

APPROVED DRAFT

HUNTINGTON PLANNING COMMISSION
Minutes of January 6, 2015



PRESENT: Everett Marshall, Knox Cummin, Mark Smith, Terry Ryan, Beverly Little Thunder

ABSENT:

OTHERS PRESENT: Tom Bailey, Roman Livak

MINUTES: Heidi Racht

RECEIVED *[Signature]*
DATE February 16, 2015

- 7 pm Public Comment
Minutes of December 16, 2014
Mail
- 7:20 Zoning Regulations Work Session with Tom Bailey
- 8:45 Member Business
- 9 pm Adjourn

The meeting began at 7:03 pm; chaired by Mark Smith.

Public Comment	No comments were made.
Mail	<p>Discussed two pieces of mail pertinent to the DRB, informational only:</p> <ol style="list-style-type: none"> 1. Letter from Duncan Keir stating that Stone Corral is not going forward with the project at 2225 Main Road. 2. Driveway application from Bill White for new trailer on north side of road. <p>The Selectboard would like the DRB to review it before it is signed.</p>
Minutes of December 16, 2014	<p>The Commission had extensive discussion about the format and content of the minutes with no definitive conclusions drawn. Everett Marshall, stated that he did not want quotes to be used in the minutes; made many comments, including the detail of who said what was not as important as the substance. More of a summary of the discussion was a better alternative.</p> <p>Commission Clerk Heidi Racht responded that the minutes were the long-term record of the business of the Commission and gave an historical context. She gave an example of a recent request to review the Town Meeting minutes (1998) around the Conservation Fund, which had details of who had said what and it put the context into the decision.</p> <p>Terry Ryan said he didn't want quotes and wanted concise minutes. Planning Commission minutes were not Town Meeting minutes.</p> <p>In other discussion, Commission members said: Capture any disagreements and if it gets resolved, then how it happened; Knox Cummin: Minutes are hard to read on the screen if they can't be printed out; Beverly Little Thunder: Quotes are sometime redundant; Mark Smith: Minutes are connection with people and the Commission members must take responsibility for ideas; don't want brevity to destroy banter. Roman Livak: supported narrative</p>

	<p>After more discussion on minute corrections, the discussion concluded.</p> <p>MOTION: Beverly Little Thunder moved to approve with changes; seconded by Knox Cummin. Approved unanimously.</p> <p>Livak suggested sending out the minutes to the HPC early enough for them to send back comments. If there is disagreement on changes, this can be discussed at the meeting.</p> <p>ACTION ITEM: Racht will send out the minutes early in the week prior to the meeting and the HPC members will send back comments to before Thursday. The edited minutes will be sent out again with the agenda.</p>
<p>Regulations Revision</p>	<p>The Commission met with Tom Bailey and discussed several topics.</p> <p>The first order of business was a clarification of the contract. Bailey said he knew what he has for funds and said he wanted to hire Aaron Worthley to help with the structure of the document. Was this money to be in addition to the RFP money or would it come out of the funds for him. He added that he would “work until it [the funds] run out.” Bailey said he assumed that the money to pay someone would come out of the \$8500.</p> <p>After some discussion by Smith about just how much money was available - \$7950 from the MPG and \$2050 from the town – and how it was to be allocated, Ryan interrupted the discussion, pointing out that the Commission had some money in reserve and had agreed not to discussion this.</p> <p>MOTION: Terry Ryan moved to approve a document from the HPC to Tom Bailey to formalize his work with the Commission as a consultant for the regs revision and authorized Mark Smith to sign it; seconded by Knox Cummin. Approved unanimously.</p> <p>The group then worked on the revisions to the regulations, reviewing the December 17 draft plan organization.</p> <p>Smith said he was looking for more detail in the definitions. He suggested shortening the paragraphs. He then went to say that he wanted to focus on different facets of the regulations.</p> <p>Marshall agreed and pointed out that the use of parentheses made the document hard to read. Ryan agreed that parentheses made the document more complicated than it is.</p> <p>Smith advocated for sidebars, noting that the complexity of the document is due to the nature of the regs. Sidebars would help “alleviate some of this.”</p> <p>Marshall talked about the question/answer format that the Commission suggested earlier in the work on the regulations. Bailey responded that he thought the</p>

Commission had decided not to use this format, but it could be reinstated.

Then, there was some discussion about the use of bold italics and other details. Ryan said that the structure of the document needed some corrections: "Don't use should. Use shall. Should makes it optional."

