

RECEIVED

DATE

[Handwritten signature]
[Handwritten date: October 3, 2011]

APPROVED

HUNTINGTON PLANNING COMMISSION

Minutes of September 12, 2011

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

ABSENT:

OTHERS PRESENT: Ralph Towers, Rachel Towers, Justin Willis, Cathleen Gent, Ed Booth, Jim Christiansen, Dan Stoddard, Ed Hanson

MINUTES: Heidi Racht

Agenda:

- 7 pm Minutes of August 8, August 22 & August 29, 2011
Mail
- 7:15 pm Public Comment
- 7:30 pm Towers Sketch Plan Review
- 8 pm Cathleen Gent Exit Interview
- 9 pm Billis/Bryan/Smith Minor Subdivision Deliberation/Decision
- 9:30 pm Member Business / Adjourn

The meeting was called to order at 7:08 pm; chaired by Tom Bailey.

Minutes of August 8, August 22 and August 29, 2011	<p>Heather Pembrook moved to approve; seconded by Ginger Lubkowitz.</p> <p>The minutes of August 8, 2011 were approved unanimously with changes.</p> <p>Dana Cummings moved to approve; seconded by Julia Austin.</p> <p>The minutes of August 22, 2011 were approved unanimously.</p> <p>Dana Cummings moved to approve; seconded by Julia Austin.</p> <p>The minutes of August 29, 2011 were approved unanimously.</p>
Mail	Agenda change to later in the meeting.
Public Comment	There were no members of the public present.
	<p>While the Commission waited for the Sketch Plan review, informal discussion occurred regarding the timeline for completing the housekeeping revisions of the regulations. The Commission needs to be responsive and timely to subdivision applications, beginning the Town Plan update, and passing the updates to the regulations.</p> <p>The Commission agreed to reserve alternate meetings for working</p>

	<p>sessions on regs revisions and the update of the Town Plan; the other meeting would be reserved for permitting activities.</p> <p>Tom Bailey announced that he would be meeting with Bill Hegman on Wednesday, September 14, to discuss mapping for the Town Plan.</p> <p>Everett Marshall talked about Municipal Planning Grants; the deadline has been extended to the end of October. Marshall mentioned that grants in the amount of \$8000 or less do not require a match from the town. Marshall and Bailey will prepare an application.</p>
<p>Ralph and Rachel Towers Sketch Plan Review</p>	<p>Ralph and Rachel Towers appeared before the Commission for Sketch Plan Review to discuss a subdivision of two house lots on Mayo Road; Lot 1 is 5 acres and Lot 2 is 13 acres. The property is part of the farm that has been in the Towers family for four generations and all the land was originally thought to have been located in the Town of Richmond. Justin Willis, consulting engineer, talked about the town line, which was “established” in 2005 in a survey done by Vaughn Button.</p> <p>He summarized the project for the applicants. The property is 18.1 acres. Originally, the applicants had decided to go with a two-lot subdivision to avoid subdivision review for three lots. However, the regs now require a review for two lots. Willis pointed out that the soil and acreage support three lots, but “two looked right” for the site. He also stated that the property had three disposal areas for septic.</p> <p>Willis also said that the State Wetlands Chief and a State Wetland Biologist had come out and said that there are no Class II wetlands on the property; however, there are Class III wetlands. He stated that an area on the map is “relatively” wet, but well drained. No development will take place or impact the wetland area. The back of Lot 2 is woodland with deer and maybe bobcat.</p> <p>The property is not subject to Act 250 review.</p> <p>Other points of discussion included:</p> <ul style="list-style-type: none"> • two curb cuts to avoid crossing wetlands; • two drilled wells • access to property has good sight distances • perimeter was surveyed by Vaughn Button; Button Associates will come in and do the site plan • the lots are configured to allow for one owner to maintain control of the bulk of the land, rather than divided as long strips • two wastewater plans

	<p>It was suggested that the site plan map show building envelopes instead of specific house sites.</p> <p>Gordon Miller will be the HPC contact for the project.</p>
Mail	<p>1. Reviewed application for Sketch Plan Review for Nellie Jaques and Steve and Diane Barron. The applicants are seeking a boundary line adjustment by reducing Jaques' lot and expanding the Barrons' lot.</p> <p>The Commission decided to schedule Sketch Plan Review for September 26, 7:15 pm.</p> <p>2. Wastewater notification for Harry Frank and Enid Wonnacott to replace a failed wastewater system on Salvas Road.</p> <p>3. Notification from Jeff Groleau to change the use of a 4-5 bedroom house to a five-unit residence.</p>
Zoning Administrator Cathleen Gent	<p>The Commission took this time to acknowledge Cathleen Gent and her work as Huntington's Zoning Administrator with an informal gathering. Refreshments were enjoyed and the Commission was joined by other town officials.</p>
Smith, Billis, Bryan Minor Subdivision deliberations / decision	<p>The Commission reviewed the draft Findings of Fact (FOF), Conclusions and Order and made a few changes. Document is attached.</p> <p>Motion to approve the Billis, Bryan Minor Subdivision as exemplified in the FOF was made by Gordon Miller; seconded by Dana Cummings.</p> <p>Motion approved unanimously.</p>
Member Business	<p>1. The Commission discussed the Municipal Planning Grant (MPG).</p> <p>Everett Marshall suggested applying for an MPG to conduct a natural resources inventory as Waitsfield and Fayston had done. The Conservation Commission or Planning Commission could work with the consultant to help with land owner contact.</p> <p>Dana Cummings suggested mapping wildlife corridors. Marshall provided the Chittenden County Uplands Project as an example of this.</p> <p>The inventory could provide baseline data and would allow the boards and committees to learn a lot about the town; allowing residents to value their natural resources on their property.</p> <p>Julia Austin said that she "pictured a lot of landowners not wanting us to inventory natural resources so they can't use their property [because it is</p>

