little Thunder

7 pm Minutes of April 12, 2010

Mail

7:15 pm Public Comment

7:20 pm

7:30 pm Continuation Mayo Preliminary Subdivision Review

8:10 pm FHOD Complete Draft

9 pm Subdivision Regs Updates

9:30 pm Adjourn

RECEIVED

DATE

[Signature]
May 11, 2010

The meeting was called to order at 7:33 pm, chaired by Tom Bailey.

Items for Discussion	Discussion	Action
Agenda Order Change	The meeting began when four members of the Commission were at the meeting. Since it was after 7:30 pm, the agenda was shifted to accommodate the applicant, her representatives and the public in attendance for Barbara Mayo's three-lot subdivision on Economou Road.	
Continuation Mayo Preliminary Subdivision Review	Attendance: Luke St. Clair, Attorney Joe Fallon, Barbara Mayo, Mike Gaito, Kevin LaRose The Mayo subdivision on Economou Road preliminary review continuation from February 22, 2010 was called to order at 7:35 pm. Introductions were made. Attorney Joe Fallon, representing Barbara Mayo, said that the applicant had addressed the concerns raised by the Commission on February 22. He brought in a proposed warranty deed that showed shared maintenance of the road and septic easement. Surveyor Kevin LaRose said that the house sites and building envelopes had been changed since the last meeting. The plan also had a 50' strip added for the right of way.	

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	<p>Fallon said that there was no determination because of the stormwater permit. The grade of road was not on the drawing, but the applicant was prepared to meet the town's requirements. No mapped deeryards on the property.</p> <p>Luke St. Clair said that the plan did not show plans for trenching, culverts or electrical.</p> <p>Tom Bailey added that, before the checklist is readdressed, he had concerns the most serious of which is the site plan as relates to the wetlands delineated on the survey. In Section 5.22.3 (page 47) of the Zoning Regulations, the distance and setbacks from the wetlands for onsite septic systems. He noted that the requirements was 100' and that would be a problem with the mound system.</p> <p>He went on, the force main can't cross the wetland, noting that the Commission had been wrong in February and had gone through the document in a hurry. He described it as "a showstopper." The original plan that was used to support the wastewater did not include wetland delineation; it was added later.</p> <p>LaRose responded that the wastewater permit was received in 2008 and no wetlands were shown on the site. He said it would be an "easy change" to go around. The applicant would ask for a waiver for the 100' setback for the septic system.</p> <p>Bailey responded that the applicant could go to the ZBA and ask for a variance, based on hardship.</p> <p>Fallon asked whether the wetlands was described in the regs. He noted that it was "marginal wetlands at best."</p> <p>Bailey confirmed that is was a Class III wetlands. We stated, "We have to follow the regs."</p> <p>He then pointed out a note on the survey that refers to a right-of-way along the boundary, not depicted on the survey. It was a note set apart from the rest of the surveyor's notes. Bailey asked why this had been</p>	

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	<p>done this way.</p> <p>LaRose responded that they were obligated to show the right-of-way verbally if they couldn't depict it.</p> <p>Luke St. Clair said that the survey was wrong since one of the pins shown was not where the property corner really was and he was having his property resurveyed. He said that the lower pin would be in the middle of the road and the road would have to be moved.</p> <p>Bailey said that "Note 4 on the survey suggests a limitation without stating one." LaRose responded that "the Town of Huntington likes us to show every situation under the sun. We're trying to cover everything."</p> <p>Bailey then said that there was a concern that the well envelope around the well on Lot 1 goes onto an adjacent parcel, which could restrict the neighbor's use of property. He said this may have to be addressed by the State.</p> <p>Heidi Weston talked about property rights, noting that this restriction of property use due to the well shield was an issue of putting restrictions on someone else's property.</p> <p>Bailey said he wasn't sure of the conditions with respect to the road since the information wasn't there. He also addressed concerns about the depiction of underground utilities and the proposed emergency vehicle turnaround.</p> <p>St. Clair pointed out that no flags were up for the housing sites. There followed an exchange between St. Clair and LaRose regarding whether underground utilities need to be on the map, with St. Clair referencing Section 6.8.2. (page 17) of the zoning regs that talked about proposed utilities design.</p> <p>Barbara Mayo asked if the housesite has to be predetermined. Would new owners need a permit in hand or could they apply at a later date.</p> <p>Gordon Miller remarked that the issue was the 100'</p>	

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	<p>setback.</p> <p>LaRose asked about the variance application; Fallon said he would take care of it.</p> <p>Fallon and Mayo consulted and said they wanted to continue the preliminary review to a future date.</p> <p>Heidi Weston moved to continue the Mayo Subdivision Review to July 12 with the understanding that the applicant can ask for it to be moved to a later date; seconded by Beverly Little Thunder.</p> <p>The hearing was continued at 8:10 pm.</p>	<p>The Commission unanimously approved the motion to continue the Mayo Subdivision Review to July 12 with the understanding that the applicant can ask for it to be moved to a later date.</p>
Minutes of April 12, 2010	<p>Beverly Little Thunder moved to approve the minutes of March 22, 2010; seconded by Gordon Miller.</p>	<p>The minutes were unanimously approved as corrected.</p>
	<p>At 8:30 pm, Heidi Racht left the meeting and Beverly Little Thunder agreed to maintain the notes.</p>	
Mail	<p>1. Hinesburg Town Plan revisions.</p>	
Public Comment	<p>None.</p>	
Flood Hazard Regulations	<p>The Commission discussed the latest draft of the Flood Hazard regulations. Tom Bailey suggested that the draft be sent to the ZBA for comment.</p> <p>Heidi Weston stated that she is concerned that the public wants to know what the FEMA minimums are. She does not feel this is being given. The questions remain: What are the FEMA minimums? Why are the proposed regulation standards different? Explain rationale.</p> <p>After some discussion, Weston agreed to review the FEMA versus the proposed regs and draft a proposal that meets the minimum requirements.</p> <p>At this point the current draft is not approved by the entire Commission and will not be sent to the ZBA for comment.</p>	<p>Heidi Weston will review the FEMA versus the proposed regs and draft a proposal that meets the minimum requirements.</p> <p>A meeting was scheduled at Tom Bailey's house for May 5, 7 pm, to complete the draft.</p>

Items for Discussion	Discussion	Action
Subdivision Regs Update	A proposal for updates to the regulations was handed out by Tom Bailey.	Members should read and provide comments at the next meeting.
Member Business	None.	

Adjournment	Beverly Little Thunder moved to adjourn; seconded by Heidi Weston and unanimously adopted. Meeting adjourned at 10 pm.
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Date UNAPPROVED minutes submitted to HPC: May 3, 2010
Date minutes APPROVED by the HPC: May 10, 2010
Date Approved Minutes submitted to Town Clerk: May 11, 2010