

Town of New Haven
PLANNING COMMISSION MEETING
New Haven Town Office
Monday, August 14, 2023
Meeting Minutes

[Approved by unanimous voice vote at September 11, 2023 PC meeting.]

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

Absent: Megan Ooms

Visitors:

Kathy Barrett, Amanda Bodell (remote)

Staff Present:

Peggy Connor, Zoning Administrator & Minutes

I. Call to Order:

Kathy Cahill called the meeting to order at 7:04 p.m.

1. Adjustments to Agenda

- Agenda item II. Results of Transportation Survey DEFERRED.

2. Visitors' Business

None.

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

DISCUSSION: Deferred from June 12th PC meeting:

a. Revise Article III: Section 333: Waivers

Prior to the meeting, Benj Putnam distributed proposed revisions to Sections 333 and 335 (available on the town's website). It was agreed to substitute the following language:

Section 333: WAIVERS

The Development Review Board may approve a waiver of the dimensional standards of these regulations if it determines that the criteria set forth in this Section will be satisfied:

A. Waiver Criteria:

1. The waiver represents the minimum deviation from the dimensional requirement necessary to avoid unreasonable hardship to the applicant and to enable the reasonable use of the property.
2. Granting of the waiver will not have an undue adverse effect on any of the following:
 - a. The public health, safety, and general welfare;
 - b. The character of the neighborhood;
 - c. Traffic patterns and circulation; and
 - d. Public health, safety, and utility services.
3. The granting of the waiver will be consistent with the Town Plan and with the purposes of the zoning district in which the property is located.
4. The need for a waiver was not created by an intentional action of the applicant.

B. Waiver Application and Review Process:

1. The DRB shall consider the testimony and input of abutters in deciding whether to grant the waiver.
2. In granting a request for a waiver, the DRB may attach reasonable conditions designed to mitigate the impact of the waiver, including but not limited to screening, design modifications, and other conditions.

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Additional changes include:

- Section 210: Lists FHD district which should also be added to Zoning Districts Table
- Note: Zoning Map will likely need to be revised once FEMA updates Flood Hazard District Map
- Section 334: substitute “resources” with “structures
- Section 334: 1st sentence to read: “The owner shall submit 2 sets of site plan maps, or one digital map” (and make this change throughout document where appropriate; i.e., conditional use)
- Section 335. #7: substitute “resources” with “structures”
- Switch order of Sections 335 and 334
- Re-order Article V to include Section on “Setbacks” (below) following Section 500
- Following discussion, it was agreed to retain Section 332: Variances for Renewable Energy Structures, noting that the language is based on State statute.
- Section 620: Re-number
- Definition of “Sign” in Article X ` to read: “Any structure, display, device, or representation, either temporary or permanent, portable or ground-mounted, that is designed or used to advertise or call attention to any thing, person, business, activity, or place and is visible from any highway or other right-of-way. It does not include the flag, pennant, or insignia of any nation, state, or town. Whenever dimensions of a sign are specified, they shall include panels and frames.”

Action on following items:

a. Designate specific zoning districts eligible for density bonuses

- Section 222: Add at end of first paragraph: “Suitable density bonus districts include NC, RA-2, RA-5, RA-10, and HC”

b. Add Section clarifying setbacks in Article V: General Regulations

Substitute the following language:

Section 501: SETBACKS

Each structure that is not exempt under Section 300 from the requirement of a zoning permit must be set back from the surrounding property lines in accordance with the setback requirements for the district in which the structure is located, unless the setback requirements are reduced via a waiver granted under Section 333 or pursuant to another applicable provision of these Regulations.

c. Revise Section 335: Site Plan Review

Substitute the following language:

Section 335: SITE PLAN REVIEW

Site Plan approval by the Development Review Board shall be required for all uses marked as “P/S” in the Table of Allowed Uses, as well as in all other situations where specified in these Regulations.

In conducting a Site Plan Review, the Development Review Board shall review the site plan map and supporting data as submitted according to Section 335, taking into consideration the following objectives, and shall either grant approval of the site plan (with or without conditions) or disapproval of the site plan:

1. Harmonious relationship between proposed uses and existing adjacent uses.
2. Maximum safety of vehicular circulation between the site and the street network.
3. Adequacy of circulation, parking and loading facilities, with particular attention to safety.

