

**Town of New Haven Planning Commission Meeting**  
**Monday, December 9, 2019**  
**New Haven VT Town Office**  
**MINUTES**

**Planning Commission Members Present:** Benjamin (Benj) Putnam, Co-Chair; Rob Litch, Co-Chair, Bev Landon; Dan Monger; and Maggie Eaton

**Members Absent:** Pat Palmer

**Visitors:** Amanda Bodell, Jeffrey Glassberg, Tony Stout, Selectboard member Jim Walsh

**I. Meeting Commenced:** 7:06 PM

1. **Adjustments to the Agenda:** none
2. **Visitors' Business:** none

**II. Standing Items**

**1. ZA Update**

ZA Aaron Brown reported that he has sent out several reminders to residents to submit paperwork for certificates of occupancy (CO), and this has worked to get residents to apply for COs for several finished projects. From the DRB meetings he reported on a subdivision sketch plan review on North Street, and on the failure of the town to notice Waltham as an abutting town for the Jipner/AllStar Group subdivision application from 2018. That application was denied and then appealed to Environmental Court, and the Court remanded the case back to the DRB because towns are required to notify neighboring towns when a proposed development abuts another town.

**2. Town Plan Update/Energy Plan Update**

Maggie reported on her work to prepare the first draft of the enhanced energy plan and on a discussion about the draft with members of the community who attended a noticed meeting of the energy committee (Jim Walsh, Taborri Bruhl, Bev Landon, Dan Monger, and Gary Sunderland, a committee member). The warned meeting did not take place for lack of the attendance of one other member of the energy committee but an informal discussion about the draft occurred. The Planning Commission members agreed that the energy committee needed to meet and formally vote on questions related to the draft and to decide when the draft will be finalized and sent to the PC for formal review. Given the difficulty of some members to attend an in-person meeting, a meeting will be arranged via Skype to take place in the near future. In the meantime, the draft of the energy plan (which is still preliminary, not approved, and will likely undergo future changes) will be made available to the public for comment. Maggie will post that fact on Front Porch Forum. Maggie will

also make presentations about the plan to the Conservation Commission and the DRB to seek their input. The Town clerk will also be asked to add to the Town Meeting agenda an informational item about the energy plan draft.

Maggie reported that significant questions required decision in order to generate a mature draft of the plan. These include the extent to which the renewable energy development siting maps or the text of the plan will contain more specific siting constraints or preferences, amendments or disclaimers to some of the data tables provided by the ACRPC, whether the early development of New Haven solar energy projects can be considered in determining New Haven's targets in the plan, and the energy consumed by the new VELCO emergency control center which may have the effect of making it more difficult to meet energy use reduction targets specified in the plan. Maggie reported that a VELCO representative had informed her that this energy use information was not yet available and Maggie will follow-up. Bev suggested that a carve out for the VELCO energy use might be created to avoid this impact on energy plan targets. Finally, Maggie reported that the New Haven Selectboard had adopted the State energy planning maps included in the draft plan for planning purposes on 8/1/17. All commissioners and Jim Walsh participated in the discussion of these topics,

### **3. Workshops**

Maggie reported on attending the annual VECAN meeting and of a new Public Service Department project to compare energy consuming devices, machines, and vehicles based on their respective costs and impact on carbon dioxide pollution. The data for this project is preliminary and will be updated for more precise comparisons. She also learned that plans are underway for towns to obtain data about their progress in reaching energy use and renewable energy production goals. Aaron reported on attending a meeting of VLCT on ordinances for outdoor lighting, noise, and commercial entertainment. Regarding a noise ordinance, Bev suggested that the VELCO plant should provide the Town with decibel readings from the operation.

### **4. ACRPC Activities**

No report.

### **5. Zoning Revisions**

Aaron reported that he was continuing his work on the wording of the ordinances covered at the last meeting. A discussion took place about the definition of the term "events facility" and Aaron proposed that the definition have the formulation of a commercial entity hosting a given number of events over a stated period of time

attended by a given number of people. With less than the stated numbers, a facility would not be considered an events facility. The relationship of this term to accessory farm uses was discussed, as was the suggestion that Town departments (such as the fire department events) be excluded from the requirements. Not many towns have a definition of this term but Benj reported that Cornwell might and Aaron will investigate.

