

APPROVED

HUNTINGTON PLANNING COMMISSION

Minutes of December 16, 2014

PRESENT: Everett Marshall, Knox Cummin, Mark Smith

ABSENT: Terry Ryan, Beverly Little Thunder

OTHERS PRESENT: Tom Bailey, Roman Livak

MINUTES: Heidi Racht

- 7 pm Meeting Begins
 - Public Comment
 - Minutes of November 18, 2014
 - Mail
- 7:20 Zoning Regulations Work Session
 - Permitting
 - Rural residential
 - Outline of Regs Revisions
 - Tom Bailey work plan
- 8:45 Member Business
- 9 pm Adjourn



SECRETARY
 RECEIVED *[Signature]*
 DATE January 13, 2015

The meeting began at 7:12 pm; chaired by Mark Smith.

Roman Livak attended the meeting as a member of the Selectboard. He informed the Commission that in this capacity, he was an ex officio Planning Commission member, citing State Statute 24; 4322 (...The selectmen of a rural town, or not more than two elected or appointed officials of an urban municipality who are chosen by the legislative body of the urban municipality, shall be nonvoting ex officio members of a planning commission...). He noted that he could participate in all the discussion, but not vote.

Public Comment	No public was present. Livak pointed out that in his capacity as an ex officio member, he was not a member of the public.
Minutes of November 18, 2014	Everett Marshall moved to approve the minutes of November 18, 2014 with changes; seconded by Knox Cummin. Approved unanimously.
Mail	<p>No mail.</p> <p>Mark Smith discussed an email exchange he had with Regina Mahony of CCRPC regarding DRB (Development Review Board) workshops proposed by Regional Planning. He suggested Planning Commission workshops, citing differences in the two Boards.</p> <p>Knox Cummin asked about the Town Plan and whether the Selectboard had submitted it to CCRPC, which must approve it. By statute, this must be in</p>

	<p>place in order for any grants to be received or work to be done on regs revisions. Livak said he wasn't sure if it had been done and would check. Then and there, Everett Marshall sent an email of inquiry to Town Administrator Barbara Elliott.</p>
<p>Regulations Revision</p>	<p>The Commission met with Tom Bailey and worked on the revisions to the regulations. Bailey had initially sent a generic outline. The Commission suggested "fleshing out" the outline, which Bailey agreed to do. Marshall asked for a "road map" of each section, noting that "too much detail at once is overwhelming and hard to see the big picture." Bailey responded that he was "trying to get a draft done in pieces."</p> <p>Bailey said that he was going to meet with Rebecca Pfeiffer out of the ANR Essex District Office to discuss the flood regulations. He is trying to do a "simplified redraft that covers the bases."</p> <p>Bailey then went on to talk about the Rural Residential (RR) Zoning District. In RR, he said the regs should address "what you want the Development Review Board (DRB) to look at in that district." The groups briefly discussed the approval process which would include giving more administrative approval to the AO (Zoning Administrative Officer). He said "give him standards and see what is there." There would be more discretionary opportunities for the AO and projects needing more examination would then go to the DRB for Conditional Use Review.</p> <p>Bailey went on, "Subdivision is driven by the plat. It is map-based."</p> <p>Preliminary review would be eliminated, based on what other towns are doing. He discussed a "pre-application review" by the AO that would cover this function and cut down on "a bunch of the expense" for the applicant. The application would be two tiers, instead of the three tiers currently in place for major subdivision review, which everyone agreed was redundant.</p> <p>Mark Smith said that "people think from the top down. This is a big idea and fill in with the details." They need to "grasp the personality of these regulations and their intent, how they will resonate with the public who aren't lawyers." He went on, "Most people would rather have a root canal than read the regs."</p> <p>Bailey proposed an introduction with a checklist at the beginning of the document, so property owners can see what they would do for a subdivision or other land development.</p> <p>Smith said he liked the St. George regulations, which have aids that amplify points and key concepts.</p>

Marshall asked for an outline of the RR – an overview. He asked for an overall summary for each section.

Knox Cummin asked about Google Docs and everyone agreed to have Tom Bailey post documents there and then make comments documents through this vehicle.

Heidi Racht asked about how the two-tier subdivision would work. She said that the adjoiners were notified for preliminary review and that was when most of them showed up. They were involved early in the process and didn't feel like the final was a "done deal."

Bailey explained that the notification would come at Pre-Application Review, since the applicant has to get a permit anyway. Discussion about applicant approval is done first, if required, it is a prerequisite.

