

**New Haven Planning Commission Meeting
New Haven Town Office**

June 9, 2014

Present: Francie Caccavo, chair, Rod Case, Angie Dunbar, Rob Litch, Pat Palmer, Benjamin Putnam, Jim Walsh, and Dave Wetmore, ZA

Absent:

Visitors: John Madden, Steve and Marcia Dupoise,

Meeting Notes:

Francie, called meeting to order at 7:00 PM. Dave Wetmore took minutes. The agenda was posted and it is attached.

I. VISITORS BUSINESS:

1. John Madden- provided a copy of the Acorn groups "Guide to Local Foods", provided an update on the status of the proceedings regarding the Horn property and a compilation of materials regarding the case.
2. Conservation Commission- Francie did not contact them

II. NEW BUSINESS

1. Steve and Marcia Dupoise- request to convert the balance of their property located on Rte. 7 and Belden Falls Road from RA-10 to Highway Commercial (HC).

At the 5/12 meeting the PC agreed to draft the required "Report" for the Board's review with the plan to hold a public hearing on July 14, 2014.

Francie- asked for comments on the warning and report, specifically about the term "supported by the Town Plan". Benj spoke that he agrees with the use of the phrase in the "Report" by is not comfortable with it in the warning, suggesting that it infers that the PC supports the change.

PC- also agreed to add the specific parcel # and the location within the Business Planning Area as designated in the Town Plan. The warning will also include this information.

Abutter notification- Benj does not suggest notifying the abutters. Dave stated that it is not required by Statute and it was not done previously. Rod noted that notification of abutters is required with solar projects and PSB. He supports abutter notification. PC agreed that notification of abutters should not be done as it would set a precedent.

Rod- noted that the Town Plan does support the Dupoise request but he would have preferred that the Horns and Dupoise requests go to a Town vote. This raised the question of "does the Town lose the right to adopt (by Selectboard action) a bylaw amendment if it goes to a vote"? Dave shared his understanding of the Statute, VSA 4442C(2). Basically, yes if it is a decision by the Selectboard. However, anyone can petition for a Town vote and that process would not. Jim Walsh will contact Sec. of State for legal opinion.

PC- discussed recent zoning change history and observed that all action can be appealed. John suggested adding a more thorough description of the proposed change, i.e. "south west corner of Belden Falls Road and Rte. 7.

Benj- moved to approve the "Report and warning" with edits including, parcel #, corner of Belden Falls Rd and Rte. 7, at the request of the property owners and located in Business Planning Area. Angie 2nds. PC approved 6-yes, 0-no, Jim Walsh abstained. Francie will edit and send to Dave and Pam for warning, posting, notification to all statutory parties, add to website and include in July Newsletter. Steve asked to be copied also.

Rob- noted that the website needs updating. Dave will let Pam know.

Dupoise hearing date and time- July 14, 2014, 6:30 – 7:30 PM at the Town Hall. Francie asked Dave to prepare a packet for distribution similar to the one used at the Horn hearing. PC will convene their regular monthly meeting at 7:30 PM after the hearing.

2. Horn update- Nothing new, its now in the Judges hands. Dave noted that some of the information John provided earlier was submitted to the Court by the Town.

III REGULAR BUSINESS

1. HC proposed amendments- Dave has include all the edits PC requested. There are some areas that are not complete and they are highlighted. PC needs to review and make decisions.

PC points- need to define how height is determined. Impacts for the type of use should also be a factor. John suggests that rural character and tourist \$ should also be considered.

Jim- expressed frustration with the DRB decision relating to the lighting of the Irving canopy. Jim cited personal knowledge of the decision with the Jiffy Mart, and how this recent decision will open the door for more disruption to the rural character of New Haven.

PC discussion regarding maximum building size- as drafted less than 15,000 sq. ft. could be considered a permitted use. Over 15,000 sq. ft. would automatically become a conditional use. PC needs to decide what the maximum will be? Lots of discussion- Some feel that there doesn't need to be a maximum. Septic capacity may limit some uses. Benj feels some sort of limit is needed. We are a rural Town and the commercial uses should reflect that. Board noted that "footprint" should not apply. Total square foot would allow more flexibility.

