

Sutton Development Review Board
Minutes of Hearing
6:00 p.m., June 16, 2020
Held outdoors in front of the Town Clerk's Office Bulletin Board

In attendance: Paul Brouha, Chair, Hank Parker, Darlene Ahrens, Byron Savoy, Danielle Fortin, Marci Simpson, Ryan Simpson, Martha Tack, Clerk

Meeting was called to order at 6 p.m.

Paul began by explaining the purpose of the hearing.

1. Clerk read the warning of the hearing as published in the *Caledonian Record*, May 29 and June 5, 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. Garage.

There were no additions/deletions to proposed agenda

2. Introductions of the Board Members and Applicants were made; no other interested parties were in attendance, nor were there any *ex parte* communications. Danielle Fortin asked if it was a conflict of interest that Ryan Simpson (applicant) was her husband's employer. Paul said it was not necessarily a conflict but that she should refrain from voting to avoid a perception of any conflict. Paul explained that only interested persons present at the hearing may appeal the DRB's decision and defined "interested person".

3. Consideration of application as follows:

Ryan and Marci Simpson propose to subdivide 1.98 acres from their farm acreage which would then become 650.02 acres.

Identification of applicants Marci Simpson and Ryan Simpson was made.

Paul administered the Oath to the applicants.

Summary of application history and documentation was read by Paul as follows:

4. Findings of Fact:

The 652-acre property (Parcel ID 200-0839) is situated in the Town of Sutton at 839 Burke Road.

The current zoning map shows the property as being in the Residential and Working Lands Districts (Tables 205.03 & 205.05 of Sutton Unified Development Bylaws (Bylaws), adopted March 7, 2017 & amended April 16, 2018). The purpose of these Districts 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

“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 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 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

The density standard provides that new lots may be any size greater than one acre, however, the original lot must retain sufficient acreage to remain eligible for tax abatement programs, such as Current Use enrollment. Lots ineligible for Current Use enrollment may be developed in accordance with the maximum density of one new lot for every 10 acres of land in single and separate ownership.

Applicant has notified abutting landowners in writing of plans including the date/time of the public hearing (June 16, 2020 @ 6 pm). The hearing notice was also published in the Caledonian-Record May 29, 2020 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 by application dated March 23, 2020.

The original property is 652 acres and the applicants propose to create two lots—A 1.98-acre parcel and a second parcel which is the remaining 650.02 acres. Both lots contain sufficient acreage to meet the density standard and to qualify for Current Use as required by the Bylaws. Access to the landlocked parcel is provided by a 50 feet wide easement from Burke Rd. in conformance with Section 302 of the Bylaws.

The property is currently enrolled in Current Use as recorded in UVA Appraisal in Book 81, pages 182-183 of the Town of Sutton Land Records.

The property is subject to three mortgage deeds recorded in Book 75, pages 444-446, Book 79, pages 297-303 and 304-310.

The warrantee deed for the property is recorded in Book 79, pages 279A-280A.

For the existing home on the 1.98-acre parcel, state water and wastewater permits are part of the Building Permit Zoning Book 15, page 2.

There was no new written information to review or accept.

There were no questions from members of the Board or other interested person.

Darlene moved to close the hearing and go into deliberative session. Byron seconded her motion. The motion passed.

There were no further comments or questions from the members.

5. Paul stated the Conclusions of Law as follows:

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. It is therefore recommended the Sutton Development Review Board approve the application.

Darlene made and Byron seconded a motion to approve the proposed application for subdivision. Motion passed.

Signed Paul Brouha, Chair Sutton Development Review Board

Date _____

6. There was no new Business.

7. Meeting was adjourned at 6:35 p.m.

These minutes were prepared by M. Tack, Clerk