

Sutton Planning Commission & Select Board

Minutes of Special Meeting 5-31-16

Location: Sutton Town Offices

Purpose: continue reviewing the draft Unified Development Bylaw

In attendance:

Tim Simpson [by phone], Scott Spencer, Joe Solinsky (Sutton Select Board); Brandon Mazur, Paul Brouha [chair], Darlene Ahrens, Chip Devenger, Joe Witt, (Sutton PC/DRB) Ron Tremblay [Zoning Administrator]; Alison Low (NVDA); Kirsten Sultan (Natural Resources Board, District 7 Environmental Commission)

The meeting was called to order at 6:06 P.M.

All present introduced themselves.

Brandon read the minutes of the Special Meeting 5-17-16. Scott made a motion to accept them as written. Given no exceptions, they were accepted as written.

Kirsten joined the meeting to assist the Planning Commission and Select Board in crafting §409: Extraction of Earth Resources. Kirsten first explained how the Act 250 permitting process works in relation to gravel pits. Municipal-owned pits on an area of ten acres or less of physical disturbance are exempted. Commercial pits to be located on more than 1 acre of land are subject to Act 250 jurisdiction. When asked if the town of Sutton needs to add additional regulations, Kirsten stated that there is value in a local review. When asked if there might be a potential conflict between a State and local decision, Kirsten stated that both parties would need to be satisfied. Darlene and Scott raised the issue of the appropriateness of location: a proposed pit might satisfy Act 250's requirements but be located in an unsuitable area in the town, e.g. close to dense population areas. Kirsten stated that many Act 250 commissioners live in the Northeast Kingdom and would be cognizant of that exact concern during the permitting process.

In §409.01 After the first sentence a sentence will be inserted "For review the applicant shall provide an accompanying narrative detailing..." [and the information from 409.01 F shall be included]. Then the last sentence will be amended to "Also for review..."

Regarding §409.01 A., 1,000 feet was excessive in Kirsten's opinion; she suggested 200 feet or that the applicant submit an "area map": an orthographic photo with the property lines, USGS data, and contour lines depicted. "The location and extent of proposed extraction areas and any of the following located on or within 1,000 feet of the proposed site" will be replaced with "On a USGS quad map at the 7.5 minute scale or an orthographic photo depict the following..."

§409.01 B. will be deleted.

In §409.01 C. “a maximum of six feet” will be replaced by “a minimum of six feet.”

§409.01 E. will be deleted.

Regarding §409.01 F., Kirsten noted that Act 250 requires a traffic impact analysis only when a proposed business would generate over 75 truck trips per hour. In this section, “A traffic impact analysis...” will be replaced by “A statement of estimated traffic impact may be required...”

To §409.01 G. “Pursuant to State requirements” shall be added as a preface. “and installed on and off site” shall be deleted.

In §409.02 “100 feet of wetlands” shall be changed to “50 feet of wetlands and 100 feet of streambanks, or any...”

§409.04 shall be changed to “Pursuant to State requirements, all topsoil shall be stockpiled on the site and shall be stabilized and vegetated within two weeks.”

In §409.05 B. “1,000 feet” shall be changed to “500 feet”

The review of the draft will resume at §409.07.

Brandon moved to adjourn the meeting. Joe seconded and the meeting was adjourned at 8:06 PM.

These minutes prepared by Brandon Mazur, secretary.