

**Town of New Haven Planning Commission Meeting**  
**Monday, March 9, 2020**  
**New Haven, VT Town Office**  
**DRAFT MINUTES**

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

**Staff:** Zoning Administrator Aaron Brown

**Visitors:** Margaret Benn, Amanda Bodell, Kathy Cahill, James Dumont, Esq., Jeff Glassberg, and Anthony Stout

**I. Meeting Commenced:** 7:02 PM

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

**II. Standing Items**

**1. ZA Update**

ZA Brown reported building permit activity is seeing a seasonal uptick as property owners are coming in for projects to start this summer. The most significant project is Silver Maple Construction, which went through the DRB for a 6,800-square foot shop expansion in 2017 (interestingly, the DRB gave Silver Maple five years to start the project). Brown recently granted permits for one commercial sign, a new attached garage, a garage expansion, a non-agricultural barn expansion, a new porch, and two new single-family homes.

The DRB has a boundary line adjustment at the Seguin property on South Street, a boundary line adjustment for Barb Torian and Tim Bouton on South Street, a sketch plan from Phoenix Feeds to construct a new maintenance garage, and several cases under appeal. Three appeal items are related to Porky's barbecue (two in environmental court, one appeal of the ZA back to the DRB), and the All-Star/Jipner subdivision in environmental court.

Finally, the ZA has had recent inquiries that are not well addressed in the town regs: (1) storage of school buses that Bet-Cha Transit wishes to sell online; storage would occur at a farm on Sawyer Road and sales would be handled electronically; (2) whole log firewood processing; and (3) installation of a ham radio tower in the RA-2 district.

Rob Litch and Bev Landon said they saw no problems with Bet-Cha Transit parking vehicles on Sawyer Road as long as the vehicles remained registered. Landon mentioned that firewood is a highly moveable object; it is difficult to apply zoning unless logs are being hauled in by truck. Brown said that the operations in question are hauling in log lengths. He added that contractor's yards are the only way to address log-splitting operations under the current regulations. Litch asked about silviculture exemptions, and Brown said the wood must be harvested on the property where it is processed.

The group discussed radio towers. Maggie Eaton asked if the previously discussed height restriction would apply to telecommunications towers. Brown said this area is governed largely by FCC regulations, and the height allowance is fairly high. Litch clarified that he thinks federal policy disallows towns from

regulating towers under 135 feet. Landon said the state police barracks has a large new antennae that did not require local zoning approval.

## 2. Energy Plan Update

Eaton reported she gave an update on the energy plan at Town Meeting, met with Aaron Brown to discuss how different zoning districts might or might not be suitable for energy development, met with the Conservation Commission (which recommended working with their “Armchair Naturalists” to identify wildlife corridors), and met with VELCO representatives to discuss potential energy use at its proposed redundant control center. VELCO has not provided information on potential energy use. Eaton estimates that the VELCO facility would use substantially more power than any other site in New Haven. Eaton said she spoke with Senator Christopher Bray about this potential energy use, and the legislature had not considered what might happen to a town’s energy use goals if a state-regulated, major energy user suddenly came to a small town. Eaton plans to speak with Department of Public Service Commissioner June Tierney about the issue.

Dan Monger suggested that VELCO should be able to project energy use based on its current facility in Rutland. Eaton responded that one would assume so, but this building will likely be more efficient than that and they will be different sizes.

Putnam added that the Town has little control over whether VELCO sites this facility in New Haven and it does not make sense for the town to be penalized if it creates a major spike in energy use. Eaton suggested to regional planning that the VELCO facility’s energy use be spread out across Vermont (to determine town compliance with the state energy goal) or that the facility be carved out of the town’s energy use and considered separately; regional planning did not think this approach is feasible.

Eaton had a constructive meeting with Neighborworks, which has a massive amount of data to share on energy savings from local homeowners.

The most recent draft of the energy plan will be posted online, on Front Porch Forum, and in the town newsletter.

## 3. Workshops

Brown said the Vermont League of Cities and Town’s will hold its Spring conference in Putney this year. **Post-meeting correction: the meeting is being held in Ludlow May 22. The cost is \$68 for PACIF municipalities, including New Haven.**

#### **4. ACRPC Activities**

Regional planning is convening a group of road foremen from around the area to look at the Triangle Bike Loop planning project. A final public meeting is also planned. Litch asked if that project is moving forward. Brown responded in the sense that the planning for improvements is nearly done. Funding will be needed to complete road improvements.

#### **5. Zoning Revisions**

Putnam asked Brown to review affordable housing provisions before the group moved onto planned unit development.

Brown said he provided several towns' bylaws on affordable housing. Some simply specify that affordable housing cannot be banned per state statute. Others are more ambitious. Charlotte, for example, has seen several affordable housing project over the past decade due to both market demand and density bonuses. Brown said that transferable development rights, while perhaps not suited to most land-holders in New Haven, are another option. Eaton asked for an explanation. Brown responded that a developer with multiple non-contiguous lots might set aside one for conservation if another is allowed to be developed more densely.

The group discussed the difficulty of siting water and wastewater systems in New Haven due to soils and slate bedrock.

Brown agreed to update the language on affordable housing and to include any federal income requirements. He said the state legislation is also working on a new affordable housing bill, and anything it passes should be included in the bylaws.

Brown reviewed research he conducted on planned unit developments. Many communities continue to use this zoning tool, but some larger communities are moving away from it in favor of site-specific review.

Putnam invited guests to weigh in on the planned unit development discussion. Anthony Stout gave input, providing a proposed change to the PUD language and a one-page summary. One major point he made is that PUDs are not allowed in all residential districts. Stout claimed that mound wastewater systems require a zoning permit and discussed the need to make community mound systems easier to permit. Brown said the town has not required a building permit for any mound he's aware of,

but said the zoning bylaws could explicitly exempt mounds from the list of structures.

Stout said the PUD language could be updated to better incentivize clustered development through density bonuses and open space requirements. He said PUDs are purposefully flexible.

**III. Review of Minutes**

Landon moved to approve the January 13, 2020 minutes. Monger seconded. Palmer and Eaton abstained. Motion passed.

Landon moved to approve the February 10, 2020 minutes. Monger seconded. Litch abstained. Motion passed.

**IV. Adjourn**

Eaton moved to adjourn the meeting. Palmer seconded the motion. All members voted in favor of the motion. The meeting adjourned at 9:02 PM.

Respectfully Submitted,  
Aaron Brown  
Approved on \_\_\_\_\_

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Rob Litch

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Benj Putnam

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Beverly Landon

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Pat Palmer

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Dan Monger

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Maggie Eaton