

APPROVED

HUNTINGTON PLANNING COMMISSION
Minutes of August 13, 2012

PRESENT: Dana Cummings, Ginger Lubkowitz, Everett Marshall, Julia Austin
ABSENT: Knox Cummin, Gordon Miller
OTHERS PRESENT: Cindy Sprague
MINUTES: Heidi Racht

Agenda

- 7 pm Meeting begins
- 7 pm Minutes of July 23, 2012
Mail
- 7:10 Public Comment
- 7:15 Town Plan - DRB proposal and language as drafted by Tom Bailey
- 7:45 Uplands Grant
- 8:15 Town Plan section reports
- 8:45 Member business
- 9 pm Adjourn

RECEIVED August 28, 2012
DATE [Signature]

The meeting was called to order at 7:09 pm; chaired by Dana Cummings.

Mail	None
Minutes of July 23, 2012	Ginger Lubkowitz moved to approve the minutes of July 23, 2012 with changes; seconded by Everett Marshall. The minutes of July 23, 2012 were approved unanimously
Public Comment	No public was present.
Town Plan - DRB proposal and language as drafted by Tom Bailey	The Commission reviewed the language for moving to a DRB (Development Review Board), which would change how the HPC functioned as well as eliminate the ZBA (Zoning Board of Adjustment). Bailey had taken the regs and rewritten the documents to reflect a DRB, rather than the current review by the ZBA and HPC. There was some discussion about exactly what the ramifications of the change would be to the two groups and how they functioned. The Commission noted that all the subdivision review would be taken on by the DRB, and the Planning Commission would focus on planning. Another possibility for a DRB is to form a local Act 250. Everett Marshall commented that this is a lot to ask of a town. Concerns continued to be raised about the ability of the town to find a group that would be able to commit the time necessary for a DRB.

	<p>After the Commission read Sections 6.7 and 6.3, specifically pages 59 and 60, Marshall commented that the Planning Commission does the planning, and the DRB does the regulatory functions. He suggested looking at what other towns do. Ginger Lubkowitz commented that it was not a given that the current ZBA would be the DRB. She then asked what the objections to the DRB were when Bailey proposed it four years ago.</p> <p>It was recognized that Tom Bailey has “always been an ardent proponent” of the change to a DRB.</p> <p>Dana Cummings made a strong argument for keeping many of the people who were on the ZBA as they had “institutional memory.” He said, “We don’t want to drive people off.” He also commented that he had “no sense of how the townspeople would react.” Cummings suggested that the Commission host an informal meeting of the HPC and the ZBA to “kick it around.”</p> <p>More discussion occurred around how to interact so the Board that creates the regulations truly understands how they work in the implementation of the DRB. Cummings commented that there could be an overlap of membership on both bodies – a huge commitment – and mused about whether the town can mandate an annual meeting of the DRB and HPC. He added, “We don’t want to plan in a vacuum.” He went on, “we have a sense because of subdivision and site visits.”</p> <p>Lubkowitz asked what the process would be, and Cummings responded that it would be to get on the Selectboard agenda. Marshall noted that it would be helpful to get the materials to the Selectboard in preparation for a meeting with the HPC. This may not go before the voters and could be an administrative change. He added that the HPC could send a recommendation to the Selectboard.</p> <p>After some discussion about the appeals process, it was clarified that the decisions of the HPC were appealed to Environmental Court; the ZBA hears appeals of the Administrative Officer.</p> <p>The Commission reached consensus to move forward and contact the ZBA.</p> <p>Cummings will contact Joe Perella and find an evening that works.</p>
<p>Uplands Grant – Cindy Sprague</p>	<p>The Commission met with Cindy Sprague of the Huntington Conservation Commission to discuss the Uplands Project. It was noted that all the HPC members present had attended the meeting in January.</p> <p>Cummings said that there were two deadlines: September 21 for the CCRPC ECOS grants of \$10,000-\$50,000; September 28 for the MPG (Municipal Planning Grant). These grants are being written collaboratively among several</p>

Chittenden County towns and have in-kind contributions from the individual towns that may be either funding or by staff/volunteer participation.

Sprague reported that Jim Sadler has been going to all the Uplands meetings. She asked what the Planning Commission wants the Conservation Commission (HCC) to do “to get our part done.” She explained that the HCC was currently at five members (two short) and various projects have been put “on the back burner,” due to a recent Conservation Fund project taking three meetings. Currently, it “seems like the acquisition of property” is the main focus of the HCC. Dana Cummings remarked that he had looked at the application and thought it would “inspire passion and dissent” about what the fund is. Sprague responded, “there isn’t any piece of land that meets all the criteria.” She said there needs to be “flexibility with the application due to no project meeting” all the criteria.

Sprague asked if each town had to apply for its own portion, and Marshall informed her that the application would be looking for a commitment from the Selectboard. He spoke briefly about a collaboration of the towns of Waitsfield, Warren and Fayston on a multi-part, multi-plan MPG.

