

Town of New Haven Planning Commission
7:00 pm
Town Offices
Wednesday, December 12, 2012

Present: Co – Chair, Bill Brooks, Pat Palmer, Angie Dunbar, Rod Case, Jim Walsh and Rob Litch

Absent: Co – Chair, Francie Caccavo

Visitors: John Madden and Mike Dunbar

VISITORS BUSINESS:

- 1. Mike Dunbar** – Had previously emailed the Planning Commission last month about issues he feels impact his property and business as well as others in town. Mike gave a brief history of who had previously owned his property which is between Route 7 and Dog Team Road. When he purchased the property he came to the Planning Commission about his business (Middlebury Fence), and the PC granted him a Home Occupation. In hindsight, this was probably the wrong thing for him to get. He later submitted an application to replace the garage; he used the same footprint, but replaced it with a house to use as his showroom and office. He did say he failed to mention to the ZA and PC through all of this that he was operating a retail business. He came again to the PC to say that the Home occupation was not working, and was told by the PC there was nothing they could do to help him. One PC member did tell him that he could petition the town to change his property to highway commercial – which he did successfully. After all this he thought everything was ok, but soon received a violation notice about his storage of materials. He is currently still in violation; he said that is because he doesn't have anywhere else on his property to store these materials. Recently when the PC changed the setback to 100', it made it worse for him, he is storing his materials next to a residential area. He would like to see the PC redefine what the setback means, because right now he cannot do anything within that 100' setback area. Mike would like setbacks defined so it is intended for just structures. The PC reviewed Mikes suggestions to resolve these issues and realizes only two of them may be feasible. 1) Add fence company or contractors yard to the list of permitted uses in the HC district. 2) List uses that are exempt from zoning – such as... “outside storage of materials properly screened from public view.” Mike handed out a list of exemptions from the City of Vergennes Zoning Administrator.

Rod Case recently spoke with Mr. Dunbars' neighbor, Steve Dupoise, who says he is fine with what Mike is doing. But he does not want his home to be re-zoned into a HC district.

Bill Brooks said they will not be making any decisions tonight. He encouraged all the PC members to go and visit Middlebury Fence and other businesses in town to get a better perspective of these properties. He thanked Mike for coming.

- 2. **John Madden** – Handed out his responses to what Mike Dunbar is asking. John is not in favor of Mike being granted anything new.

OLD BUSINESS:

- 1. **VT Gas** held an informational meeting in New Haven on Monday night in the town hall. There were about 43 people there, with about 12 of them from Monkton. Jim Walsh is in the process of writing the Public Service Board a letter with New Havens concerns. He asked PC members for ideas to add to the letter. He will draft the letter, and send copies to the Selectboard, Town Attorney and Zoning Administrator.
- 2. **Update – Solar Farm:** John Madden is preparing his Brief to be filed in the Second Circuit Court of Appeals on Thursday.
- 3. The Planning Commissions upcoming meetings will be on Wednesday, January 9, 2013 and February 13, 2013.

REGULAR BUSINESS:

- 1. Pat Palmer made a motion to approve the minutes from November 14, 2012, seconded by Angie Dunbar. 5 yes / 1 abstention (Litch)

OTHER BUSINESS:

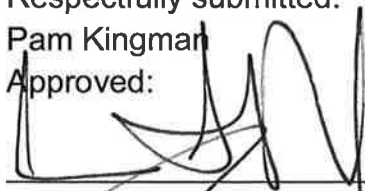
- 1. Jim Walsh made a motion to move into executive session to discuss a personnel matter at 8:20 pm, seconded by Pat Palmer. 6 yes / 0 no
Angie Dunbar made a motion to come out of executive session at 8:27pm, seconded by Rod Case. 6 yes/ 0 no. No action taken at this time.

Adjourn: 8:30 pm

Respectfully submitted:

Pam Kingman

Approved:

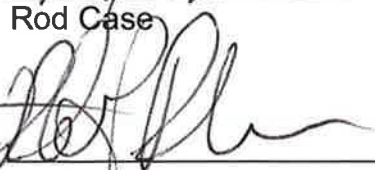


Co-Chair, Bill Brooks

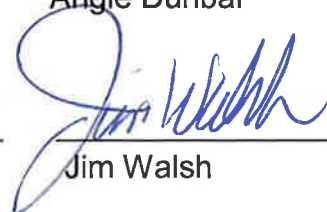


Rod Case

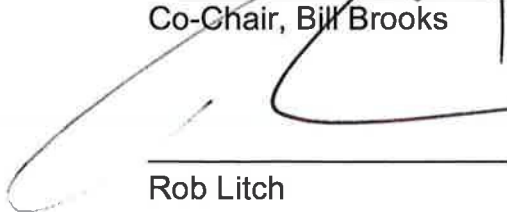
Angie Dunbar



Pat Palmer



Jim Walsh



Rob Litch