

Starksboro Planning Commission
Minutes of March 21, 2019
Unapproved

Board members present: Denny Casey, Denny Barnard, Jeff Keeney, Dan Nugent, Rodney Orvis, Brad Boss, and Dan Harris

Others present: Norman Cota, Alan and Joan Quittner, Rebecca Elder (ZA)

The meeting was called to order at 7:00 p.m. by Chair Dennis Casey.

Changes to agenda: none

Visitors' business: none

Approval of Minutes of March 7, 2019

Motion: Jeff Keeney made the motion to approve the minutes of 3/7/19 as corrected. Dan Nugent 2nd

Discussion: Dan Harris noted 2 minor corrections on page 1.

Motion carried.

Alan and Joan Quittner – Request for Zoning District Change

Alan and Joan Quittner came to the PC to ask for consideration of a zoning district change along the Gore Road off VT Route 17. The Quittners own property on both sides of the road and hope to subdivide their property to allow their children to build homes in the area.

Mr. Quittner described the declining town population and school enrollment numbers. Their family has lived here a long time, they have been taxpayers, are happy to see community building and revitalization, and hope their family can live here in the future.

He read the bylaws, looked at the zoning map, and other town roads. He understands that land development off Class 3 unpaved roads is usually more restricted as there is more variety of the topography on both sides of the road, steep slopes, etc. He doesn't understand why the Low Density (LDRC) district line is placed at 400' from center on Gore Road, which is paved. He wants to request the line be moved back to 800' to be consistent with most other areas in town. Alan asked why Rounds Rd, Russell Young Rd, Robert Young Rd, all have 800 ft setbacks, while Gore Road is paved and passable and has reduced setbacks.

- Denny Casey asked if the Quittners had gotten a professional site tech to assess their property and determine the building lot potential based on the land and the town bylaws. A. Quittner said no, they haven't taken that step yet. D. Casey stated that would be the best next step: hire a site tech and/or engineer look at it; have them look at the septic and soils; evaluate and determine what is possible before the PC wants to consider a change in any zoning boundaries.
- Jeff Keeney stated that the recent district changes (2016) actually increased the boundary for the LDRC; the PC has looked at the topography and ortho-based maps. He referred to the northern area of Big Hollow where the LDRC also narrows due to steep slope and streams. There is a lot more developable land in Starksboro than these areas.
- Rodney Orvis asked if the property is in the flood plain. He said the site tech can help look at the FEMA maps and determine the flood plain area for the stream. Joan Quittner stated that you can see the old cellar hole where people had built a home in the old days. R. Orvis said some of these cellars were sugarhouses. Research in the 1871 Beers Atlas will show if there were old structures there.
- Dan Harris said there are other land resource factors that are going to have a greater impact on the development plan than the zoning district lines (i.e. steep slopes, parking, flood plain). These plans must be worked out first.
- Dan Nugent noted that the PC increased the district line in 2016. Through the Town Plan public input process, town residents stated they did not want to see land taken out of the Forestry & Conservation district. If the PC were to consider an increase of another 400', it would allow more houses and that is in direct conflict with the purpose and goals of the FC district. The 400' line was not made solely by the PC and it was done based on the information from surveys and feedback from the people in town. There is other land that is more feasible for development.

Alan said he thinks the distances should be consistent. Jeff said there are two different issues—what the property will allow based on the land and consistent zoning district determinations town-wide. Alan referred to the Town Plan's stated goal of utilizing better roads, and yet at the same time allowing more development along unpaved roads. Dan Nugent reiterated that the Town doesn't want to encourage development on steep slopes, whether off paved or unpaved roads.

Jeff also stated that the PC cannot do "spot zoning" (meaning allowing something in one area of town within a district but denying the same use on the same type of land in another area of town).

Property information:

- 40.8 acre parcel total
- +/- 12.5 acres in LDRC (2 lots permitted). 1 lot permitted in FC, which can be pulled down to LDRC in a subdivision plan. The regulations will allow 3 lots total providing site conditions allow.
- The home parcel already contains a primary single-family home and a rental cottage.
- 1 existing, 2 new. Min. 1 acre. Tech can tell you what will be possible based on this.
- There are 20 acres on the other side of the road in a separate parcel. There could be up to 4 building lots there, again depending on the site conditions.

Jeff Keeney said for septic regulations, only one mound system is necessary, not multiples. The rules changed. The board recommends hiring a site tech first, then have the soil perk tested, see what the capacity is. A surveyor isn't necessary at this time. Ask your site tech to determine how many lots you can request in a subdivision plan given the land and the regulations. The site tech designs the septic and the lots.

The Quittners thanked the board for hearing their concerns and stated they would be coming back to the town with a plan after consulting a site tech. The PC stated the application will go through the zoning administrator to be prepared for a DRB hearing once a plan is determined.

Other PC Business:

ACCT discussion

Following up on the last meeting and discussion with Richard Lucia representing the resident association at the Lazy Brook MHP, the board discussed how to be helpful in general per the goals of the Town Plan and the land use regulations.

Dan Harris said he wants to hear the mission and the goals of ACCT. What are their responsibilities as landowners and owners of leased lots for which rent is paid?

Jeff asked if the power companies ensure that electrical service is put in properly. Denny Barnard says there is a National and State code that must be followed.

The board will assemble a list of questions to ask of ACCT staff to better understand the organization's role and their plans for management and budgets for infrastructure repairs and improvements. The board will invite ACCT to attend a future meeting.

Election of Board Clerk

Motion: Denny Casey nominated Denny Barnard as the Board Clerk. Rodney Orvis 2nd

Motion carried.

Meeting schedule:

The Planning Commission will continue to hold their regular meetings on the first and third Thursday of each month at 7:00 p.m. Schedule changes may occur due to weather conditions or other circumstances. Changes will be posted to the calendar on Town's website at www.starksborovt.org

Motion: Denny Barnard made a motion to adjourn at 9:20 p.m. Jeff Keeney 2nd.

Motion carried.

Respectfully submitted,

Rebecca Elder
Zoning Administrator