

Cambridge Planning Commission Meeting Minutes- DRAFT until approved in subsequent PC meetings.

Start: 6:30pm. May 16, 2016 Attendees: Richard W, Doug B, Michael M, Brian A., Jill R., April E.

Public: Avery Lee interested community member. DRB members: Andy Hoak and Jonathan Wood

Seth Jensen from LCPC and Dean Denise from VT Electric Coop.

Review Agenda: Additional Items: Added VEC presentation via Dean Denise on request for 45 day notice waiver for Junction hill road substation project plan.

Review past mtg minutes: April mtg minutes reviewed and approved.

Review Mail: Brian A will review Johnson Town Plan update and report. All other mail deemed not in need of action.

Dean Denise presentation of VEC substation work for waiver request:

Dean brought maps of the project area and described the impacts. The addition of a second transmission line and a new above ground local line to replace a decaying underground line seemed to be the only impacts that would significantly change the existing project footprint. The waiver of 45 day notice requirement is nothing more than that. It does not impact the Town's ability to weigh in on any potential impacts to the community in the future. After Mr Denis' presentation- the PC did vote to waive the 45 day notice.

DRB and PC discussion of subdivision regulation adjustments:

The PC and DRB members, along with Seth Jensen's support- ran through a pre-existing list of questions and clarifications regarding the recently-adopted subdivision regulations. While a new draft of these regs was recently accepted by the SB after a full public process- these specific items came to light during recent DRB processes and with new DRB volunteer staff appointments. These specific items, Seth Jensen's comments- and the outcomes of this meeting's conversation regarding each item are found below.

At the end of this review the DRB stated they would again ask their membership for additional thoughts or comments. Given the results of the review- it is apparent that several of these modifications would require an additional full public review and input process. **Michael M** will meet with the SB this next Monday to discuss proposed next steps.

DRB and PC discussion of Administrative Officer selection process:

The Town Clerk first asked the PC chair on behalf of the SB about "ideas for a new administrative officer" on April 5th. Up to this point the PC was not aware that the current AO was tending resignation. The PC chair responded, stating that the SB should ask adjacent communities about their AOs in an effort to identify potential candidates. And that placing an ad would be a good idea. At this time the PC chair was unaware that the PC is the named entity responsible (via state statute and in the subdivision regulations) for leading the AO search process. **Doug B** later informed the PC that it was their responsibility to lead this process. Subsequently, the PC has requested to meet with the SB to determine how to move forward. **Michael M** will discuss this item with the SB next Monday.

Michael M suggested to the DRB and the SB that reps from the SB, DRB and PC should all review the AO candidates. The DRB thinks this is a good model- but is concerned about the short timeline for replacing the AO. The current AO is to leave next month and had apparently tended resignation some time ago. The DRB stated they will be part of the process as much as possible- but suggested that if they are not able to participate- the process should move forward asap with or without them. The PC will take this under consideration and will make every effort to include all parties.

Seth J and Michael M will pull together a list of possible AO candidates for outreach. Someone also suggested placing an Ad with VLCT too.

Meeting end: 9:00pm close.

Cambridge Subdivision Regulations: Items for discussion: May, 2016

Cambridge DRB and PC comments/questions in the bulleted plain font below.

Seth Jensen's first round of comments in *bold, italicized font* below.

May 2016 Outcomes in Large, bold font.

While the most recent round of approved updates were viewed as especially useful, the DRB expressed interest in additional changes that would further clarify the work they do and the roles, responsibilities and processes for success. Areas of interest for further clarification include:

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- Section 1.02, (B), #3- Modify existing language to this: Creation of permanent easements and/or rights-of-way. Eliminates possible frontage requirement loophole.

Section 1.02 outlines general applicability of the regulations, not specific standards for approval. Standards are found in 4.01(A)(2), which states that new lots must meet frontage requirements. Does this address the DRB's concerns?

Seth's comment above clarifies and completes this question.

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- Add language added that specifies the A.O. process if a final inspection is deemed unsatisfactory. How is unsatisfactory inspection recorded if not fixed by the subdivider? How do we show there is no certificate of completion on the title deed?

If the lot is sold or conveyed without a certificate of completion, this would be considered a violation enforceable under Section 2.05. While this could be further clarified, some of the enforcement/certification that the Town is trying to achieve is very difficult without zoning bylaws.

We wish to bold the existing “enforceable violation” text within the current bylaws. This modification requires no public process.

- Final Plat application requirements should include all requirements of the sketch review in addition to final plat requirements. Section 3.02, (B)

Based on my initial review, it appears that all sketch plan application requirements are included in final plat review. The language is not identical due to the fact that more details are needed for final review. Are there specific items that the DRB is concerned are not included?

Language is not congruent and does not specify Final Plat requirements to be comprehensive of Sketch Review requirements plus additional requirements. This clarification will help to avoid future applicant confusion- making the process easier for applicants. This requires public process.

