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**Town of New Haven  
PLANNING COMMISSION  
New Haven Town Office  
Monday, April 11, 2022  
Meeting Minutes**

**[APPROVED BY UNANIMOUS VOICE VOTE AT MAY 9, 2022, PC MEETING.]**

**Planning Commission Members present in person and via remote:**

Benj Putnam, Rob Litch, Bev Landon, Kathy Cahill, Megan Ooms, Betsy Taylor

**Absent:** Maggie Eaton

**Visitors:**

*Remote:* Amanda Bodell, John Mazzuchi

**Staff Present:**

*Remote:* Peggy Connor, Zoning Administrator & Minutes

**I. Call to Order:**

Co-chair Rob Litch called the meeting to order at 7:10 p.m.

**II. Welcome new PC members Betsy Taylor and Megan Ooms**

Betsy Taylor and Megan Ooms, both appointed for 3-year terms by the Selectboard at its March 22<sup>nd</sup> meeting, introduced themselves to commission members: Betsy moved to New Haven in recent months and works as a consultant focusing on climate solutions and a sustainable economy. Megan moved to New Haven in 2018 with her young family and is a bridge designer by trade, currently working as a project manager.

**III. Election of Officers**

The Selectboard also reappointed Benj Putnam for a 3-year term on the Planning Commission; however, Benj expressed his desire to step down as vice-chair and nominated Kathy Cahill to serve with Rob Litch; Rob Litch seconded. **MOTION PASSED UNANIMOUSLY BY VOICE VOTE 5-0 (B. Putnam, R. Litch, B. Landon, B. Taylor, M. Ooms, ) K. Cahill abstained.**

**1. Adjustments to Agenda**

None.

**2. Visitors' Business**

None

**IV. ZA Update**

ZA Peggy Connor reported on a recent meeting with property owner Bill Sinks and project manager David Hills regarding the Deer View project on Route 7 South; specifically, for the use of renewables on the site ta Maggie Eaton's request. Bill Sinks, who has lived off the grid some 14 years, made the assurance that plans call for a solar element including heat pumps and EV charging stations. The 66-acre parcel has been subdivided into six lots, to include 1) a visitors/business center on Lot 1, which will house the Middlebury Chamber of Commerce and Addison County Regional Planning Commission ; 2) Lot 2 may be the site of a convenience store or fast food establishment; 3) Lot 3 may be the site of a Vermont retail goods store; 4) Lot 4 may be the site for a fitness center, food or retail; 5) Multy Builders is considering moving their headquarters to Lot 5; and 6) Lot 6 will be the site for Vermont Tree Goods, a woodworking operation for which a conditional use hearing is scheduled before the Development Review Board (DRB) on April 18<sup>th</sup>. [Plans for the Deer View Project can be found on the Town's website at newhavenvt.com under "DRB Applications."]

**V. Grant Opportunities**

As a follow-up to the Rural Energy Pilot Program (REPP) discussed at the Planning Commission's

56 last meeting, Peggy reported that Regional Planning Energy Planner Maddison Shropshire advised  
57 Maggie Eaton that the pilot funding was too small to give Vermont much of a chance, according to the  
58 U.S. Dept. of Agriculture. Maddison noted that she had also learned from another regional planning  
59 commission that the projects they had proposed were not well received, therefore Maddison has  
60 decided to focus her energies on other grant opportunities.

61  
62 **VI. Energy Committee Update ( DEFERRED)**

63  
64 **VII. UVM Internship Program Update (DEFERRED)**

65  
66 **VIII. Continued Business: Draft Unified Bylaws**

67 Benj Putnam provided a summary for the new Planning Commission members on the commission's  
68 current task to merge the Town zoning and subdivision regulations, a work in progress that may be  
69 found on the Town's website (newhavenvt.com). A number of working drafts are posted as well as  
70 "Public Comments," and a list of the following proposed changes:

- 71 ➤ Boundary line adjustments no longer require Development Review Board approval in most  
72 cases and can instead be approved by the zoning administrator. Large adjustments may still  
73 require Board approval.
- 74 ➤ Exemptions have been expanded in some cases to comply with federal or state law and in  
75 other cases because they simply make sense (ex: certificates of occupancy are not required  
76 for some projects that involve no occupation).
- 77 ➤ For the Rural-Agricultural 2-Acre and 5-Acre zones, lot depth is defined in number of feet from  
78 the centerline of the road instead of as "one lot deep."
- 79 ➤ 35-foot residential height restrictions are proposed.
- 80 ➤ A new section on Affordable Housing appears that proposes flexibility in development  
81 requirements to promote at- and below-market rate residences.
- 82 ➤ Adaptive re-use is expanded to structures only 25 years in age.
- 83 ➤ Accessory structure size is updated to conform to new state law that states 900 square feet or  
84 30% of the primary structure size, whichever is larger.

