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**Town of New Haven**  
**PLANNING COMMISSION & DEVELOPMENT REVIEW BOARD**  
**JOINT MEETING**  
**New Haven Town Hall**  
**Monday, August 9, 2021**  
**Meeting Minutes**

**Planning Commission Members Present:**

Co-chair Benj Putnam; Maggie Eaton (remote; left meeting at 7:30), Bev Landon (remote), Pat Palmer (arrived at 7:28 p.m.), Kathy Cahill

ABSENT: Rob Litch

**Development Review Board Members Present:**

Chair Kathy Barrett; Paul Audy (arrived at 7:10), Susan Smiley (remote; left meeting at 6:15), Carol Charbonneau

ABSENT: Charlie Roy, Don Johnston, Tom Fyles, Victor LaBerge

**Staff Present:**

Aaron Brown, Zoning Administrator & Town Administrator

Peggy Connor: Minutes

**Visitors Present:**

Jeff Glassberg

**I. Call to Order:**

Planning Commission co-chair Benj Putnam called the meeting to order at 6:13 p.m.

**1. Adjustments to Agenda:**

Lacking a quorum of DRB members, the meeting was held as a regular Planning Commission meeting, with participation from those DRB members present to review the draft zoning and subdivision regulations.

**2. Visitors' Business:**

None

**II. Review of Draft Unified Bylaws**

Zoning Administrator Aaron Brown indicated that he anticipated two or three PC meetings to conclude review of the Draft Unified Bylaws, adding that the mapping also needs to be finalized. Benj Putnam explained that although the DRB does not officially vote on the bylaws, the Planning Commission welcomes DRB input prior to holding a public hearing, after which the Planning Commission will vote to send the draft to the Selectboard. The Selectboard must then act on the Unified Bylaws after 15 days, and no more than 120 days.

Aaron Brown reviewed highlights of the changes to the Draft Unified Bylaws, posted on the Town's website, noting that the intent of the document is to combine zoning and subdivision regulations into a single document:

[https://www.newhavenvt.com/index.asp?Type=B\\_BASIC&SEC={06ED6615-35B0-4C71-B554-30DE8085707E}](https://www.newhavenvt.com/index.asp?Type=B_BASIC&SEC={06ED6615-35B0-4C71-B554-30DE8085707E})

**Summary of proposed changes:**

- Boundary line adjustments no longer require Development Review Board approval in most cases and can instead be approved by the Zoning Administrator. Large adjustments may still require Board approval.

- 54 ➤ Exemptions have been expanded in some cases to comply with federal or state law and
- 55 in other cases because they simply make sense (ex: certificates of occupancy are not
- 56 required for some projects that involve no occupation, such as cemeteries).
- 57 ➤ For the Rural-Agricultural 2-Acre and 5-Acre zones, lot depth is defined in number of feet
- 58 from the centerline of the road instead of as "one lot deep."
- 59 ➤ 35-foot residential height restrictions are proposed.
- 60 ➤ A new section on Affordable Housing appears that proposes flexibility in development
- 61 requirements to promote at- and below-market rate residences.
- 62 ➤ Adaptive re-use is expanded to structures only 25 years in age.
- 63 ➤ Accessory structure size is updated to conform to new state law that states 900 square
- 64 feet or 30% of the primary structure size, whichever is larger.

65 Discussion:

66 **Page 27, Section 595:** Kathy Barrett noted that new construction has a different acreage  
67 requirement and asked if the lot size and density requirements for affordable housing were  
68 subject to State statute, or was it suggested by the Vermont League of Cities and Towns  
69 (VLCT). Aaron agreed to further research.

70 **Page 38, Article X: Zoning Districts, D. Special Split Lot Regulations:** Noting that if an  
71 existing lot is in the RA-2 district, it cannot comply with RA-10, Kathy Barrett asked if existing  
72 lots were grandfathered in. Benj Putnam noted that anything existing is grandfathered in and  
73 added that the language is an attempt to revert to the original interpretation. Kathy Barrett  
74 suggested substituting "proposed" for "existing," and add language in the subdivision section  
75 that a structure must conform to the district it is in.

76 **Page 40, Section 1002: Rural Agricultural District (RA-5):** typo under "By Right Uses: Should  
77 read "RA-5"

78 **Page 49: Section 1220: Submission of Sketch Plan:** Benj Putnam asked if the DRB process  
79 is longer than it needs to be. Kathy Barrett suggested that applicants need to understand the  
80 time it takes to ensure they have all the required documents. She added that DRB members  
81 with a conflict of interest plays a role in delaying the process, and the pandemic continues to  
82 impact attendance. Aaron Brown also mentioned that the newspaper of record no longer  
83 publishes twice weekly which affects the timeliness of notices and warnings.