- Add language that final Plat also includes meets and bounds information. Section 3.02, (B), 2

The DRB is empowered to request this information under 302(B)(2)(F) "Sufficient data acceptable to the DRB to determine readily the location, bearing, and length of every road line, easement/right-of-way, lot line, building envelope, boundary line and to reproduce these lines on the ground." I think this information would be needed for the surveyor to stamp the plans.

Language does not currently specify "meets and bounds" info to be required, but DRB needs this and this info is needed for surveyor's stamp. This specification will reduce process confusion for applicants. Requires public process.

- Add language that Final Plat required documents include proof of Act 250 application/review. Section 3.02, (B), 4

This one is tricky. Most applicants start with the local review process, as there is no reason to go through Act250 if the local DRB denies a subdivision. One option is to require the applicant to submit an ANR project review sheet as part of the final application, which includes a jurisdictional opinion regarding whether or not Act250 approval is needed.

Impractical and unnecessary. No further action requested.

- Add language that clearly states, upon satisfactory final A.O./Road foreman inspection, the subdivider's engineer shall issue the cert of completion to be recorded by the A.O. Section 3.02, (J)

This seems to be addressed under 302(E)(2) and 302(7).

Clarifying Language suggestion: "the subdivider's engineer or designer shall prepare the certification of completion to be recorded by the A.O." Requires public process.

- Add “driveways” to: “Prior to any sale of any lot, all [driveways], shared driveways, private roads...” Section 3.02, (J)

This can definitely be done. However, I believe that it was an intentional policy decision not to require a certification of completion for single driveways due to the fact that some Board members and members of the public felt that this could be overly burdensome and/or was a private responsibility. The Town is fully within its rights to change this policy, but it would require a subdivision amendment.

Seth is correct and no further action requested.

- What is the process once a one year lapse/deadline for successful approval has been passed?

Does this refer to Section 301(D)(1)? Essentially, the sketch plan findings are no longer in effect, and the applicant loses some of the security gained from doing a sketch plan.

The applicant must start over. No further action required.

- DRB would like certain boundary line adjustments to be approvable by the A.O. and not require full review by the DRB. Suggested to use language similar to the State Wastewater regs regarding % of property affected as threshold for DRB full review.

Some subdivision regulations include specific provisions for boundary line adjustments, often improving AO approval for smaller subdivisions. LCPC could provide examples. Adding such provisions would definitely require an amendment of the subdivision regulations.

This will significantly ease the burden for “minor” applicants and the DRB/AO workload. Seth will draft language. Requires public process.

- **Richard W** is concerned that many in town are unaware that the 2005 Cambridge Town Road Ordinances have been replaced by the State of VT’s “Orange Book” road and bridge standards. These were adopted by the selectboard- though no one seems sure as to when this happened. **Doug B** sent an email asking for clarification as to when this occurred. **Richard** is concerned about the actual name of the document as referenced in the subdivision bylaws. We agreed that it is important to be sure everyone in the municipality (DRB, Selectboard, Town Clerk, etc.) is fully aware that the Cambridge Town Road Ordinances are not the 2005 version, but are now the State of VT “Orange Book” version. It was suggested that we consider making the road ordinance reference in the subdivision bylaws more clear.

Are there specific issues of conflict that Richard is concerned about? The Orange Book and the Town Highway Ordinance generally address different things. Section 7 of the Orange Book does contain basic standards, however, they do not appear to be in conflict with the Standards in the Highway Ordinance. In general, the Highway Ordinance provides more detail than the Orange Book.

Rather than amending the Subdivision Regulations, it may be simpler to amend the Highway Ordinance to reference the Orange Book. Amending the subdivision regulations requires a hearing of

the PC, one hearing of the Cambridge Village Trustees, and two hearings of the Selectboard, while amending the Highway Ordinance would only need a vote of the Selectboard.

The revised Town Road and Bridge Standards follow the State model- but are not the “Orange Book”. There is confusion and is being clarified. No further action required via subdivision bylaws.

- Concern about the requirement for all subdivisions to have road frontage. We might want to consider allowing a road frontage waiver when the subdivision is stated as being for Conservation, Ag. Forestry (and maybe recreation) as opposed to actual development.... Section 4.01, (A), 2

I think this could be addressed through Section 3.03 (Waivers) and/or the deferral provisions found in Section 4.03(E).

This should be reworked and clarified. Seth can work with the DRB to draft better language that will ease applicant burden by clarifying these types of subdivisions. Requires public process.

- An additional item brought forward in May, 2016 was the question of definition of “interested persons”. 5.01 DRB would prefer more definition here, or process for determination.

Seth will research statute for existing language that may be more specific. “interested party” is ultimately decided by env court and supersedes any local meeting determinations. This would require change to rules of procedure- not public process?

- Additional item brought forward in May, 2016: Add requirement that a survey AND a site plan shall be RECORDED by the municipality. 3.02b Currently only survey is RECORDED by the municipality?

Seth will investigate if this change requires full public process or simple rules of procedure.

- May 2016 addition: There was additional question about modifications to the application language and what that would entail. Requires further conversation before moving forward.