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- 116 4. Adequacy of landscaping and screening in order to achieve reasonable compatibility with
117 and protection of adjacent property.
118 5. Freedom from flooding and ponding.
119 6. Protection of renewable energy resources.
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121 **d. Research Vermont sign laws for Section 721**

122 Rob Litch distributed the Vermont State Statute regarding "On-premises signs" (10 V.S.A. §493)
123 Following discussion, it was agreed that Section 721: Signs read as follows:
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125 No signs shall be permitted in any district except as specifically permitted herein as follows:

- 126 a. One professional or home occupation sign, not exceeding 4 square feet.
127 b. One temporary real estate sign, not exceeding 6 square feet.
128 c. Directional or informational sign, not exceeding 4 square feet.
129 d. Signs necessary for public safety or welfare.
130 e. One directory sign not exceeding 10 square feet.
131 f. Total signage on a property shall not exceed 150 square feet.
132 g. No signs mounted on a building shall exceed the highest point of the building.
133 h. Roof signs shall not be permitted in any zoning district.
134 i. All flashing signs are prohibited.
135 j. Any illuminating signs must be turned off between the hours of 11 p.m. and 6 a.m.
136 k. Every projecting sign shall:
137 1. not extend beyond the street line;
138 2. not extend more than 2 feet from the building wall;
139 3. not be less than 10 feet above the surface of a public walkway area;
140 4. not exceed 32 square feet.
141 l. Every temporary and permanent sign located on the ground shall:
142 1. not exceed 20 feet in height above the finished grade;
143 2. be set back at least 20 feet from any street line, and at least 10 feet from any other lot line;
144 3. not exceed 32 square feet.
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146 **NEXT STEPS:**

- 147 ➤ Consider revising Section 933 to read:
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149 Section 933: Glare, Lights and Reflection

150 Applicants shall protect dark skies at night and ridgelines by minimizing exterior lighting or obtrusive glare
151 by implementing the following measures:

- 152 1. Installing, constructing and maintaining all outdoor lighting and illuminated signs to minimize the
153 intrusion of light across property lines, eliminate upward illumination and reduce glare, and to
154 maximize the effectiveness of site lighting by limiting light to a target area.
155 2. Installing any pole lights to be lower than area of the building they illuminate, or not greater than
156 15 feet tall, whichever is less, except where the applicant can demonstrate the need for taller
157 lighting (i.e., athletic fields).
158 3. Requiring internal illuminated or externally lit commercial signs to be fully down-shielded or lit
159 from the top down.
160 4. Requiring all building lighting for security or aesthetics to be down-shielded and targeted.
161 5. Prohibiting exterior unshielded wall pack lights.
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163 Other measures applicants may consider include:

- 164 1. Using exterior motion detectors to limit the amount of time lighting is used.
165 2. Using non-reflective material for roofs or siding.
166 3. Limiting excessive windows to curb impacts from interior lighting.
167 4. Turning lighting off after the close of business, unless needed for safety or security, in which case
168 the lighting shall be down-shielded and minimized.
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170 These Regulations shall not apply to solar or other energy generating structures.
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- ZA to prepare final draft for review prior to September meeting
- Public hearing date to be discussed at September meeting

III. Approve PC meeting minutes for June 12, 2023, and July 10, 2023

Benj Putnam moved to approve meeting minutes for June 12, 2023; Maggie Eaton seconded.
Motion carried 4 in favor, none opposed, and 1 abstention (K. Cahill) **MOTION PASSED.**

Kathy Cahill moved to approve meeting minutes for July 10, 2023; Bev Landon seconded.
Motion carried with 4 in favor, none opposed, and 1 abstention (M. Eaton). **MOTION PASSED.**

IV. Adjourn

Meeting adjourned at 8:25 p.m.

The Planning Commission's next monthly meeting is scheduled for Monday, September 12, 2023 at 7:00 p.m.

Respectfully submitted,
Peggy Connor