

Sutton Development Review Board
Minutes of Hearing
6:00 p.m., July 14, 2020
Held outdoors in front of the Town Clerk's Office Bulletin Board

In attendance: Byron Savoy, Chair, Paul Brouha, Hank Parker, Darlene Ahrens, Patrick Seymour, Danielle Fortin, Roland and Patricia McClure, Kyle Darling, Martha Tack, Clerk

Meeting was called to order at 6 pm. and Byron began by asking the clerk to read the warning and for agenda modifications.

1. Clerk read the Warning of the hearing as published in the *Caledonian Record*, June 30 and July 6, 2020, and posted at the Town Clerk's Office, the Town Clerk's Outdoor Bulletin Board, the West Burke Post Office Bulletin Board, and at Spencer's Garage.

Paul suggested approving the draft minutes of June 16, DRB hearing be added to the agenda under New Business.

Paul also suggested a discussion -not for DRB- of the proposed Global Warming Solutions Act legislation in relation with and aligned to the Sutton Town Plan, Energy Planning Chapter be added to the proposed agenda.

Byron began the hearing by explaining its purpose.

2. Introductions of the Board Members and Applicants were made;

Byron explained that only interested persons present at the hearing may appeal the DRB's decision and defined "interested person."

Kyle Darling, a neighbor, was an interested person in attendance;

While there were administrative discussions with the applicants, there were no ex-parte communications.

Paul said he worked with the applicants to get the correct forms for their application and to suggest ways to structure their proposed subdivision.

Paul said he had meetings with Byron Savoy to help Byron understand the procedures for chairing the hearing.

3. Consideration of application as follows:

Roland & Patricia McClure, 1522 Underpass Road (parcel ID 100-1522) propose to subdivide a 2.96-acre lot into two lots: Lot #1, 1.7 acres and Lot #2, 1.26 acres.

Identification of applicants Roland and Patricia McClure was made.

Paul asked Roland to describe the application's intent.

Kyle Darling asked if the property to be subdivided was pasture land? Roland said yes.

There were no questions by members of the Board.

Byron asked if everyone had reviewed the sketch of the proposal; they had.

Paul noted that prior to development the McClures would need to apply for a building permit and state wastewater permit; Roland said they already had the wastewater permit completed.

Byron asked if DRB members had reviewed the proposed findings of fact; they had and the findings are incorporated:

4. Findings of Fact:

The 2.96-acre property (Parcel ID 100-1522) is situated in the Town of Sutton at 1522 Underpass Road.

The current zoning map shows the property as being in the Residential District (Table 205.03 of Sutton Unified Development Bylaws (Bylaws), adopted March 7, 2017 & amended April 16, 2018). The purpose of this District is:

“The purpose of the Residential District is to provide for neat and orderly development at a density consistent with the physical capability of the land, the availability of services, and the need to provide sufficient opportunities for housing, balanced with the non-residential uses that are appropriately sited, screened, and of a scale that is compatible with residential uses.”

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

Lot area	1 acre
Road Frontage	150 feet
Setback from center of road	75 feet
Setback from side and rear lot lines	25 feet

Applicants have notified abutting landowners in writing of plans including the date/time of the public hearing (July 14, 2020 @ 6 pm). The hearing notice was published in the Caledonian-Record June 30 & July 6, 2020 and the notice also posted within view of the property from a public right of way (Underpass Road) and in three public places in Sutton as required by law. The original application/sketch and the required fee of \$50 was submitted to the Town Clerk’s Office by application dated June 8, 2020.

The original property is 4.97 acres and consists of two lots. The applicants propose to subdivide the larger lot (2.96 acres) to create two lots—a 1.7-acre parcel and a second parcel of 1.26 acres. Both lots meet the area and dimension standards of the Residential District. The property deed is recorded in Book 80, page 224 of the Town of Sutton Land Records. Prior to further development/building on the proposed lots, state water and wastewater permits will need to be obtained.

5. Conclusions of Law: Based on the Unified Development Bylaws of the Town of Sutton, prepared in accordance with 24 VSA, Section 4401, and contingent upon a survey rendered on mylar (see http://suttonvt.org/wp-content/uploads/2014/02/MYLAR-CHECKLIST-2_25_19-Revision.docx.pdf) being submitted to the Sutton Town Clerk within 180 days, the proposed application conforms to these Bylaws and is therefore approved by the Sutton Development Review Board meeting in Sutton on July 14, 2020.

Any interested person may appeal any decision by the Development Review Board within 15 days of the date of such decision. This permit shall not take effect until the time for such appeal has passed but that does not mean applicant cannot proceed with next steps.

Byron made a motion to approve the subdivision application.

Hank seconded the motion. Motion Approved.

Signed Paul Brouha, Chair Sutton Development Review Board

Date _____

6. New Business

Clerk read draft Minutes of June 16, 2020 Sutton Development Review Board Hearing regarding Marci and Ryan Simpson proposal for subdivision. Paul moved the minutes be accepted; Hank seconded. Motion Approved.

Paul wanted to discuss to what extent the proposed Town Plan, Energy Plan being amended by Planning Commission and Energy Committee needs to agree with the Global Warming Solutions Act currently under consideration in the legislature. Discussion followed. Paul proposed a meeting of the Energy Committee and Planning Commission in August to agree on the salient points in the Energy Plan.

7. Meeting was adjourned at 6:35PM

Minutes prepared by M. Tack, Clerk