Cummings asked how much could come from staff and volunteer in-kind contributions. It appears that the entire in-kind contribution from the town could be through the work of community members. There was an hourly rate attached to the volunteers with the usual rate of pay figured into the equation for in-kind volunteer work by professionals in their fields.

There is \$280,000 available in Chittenden County. Marshall talked about the components: HUD has \$1 million in funds for Vermont; \$280,000 is available for implementation projects in the county with at least \$30,000 to be used for multi-jurisdictional projects.

ECOS is a regional project to work toward the goals of a regional plan, which can include bylaws revision, capital, and/or primary source data source collection. The goal is primarily to help work toward a healthy, inclusive and prosperous community and manage sustainable growth.

There was discussion about looking at the towns of Waitsfield, Warren and Fayston as part of moving forward to see how they align and how they are managing their bylaws. Cummings mentioned deeryards – and “how we are making land use decisions.” Marshall said that the towns looked at things “in blocks and how the towns connect together: board landscapes, level features, looking at complex environments and species (besides deer habitat).” He gave an example of oak stands: location and habitat. The study will enable the towns to put data together and assign values.

Julia Austin asked how the group would go about getting permission to take

inventory. Marshall said that the state had good success and it helps property owners to plan better and gives them different opportunities and helps save consulting fees. The state usually has a 75% to 80% success rate in obtaining permission to inventory private lands. The HPC and HCC members can talk with local people. Marshall added that landowner contact may be able to be used as in-kind contribution. A big point, he said, was to get permission and then give a report on the findings to each landowner.

He gave examples of how data can be used in a positive way: ESTAs, for example, take 20% of land and manage it a certain way if there are assigned natural areas. The property owners have an option to sell development rights.

Sprague suggested looking at aerial photos and mapping. This would allow the property owner to see wetlands and boundaries. Austin then said that she had concerns with aerial inventory and how it was used to delineate the deer wintering habitat. She said, "People see that as painting certain areas with too broad a brush."

Marshall then explained that deer wintering areas "in the gross sense haven't changed that much." The deer winter polygons are based in part on field verification during the 1980s. Austin suggested that clearly describing the validity in a 15-word explanation would facilitate conversations around this topic.

He responded that aerial photos have been used to delineate forest blocks and natural communities, and then field work is used to substantiate. He explained, "a lot of our forests are northern hardwood. Austin said she was concerned with the perception of the presentations and that the Commission needed to be sure to let property owners know that the designation includes field work.

The Commission then went on to the details of the project. Marshall said that report writing is what takes the time and fieldwork takes more time than remote sensing. Discussion on the reports for individual property owners concluded that there would be a time element in producing the reports. Marshall said that the state would evaluate areas and send the report to everyone with property in the area.

There was clarification about the two grants:

1. the ECOS would be a inventory grant (what's where)
2. MPC layer – study implementation to revise subdivision and zoning regs for overlays and revisions.
3. Questions remained about how this would be divided among the towns. All agreed that it would be better to wait until after the August 29 meeting of the Steering Committee at which some of these questions might be answered.

	<p>Dana Cummings will contact Jim Christiansen to let him know it is on the table and to be on the Selectboard's September 4 agenda.</p> <p>Ginger Lubkowitz read from an email that said that the August 20 meeting would look at how zoning districts will align in various towns. Cummings asked, "If we get on board, what do we want from it?" Marshall commented he was "excited about natural resource data gathering in a uniform way." After the data have been gathered, the town can decide what is important.</p> <p>Sprague asked about the potential roles of the HCC in a grant application. Cummings responded: volunteer hours, gathering data and helping to form priorities. Marshall noted that working professionals on the Conservation Commission can provide opportunities for people in town to learn. Cummings added that the HPC and HCC working together could make the whole project more manageable.</p>
<p>Town Plan section reports</p>	<p>Dana Cummings suggested deferring Town Plan section reports until the August 27 meeting.</p> <p>Everett Marshall mentioned that he had contacted Town Administrator Barbara Elliott regarding facilities.</p>
<p>Member Business</p>	<p>1. The Commission discussed a proposed project by the Palmers, who are being represented by Dean Grover. The project had appeared before the Commission for Sketch Plan in April and then was put aside by the property owner. It is now ready for Final Review. After a discussion about timing, the Commission decided that the application needs to be in on August 16 in order to be warned for September 4; by September 4 for September 24. Ginger Lubkowitz will contact Grover with this information.</p> <p>2. The Commission then briefly discussed a petition presented to the Selectboard on August 28 to have an Australian ballot vote on the Planning Commission's draft of the Zoning and Subdivision Regulations. The appeal period ended on August 30. It was determined by attorneys from the VLCT and the office of the Vermont Secretary of State and the town's attorney that the petition was illegal. Ten people had appeared at the last Selectboard meeting; the Selectboard took formal action not to move the issue forward.</p>

Adjournment: Everett Marshall moved to adjourn; seconded by Ginger Lubkowitz. The Commission voted unanimously to adjourn at 9:26 pm.

UNAPPROVED MINUTES TO THE HPC: August 16, 2012

MINUTES APPROVED: August 27, 2012

APPROVED MINUTES TO THE TOWN CLERK: August 28, 2012