Marshall asked about the initial Sketch Plan Review, stating that it is "important for the initial consultation to be open."

Bailey said that the regs "set up standards and let the AO do it. It is not discretionary. Keep in mind you have to preserve the ability of the DRB to say no and have standards that they can defend."

The Commission looked at the RR Conditional Use list. Marshall suggested grouping this list into a single section to reduce redundancy.

Racht asked about whether there would be definitions of Cottage Industry, Light Industry. She talked about the Stone Corral hearing noting that regs were lacking definitions. This would need to be corrected in the revisions.

Bailey went on to say that there would be no Conditional Use in the Village Center. Cummin said that the performance standards would, in theory, address this. Bailey explained that in the current regs, there is "what you can do and it is long." Performance Standards will be used in all the districts. You can include Performance Standards in the permit."

Livak asked why all Conditional Use was not done with Performance Standards. Marshall responded that it "steers a project toward review, where the Board can application conditions." Bailey added that anything can be appealed. "There is enforcement."

He then went on to say that Site Plan Approval is where conditions can be applied.

In response to Smith's question about how the DRB will derive its authority, Bailey responded that it is in the regs and by statute.

Marshall said that some projects may not trigger conditional use. He asked about whether there is a performance standard someone cannot meet. Bailey responded that the AO can't impose conditions; there are no discretionary conditions.

Bailey then explained that the standards would vary according to the district. Smith suggested engaging Ed Hanson in the discussion due to his vast experience.

An outline of the regs, districts and the introduction were presented and discussed. Livak asked about the process and consistency, to which Bailey responded that the process will be the same. Each district will have special implementation standards.

Cummin proposed expanding the outline and then adding details into each district. Marshall commented on the flood hazard and fluvial erosion overlay districts which could be combined for regs even though they are separate in the Town Plan.

The discussion about the overlay and the river corridor. Marshall commented that in some areas around the river, the 50-foot buffer is narrower or wider.

Bailey then went on to discuss RR. There are six maps. The Commission discussed sensitive areas like wildlife corridors. The AO would be able to see these areas and where it is planned. Development will be map-based and the AO will send anything with questions to the DRB. Marshall said that the corridor maps would be better. They are generalized, based on ECOS maps. Livak said that the Conservation Commission would like to verify the corridors. Marshall said that the maps could be used as a "red flag." The maps can define corridors and the HPC might have to get a consultant. The mapped resource is something to look at and see if there is an impact. Livak talked about work done by Arrowwood Consulting and also that the USDA has maps.

Continuing the discussion of the maps, Marshall explained that a map service for Huntington that has all the layers and updates incorporated could create manual maps that are available to people. Maps have a lot of information to offer, but there are gaps.

Bailey asked about fluvial erosion and where to set the boundary for the sake of the regs. Marshall responded that the town never finalized the maps with the state. There still may be opportunities to exclude some areas in the Lower Village.

Livak asked about the procedure for buffers. "How do you buffer? It needs to be defined." He gave an example of the Christiana property on Texas Hill,

	<p>which had a landslide, due to the Texas Brook below the property.</p> <p>It was verified that the buffer is 50 feet from certain named streams and 100 feet from the Huntington River.</p> <p>Planning Standards were the next topic. Smith clarified that the standards become the criteria in existing subdivision regulations. He wondered if the standards can deal with areas like historic impacts. In other words, gradations of standards.</p> <p>Bailey responded that the term is “relevant standards. The members of the DRB would determine what standards are relevant” to the proposed project.</p> <p>The group looked at the document and much discussion ensued on terminology: discretionary versus conditional.</p> <p>ACTION ITEM: Bailey said that he is meeting with Pfeiffer regarding the flood regulations. He will look at the outline and expand it. Also, Google docs will be set up.</p> <p>In another portion of the discussion, Bailey said that Site Plan Review should be considered for any development requiring discretionary approval. This, of course, assumes an engaged and activist Board.</p>
<p>Member Business</p>	<p>Livak said the DRB provided comments to Livak regarding Conservation Commission comments and “things to be highlighted.”</p> <p>Livak said he would like to be included and copied on all discussion, so he can “weigh in sooner.”</p>

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

UNAPPROVED DRAFT MINUTES POSTED ON WEBSITE: December 21, 2014

UNAPPROVED MINUTES TO THE HPC: January 6, 2015

MINUTES APPROVED: January 6, 2015

APPROVED MINUTES TO THE TOWN CLERK: January 13, 2015