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APPROVED

HUNTINGTON PLANNING COMMISSION

Minutes of September 24, 2012

Present: Dana Cummings, Everett Marshall, Gordon Miller, Ginger Lubkowitz, Julia Austin, Knox Cummin
Absent:
Public: Tom Bailey, Michael Warren, Jennifer Warren
Minutes: Julia Austin

7 pm Town Plan
7:50 Public Comment
8 pm Michael and Jennifer Warren Sketch Plan Review, Economou Road
8:30 Palmer Minor Subdivision Deliberations
9 pm Minutes of September 10, 2012
Mail
9:15 Member Business
9:30 Adjourn

7 pm Town Plan

7:05 reviewed town survey draft. Julia expressed concern about such a large quantity of open-ended questions. Ginger suggested that the "Huntington in 25 years" question and the "future priorities" question could be combined. Knox would like to see selected elements of town plan listed in the survey and prioritized. Julia felt that might introduce bias (which elements are selected as critical is subjective). Dana felt that a follow-up work section could incorporate contents of existing town plan. Ginger suggested that the survey could help us identify people who might want to participate in working on the town plan and indicate their area(s) of interest. Everett thinks the survey should be short. Ginger sees the town plan as a multi-step process, the survey is just the first step. Everett suggested the survey give people the opportunity to comment on any sections that interest them, and encourage their participation.

Tom B. shared consolidated implementation recommendations but Dana felt they were a bit wordy to try to pull out just a few things. GL suggested dividing the topics into 2 groups, and doing a focus group for each set of topics (and mention it in the survey). DC said we could pre-schedule focus groups and tell people which topics are on which night.

Session 1: Land Use, Recreation & Open Space, Natural Resources, Historic Features, Economic Planning, Housing - Nov. 12

Session 2: Transportation, Facilities, Services & Utilities, Child Care, Schools, Energy - Nov. 26

These will at least start the conversation, and from there we can schedule more detailed work sessions on specific topics. DC: provide overview of town plan at each session, review consolidated implementation? Current Town Plan format doesn't align with what's recommended by Planning Information Center, so we will need to change format for new town plan to align with that as well as better align with format followed by other towns. Goals, Objectives, Policies, and Programs (ongoing

actions). Everett wondered about difference between goals and objectives. Goals are aspirations, and objectives are measurable targets.

7:50 Public Comment - none

Village Code - Knox feels it's the right direction to move in, but he's not sure if the timing relative to work on the town plan makes sense. GL wonders if we can do town plan and DRB hearing & discussions simultaneously. Several commission members felt the work done on village code has a limited shelf life, and there was concern that leaving it for too long would cause it to lose momentum. Knox feels that the development patterns suggested by village code are very relevant to the town plan, so it makes sense to do them concurrently. Need to have article in Times Ink! about the topic to start educating the public so they are prepared to weigh in. DC feels it's important to respect the work that has been done and move it forward, not worrying too much about how it fits in with the new town plan but make sure it fits with current town plan. He likes the idea of warning it in whatever form Tom, Aaron, etc. have and having a hearing, revise if necessary for 2nd hearing, and then move it to the Selectboard.

Members discussed potential confusion by overlapping town plan and village code. Gordon pointed out that if people aren't on board with village code, it would be good to know that going into town plan. Discussion to be continued.

8 pm Michael and Jennifer Warren Sketch Plan Review, Economou Road

Introductions. 716 Economou Road. 27 acres purchased 2 years ago. Want to sell land to next door neighbor, who may want to sell off 5-acre lot, and combine other lot with his existing lot and conform with regs, esp. 180 road frontage.

Currently have 167 ft, so they want to add small corner of lot so that 180 ft. road frontage requirement would be met. Perimeter, not straight line between pins. Research of regs regarding approved subdivision. Dana will ask Heidi to look up if Lorraine Economou has an approved subdivision and will get back to the Warrens with a response. If not, the Warrens need to subdivide their 32 acre lot. 25 ft. boundary adjustment may be possible.

8:30 Palmer Minor Subdivision Deliberations

Deliberations opened at 8:30. Dana will check with Heidi re: "order" vs. "decision." He'd prefer "decision" to be the terminology. Dana edited mark-up copy of Findings of Fact, Conclusions, and Order.

