

APPROVED

## HUNTINGTON PLANNING COMMISSION

Minutes of October 7, 2014

**PRESENT:** Everett Marshall, Knox Cummin, Mark Smith, Terry Ryan

**ABSENT:** Beverly Little Thunder

**OTHERS PRESENT:** Roman Livak

**MINUTES:** Heidi Racht

7 pm Public Comment  
7:10 Minutes of September 16  
Mail (Town Government Fair Notice)  
7:15 Regulations Revision  
8:15 Science to Action Project Update  
8:30 Implementation Strategies  
8:40 DRB Update  
8:50 Member Business  
9 pm Adjourn

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DATE

11-6-14

The meeting began at 7:02pm; chaired by Mark Smith.

<b>Public Comment</b>	<p>Roman Livak asked if the Commission has gotten around to answers for his questions on September 23. No. There was discussion about 5.9.2. Livak again protested the method used by the Zoning Administrator's use of the tax map number for zoning purposes. "There is no legal mechanism for merging properties," he opined. He said he wanted the Zoning Administrator to property owners telling them when their properties are merged.</p> <p>He cited Jim Carroll's letter to the Planning Commission [regarding the Swannie property merger].</p> <p>Mark Smith asked Livak, "What is your goal?" Livak replied, "To get a yurt on my property." Terry Ryan talked about the two pieces of land that make up his property, now a single parcel. The single parcel means a lower tax bill. Livak claimed that he could sell the parcel without subdivision, but was unable to put a yurt on it. Smith said, "What is important is to get you what you want."</p> <p>Livak said the regs were not easy to follow. They are "poorly written – not clear."</p> <p>Heidi Racht commented that yurts seem to be a popular structure in Huntington. And, perhaps the regs should address them in a separate section as a long-term temporary structure that is reviewed periodically [for</p>
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	<p>compliance].</p> <p>The discussion then went on to the Science to Action project with Livak telling the Commission that the Huntington Conservation Commission would like to have a meeting with the HPC. He said that the group’s interest in roadside management was recently discussed.</p> <p>Knox Cummin asked about the HCC formulating a list. Livak mentioned ash trees with the threat of the Emerald ash borer and also other invasives like wild parsnip. He went on, “People were put out by the study because they didn’t want to let people [researchers] on their land.” Everett Marshall replied the the HPC was interested in implementation items in the Town Plan and there was good information that could be added to the regs. The Commission briefly discussed the fact that some towns with DRBs that have their Conservation Commission review projects for resource impacts.</p>
<p><b>Minutes of September 16, 2014</b></p>	<p>Everett Marshall moved to approved with changes; seconded by Mark Smith. Approved unanimously.</p>
<p><b>Mail</b></p>	<p>No mail.</p>
<p><b>Science to Action Project Update</b></p>	<p>Everett Marshall led the discussion. He said that ECOS drew heavily on the Fish and Wildlife’s Conservation Vermont Natural Heritage Project. Discussion centered around forested blocks that cross the land of several landowners. These upland and wetlands communities are mapped through aerial photos. Work needs to be done with research on the ground. Marshall gave an example of oak knobs.</p> <p>Wildlife habitat, vernal pools... a number are considered critical habitat. The regs currently talk about protecting bear stands. There was some natural community information before – now there is more. Smith asked about helping contiguous landowners with large forested blocks. It was ascertained that this aspect of forestry was not mapped in the regs. Marshall then talked about the area in Waterbury and Stowe where the two towns were working together on a large forested area.</p> <p>He went on to state the Science to Action has a map, which showed corridors, many of which moved across roadways. The maps show many corridors, marked with red arrows. There was a discussion of the natural resource impact. Knox Cummin commented, “Having these maps is new. There would be a call for a wildlife biologist to determine impacts” in each case. Smith remarked that the rural residential district has been traditionally been carved up into “spaghetti” lots. He said the discussion is germane to Tom Bailey as he is trying to figure out how to work on this when the regs are revised.</p>