85 **Issues that remain for discussion and final decision include:**

- 86  
87 ➤ **Residential Districts and minimal lot sizes** (i.e., how far back does Residential District  
88 extend?)
- 89  
90 ➤ **Modify wording on zoning map for 2-acre and 5-acre lot depth to read "up to" maximum**  
91 **standard (i.e., RA-5 "up to" 800' and RA-2 "up to" 600')**
- 92  
93 ➤ **Definition of affordable housing:** Waltham's definition of affordable housing: "Housing that is  
94 either 1) purchased by its inhabitants whose gross annual household income does not exceed  
95 130% of the county median income as defined by the U.S. Dept. of Housing and Urban  
96 Development and the total annual cost of the housing, including principal, interest, taxes,  
97 insurance and fees is not more than 30% of the household's gross income; or 2) rented by its  
98 inhabitants whose gross annual household income does not exceed 130% of the county  
99 median income as defined by the U.S. Dept. of Housing and Urban Development and the total  
100 annual cost of the housing, including rent, utilities, insurance and fees is not more than 30% of  
101 the household's gross income. Affordable units shall be subject to covenants, deed restrictions  
102 or other legal instruments that ensure the long-term affordability of such units for a minimum of  
103 15 years or longer."

104  
105 Maggie suggested that the Unified Bylaws include a definition of affordable housing as

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defined by the State. [<https://legislature.vermont.gov/statutes/section/24/117/04303>]

- **Include incentives to build affordable housing?**
- **Split Lots** – How to define?
- **Events** – Consider different word/phrase such as “Special Event,” (Fairfax and Stowe), “Temporary Event” (Williston), or “Entertainment?”
- **Kennels:** Kennels fall under conditional use; however, are there State regulations to consider? One definition provided by definitions.uslegal.com: “A kennel is a shelter for the breeding or boarding of dogs and cats. A kennel owner is a person, partnership, firm, company, or corporation professionally engaged in the business of sheltering or breeding cats or dogs for boarding, breeding, sale, training, hunting, companionship, or other purposes.”
- **Maintenance/Performance Bonds:** Decision to include the following:  
The VT Public Utilities Commission Rule 5.900 states the requirements for decommissioning a solar development. In order to obtain a CPG for large non-utility solar developments, an instrument that serves like a performance bond may be required to cover the total costs of decommissioning and restoration of the land to its pre-solar state. This alternative form of financial security (called an irrevocable standby letter of credit) is most often required for solar developments with greater than 500kW plant capacity.

**Next steps to prepare for May PC meeting:**

- Finalize revised zoning map (Bev will bring enlarged zoning map for review)
- Review Towns of Charlotte and Shelburne for definition of “Events”
- \*Review Special Event permits:
  - Tourterelle Restaurant and Wedding Venue
  - Porky’s Place and Backyard Barbecue
  - Phoenix Feeds and Nutrition
  - Lincoln Peak Vineyard

\*Benj noted that existing permits will stand, regardless of any new restrictions drafted by the Planning Commission.

**IX. Approval of PC Meeting Minutes for March 14, 2022**

Bev Landon moved to approve meeting minutes for March 14, 2022; Kathy Cahill seconded. **MOTION PASSED UNANIMOUSLY BY VOICE VOTE 4-0 (B. Putnam, R. Litch, B. Landon, K. Cahill) B. Taylor and M. Ooms abstained. Meeting minutes for March 14, 2022 approved as presented.**

**X. Adjournment**

Bev Landon moved to adjourn; Benj Putnam seconded. **MOTION PASSED BY UNANIMOUS VOICE VOTE 6-0 (B. Putnam, R. Litch, K. Cahill, B. Landon, B. Taylor, M. Ooms)**  
Meeting adjourned at 8:36 p.m.

The Planning Commission’s next regular meeting is scheduled for Monday, May 9, 2022, at 7:00 p.m.

Respectfully submitted,  
Peggy Connor