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*June 20, 2011*

APPROVED

## HUNTINGTON PLANNING COMMISSION

Minutes of May 23, 2011

**PRESENT:** Everett Marshall, Dana Cummings, Ginger Lubkowitz, Gordon Miller, Heather Pembrook, Tom Bailey

**ABSENT:** Julia Austin

**OTHERS PRESENT:**

**MINUTES:** Heidi Racht

### AGENDA:

7 pm Minutes of May 9, 2011  
Mail

7:15 pm Public Comment

7:20 pm Discuss changes to Zoning and Subdivision Regs\*

9:25 pm Member Business

9:30 pm Adjourn

\*Finish sections from May 9 meeting

5.4 Signs - revisions by **Dana Cummings** from May 9 - final review

5.7 Accessory apartment - review document presented by **Gordon Miller** on May 9

Vehicle Repair Services - new section draft from Heather **Pembrook**

Topics left from April 25 meeting

### Zoning and Flood Hazard Regulations Revisions

5.14.5 Temporary Structures Used as Dwellings – language change drafted by **Tom Bailey**

5.16 Performance Standards for Run-Off – review section drafted by **Dana Cummings**

5.17 **Tom Bailey** will edit this section and send

5.21 Adaptive Reuse of Historical Structures - review revision drafted by **Ginger Lubkowitz**

Historic District - review section drafted by **Ginger Lubkowitz**

5.24 Telecommunication – review updates drafted by **Tom Bailey**

6.7 Variances in FHOD – **Tom Bailey** will revise and send

8.1 References to FHOD – **Tom Bailey** will revise and send

**Reference to FHOD removed throughout document.**

### Subdivision Regulations Revisions

Sketch Plan Review – review revisions drafted and sent by **Heidi Racht**

Seasonal Camps on Leased Land – draft language – **Tom Bailey**

1.3.2 Change bylaw to regulation – **Tom Bailey**

2.1. either delete or change substantially

6.6 & 6.7 either delete or change substantially

The meeting was called to order at 7:14 pm; chaired by Tom Bailey.

The Commission decided to change the order of the agenda.

<p><b>Minutes of May 9, 2011</b></p>	<p>Heather Pembrook moved to approve the minutes of May 9, 2011; seconded by Ginger Lubkowitz.</p> <p><b>The minutes of May 9, 2011 were approved unanimously with changes.</b></p>
<p><b>Mail</b></p>	<ol style="list-style-type: none"> <li>1. Letter from the State of Vermont Public Service Board, dated May 9, 2011, regarding Ed Guilfooy’s application for a Certificate of Public Good for Interconnected Net Metered Power Systems. The property is located at 344 Moody Road.</li> <li>2. Letter from Vermont Department of Environmental Conservation dated May 6, 2011, to Nicole and Greg Lewis, 49 Main Road, determining an exemption from a Water Supply &amp; Wastewater Disposal Permit. They are replacing a mobile home with a three-bedroom house.</li> <li>3. Wastewater System and Potable Water Supply Permit, dated May 11, 2011, for Eliot Lothrop, located off Cummings Drive.</li> <li>4. Letter from Vermont Department of Environmental Conservation dated May 10, 2011, to Gerald Bilodeau, 80 East Street, discussing an “after the fact” Water Supply &amp; Wastewater Disposal Permit for an apartment above a garage.</li> <li>5. Updates to Starksboro draft Town Plan on disk.</li> </ol>
<p><b>Public Comment</b></p>	<p>No public was present.</p>
<p><b>Proposed Changes to Subdivision and Zoning Regulations</b></p>	<p>The Commission’s discussion of the Zoning Regulations began with Accessory Apartments; the Commission reviewed the document presented by Gordon Miller at the May 9 meeting alongside the wording in the current regs. Miller provided the background for pursuing the change: Someone, who had a 1000 square foot house, applied for an accessory apartment. The current regs limit the apartment to 30% of the principl structure, allowing only 3000 square feet. Next, under discussion was parking (Section 5.7.2 (c)) needs for an accessory apartment. Right now, the regs require “at least two off-street” parking spaces for each dwelling and additional access drives. Is it necessary to require two spaces? Would this requirement mean more pavement? Would that be preferable to grass? Who would approve the access? Ginger Lubkowitz asked, “Could you state that a waiver can be obtained?” Everett Marshall explained, “We grant waivers for the Planning Commission. The Administrative Officer needs to see things the she can understand and administer.” Tom Bailey added, “The Administrator does not have discretionary authority” to grant waivers.</p> <p>Marshall stated, “It could be difficult for people to provide all that parking.” Bailey then said, “If you have 1200 square feet you will have more than two spaces.”</p>

The Commission then discussed the language in Miller's proposed 5.7.2 (e). Miller explained that he had taken the language from the Orwell regs. Dana Cummings pointed out that this language was different than the language in the rest of the document: "We would have to add this language to every section."

Heather Pembroke noted that the current regs "say no more than one access associated with a single family dwelling and there's no limit on bedroom or buildings subordinate to the primary dwelling."

Miller replied that he had "made an assumption and it [the limit on bedrooms and subordinate structure to primary residence] should probably stay in there." Lubkowitz added that the regs should "state it is subordinate."

Pembroke said the Commission should reinstate 5.7.1(1) in the current regs and increase the maximum allowable size for an accessory apartment to 1200 square feet.

Bailey asked if Miller had taken out the Conditional Use requirement for new construction, and Miller confirmed that he had.

The Commission then looked at whether Accessory units should be an allowable use in all districts when Bailey asked, "Are we trying to encourage development in village and discourage development in the sticks? If so, we need to limit this. Should it be done only in a certain zoning district?"