	<p>Ryan pointed out that “some of this is pretty intrusive.” Marshall said that the maps show buffers from roadways and house sites. Ryan pointed out that the newly approved Purinton house site is being built in a mapped wildlife corridor and “you can’t just say no if there’s a red arrow.” Marshall replied that the information is a red flag. He said, “I think we would be missing expertise if we didn’t have the Conservation Commission weighing in on this.” More discussion followed about how the DRB could hear evidence and base its decision on it. Cummin wondered if members of the HCC, who are wildlife biologists want to weigh in for free.</p> <p>Smith mentioned inventory options, which would help the town update the plan and engage property owners. He went on, “Property owners always benefit when they follow good decision regarding wildlife.” Cummin disagreed, remarking, “Not everyone agrees. The regs need to speak to these people.”</p> <p>Marshall said the most important aspect is the process. The Commission should tick off the things “we want Tom to do.”</p> <p>The Commission discussed the work that Bailey had done to date, which showed a fair amount of research. Discussed was the number of hours for which Bailey could be paid and what needs to be done on the regs. Smith said that the Commission needs to look at regs and at what is working for other towns. Marshall added that the Commission should be looking at the documents and talking to other people.</p> <p>The discussion then went on to incentives, along with keeping some of the old familiar rules. In one town, a property owners need to get a permit, if clearing is being done for development, rather than forestry.</p> <p>Another topic is the directional tools with supplemental standards to each region of the town.</p> <p>Ryan said that the regs can be too complicated and he advocated for not trying to include too many details “It can be intimidating to regular people and a game for developers.”</p>
<p><b>Conference Call with Tom Bailey</b></p>	<p>Around 8:15 pm, Tom Bailey phoned for a conference call.</p> <p>The Commission discussed the choices for the regs.</p> <p>Cummin asked about trying to figure out ways to go with the regs for the rural residential areas. In looking at the Science to Action documents, he</p>

asked about looking into how other towns do this – incentives for landowners.

Bailey promised to “do the best product we can. I plan to work on this until it’s done.”

Ryan advocated for simplicity and clarity, declaring, “Complexity does not equal value.” Marshall added, “If the regs are too complex, there is more gray area.”

Cummin commented that the St. George regs references the Town Plan to show intent.

When Smith asked about whether the regs needed to be more complex, Cumming responded that the “audience is more complex. If things are simple, people know where you stand.”

The Commission also discussed the flood regs and fluvial erosion folding them into a unified document: Currently, these are separate documents and their approval and related maps are done when required by FEMA.

**MOTION:** Terry Ryan moved that the new regulations shall reference the most recent flood and fluvial erosion documents at the state or federal level; seconded by Knox Cummin. Approved unanimously.

The Commission went on to discuss the local Act 250 option. What are the advantages? Marshall explained that the mini Act 250 allows big developers to not have to go to Acts 250. Racht explained that the DRB has had a very full schedule since taking on subdivision review. The Commission decided to not add to the DRB’s responsibilities.

**MOTION:** Terry Ryan moved that the new regulations shall not include a local version of Act 250; seconded by Knox Cummin. Approved unanimously.

After a brief discussion, the Commission agreed that all comment regarding the regs get directed to Everett Marshall, who will forward Bailey’s emails and his responses as an FYI.

Marshall suggested that an HPC member should attend the Conservation Commission meeting.

**ACTION ITEM:** Someone from the HPC will attend the Conservation Commission meeting on Thursday.

<p><b>DRB Update</b></p>	<p>Mark Smith filled in the HPC on proposed subdivision on Bert White Road. He praised the DRB for its thoughtful leadership. He said that Zoning Administrator Ed Hanson has inculcated and is willing to come to meetings. He has taken the initiative with the enforcement of multiple violations on the White property. He said, "People are mad because the regs aren't being backed up with enforcement."</p> <p>There was some discussion about the junkyard on Bert White Road, and Everett Marshall said that this was one of the most difficult projects for the State to deal with.</p> <p>Heidi Racht shared that the DRB is reviewing five projects on October 14.</p>
<p><b>Member Business</b></p>	<p>None.</p>

**Adjournment:** Knox Cummin moved to adjourn the meeting; seconded by Terry Ryan. The Commission adjourned the meeting at 9:04 pm.

**UNAPPROVED DRAFT MINUTES POSTED ON WEBSITE:** October 7, 2014

**UNAPPROVED MINUTES TO THE HPC:** October 12, 2014

**MINUTES APPROVED:** October 21, 2014

**APPROVED MINUTES TO THE TOWN CLERK:** November 6, 2014