

Town of Huntington Selectboard (SB) Meeting
Date: Tuesday, January 20 2009 – 7:00p.m.
Location: Union Meeting House

Approved
Minutes

Attending:

Board Members: Ed Booth, Joe Segale, Roman Livak (Chair)

Absent Members: Harry Frank, Jim Hildebran (Vice Chair)

RECEIVED [Signature]
DATE 3.31.09

Others Present: Linda Bailey, Tom Bailey (Planning Commission), Dori Barton (Planning Commission), Terry Boyle, Ted Brace, Wayne Curley, Cindy Feloney, Lucinda Hill (Planning Commissioner), Spencer Hill, Rosemary King, Ruth Little, Everett Marshall (Planning Commission), Lawrence Phillips, Ken Pillsbury, Charles Spence, Joe Spence, Margaret Taft

Recorder: Barbara Elliott

Commentators	Public Comment & Information Sharing / Response from Planning Commissioners & Selectboard Members
Call to Order	Roman called the Public Hearing on the Zoning Regulations and Subdivision Regulations for the Town of Huntington (documents dated December 10, 2008) to order at 7:05 p.m.
Roman Livak	Roman read portions of the letter from the Planning Commission, dated December 12, 2008, titled: <u>Proposed Revisions to Huntington Zoning Regulations & Subdivision Regulations</u> which explains changes made to the previous drafts by the Planning Commission as a result of their last public hearing. (Reference separate handout.)
Wayne Curley	Wayne thanked members of the Selectboard that were present and expressed strong dismay that all Selectboard members were not present for such an important public hearing. Wayne requested clarification on the process for the meeting. Roman explained that the Selectboard was present to hear comments on the proposed regulations—particularly in light of changes made as a result of the last Public Hearing. Based on tonight’s feedback, the Selectboard will incorporate minor changes themselves, or return the documents to the Planning Commission for more extensive modifications. The Selectboard hopes to present the document for voter approval in March.
Ken Pillsbury	<p>Ken stated that all of the concerns that were raised at the Planning Commission’s public hearing have not been addressed in the revised documents—and that therefore, the documents are incomplete. Roman responded that if the Selectboard finds that the regulations are incomplete, and the issues are ones they don’t believe can be appropriately resolved through amendments to the documents after voter approval, then the Selectboard will not present the documents to the voters for approval in March.</p> <p>Roman stated that the last changes to the documents were approved in 1985 and 1992, and that they do not currently conform to State statutes—and that the Selectboard feels it is important to have these documents comply with statute. Dori corrected last revision dates: the Zoning regulations were last amended in 1995 and the Subdivision regulations were last amended in 1992.</p> <p>Ken stated that the one acre lot size in the village areas is excessive—and that it should be ½ acre or smaller. In citing the deficiencies of the current documents, he said “What can be more important than establishing lot size?” He also noted that incompatibility with State statutes is cited far too often, without the specific discrepancies being stated.</p> <p>Roman responded that if the Planning Commission had addressed lot sizes in the districts at this time, it would have extended the revision process much longer. He said it is appropriate to handle</p>

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	<p>lot sizes as a separate amendment to the documents.</p> <p>Ken raised major concern regarding the square footage allowed in homes/residences for cottage industry and home industry. He noted it had been 20%, and that while it has been increased to 25%, there shouldn't be a limit: if people want 50% or more, that would be great. He pointed out that there are barns and other structures that would be very appropriate for cottage industries—barns that are not likely to house livestock in the future and might be attractive for home business. He stated that square footage should not be restricted to 600 square feet.</p> <p>Dori noted that page 27 in the Zoning Regulations outlines the conditions for cottage industries which are different than the conditions for home industries.</p> <p>Ken stated that while we most certainly need to have a plan, the proposed documents are too restrictive and controlling. He said the Planning and Conservation Commissions are increasingly trying to control private property in Huntington and that the documents are dictatorial, and he does not support them. Roman stated that he views the documents as increasing clarity and providing much needed definition. He believes we have a well defined process for updating the documents and that the current documents are well worth adopting.</p> <p>Ken further stressed that, if in fact we vote to approve these regulations, he wants to see them enforced—and that there not be selective enforcement. He stated that there have been some very blatant violations in town in the past few years with nothing being done to address the violations. If we are going to go to the trouble of having the documents, then we better enforce them.</p>
<p>Joe Spence</p>	<p>Joe stated that the 600 square foot limitation for cottage/home industries is too small.</p> <p>He asked for clarification on the previous subdivision stipulations that stated that approval was not required for the 2nd and 3rd subdivisions. Dori stated that Huntington was among the minority of towns that did not require subdivisions after the 2nd lot (the initial lot is considered lot 1 and the 1st subdivision creates the 2nd lot). She said having this as a tracking mechanism is important.</p> <p>Joe asked what happens for towns that don't have zoning regulations—and Ed Booth (our representative to the Chittenden County Regional Planning Commission) stated that we could potentially lose insurance opportunities and regional planning opportunities if we don't have up-to-date regulations in place.</p> <p>Joe asked if the regulations were going to be more restrictive for people who have a bunch of land that they want to subdivide. Roman stated that in a general sense, there is greater flexibility in developing land with the new regulations and that the regulations will not make it more difficult—but that instead, they will help expedite the process.</p> <p>Dori concurred with Roman, stating that she thinks people will find that the current regulations are more difficult because they are so vague. The new regulations are clearer, will make for more consistency, and will make it so people will be treated more fairly in town because rulings will not be so dependent on who is sitting on what board at what point in time.</p> <p>Joe asked when people will know whether the Selectboard is going to put the regulations up for vote in March. Roman said the Selectboard will determine this at their meeting on Monday, January 26th.</p> <p>Joe said property owners should not be limited for what they are allowed to do with outbuildings.</p>