There was discussion of the issue of well shields and isolation areas impacting adjacent property owners, and the HPC discussed jurisdiction and any undue impacts on adjacent property owners.

Added multiple conditions related to storm water runoff.

Deliberations concluded at 9:41. Everett Marshall moved to approve the subdivision with conditions; seconded by Ginger Lubkowitz. Approved unanimously.

9 pm Minutes of September 10, 2012 - deferred until October 8.

Mail - returned wastewater permit because submitted too early; Sleepy Hollow Act 250 notice re: snowmaking system. 360K gallons to 400K gallons.

9:15 Member Business - postponed until 10/8/12 meeting.

Oct 22 - joint meeting with ZBA, Knox Cummin preliminary plat review

Nov 12 - Session 1 6:30 - 8:00
Nov 26 - Session 2 - 6:30 - 8:00
ECOS grant submitted. Yaaaay, Everett!

9:47 Adjourn

Adjournment: Everett Marshall moved to adjourn; seconded by Ginger Lubkowitz. The Commission voted unanimously to adjourn at 9:47 pm.

UNAPPROVED MINUTES TO THE HPC: September 26, 2012
MINUTES APPROVED: October 8, 2012
APPROVED MINUTES TO THE TOWN CLERK: 10-11-12

Huntington Planning Commission
4930 Main Road
Huntington, Vermont

RE: Application of Andrew and Anne Palmer
Application No. 2012-2

FINDINGS OF FACT, CONCLUSIONS, AND DECISION

FINAL SUBDIVISION HEARING FOR:
Andrew and Anne Palmer Minor Subdivision
Main Road, Huntington, VT 05462

Based upon the application of Andrew and Anne Palmer (hereinafter the "Applicant") and the testimony and exhibits presented prior to and at the September 10, 2012 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 24, 2012 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 July 9, 2012 (hereinafter the "Regulations") which are applicable to this matter:

FINDINGS OF FACT:

1. On August 14, 2012, the Applicant filed an Application for Final Subdivision Approval for a project described as a two-lot subdivision on Main Road.

2. The Applicant filed the following:

   a. The completed required Subdivision Information form filed August 14, 2012. (Exhibit A)

   b. Survey entitled "Site Plan Two Lot Subdivision for Andrew and Anne Palmer, 3840 Main Road, Huntington, Vermont" dated April 5, 2012, and prepared by South Mountain Surveying and Mapping, PC, Bristol, Vermont. (Exhibit B)

   c. Letter from Andrew and Anne Palmer, dated August 15, 2012, authorizing Dean Grover to act as their agent. (Exhibit C)

3. On September 10, 2012, at the Final Subdivision Review hearing, the Applicant appeared before the Commission and presented evidence in support of the project.

4. In accordance with the Regulations and state law, notice of this hearing, dated August 2012, was published in the newspaper, posted in the community and mailed to adjacent property owners. (copy in file)

5. The project is located at 3840 Main Road and is located in the zoning district named the Rural Residential District, which is zoned for five acres. The project is located on Town Tax Map # 05-055.000.

6. The Applicant owns 209.9 acres in Huntington on the west side of Main Road which will be divided into Lot 1 (204.8 acres), which currently has a woodworking shop, wastewater system and garage; and Lot 2 (5.1 acres), which has a residence, well, wastewater system and associated outbuildings.

7. The Applicant seeks approval for a proposed single-family house on Lot 1 with proposed primary and replacement septic fields and easement, as shown on the project plat.

8. The Applicant has represented that natural features on the property include a wetland; the wetland and a buffer are shown on plat.

9. The Applicant has represented that Prime Agricultural soils are only found on the extreme north end of this parcel, as indicated in General Note 3 on the Subdivision Final Plat as sourced the Vermont Agency of Natural Resources Interest Locator Map, dated December 22, 2011.

10. Existing dug well on proposed Lot 1: shown on the plat.

11. Existing septic system on Lot 1: shown on the plat.

12. Existing dug well for Lot 2 and proposed easement for waterline, located on Lot 1.

13. A letter from Michael Mainer of Grover Engineering, PC, Huntington, Vermont, dated August 28, 2012, was entered into evidence by adjoining property owners Joseph and Beverly Spence. The letter, required by state law and addressed to the Spences, notified them that "the isolation distances related to the proposed water supply and/or wastewater systems extend onto your property. These isolation distances might limit your ability to develop your property." (Exhibit D)

14. The Applicant stated that the access to Lot 1 and to Lot 2 will be by existing curb cuts and drive and the connection will be separated.

