

Sutton Development Review Board

Minutes of hearing

June 12, 2018, 6:00 P.M.

Sutton Town Office

In attendance: Paul Brouha, Lucien Belanger, Darlene Ahrens (Sutton DRB), Brandon Mazur (clerk), Carroll and Donnalee Sherburne (via phone)

Paul called the hearing to order at 6:04 P.M.

Interested persons were signed in.

Paul explained to the Sherburnes that Vermont League of Cities and Towns attorney advised him that, as long as everyone participating can hear everything and all are familiar with application documents, it was acceptable for the Sherburnes to participate in the hearing via phone. They stated that they were comfortable with proceeding.

Paul noted that the application was signed by only one of them. They both stated that they support the application.

Brandon read the warning as published in the *Caledonian-Record* and posted in three locations in town:

TOWN OF SUTTON

Notice of a public hearing before the Development Review Board

6:00, June 12, 2018 at Sutton Town Office

Carroll & Donnalee Sherburne of Buxton, ME propose to subdivide their existing lot on Dolloff Pond Rd. to create two lots of 4.6 and 37 acres.

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.

Paul stated to the Sherburnes that he was showing the application's sketch to the DRB members.

There were no conflicts of interest or ex parte communications.

Paul read the definition of "interested person." The Sherburnes stated that they heard clearly the definition. Paul swore the Sherburnes in.

Paul reviewed the details of the application. The Sherburnes had no additional information to add.

The DRB members had no questions or comments.

Paul then read the Proposed Findings of Fact:

The 41.6-acre property (Parcel 005-0890) is situated in the Town of Sutton at 910 B Dolloff Pond Road.

The current zoning map shows the property as being in the Working Lands District (Table 205.05 of Sutton Unified Development Bylaws, April 26, 2018 revision). The purpose of this District is:

“The purpose of the Working Land 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 fragmentation 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 Working Lands 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 but did not include the correct date/time of the public hearing. In order to provide a 15-day advance notice to abutters, a correction was sent May 12, 2018 noting that the meeting had been rescheduled for Tuesday June 12, 2018 at 6 pm. The hearing notice was also republished in the Caledonian-Record May 9, 2018 and the hearing was twice 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 by letter dated April 14, 2018.

The original lot is 46.1 acres and the applicants propose to create two lots—A 4.6-acre parcel with 200 feet of frontage on Dolloff Pond Road and a second parcel which is the remaining 37 acres—an area sufficient to qualify for Current Use as required by the Bylaws.

The Sherburnes had no questions about the Proposed Findings of Fact.

Neither the DRB nor the Sherburnes had any questions or comments.

The board then conducted public deliberations:

Paul read the Proposed Conclusions of Law:

Based on the Unified Development Bylaws of the Town of Sutton, prepared in accordance with 24 VSA, Section 4401, the proposed application conforms to these Bylaws and is therefore approved by the Sutton Development Review Board meeting in Sutton on June 12, 2018.

Darlene moved to approve the application. Lucien seconded. The motion passed unanimously.

The Sherburnes then took their leave.

Upon motion and majority approval, the hearing was closed at 6:22 P.M.

The meeting then moved on to new business.

John Kriebel's and Ramona Nault's boundary line adjustment application was received and will be dealt with administratively as provided for by §701.03-4 of Sutton Unified Development Bylaws.

The meeting was adjourned at 6:23 P. M.

These minutes prepared by Brandon Mazur, clerk.