

Town of Sutton Development Review Board
Public Hearing, March 8, 2021
Sutton Fire Station and via Zoom

Byron Savoy, Chair, called the hearing to order at 6:20 p.m.

Board members present were Byron Savoy and Paul Brouha; Hank Parker, Darlene Ahrens and ZA Joe Witt participated via Zoom--sufficient for a quorum. Applicant Jeffrey N. Norris was also present as was interested party Glen Stine. Robert Simms participated via Zoom.

Byron read the warning for the Hearing as it appeared in the Caledonian-Record on February 19&20, 2021. Byron confirmed that the warning had been posted in all required locations and that adjacent landowners had been duly notified. He asked if any Board member had a conflict of interest or had had an ex parte communication. He clarified the definition of "interested party" and reminded attendees that only interested parties who were present at the hearing could appeal the Board's decision within 15 days of the decision. Paul disclosed communications with Jeff Norris, Melody Stevens, and Rich Nicol—all of an administrative nature. He distributed copies of the application to those present and ensured Zoom participants had electronic files of the application.

Byron swore in applicant Jeff Norris and asked him to summarize his application. Jeff stated his desire to subdivide his 24.6-acre parcel on 294 Station Road into three lots and referred members to the sketch in the application. In response to questions from the Board he stated the lot was about 500 feet deep (the application states it has 2249 feet of road frontage). He stated if the application were approved, he would have a survey completed and submitted to the town office on mylar within 180 days. In response to a question from Joe, Jeff stated no percolation tests had been done. Joe reminded him that, while further subdivision of the lot was permissible, any further development would require state-approved water and wastewater permits as well as issuance of a building permit. Byron read the Board's proposed Findings of Fact and Paul clarified which uses were permitted and which were conditional from the Unified Development Bylaws (page 9) adopted March 7, 2017 and amended April 26, 2018. Hank asked what the proximity of the lot to town water was and Glen stated that the service ends at his and Melody Steven's residences (about 3/10 of a mile from the lot). Jeff acknowledged there were small brooks traversing the lot and that it was wet and, in response to questions, stated he might further subdivide lots for sale and might eventually construct a B & B on the lot he keeps. Byron asked if there were further questions and, hearing none, Hank moved to close the hearing and go into deliberative session. Joe seconded the motion which passed unanimously at 6:35 pm.

In deliberative session Byron again referenced the enclosed Findings of Fact and read the proposed Conclusions of Law and permit conditions which are included in these minutes. Everyone agreed to them and that the proposed subdivision complies with Sutton's Zoning Bylaws. Darlene moved to approve the application. Hank seconded. The motion was approved by unanimous voice vote. Paul moved adjournment: Darlene seconded and the motion passed unanimously at 6:42 pm.

Findings of Fact:

The 24.6-acre property (Parcel I.D. 024-0294; Span # 636-200-10135) is situated in the Town of Sutton at 194 Station Rd.

The current zoning map shows the property as being in the Residential District (Table 205.03 of Sutton Unified Development Bylaws), adopted March 7, 2017 & amended April 26, 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

Applicant, Jeff Norris has notified abutting landowners in writing of plans including the date/time of the public hearing (March 8, 2021 @ 6 pm). The hearing notice was also published in the Caledonian-Record February 19-20, 2021 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/sketch and the required fees were submitted to the Town Clerk’s Office by application dated February 16, 2021.

The original property is approximately 24.6 acres. The applicants propose to create three lots of 2+- acres, 2+- acres, and 20 +- acres. The proposed lots contain sufficient acreage to meet the area and dimension standards in the Residential District

The warrantee deed may be found in the Sutton Land Records @ Book 84, Pages 104-105 and the mortgage deed is on subsequent pages.

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 March 8, 2021.

Conditions

Approval of this application is contingent on completion and submission to the Sutton Town Clerk of a survey conforming to the Sutton Mylar Checklist http://suttonvt.org/wp-content/uploads/2014/02/MYLAR-CHECKLIST-2_25_19-Revision.docx.pdf within 180 days.

Any further development of these lots will require state water and wastewater permits (including site plans) and issuance of a building permit by the Town of Sutton Zoning Administrator.

Respectfully submitted,

Paul Brouha, Clerk