15. Proposed access easement, crossing Lot 2 to the western side of Lot 1, is shown on the survey.

16. Monuments are shown on the plat, but not set. The Applicant stated that the monuments will be set.

17. The Applicant stated that this parcel of land is not subject to an Act 250 permit.

The Planning Commission members present during the hearing on September 10, 2012 referred to above were Dana Cummings (chair), Gordon Miller, Ginger Lubkowitz, Everett Marshall, Julia Austin and Knox Cummin (constituting a quorum); and the members present during deliberations on September 24, 2012 were Dana Cummings (chair), Julia Austin, Everett Marshall, Knox Cummin, Gordon Miller and Ginger Lubkowitz (constituting a quorum).

CONCLUSIONS:

After deliberations on September 24, 2012, the Commission has concluded the Applicant has provided materials in the application and up to and during the hearing on September 10, 2012 (referred to as Exhibits A-D above) that satisfies the requirements of Section 5.1 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 Section 5.1 of the Regulations and conclude that the requirements of Section 5.1 are satisfied subject to the conditions set forth below. The Commission's conclusions with regard to each subparagraph of Section 5.1 are set forth (by subparagraph number) as follows:

5.1.1. The project is suitable for subdivision 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 subdivision 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 subparagraphs adequately.

5.1.7. Subject to the conditions set forth below, the potential for erosion and runoff into nearby surface waters during and after construction is adequately remedied.

5.1.8 – 5.1.12. The project satisfied the requirements of the subparagraphs adequately.

5.1.13. The project complies with the Huntington Town Plan, the Huntington Zoning Regulations amended July 9, 2012 and other applicable Town regulations, subject to the conditions set forth below.

In addition, the Commission concluded that:

A. The project is not in a floodplain.

B. This area has single family residences, open fields 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.

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

D. Based on the Applicant's testimony, there will be sufficient water to meet the needs of the proposed project for the reasonably foreseeable future.

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

DECISION OF APPROVAL AND CONDITIONS

Following deliberation on September 24, 2012, Final Subdivision Approval was granted on September 24, 2012 by a unanimous vote of the Huntington Planning Commission with the following conditions:

1. The Applicants shall allow representatives of the Town access to the lots, at reasonable times and with prior notice, for the purpose of ascertaining compliance with the Regulations and the conditions of this permit.

2. All conditions specified in this "Decision of Approval and Conditions" shall be satisfied prior to the issuance of a Certificate of Occupancy pertaining to the project (See Section 4.1.3 of the Zoning Regulations last amended July 9, 2012), and no structure may be used or occupied until all of the conditions specified in this "Decision of Approval and Conditions" shall be satisfied.

3. The project shall be completed, operated and maintained in accordance with: (a) these Findings of Fact, Conclusions, and Decision of Approval and Conditions; (b) the plans and exhibits on file with the Commission; and (c) the conditions of this permit.

4. Within 180 days of the issuance of this decision (March 23, 2013), the Applicants 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/site plan referenced as Exhibit B above.

5. Applicants shall obtain all necessary local, state and federal permits.

6. Applicant shall abide by and comply with all terms and conditions thereof and any amendments thereto for all Wastewater System and Potable Water Supply Permits pertaining to this project.

7. Appropriate erosion control measures shall be implemented during construction of the proposed houses, garage/barn, septic system, well and driveway.

8. Existing and proposed storm water management and site work shall comply with sections 5.16 and 5.20 of the Zoning Regulations as amended on July 9, 2012.

9. All future utilities will be buried from the pole and the approximate location of utilities will be shown on the survey.

10. Monuments, shown on the plat, will be set, prior to sale of property.

11. Tax map # will be shown on the survey.

12. Letters from Huntington Fire Chief and CESU Superintendent of Schools, addressing the town's ability to provide fire protection and the school district's ability to manage more capacity at all levels, will be provided.

13. The 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.

14. Construction plans and construction of the proposed project shall comply in all respects with the Zoning Regulations as amended on July 9, 2012.

Dana Cummings, Chair
Huntington Planning Commission

Dated this 8th day of October 2012.