

Town of New Haven  
PLANNING COMMISSION – SPECIAL MEETING  
New Haven Town Office  
Monday, August 22, 2022  
Meeting Minutes

**Planning Commission (PC) Members present in person:**

Co-chairs Kathy Cahill and Rob Litch, Bev Landon, Maggie Eaton, Betsy Taylor, Megan Ooms

**Absent:** Benj Putnam

**Visitors:**

New Haven residents Sally Dwire (in person), and Amanda Bodelle (remote)

**Staff Present:**

Peggy Connor, Zoning Administrator & Minutes

**I. Call to Order:**

Co-chair Kathy Cahill called the meeting to order at 7:00 p.m.

**1. Adjustments to Agenda**

None.

**2. Visitors' Business**

Sally Dwire explained that last summer she applied to the Development Review Board (DRB) for a sketch review hearing to subdivide her 1.48-acre lot at 276 Ethan Allen Highway to accommodate a new mobile home on the .48-acre lot and a house on 1 acre. The Town Attorney advised that creating one non-conforming lot into two non-conforming lots does not comply with the Town's zoning regulations; however, then-zoning administrator Aaron Brown suggested that Sally may want to consider a boundary line adjustment with a neighbor to obtain additional acreage. Because the neighboring property owner does not wish to sell any portion of their land, Sally's attorney suggested her property be designated as a two-unit condominium; however, because condominiums are not defined in the current bylaws, the Town Attorney has been asked to research the issue.

Section 410 of the Town's Zoning Bylaws explains the process for amending the current bylaws: "An amendment or repeal of these bylaws may be prepared by the Planning Commission or by any other person or body. A proposed amendment or repeal prepared by a person or body other than the Planning Commission must be submitted in writing along with any supporting documents to the Planning Commission. The Planning Commission may then treat it as if the amendment or repeal had been prepared by the commission. However, if the proposed amendment or repeal is supported by a petition signed by not less than five percent of the voters of the municipality, the commission will correct any technical deficiency and will, without otherwise changing the amendment or repeal, promptly proceed as if it has been prepared by the commission."

Planning Commission members agreed to revisit the issue at their next regular meeting at which time the Town Attorney may provide additional guidance.

**II. Zoning Districts Map Review with ACRPC staff member**

Addison County Regional Planning Commission (ACRPC) Community Planner Katie Raycroft-Meyers joined PC members to further review the Zoning Districts Map; specifically, changes and edits discussed at the Planning Commission's August 8<sup>th</sup> meeting to include:

- restore shading for the RA-2 and RA-5 zoning districts
- define symbols in the legend
- re-establish untraveled roads
- adjust colored strips to scale

Katie will relay changes to the ACRPC's new GIS planner who is scheduled to begin September 6<sup>th</sup>,

and submit the updated map for the commission's review.

### III. Zoning Administrator's Report

At the DRB's August 15<sup>th</sup> meeting last week, Paul Lekstutis and Wayne Nelson from Cross Pollination proposed repurposing the historic barn located at 7263 Ethan Allen Highway for an indoor cannabis-growing operation. Because the concept is a new one for both the state and municipalities, it was agreed to reach out to Town Attorney Cindy Hill for possible options since cannabis produced from cultivation is not considered an agricultural product, and the 174+ acre parcel is located in the RA-10 zoning district where manufacturing is not included as a conditional use. Nellie Marvel of the State Cannabis Control Board explained that a Tier 1 cultivator's license allows for 1,000 square feet of cannabis to be grown indoors in agricultural zoning districts; however, the proposal is to utilize 8,000 square feet of the barn to make the project economically feasible. Included in the PC packets for review is "Guidance for Municipalities" from the state Cannabis Control Board.

<https://ccb.vermont.gov/policy-guidance-municipalities>

At the last PC meeting, it was mentioned that a resident had asked that the PC consider the location of signs with a cluster of businesses in the Industrial/Commercial zoning districts. It has been suggested that the number and size of signs be based on a building's size rather than the amount of road frontage (something to consider while reviewing Article VII, Section 700).

Town Atty. Cindy Hill is continuing to research the proposal to incorporate the definition of "condo association" in the bylaws, and has spoken with the Vermont League of Cities and Town's legal department about the intersection of the state's condo statute and accessory dwelling unit statutes, which may be in conflict.

Distributed earlier to PC members was an email from UVM mentor for local democracy, Corey Parent, asking municipalities if they would once again like to participate in the internship program for the fall semester. <https://www.uvm.edu/cas/vermontresearch/local-democracy-internship-program>

Also distributed to PC members was a copy of the "Zoning Guide for Vermont Neighborhoods" <https://www.trorc.org/enabling-better-places-a-zoning-guide-for-vermont-neighborhoods/> that Benj Putnam had previously shared by email, and a copy of the Bylaw Modernization Grant program for fiscal year 2023. Application deadline is November 1<sup>st</sup> to apply for special funding through the Vermont Department of Housing and Community Development (DHCD) to update zoning for needed homes. <https://accd.vermont.gov/press-releases/zoning-bylaw-modernization-grants-new-homes-and-%E2%80%98great-neighborhoods%E2%80%99>

### IV. CONTINUED BUSINESS: Unified Bylaws DRAFT

1. **Maggie Eaton: consider draft language for Section 533A EV Charging Stations**  
Deferred
2. **Continue Review on page 25, Section 551: Affordable Housing (Kathy Cahill)**  
Deferred
3. **Bev Landon: Sections 900-933**  
Deferred
4. **Megan Ooms: Sections 1100-1322**  
Deferred
5. **Maggie Eaton: Sections 1323-136 + Article XIV Definitions**  
Deferred

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Following discussion, it was agreed that the objective going forward is to ensure that the zoning districts map is an accurate reflection of the language contained in the Unified Bylaws.

**V. Approval of PC Meeting Minutes for August 8, 2022**

Bev Landon moved to approve meeting minutes for August 8, 2022; Maggie Eaton seconded. Motion carried with 6 in favor (K. Cahill, R. Litch, B. Landon, M. Eaton, M. Ooms, B. Taylor). **SO VOTED. MINUTES APPROVED AS PRESENTED.**

**Adjournment**

Bev Landon moved to adjourn; Betsy Taylor seconded. **MOTION PASSED UNANIMOUSLY 6-0.** (K. Cahill, R. Litch, M. Eaton, B. Landon, B. Taylor). Meeting adjourned at 8:45 p.m.

The PC will hold its next regular meeting on Monday, September 12, 2022, at 7:00 p.m. at the Town Offices.

Respectfully submitted,  
Peggy Connor