He then talked about the protocol for the outline structure and that it was hard to identify specific sentences.

Marshall added that if the document gets changed, the outline needs to be changed as well.

The term 'discretionary permit' was discussed exhaustively with no conclusion drawn. This is a conditional use permit and discomfort was expressed that it seemed arbitrary. Bailey said that he would look into what other towns do.

Smith talked about the table of contents and asked about the introduction. Bailey responded that the introduction is not part of the regulation – it introduces it. The General section refers to the regulations and begins the regulatory document. There then followed much discussion about the General section and what does it convey. Someone noticed that this wasn't in the table of contents. Bailey responded that the land development regulations are an extension of the General section.

Bailey then went on to talk about special use (aka discretionary permit driven) that is subjective and would go to the DRB, which would issue a decision with conditions. The Applicant can go to the Administrative Officer and get a permit. He pointed out that discretionary approval might have multiple permits as a result.

The original outline and standards are listed and then broken out, defining what they are and what was established. The General section also covers specific districts.

Under Performance Standards, Smith commented that in the existing regs, they are all in one place, which makes it easier to administer. Marshall responded that these standards apply to all district – except the Conservation District.

Discretionary approval was discussed again with Bailey being asked to show the process for an application once it is submitted to the AO and then needs to go through conditional use. Variances are treated differently.

The pre-application review was then discussed. In this process, the applicant would meet with the DRB and review the project and could then go on to final review. This would be instead of Sketch Plan Review. Some members of the Commission advocated for doing this without cost to the applicant. However, since it has to be warned in the newspaper and notices sent to the neighbors, there would be direct expenses. Who would pay for this? Livak called it "egregious."

Racht pointed out that this would be an added expense for Minor Subdivision Review as Sketch Plan is currently not a warned hearing.

Then, it was suggested that this would be part of the two-step hearing instead of a three-part review for Major Subdivision Review. A Special Use application would

	<p>require a plat for a subdivision. Racht suggested keeping the two steps for Major Subdivision Review, but making the final review points different from preliminary review so it isn't so redundant.</p> <p>Ryan suggested adding a paragraph call The Process, which gives a sequence of events.</p> <p>Back to discussion about the term Discretionary Review, with Smith asking exactly what the term meant and having it clarified that the DRB currently decided whether to give permits and conditions. The AO looks at the regs and administrates them for the permit. S/he may deny the permit and refer it to the DRB.</p> <p>The discussion then went on to resources on the property. Bailey suggested that the primary areas on the property be identified so the property owner sees what is there before decided on a building site. Livak asked if the AO would look at the resources and set the building envelope. Bailey responded that the AO would refer the applicant to the DRB.</p> <p>The Rural Residential District was discussed and the current regulations were consulted for specificity in the wording around the density. The research revealed that the regs say one residence per five acres.</p> <p>Moving the regs revisions along at a faster pace was then discussed. Bailey said he wanted deadline. Marshall said he wanted the documents on the Thursday before the meeting and there was consensus that this would allow the Commission to work more efficiently at the meetings.</p> <p>ACTION ITEM: Bailey will send documents on Thursday.</p> <p>ACTION ITEM: Bailey will revamp the outline and the materials will follow the outline.</p> <p>ACTION ITEM: Commission members will send comments to Bailey by the Wednesday before the meeting, so he can send a revised document.</p>
<p>Member Business</p>	<ol style="list-style-type: none"> 1. Marshall: report on Town Plan submission to CCRPC. He is planning to attend the hearing on January 14. 2. Cummin: not running for reelection. 3. Cummin: discussion about discussion with Bailey earlier in the meeting regarding funds allocated for contract. He told Smith that he was upset that the entire budget had been discussed and that he had unilaterally revealed this information. Smith apologized, but also said that he believed that "people should have all their cards in front of them." 4. Ryan: not running for reelection. 5. Racht: brief report on discussion with Richmond Administrative Officer. Richmond has one area that a change of use can be done without DRB review. Also, the applicants can ask the DRB for an accelerated hearing and have preliminary and final review occur simultaneously; it is done on a case by case basic.

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Adjournment: Beverly Little Thunder moved to adjourn the meeting; seconded by Terry Ryan. The Commission adjourned the meeting at 9:12 pm.

UNAPPROVED DRAFT MINUTES POSTED ON WEBSITE: January 6, 2015

UNAPPROVED MINUTES TO THE HPC: January 12, 2015

MINUTES APPROVED: February 3, 2015

APPROVED MINUTES TO THE TOWN CLERK: February 9, 2015