regulated].”

Gordon Miller objected to taking land off the inventory [of developable land].

Heather Pembroke asked, “What do we do with the results of this grant?”

Marshall said, “You get a lot of bang for your buck [from a natural resources inventory]. People who aren’t interested can opt out [of having their property inventoried].”

Miller asked about the odds of getting a grant, given the most recent grant success [for the form-based planning].”

He then said he would support the application if it went “beyond natural resources.”

Dana Cummings suggested mapping may lead to further research.

2. Tom Bailey said he wanted the Commission to do a six-month evaluation at the next meeting since the Commission had four new members on it.

Adjournment: Dana Cummings moved to adjourn; seconded by Julia Austin. The Commission voted unanimously to adjourn at 10:03 pm.

UNAPPROVED MINUTES TO THE HPC: September 23, 2011

MINUTES APPROVED: September 26, 2011

APPROVED MINUTES TO THE TOWN CLERK: October 3, 2011

Huntington Planning Commission
4930 Main Road
Huntington, Vermont

RE: Application of Christine Billis, John B. Bryan and Guthrie Smith
Application No.: 2011-2

FINDINGS OF FACT, CONCLUSIONS, AND ORDER

**FINAL SUBDIVISION REVIEW FOR:
Christine Billis, John B. Bryan and Guthrie Smith, Salvas Road**

Based upon the application of Christine Billis, John B. Bryan and Guthrie Smith (hereinafter the "Applicant") and the testimony and exhibits presented prior to and at the August 8, 2011 hearing pursuant to the Final Subdivision Review which was held at the Huntington Town Office in Huntington, Vermont, and, after due deliberation at its September 12, 2011 meeting, the Huntington Planning Commission (hereinafter the "Commission") makes the following Findings of Fact, Conclusions, and Decision of Approval and Conditions in accordance with the Town of Huntington Subdivision Regulations, effective March 3, 2009 (hereinafter the "Regulations") which are applicable to this matter:

FINDINGS OF FACT:

1. On November 15, 2010, and June 27, 2011, the Applicant appeared before the Huntington Planning Commission for Sketch Plan Review.
2. On August 8, 2011, Chris Billis and JB Bryan, appeared before the Commission for Final Subdivision Review.
3. The application for Final Subdivision Amendment Review that includes the following:
 - a. The completed Subdivision Information form. (Exhibit A)
 - b. Survey entitled "Survey Plat showing a proposed subdivision of lands of Christine Billis, John B Bryan and Guthrie Smith, Camels Hump and Salvas Road, Chittenden County, Huntington, Vermont" dated November 26, 2006, revised December 1, 2010, and prepared by Ronald L. LaRose, Licensed Land Surveyor. (Exhibit B)
 - c. Deeds, outlining the easements for wastewater, two easements over Lot 1 for access and utilities for Lot 2. (Exhibit C and D)

- d. Forest Management Plan Map, dated June 6, 2011 and prepared by A. Kasmarek, of Greenleaf Forestry, Fairfax, showing Current Use plan for entire property, showing current status of residential sites (4 acres) and location of woodland and other natural features. (Exhibit E)
4. In accordance with the Regulations and state law, notice of this hearing was published and posted in the community per state statute. Notices were sent to the adjacent property owners. Newspaper legal notice and copy of notification are in the subdivision application file.
5. The project is located on Salvus Road in the Rural Residential Zoning District, which is zoned for five acres. The project is located on Town Tax Map # 6.
6. The Applicant's parcel contains 50 acres +/- (See the survey referenced as Exhibit B above).
7. The Applicant seeks approval for a residential two-lot subdivision with a third lot to remain undeveloped and in conservation. The residential lots, including Lot 1 (6.06-acres) and Lot 2 (6.07 acres) are already developed with residences, out buildings and rights of way. Lots 1 and 2 are intended to be subject to shared rights of way for ingress and egress and water and septic. The 38.07-acre parcel (Lot 3) is intended to be retained jointly by the Applicant and to be maintained as undeveloped, conserved land. (See the Survey, referenced as Exhibit B above.)
8. The following details are represented on the survey or site map:
 - a. a wastewater easement on Lot 2 to benefit Lot 1;
 - b. two easements over Lot 1 for access and utilities for Lot 2;
9. The Planning Commission members present during the hearing on August 8, 2011 referred to above were Tom Bailey (Chair), Everett Marshall, Julia Austin, Dana Cummings, Gordon Miller, Ginger Lubkowitz and Heather Pembroke (constituting a quorum) ; and the members present during deliberations on September 12, 2011 were Tom Bailey (Chair), Everett Marshall, Julia Austin, Dana Cummings, Gordon Miller, Ginger Lubkowitz and Heather Pembroke (constituting a quorum).