Pat- move to set the maximum total building square foot at 45,000 sq. ft./lot regardless of lot size. Angie 2nds. Rod left early and did not participate in vote. 3-yes, 3-no. Motion fails. Board will continue this next meeting.

2. Signs-

Francie- shared some pictures of signs she took around the area that under the current sign draft would not be allowed. She hopes the PC would reconsider. The sign bylaws need to meet the needs of businesses and believe the current draft to be too restrictive.

PC discussion- John noted that some the internally lighted signs are quite disruptive. What is the definition of "internally lighted"? Benj suggested that it makes sense to have a sign bylaw that forms a baseline for the entire Town and then make it more permissive in the HC district. It was also noted that

the size of the sign should be determined based on the speed of traffic and the distance from the road. A free standing sign should be smaller than a building mounted sign. HC and IN district signs should be treated the same.

3. Other business

Jim-

Solar- provided some updates on potential large solar facilities to be sited in New Haven. Currently there are 4 pending and one for the Roleau property is also a possibility. Jim notes that the Town Plan limits the size of these installations. These proposals are in the very beginning stages and the Town should represent to the PSB the limits in the Town Plan. As proposed all 4 of the pending installations would each exceed the maximum outlined in the Town Plan. The PC and SB can influence the decision made by the PSB, but we need to be actively engaged in the process. Jim also noted there is very little tax benefit to the Town from hosting these projects.

Natural Gas- Jim discussed the way the gas line will be assessed, cost vs. FMV. He also noted that there is a staging/lay down area planned for Harvey Smiths property. This will be an ongoing project and will most certainly negatively effect the Towns infrastructure and neighbors. Dave share that this area has not been part of the PSB discussion and very little information has been provided to the Town. The Town is currently reviewing the request to work within the Towns right-of-way regarding the travel corridor of the transmission line and road crossing. The Town does not really have a policy to deal with this type of work.

Jim suggests that at the very least the SB and PC work together to outline the Towns expectations, i.e. limits on work hours, ingress and egress, return work area to as good or better condition, etc. This would apply to the staging area as well as work within the Towns right-of way. Dave suggests that there is not provision in the Towns zoning to allow the suggest use of the Smith property for the staging area. This is headed in the same direction as the illegal subdivision that was created by Elgin Springs Farm. These are precedents that could cause problems for New Haven in the future.

Francie- noted that we are clearly not getting our work done. Jim suggest we need at least one other work meeting/month.

Francie- the SB really needs someone to monitor the VT Gas and solar projects being proposed, perhaps an attorney. This might be a point of discussion for the June 23rd joint board meeting.

IV MINUTES APPROVAL

1. 5/12/2014 minutes will be reviewed next meeting

V CORRESPONENCE

1. To be considered next meeting

VI OTHER

1. **Reminder- June 23, 2014 Joint Board meeting with SB, DRB and PC**
2. 7/14/2014 agenda-
 - a. Discuss Dupoise hearing outcome
 - b. Continue HC and sign amendments
 - c. Consider extra monthly meeting
3. Review sign amendments

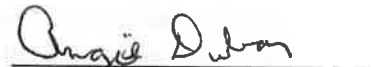
Angie moved to adjourn at 9:35 PM, 2nd by Benjamin. Motion approved 6-yes and 0-no

Respectfully submitted:
Dave Wetmore

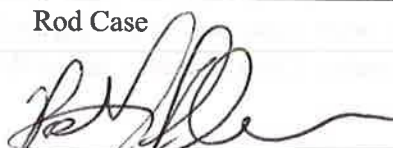
Approved on 7/14/14



Francie Caccavo

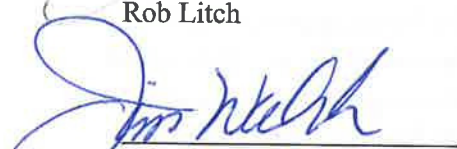
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