Marshall said the proposed regs of a larger accessory "creating density with more structures closer to other structures." Pembroke then gave an example of her house as 1200 square feet.

Heidi Racht suggested that the solution of larger size should be duplexes, which are an allowable use.

Pembroke asked if the owner-occupied primary structure of accessory apartment had been removed. Miller replied, "Yes. We can't expect the Zoning officer to be doing bed checks."

Bailey asked about Conditional Use: Is it a value to retain or to drop it? He went on, "Are you trying to remove a hurdle?" Miller replied. "The regs are inconsistent."

Bailey advocated for 800 square feet instead of 1200. After more discussion, the Commission decided to hold off and 5.7.3 while the members mull over 800 or 1200.

### Vehicle Repair

Heather Pembrook reviewed the document she had written on Home Occupation Vehicle Repair, noting that she had looked at several towns' regs and that a lot of towns don't allow this in the Rural Residential district. Some towns also have more districts and these types of businesses are located in nonresidential districts.

Bailey said, "Unfortunately, it's a specific case [Arnold Blair's proposal for using Andy Palmer's woodshop driving the revision of the regs]." He then asked. "Is this a conflicting use? Are we trying to make all of that area all residential."

Pembrook said, "We want to have vehicle repair shops in town. [We should create a set of achievable standards.]"

The discussion then turned to conditions for allowing this type of business with someone commenting, "We can't restrict it so badly that you can't do business. You either allow it or you don't."

Miller noted of the four establishments in town, "They all have their following and impact on the neighborhood." He mused, "Do we want to have business in town? Having a diversity of business is what make the community unique."

The Commission discussed 5.4.3, as it pertains to Vehicle Repair.

Discussion of 5.16 led to the conclusion that no other section refers to performance standards.

The conclusion was to take Vehicle Repair out of Contractors' Yard and put it under 5.1 so all standards apply.

Racht said she thought this exercise was to create a new section that dealt with all Vehicle Repair.

Miller then said, "I thought we were going to review Home Occupation and Car Repair separately."

Pembrook offered to redraft, but said, "I don't know where to go."

Bailey said, "The rationality is a business area: which kind of business and where we want them to grow." The possibility of more districts was raised. Marshall disagreed with the addition of a revamp of the regs, "We are trying to fix the current regs." Pembrook noted, "This may vary with the district." Bailey then said he was inclined to let it go for now and finish it after the Planning Grant work was completed.

	<p>Miller said that the ZBA had concerns with the Performance Standards. Pembroke said, “It sounds like they don’t want to say no [and are trying to work with the applicant].”</p> <p>The Commission then studied Section 5.1.3 Performance Standards for Home Occupations.</p> <p>Cummings suggested replacing 5.1.3 (1) with 5.16; replacing 5.1.3(2) with the Sign Ordinance; and dropping 5.1.(3). He then asked, “What’s the difference between a Home Occupation and a business?”</p> <p>Bailey said, “We need to figure out what we are really trying to get done.” He asked to have a goal at the end of the next meeting. He suggested that the Commission take out what has been decided and make changes to the regs.”</p> <p>The group decided against Bailey’s proposal.</p>
<p><b>Member Business</b></p>	<ol style="list-style-type: none"> <li>1. There was some brief discussion about the impending vote on June 7 about the proposed school district merger.</li> <li>2. Tom Bailey then mentioned that the “septic group” has a \$65,000 grant and is about to issue Request for Proposals (RFPs) to hire a firm to do feasibility study for what Huntington has for water and wastewater systems now and what the projected need is for now and the future. Miller talked about the Town of Warren, which has a distributed wastewater system. Bailey said there was a long-term plan with the proposals coming in June. There will be interviews and mapping which will be ready for late fall presentation.</li> <li>3. Heather Pembroke asked for clarification on the next step in regard to the proposed Bryan/Billis/Smith minor subdivision. They had contacted her for guidance on the next step. Since they had gone through Sketch Plan Review, Heidi Racht said that they needed to fill out an application for a minor subdivision, which is available online or through the Town Clerk’s Office. When the application has been submitted, Pembroke will review it to make sure that it is ready for review. The Final Subdivision Review will then be scheduled and warned. [Since the meeting, the six-month period for submitting the application had expired and the applicants will need to return for Sketch Plan Review.]</li> <li>4. Tom Bailey apologized for his abruptness at the last meeting when he was trying to prod the group to move faster. He said he recognized that the issues “we are confronting are difficult and there was a learning curve with four new members.” He added that any implied criticism is misplaced and wrong.</li> <li>5. Work on the Regs update was summarized: <ol style="list-style-type: none"> <li>a. Signs: almost ready to go. <b>Lubkowitz and Cummings will prepare the</b></li> </ol> </li> </ol>

	<p><b>table and distribute it before the next meeting on June 13.</b></p> <p>b. Storm Water Runoff: <b>Cummings will do this and distribute it in a similar manner.</b></p> <p>c. Accessory Apartment and Automotive Repair: the Commission is still mulling.</p> <p>d. Historic Districts: <b>The Commission will work on this when it works on the Town Plan.</b></p> <p>e. Telecommunications: <b>Bailey will do this.</b></p>

**Adjournment:** Heather Pembroke moved to adjourn; seconded by Ginger Lubkowitz. The meeting adjourned at 9:31 pm

**UNAPPROVED MINUTES TO THE HPC:** May 28, 2011

**MINUTES APPROVED:** June 13, 2011

**APPROVED MINUTES TO THE TOWN CLERK:** June 20, 2011