

**Town of New Haven
Planning Commission Meeting
7:00 pm
Town Offices
Thursday, May 12, 2011**

Present: Chair, Jim Walsh, Bill Brooks, Rod Case, Francie Caccavo and Angie Dunbar
Absent: Pat Palmer

Visitors: Zoning Administrator, Dave Wetmore and John Madden

VISITORS BUSINESS: None

NEW BUSINESS:

1. **Zoning Administrator, Dave Wetmore** draft recommendations that relate to the **DRB's 9 suggestions**, he handed out a packet of information to the PC members. A couple of which included examples of waiver language. Dave described how variances were implemented back in the 1930's, when zoning came into play, many of the structures then were close to the road, so they added setbacks to the zoning. Many of these structures are non-complying and required variances to develop. Variance language is very restrictive; most boards who deal with them tend to be lenient. The way the variance language reads it that the property owner is "not creating own hardship", meaning do they really need a garage or a covered front porch; will they create a hardship for themselves by adding these? Variance language enabled in the State Statues, which allows towns to be more permissive. In 2004, the State enabled the statute to allow waivers without calling them variances. Which is why waiver language was created; it is a way to allow for certain things.
 - #1** - Will be omitted
 - #2** - DRB suggests this only be allowed for residential uses; not for commercial. The object is to keep waivers and variances separate. Variances should be hard to get, could outline for accessory uses only allowing with permission from the DRB. Discuss making it clear for the DRB, so there is no grey area. Dave suggested there could be waivers appropriate to certain districts. PC members will look at the language from other towns. Exemptions were also discussed. Even though something may be exempt; it should still meet setbacks.
 - #3** – Temporary structures - Anything erected / constructed or placed on property should comply with zoning. Such as tent structures, that tend to become permanent need to comply within minimum restrictions in that district. In the Zoning Regulations under section 516, a lot of the language is concerning temporary office buildings that are used during construction. Or temporary storage trailers, would they need a permit. Many are not

taxable, if they don't meet the setbacks is it possible to say they need to be in compliance or move them. Discuss some options for language in the zoning regulations for trailers (truck bodies), as there are no design requirements and regulation language. Under section 595 in zoning regulations, add language that ties accessory use to primary use in that district.

#5 – Setbacks for parking: Conditional Use implies “Shall meet setback requirements”, If you set the building at the minimum setback, then you must park the vehicles alongside the building. McGrath's flooring was discussed – the building is a permitted use, and the parking lot for the used cars is a conditional use. Discuss changing front yard setback language, adding “proposed uses”. Private roads would also be required to use setbacks too. Private roads will be added to the zoning regulations if they are not currently in there.

Road widths were also discussed for setbacks: Most districts require 100' from the center of the road. (Roads are measured in rods; a rod = 16.5') What the town owns and controls includes their R.O.W.

#6 – Industrial section: In the zoning regulations, they will remove the last sentence in this section. Discuss not being able to just eliminate houses / dwellings from the industrial district. A site plan review will be needed for everything within the industrial district.

#7 – Defer for another meeting – more research needed.

#8 – Same as #7

#9 – Contours – Needs to be changed in the zoning regulations, now they are 20' , possibly go with 5'. Most contours need to be identified by a surveyor which is then costly to the land owner. Dave Wetmore will look into this a little more.

2. **Francie Caccavo:** Information she gathered from Hinesburg / Weybridge and Fairfield about home based business:

- Structure the language so it remains a home based business, don't want it getting too big.
- If owner sells the property, the new owner will need to be re-permitted to operate.
- Add hazardous waste
- Must use 50% of the home as a guide
- Can offer antiques in a garage, and an office another room.
- Ownership – should owner live there / or resident of the home? Can you rent the home? More research is needed to devise good language.

NEW BUSINESS:

OLD BUSINESS:

MAIL:

REGULAR BUSINESS: Defer minutes until June meeting

NEXT MEETING TOPICS:

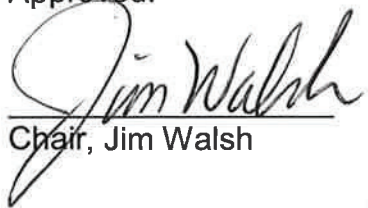
1. Addison County Regional Planning Commission will be here to finalize the Town Plan.
2. Zoning Map
3. Home Occupation
4. Commercial zone sizing – Someone will research and present to the Board.

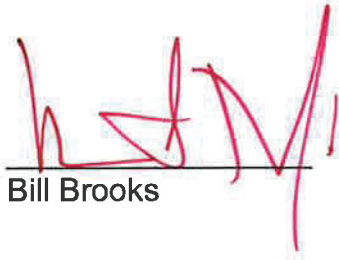
Adjourn: 9:00 pm

Respectfully submitted:

Pam Kingman

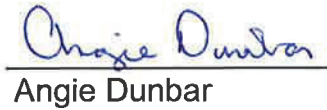
Approved:


Chair, Jim Walsh


Bill Brooks

Francie Caccavo


Rod Case


Angie Dunbar