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**Sutton Planning Commission & Development Review Board Meeting
at the SUTTON FIRE DEPARTMENT
May 20th @ 5:30 pm**

Meetings are also held via Zoom. See the Town's web site for the link.

- **Open Meeting:** Rob called the meeting to order at 5:40 pm.
- Members Present: Rob Simms, Adam Bruggeman, Jamie Crooks, Mark Hoffman (absent). Scott Cunningham (via video).
- Members of the public present: Paul Brouha, John Esget, Tony LaPlante
- Rob asked for a motion to approve the minutes of the April 15, 2026 meeting. Motion proposed by Adam, seconded by Jamie and approved by all.

New Business: Applicant John Esget presented a plan for a subdivision of his 17 acre parcel 3310 Underpass Road in the Residential District with a 10 acre lot retaining the existing house and a 7 acre lot currently undeveloped. He intends to sell the house and 10 acre lot and will likely build on the 7 acre lot. John indicated that the mylar and updated deed were submitted to the Town. Mapped setbacks/right of way and abutter list were discussed and an additional neighbor is now included in the list of abutters. A hearing on the Esget application was then scheduled for June 24th, 2026. John will obtain a template for abutter notification (via certified mail) from Patti and post notification of the hearing on the property. The Town will post an announcement in the Caledonian Record by June 10th.

Applicant Tony LaPlante presented a plan for subdivision of his 32 acre parcel on the east side of Route 5 at the corner of Pierce Hill Road into 3 lots spanning both the Town Industrial and Working Lands districts (Lot #2 4.4 acres, Lot #1 20.5 acres, Lot #3 7.2 acres). There was discussion about a driveway right of way on Lot #3 through which the pipeline runs and the spring water source for Lot #2. Tony will obtain a notice sign from Patti and post it and notify abutters via certified mail for a second hearing on June 24th, 2026, which will also be posted in the Caledonian Record by June 10th. Adam volunteered to manage the hearings on both applications.

Old business:

- **Act 181/NVDA Update.** Paul indicated that the NVDA draft regional plan is to be voted on tomorrow (5/21/26) to advance to pre-application by the LURB. Alex Weingarden of the LURB will be NVDA's steward through the process. He has broad planning experience in Hinesburg as their zoning and planning official for 20 years. Paul indicated that he is planning to vote against the NVDA draft regional plan for two reasons: 1) it does not recognize consistently across the region, that Current Use or UVA designated land should be recognized as conserved land under the designation Forest/Agricultural Lands (it does for Sutton, but after only after repeated objection) and 2) the "disaggregation" of state housing targets for the NEK region to individual municipalities did not involve collection of local information as mandated by the Act 181 legislation. Rob indicated that Alex Weingarden mentioned in the recent LURB focused webinar is in favor of UVA land being included in Rural/Ag designated land not Rural General and therefore not included in the formula used to create housing targets. Meanwhile at the state level, Rob indicated that legislation to advance repeal of parts of Act 181, namely the Road Rule and Tier 2 and 3 designations has apparently been passed by the House and Senate and has advanced to the Governor's desk. The implication of repealing Tier 2 designation is unclear.
- **Town Plan.** Rob distributed a draft written version of the survey and invited feedback from members. Then there was discussion of scheduling an open house and launch of the survey. Summer vacations, graduations and weddings etc complicate scheduling. Tentatively a date in late June was considered optimal. There was discussion of July 4 th to potentially piggy back a survey open house or a school graduation on and also promoting the survey at the Sunday am town trash drop off. Sutton Field Day was also discussed and possibly resurrecting it. Rob will check with Patti on the town calendar to come up with a date and he will also attend the Selectboard meeting to also get advice on maximizing resident engagement with the survey and Town Plan.
- **Tabitha Decision.** The error indicating the absence of wetlands in the preamble to the decision was noted by Joe Darymple in an email to the DRB after his review of state wetlands maps. He was not challenging the decision, but wanted the applicant to be aware of the need to obtain state approval prior to any development of especially Lot #3 property. The Act 250 permit requirements for Lot 3 was also highlighted by Paul who filed an enforcement request. Adam and Rob indicated that Act 250 issues were not considered under our purview and were actually included in the jurisdictional opinion that were part of testimony included in the decision and hearing. Adam indicated that he will check on our legal budget before asking counsel's opinion on how to notify Mr. Eng of the wetlands issue. A legal ombudsman review was also discussed as a potential backup for legal advice.

- **FEMA Floodplain updates.** Scott and Jamie indicated that most of the mapping looked correct. Some areas curiously were determined to be “1% shallow flooding”—or essentially wetlands. Bylaw updating and an existing templated bylaw were noted by Rob. Rob will forward the templated bylaw to Scott and Jamie to review.
- The next meeting will be on June 24th, 2026
- **Adjourn the meeting:** Adam moved to adjourn the meeting at 6: 40 pm, seconded by Jamie and all approved.