CONCLUSIONS:

After deliberations on September 12, 2011, the Commission has concluded the Applicant had provided materials in their application and up to

and during the hearing on August 8, 2011 (referred to as Exhibits A-E above) that satisfies the requirements of Section 3.2 of the Regulations (subject to the conditions set forth below). In addition, the Commission has considered the materials referred to above in the light of the requirements of Articles 5 & 6 of the Regulations and conclude that the requirements of Articles 5 & 6 are satisfied subject to the conditions set forth below. The Commission's conclusions with regard to each subparagraph of Article 5 are set forth (by subparagraph number) as follows:

5.1.1 The project is suitable as proposed and will not be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas.

5.1.2 Subject to the conditions set forth below, the proposed project shows due regard for the preservation and protection of existing natural features, trees, brooks, rock outcroppings, water bodies, or other natural and/or historical resources.

5.1.3 - 5.1.6 The project satisfied the requirements of the subparagraph adequately.

5.1.7 Subject to the conditions set forth below, the potential for erosion and runoff into nearby surface waters is not applicable because buildings already exist.

5.1.8 - 5.1.12 The project satisfies the requirements of the subparagraph adequately.

5.1.13. The project complies with the Huntington Town Plan, the Huntington Zoning Regulations amended March 3, 2009 and other applicable Town regulations, subject to the conditions set forth below.

In addition, the Commission concluded that, since the two residences are pre-existing on the property and the Applicant wishes to subdivide the property around the existing residences, while keeping 38.07 acres (Lot 3) undeveloped and under conservation:

A. The project involves a division of joint ownership of property that contains two residences and will allow the Applicant to retain most of the property under joint ownership as conserved land.

B. The project is not in a floodplain.

C. This area has single-family residences and wooded areas. The subdivision meets the minimum lot size of five acres for the Zoning District. The Commission

concludes the project complies with the provision of compatibility with surrounding properties.

D. The project is suitable for the proposed site density.

E. The Applicant has provided two well locations.

F. The Applicant has received two potable water permits.

G. This subdivision as proposed will not cause highway congestion or unsafe conditions, subject to the conditions set forth below.

H. Prime Agricultural Soil is not a consideration due to the current use and the size of Lot 3, which remains under conservation.

I. Letter from Huntington Fire Chief Tate Jeffrey addressing fire protection and letter from CESU Superintendent of Schools John Alberghini addressing the school district's capacity at all levels is not required as a condition of approval since the two residences are currently on the property.

DECISION OF APPROVAL AND CONDITIONS

Present at deliberations on September 12, 2011 were Everett Marshall, Tom Bailey, Gordon Miller, Heather Pembroke, Julia Austin, Dana Cummings and Ginger Lubkowitz. Following deliberations the Commission granted Final Subdivision Approval by a unanimous vote to create a two-lot residential subdivision of Lots 1 and 2 with a third lot to remain undeveloped and in conservation, subject to the following conditions:

1. The Applicant shall allow representatives of the Town access to the lot, at reasonable times and with prior notice, for the purpose of ascertaining compliance with the Regulations and the conditions of this permit.
2. The project shall be completed, operated and maintained in accordance with: (a) these Findings of Fact, Conclusions, and Decision of Approval and Conditions; and (b) the plans and exhibits on file with the Commission.
3. Within 180 days of the issuance of this decision, the Applicant shall submit for signature by the Chair of the Planning Commission and file for recording in the Town Clerk's Office an 18" x 24" mylar (otherwise in

compliance with state statutes) of the survey referenced as Exhibit B above.

4. Within 180 days of the issuance of this decision, the Applicant shall submit for signature by the Chair of the Planning Commission and file in the project file an 24" x 36" paper map (otherwise in compliance with state statutes) of the revised Forest Management Plan Map (Exhibit E) showing revisions to areas removed from Vermont Current Use program.
5. Lot 3 shall be held under conservation with no further development thereon.
6. Applicant shall obtain and maintain all necessary local, state and federal permits, including state wastewater disposal and potable water permits applicable to Lots 1 and 2.
7. Applicant shall pay the recording fees associated with the filing of the survey (referred to in Condition # 4 above) and permit decision with the Town of Huntington.
8. Use of the property shall comply in all respects with the Zoning Regulations as amended on March 3, 2009.



Thomas B. Bailey, Chair
Huntington Planning Commission

Dated this 13th day of SEPTEMBER, 2011.