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Margaret Taft	Margaret said that there is a difference in home occupation and cottage industry: that they are covered in separate categories, and that the cottage industry usage is not as restrictive as a home industry.
Ted Brace	<p>Ted said that barns should be able to be used for other business—and that existing barns and other structures should be grandfathered so that down the road they can be converted to other uses such as for business or apartments. Roman stated that you can go through conditional or adaptive reuse to convert outbuildings to different usage by going before the Zoning Board. Dori noted that there are mechanisms in place to address being able to convert the use of buildings.</p> <p>Joe stated that he is concerned that people sitting on the various boards have their own agenda.</p>
Ruth Little	Ruth asked for clarification on designating areas as flood areas—and that there are conflicts regarding what is and is not considered to be a flood zone from the insurance company and town designation perspectives. There also is inconsistency in how neighboring properties are designated. Roman noted that the maps used by insurance companies are often 10-15 years old and are therefore not in sync with the Town & FEMA maps. Roman recommended that Ruth speak with our Zoning Administrator, Cathleen Gent (who is in the office on Tuesdays) for clarification.
Everett Marshall	Everett noted that Ken’s point about there being issues that still need to be addressed in the documents is a good one—and that issues raised at the Planning Commission’s public hearing that have not been incorporated into the current revisions need to be looked at closely. He hopes these will be addressed as amendments. He stated this is particularly true regarding the density issue. He said that the Planning Commission did make a number of changes that were really substantive, and that while they didn’t deal with all the issues, their intention is not to forget about them.
Dori Barton	<p>Dori said it would be better to address some of the larger issues like density and DRV individually as amendments because they are so controversial, rather than lump the debate on them in with all the other portions of the documents. She noted that people’s thoughts regarding some of these very sensitive issues have flip-flopped, and that it would be good for people to vote on them separately.</p> <p>Regarding the timeline, Dori stated that we are required to update our regulations by 2010. She further stated that the Planning Commission hopes this will NOT be a static document, but rather, that it will be reviewed yearly and that we will address issues on an ongoing basis. She sees the adoption of these new regulations as just the first step in what she hopes will be an annual review.</p>
Tom Bailey	Tom noted that the Planning Commission is in the process of designing their work plan for the next year. They meet twice a month, and he encouraged Ken and others to attend these meetings. He also said there is a vacancy on the Commission, and encouraged Ken to join. (Ken responded by saying “Well, my life is getting shorter all the time.”)
Terry Boyle	Terry asked for examples of how these regulations might clarify the Zoning Administrator’s tasks. Roman responded that it might help with tracking 2 parcel separations by not having to go back into the land records to research their status; that it would streamline the process; and that it would facilitate addressing conditional and permitted uses because the regulations are much clearer – there are fewer gray areas, for example, regarding what requires a site plan review.
Rosemary King	Rosemary noted that over the years, she has found it to be very confusing to find out who one needs to talk to regarding zoning related issues—that often inquiries are bounced from person to person and back again. Dori responded that she knows it is confusing – and that the Planning Commission is looking at developing a series of fact sheets to help people. Roman noted that people can always contact Ed Wildman, who will track down the appropriate person for you. Most

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	issues will be directed to the Zoning Administrator, Cathleen Gent, who can be reached at 434-5783. (You can also leave a voice mail message for her at this number).
Adjournment	Having heard all comments that those present had to share, on behalf of the Selectboard, Roman closed the Public Hearing at 8:01 p.m.

Date Unapproved Minutes to Town Clerk: Saturday, January 24, 2009

Date Minutes Approved by Selectboard: March 16, 2009

Date Approved Minutes to Town Clerk: March 30, 2009