

Sutton Development Review Board

Minutes of meeting on 8-8-17

6:00 PM Sutton Town Offices

In attendance:

Paul Brouha, Chip Devenger, Darlene Ahrens, Byron Savoy, Lucien Belanger, Brandon Mazur (Sutton DRB); Shane B. Clark (Licensed Surveyor representing the Lepines)

The meeting was called to order at 6:00 PM to consider the subdivision application of Russell and Kristen Lepine.

Brandon read the warning as it appeared in the *Caledonian Record* and was posted in several locations in Sutton:

TOWN OF SUTTON

NOTICE OF PUBLIC HEARING BEFORE THE DEVELOPMENT REVIEW BOARD

A public hearing before the Development Review Board will be held on 8th of August 2017 at the Sutton Town Office at 6:00 p.m. to hear the following permit application:

Russell Lepine, P.O. Box 353 West Tisbury, MA 02575 proposes to subdivide a 49 acre parcel owned by him and Kristen Lepine at 3949 Pudding Hill Road Sutton.

A copy of this application and additional information may be obtained at the Sutton Town Clerk's office.

Participation in this hearing is a prerequisite to the right to make any subsequent appeal.

The proposed agenda was reviewed. There were no additions or deletions.

Paul asked if there were any conflicts of interest or ex parte communications. None were noted.

Shane was sworn in. Paul shared with Shane that adjacent landowner Paul Lane's concern had been incorporated into the Findings of Fact.

**Findings of Fact:**

The property is situated in the Town of Sutton at 3949 Pudding Hill Road (T.H. #45).

The current zoning map shows the property as being zoned in the Working Lands District (Table 205.05 of Sutton Unified Development Bylaw, March 7, 2017 revision).

The purpose of the Working Lands District is to preserve Sutton's unfragmented tracts of land with agricultural and silvicultural value that can provide a sustainable economic return and contribute to the

local economy. This district allows for some limited residential development, while stabilizing Sutton's remaining agricultural and silvicultural lands by protecting them from fragmentations that would impair their continued viability as working lands. The lands in this district have restricted access to public roads, are important for wildlife habitat, have one or more physical space limitations to development, and include significant natural, recreational, agricultural, and scenic resources. Planned unit development based on the lot's overall yield is encouraged in this district in order to preserve and protect Sutton's working lands. All other forms of development shall be done in accordance with Sutton's density-based standards.

Minimum lot area and dimension requirement in the Residential District is as follows:

Lot area	1 acre
Road frontage	200 feet
Setback from center of road	75 feet
Setback from side and rear lot lines	25 feet

Applicant has notified abutting landowners in writing of plans and apprised them of the date/time of the public hearing. A correction noting that the meeting was to begin at 6 pm instead of 7 pm was also sent. Note also that notice of the hearing was published in the Caledonian-Record and the hearing was posted within view of the property from a public right of way and in three public places in Sutton as required by law.

The original application/maps and the required fee of \$50 was submitted to the Town Clerk's Office on December 23<sup>rd</sup>, 2016. The updated application, survey map, and copies of letters to abutting landowners was submitted June 26<sup>th</sup>, 2017.

The original lot is 49.40 acres and applicant proposes to create three lots—Parcel 2 with 36.30 acres (with road frontage on Lane's Way but no road frontage on Pudding Hill Road), Parcel 2A with 3.00 acres (and 281.4 feet of road frontage on Pudding Hill Road), and Parcel 2B with 10.08 acres (and 200 feet of road frontage on Pudding Hill Road).

More traffic on Lane's Way (a Class 4 road adjacent to Parcel 2 [the 36.30 acre parcel] of the property), which has a significant blind spot, would create unsafe traffic conditions for users. Any future subdivision application to create housing lots adjacent to Lane's Way may require upgrading Lane's Way to Class 3 standards as a condition of subdivision approval.

In accordance with Sutton's density-based standards, the 10 acre minimum/residence lot density standard restricts further subdivision to one more lot on Parcel 2 and would require that one of the lots on that parcel be at least 25 acres in order to maintain eligibility for Current Use.

A Wastewater System and Potable Water Supply Permit (Permit # WW-7-4630) has been issued for the existing water supply and wastewater disposal facilities for the existing residence on Parcel 2A. Parcels 2 and 2B are not approved for construction at this time and deeds for these parcels must reflect that restriction until a permit has been obtained from the Drinking Water and Groundwater Protection Division of the State of Vermont Department of Environmental Conservation.

Russell & Kristen Lepine are unrestricted owners of the property, have authority to apply to subdivide the property, and have submitted an affidavit, included in the record, stating their desire to do so.

In the above-noted affidavit the Lepines have authorized Shane B. Clark of Trueline Land Surveyors to act as their representative in this matter.

**Conclusions of Law:**

Based on Town of Sutton Zoning and Subdivision Regulations, prepared in accordance with 24 VSA, Section 4401, the proposed application conforms to Sutton's Unified Development Bylaw and is therefore approved by the Sutton Development Review Board meeting in Sutton on August 8, 2017.

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Signed Paul Brouha, Chair Sutton Development Review Board

Date \_\_\_\_\_

Darlene moved to accept the application. Chip seconded. There was no further discussion, and after a vote the application was approved.

The meeting adjourned at 6:30 PM.

These minutes prepared by Brandon Mazur.