Boundary line adjustments were discussed next and what criteria to adopt that would require more than the ZA's determination of approval. Aaron and Benj agreed that the percentage of the adjustment of the lot involved would be the best defining measurement. Rob raised the question of how many times a landowner could apply for a boundary line adjustment. Caveats to the approval would be that the adjustment cannot create a non-conforming lot, and all other pertinent rules needed to be followed. The reason for the lot line change might also be a factor to consider. Bev suggested that a logical reason for the change plus no substantial change in land use should justify approval. Whether a survey is required is determined by State law, according to Aaron.

A draft of the new draft zoning map was then reviewed and edits were proposed. Members discussed why the RA-2 designations stopped short of Rte 7 and it was agreed that dense development of busy corners of this highway was to be avoided. Roads that needed adjustment on the map were identified. In addition, the RA-2 and RA-5 lots needed colored band designations to reflect the different sizes of these two zoning areas.

The consistency between the Town Plan map and the zoning map was then discussed as well as the purposes of these two maps. Benj reported the understanding that the Town Plan map was not intended to be as precise since it was used as a planning tool. The zoning map, on the other hand, should be more granular and show actual dimensions. Benj proposed a vote that the Town attorney be asked to what degree the Town Plan map should agree with the zoning map. Ron seconded and all members voted in favor of the motion.

Bev then proposed a vote, amended and seconded by Benj, to request that the ACRPC show on the map where the boundaries are of 600 feet for RA-2 and 800 feet for RA-5 lots. All members voted in favor. Bev then raised the question about whether the North South Highway should be labeled as "untraveled" since it is not a Class 4 road as shown. Bev also raised a question about the commercial zone at the north end of of Rte 7 and she distributed a colored map of the area showing a typographical error where the dimension of 500 feet should be changed to 550 feet as intended. This

long-standing error could be addressed by reshaping the district as was previously approved or by keeping the district as is shown on the map and voting to approve that. At the next meeting, the PC will vote on a package of the map changes.

Jeff Glassberg then requested to speak and he introduced Tony Stout, Senior Planner, Lakeside Environmental Group LLC. Mr. Stout showed the commissioners three maps comprising a build-out analysis for three New Haven zoning options. These were theoretical planning analysis density zoning maps of the same 8 square mile section of the Town around the village. The three maps showed full build out of (1) existing zoning with 200 foot RA-2 depth and 500 foot RA-5 depth, (2) pending zoning proposal with 600 foot RA-2 depth and 800 foot RA-5 depth, and (3) density zoning consistent with 500 feet DA-5 depth and 1,500 foot DA-10 depth.

The maps are intended to show that the existing and planned zoning, when fully built out, would spread development along and close to roads away from the village, often in strip lots along roads, and in 10 acre lots away from the road which are currently used for farming—all of which the Town Plan had cautioned against. The third map shows that density would be concentrated in and extend out from the village and create more dimensional flexibility with houses away from road frontages. This third map is more consistent with the type of planned unit development encouraged by the Town Plan. Mr. Stout asked the PC to consider this analysis as it further develops the zoning plans. He agreed to send in his analysis and maps via email for further consideration. Mr. Stout was thanked for his presentation.

#### **6. Addenda**

Bev asked for a vote that future meetings be tape recorded consistent with the practice at Selectboard and DRB meetings. Given that this topic had not been included in meeting agenda, it will be discussed at the next meeting.

### **III. Review of Minutes**

Postponed until the next meeting.

### **IV. Adjourn**

Bev moved to adjourn the meeting. Benj seconded the motion. All members voted in favor of the motion. There being no other matters to discuss, the meeting was adjourned at 9:40 PM.

Respectfully Submitted,

Aaron Brown

Approved on 2/10/2020

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Rob Litch

  
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Benj Putnam

  
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Beverly Landon

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[abstain]  
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Pat Palmer

  
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Dan Monger

  
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Maggie Eaton