84 **Page 65: Article IV: Definitions:** Kathy Barrett pointed out that "Events" are not included in the  
85 Definitions Section; however, "Events" are referenced in Section 321: Exemptions - #18 (page  
86 15). Benj Putnam agreed that the Definitions Section will need further review as some include  
87 things that are not allowed in the district. Kathy also noted that both "home occupation" and  
88 "home business" are defined in Section 504 (page 19), but are not included in Article X. She  
89 suggested that a decision be made regarding permitted or conditional use and in which districts.

90 **Page 66: Article IV: Definitions:** Benj Putnam proposed considering a separate category for  
91 charging stations, noting that gas stations are allowed in highway-commercial districts; however,  
92 charging stations may be sited in another zoning district, which may also encourage more  
93 charging stations.

94 **Page 67: Article IV: Definitions:** Regarding the definition for "Industry," Benj Putnam  
95 suggested clear regulations for Airbnb's in terms of length of rental and districts.

96 **Page 70: Article IV: Definitions:** It was agreed to further review regulations for “outdoor” and  
97 “indoor retail;” specifically, permitted versus conditional use for outdoor retail.

98 Kathy Barrett reviewed her list of comments, including:

99 **Page 12:** Eliminate duplication of zoning bylaws in the beginning of the document, which should  
100 be consolidated in keeping with the intent of the “Unified Bylaws.” Also, either “Administrator  
101 Officer” or “Zoning Administrator” should be used consistently throughout.

102 **Page 50: Article XII: Subdivision Application and Approval Procedure: Section 1220.3:**  
103 Delete last sentence: “Written feedback will be provided within 45 days of the meeting.” All  
104 agreed.

105 **Page 51: Section 1250.6: Preliminary Approval of Preliminary Plat:** Preliminary approval of  
106 a sketch plan does not require a formal hearing. Benj Putnam agreed that the language should  
107 be clarified.

108 **Page 17: Section 345: Appeals of the Decisions of the Zoning Administrator:** Is the  
109 requirement to render a written decision in 10 days statutory, or may it be extended? Aaron will  
110 further research.

111 **Page 22: Section 518: Special Public Use Exceptions:** Following discussion, it was agreed to  
112 delete the first sentence, and to restore #3 to its original language prior to the interim zoning.

113 **Page 25: Section 530: Mobile Homes:** Mobile home park needs to be clearly defined.

114 **Page 26: Section 54: Setbacks: #3** “Setbacks shall apply to all land development in the NC,  
115 HC, and IN districts, including but not limited to parking areas.” RA-2, RA-5, and RA-10 should  
116 also be included. Benj Putnam agreed that the sentence is poorly worded.

117 **Page 27: Section 596: Affordable Housing:** (B) Applicability includes no specific type of use.  
118 Also, (C) (1) references “10.2”, which does not appear in the document.

119 **Page 50: Section 1220.3: Submission of Sketch Plan:** Delete “Written feedback will be  
120 provided within 45 days of the meeting,” given that the DRB provides an immediate response.

121 **Page 67: Definitions:** “Kennels” are defined but no districts are designated for their use.

### 122 **III. ZA Update:**

123 Aaron Brown reported that there has been a flurry of permit activity; home sales are strong; the  
124 DRB recently reviewed the Kayhart sketch plan for a minor subdivision on Field Days Road; and  
125 several potential DRB applications are forthcoming. Also, Aaron has given notice to the  
126 Selectboard that he will be leaving his position to pursue other opportunities; however, he plans  
127 to stay on to ensure a smooth transition for the incoming Zoning Administrator.

### 128 **IV. Energy Committee Update**

129 Aaron Brown reported that Maggie Eaton has requested all homeowner who wish to take  
130 advantage of the low-cost insulated window inserts offered by Energize Vermont in conjunction  
131 with WindowDressers of Maine, to contact her at [maggieeaton@me.com](mailto:maggieeaton@me.com) or call 802-453-5214.  
132 To date there are 60 requests for the insulated window inserts that provide an alternative for  
133 those who may not be able to afford new windows. Inserts will be built by volunteers at the  
134

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135 Window Dresser Event taking place in Holley Hall in Bristol on Tuesday, November 9<sup>th</sup>.

136

137 Aaron also reported that the Town Plan was approved with 29 votes cast.

138

139 **V. Regional Planning Commission Activities**

140 Aaron reported that the Town is working with ACRPC to select a general contractor for the train  
141 depot relocation project. Two grants have been received: one for \$350,000 and a second for  
142 \$400,000. Grants for the interior work are yet to be determined.

143

144 **VI. Minutes for July 12, 2021**

145 Approval of minutes for July 12, 2021, DEFERRED.

146

147 **ADJOURNMENT**

148 Kathy Cahill moved to adjourn; Pat Palmer seconded. **MOTION PASSED BY UNANIMOUS**  
149 **VOICE VOTE 5-0** (B. Putnam, B. Landon, P. Palmer, K. Cahill)

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152 Meeting adjourned at 8:47 p.m.

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154 Respectfully submitted,

155 Peggy Connor

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158 Benj Putnam

Beverly Landon

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162 Pat Palmer

Maggie Eaton

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166 Kathy Cahill