

Town of New Haven
PLANNING COMMISSION SPECIAL MEETING
New Haven Town Office
Monday, April 10, 2023
Meeting Minutes

[Approved by unanimous voice vote at May 8, 2023 PC meeting.]

Planning Commission (PC) Members Present: Co-chairs Kathy Cahill and Rob Litch; Benj Putnam, Maggie Eaton, Bev Landon

Absent: Megan Ooms

Visitors:

Amanda Bodell, Kathy Barrett

Staff Present:

Peggy Connor, Zoning Administrator & Minutes

I. Call to Order:

Kathy Cahill called the meeting to order at 7:01 p.m.

1. Adjustments to Agenda

Add:

- 2. a. Update from Maggie Eaton re: work with UVM intern and Energy Committee

2. Visitors' Business

Paul Lekstutis and Wayne Nelson of Cross Pollination submitted an email requesting that the Planning Commission expedite the process for adopting the zoning revisions specific to cannabis manufacturing as a conditional use in adaptive re-use structures to allow them to move forward with the state permitting process. When they met with the Selectboard on June 7, 2022, they were asked to repurpose the barn at the site of the solar farm on Route 7, instead of replacing it with a pre-fab steel building. Paul and Wayne subsequently proposed an indoor cannabis-growing operation and met with the DRB on August 15, 2022/ They were advised that manufacturing is not included as a conditional use in the RA-10 zoning district. On November 14, 2022, they met with the Planning Commission, which is continuing its work to update the Town's zoning and subdivision regulations. Planning Commission members agreed to create a separate section for "Adaptive Re-use," and at their January 9, 2023 meeting, approved the addition of "cannabis manufacturing" as a conditional use in adaptive re-use structures in the RA-5, RA-10, Industrial, and Highway Commercial zoning districts.

In their April 10th email, Paul and Wayne explained that the State Cannabis Control Board considers indoor cannabis cultivation and cannabis manufacturing as two different licenses; therefore the State will require that the Town's zoning regulations permit both license types in order to complete the intended re-use of the historic barn.

Following discussion, PC members agreed to:

- 1) Add "Adaptive Re-Use" to the Table of Allowed Uses(p. 13)
- 2) Add RA-5 to the zoning districts in which cannabis manufacturing may be a conditional use in adaptive re-use structures (RA-10, Industrial, and Highway Commercial).
- 3) Re-word Section 527 on Adaptive Re-Use to include "Light Manufacturing"
- 4) Delete the word "vapors" from the definition of "Light Manufacturing."
- 5) Add definition of "Cannabis Cultivation" to Article X to reflect State statute: "'A cannabis cultivator is a person licensed by the Cannabis Control Board to engage in the cultivation of cannabis in accordance with Chapter 031 of 7 V.S.A. §831."

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- 6) Add definition of “Cannabis Manufacturing” to Article X to reflect State statute: “Cannabis product manufacturer” or “product manufacturer” means a person licensed by the Cannabis Control Board to manufacturer cannabis products in accordance with Chapter 031 of 7 V.S.A. §831.”

Benj Putnam moved to authorize co-chairs Kathy Cahill and Rob Litch to make a recommendation to the Selectboard at its next meeting on April 18th to consider the interim zoning as discussed, and warn a public meeting; Bev Landon seconded. **Motion passed unanimously by voice vote (5-0).**

2.a. Update from Maggie Eaton re: work with UVM intern and Energy Committee

Maggie Eaton reported that she and UVM intern Jenna Abbey-Lowell will continue their work until the end of the spring semester compiling data collected from the Transportation Survey, with a report to follow. Maggie is also meeting with the Selectboard on May 2nd to bring new board members up to date on work by the Energy Committee.

II. CONTINUED BUSINESS: Review Working Draft of Zoning and Subdivision Regulations draft (f/k/a “Unified Bylaws”)

1. Discussion: Benj Putnam’s research re: Definition for “Light Manufacturing” and “Events”

PC members agreed to maintain the current definition for “Light Manufacturing” (p. 69) but eliminate the word “vapors” to read: “The manufacture of products, the process of which does not create and emit fumes, gases, smoke, vibrations, noise or glare or other factors which are regarded as nuisances which would cause adverse effects to the users of adjacent land.” PC members will further discuss a definition for “Events” at their April meeting.

2. Alternate phrase for “Stand-Alone Lot”

Current definition reads: “A lot that is not part of a PUD.” Benj will further research wording.

3. Definition for “Substantial Improvement”

Add to definition: “Specific to Flood Hazard Area”

4. Definition for “Tree”

Delete.

3. Discussion: Kathy Cahill’s research re: Specific information on VTrans website re: road standards (rural/non-rural)

“Public Highway” is defined by state statute as follows: “In accordance with 23 V.S.A. §4, ‘Highway, ‘road,’ ‘public highway,’ or ‘public road’ shall include all parts of any bridge, culvert, roadway, street, square, fairground, or other place open temporarily or permanently to public or general circulation of vehicles, and shall include a way laid out under authority of law.”

“Private road” means a road or street other than a highway, as that term is defined in 19 V.S.A. §1(12), that is owned by one or more persons and that is used as a means of travel from a highway to more than one parcel of land.

Definition for “Street”

Change definition to read: “A road designated as a town or state highway.”

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111 **“Definition for “Street Line”** – deferred until April meeting.
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113 4. **Discussion: Review Comments on Working Draft (K. Barrett)** – deferred until April
114 meeting
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116 **Additional Items for Discussion at April Meeting:**
117 ➤ Change minimum frontage for RA-2 back 200 feet?
118 ➤ Define “Events”
119 ➤ Discuss alternate wording for “Stand-Alone Lot”
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121 **III. Approve PC Meeting Minutes for March 13, 2023**
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123 **IV. Adjourn**
124 Meeting adjourned at 8:30 p.m.
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126 Respectfully submitted,
127 Peggy Connor,