

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

**May 12, 2014**

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

Absent: Rod Case, Rob Litch ~~Francie Caccavo~~

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 an update on the status of the proceedings regarding the Horn property. A status conference was held today and the Town has until May 23<sup>rd</sup> to file the response to the motion for summary judgement. John was given until June 6 to respond.

**II. NEW BUSINESS**

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

Jim Walsh recused himself based on past dealings with the Dupoise's and recent negotiation on the VT Gas transmission line citing on the Dupoise property.

Francie- asked for an overview of the request process.

Dave- shared his understanding of the statutory process and shares an e-mail with all from Cindy. Cindy's response, after discussions with legal counsel at VLCT was that the PC has the option to either move the Dupoise forward or reject the request.

Francie- explained her discussion with Mr. Foley.

1. Warn a public hearing and then forward to Selectboard, or
2. Consider the request as part of the overall amendments being considered at this time.

Steve- restates that this request was initiated in January. They were hoping that the March meeting (cancelled due to weather) or the April meeting was the warned public hearing. Now we are into May and the PC has still not taken any action. Steve asked for a copy of the Statute (4441(b)) that Cindy referenced. Dave copied for Steve. Steve stated that some action should have taken place by now and that communications by the PC could have been better.

Francie- explained the work the PC has been doing regarding the HC district, starting with a draft prepared by the ACRPC.

Steve- states that this request is supported by the Town Plan. How close is the PC to putting forth the proposed amendments?

Francie- they are almost complete. Need to complete signs and proposed changes to HC zoning district boundaries.

Steve- how long, 2 years? Steve asks the PC to act on his request.

Francie- asks the PC how they want to move forward. Does the PC want to discuss the merits of the Dupoise proposal.

Benjamin-understands that the question before the PC is:

1. Move the request forward, or
2. Decline the request.

Francie- supports having a public hearing

Marcia- states the discussion is confusing.

Benjamin- As the statute is written, the PC has the discretion whether to act on the Dupoise request or not. If the Dupoises submit a petition then the PC has no discretion.

Pat- asks what would serve the Dupoises the best, working with the PC or taking it to a vote?

Steve- they are asking for the PC to move it forward. At this point the PC discussed what this would require.

Benjamin- a petition, if submitted, is passed on as presented. As requested, the Dupoise request could be considered as presented, amended, moved through the public hearing process and then sent to Selectboard, or it could be rejected all together.

Francie- would like to see what type of support there is for this request, i.e. public hearing.

Pat- moved to draft the required report and hold a public hearing on the Dupoise request. Angie 2nds. PC discussion- Report should be prepared for PC review next meeting on June 9<sup>th</sup>, 2014. Once draft report is approved by the PC a hearing would be scheduled for July 14, 2014 from 6:30-7:30 PM. Notice in Paper would have to be on or before June 26, 2014. PC affirmed motion 4-yes, 0-no.

John- cites that he believes that this is the incorrect statutory procedure and points to statutes 4382-4385 as the proper procedure.

Steve and Marcia- Please keep them in the loop by sending them a copy of the draft minutes, PC Report and notices.

2. Horn litigation process- Dave shared an e-mail from Cindy that provided an update similar to what John had shared in visitors business.
3. Request from Conservation Committee- Jim shared that the CC had formed 5 committees as announced on FPF. PC agreed to have Francie send Dean an invitation to the next PC meeting.

### **III REGULAR BUSINESS**

1. HC proposed amendments- review is pretty much complete. Dave needs to include/make changes to draft document as directed last meeting.

2. Signs- Dave presented Brandy's draft for PC review with side comments. The comments are from a review by Rod, Jim and Dave.

Benjamin- asked if these would apply to all districts? Jim stated that there are differences and that the sign regulations should reflect that. Benjamin stated that if they do seek to apply to all districts then the standards may not work well for the RA districts.

Review-

1.A.01.A- What is considered a modification? Dave responded by suggesting lighting, changes to size and location changes would be a modification.

Exempt signs-

1.A.01.B.1- these are likely government only.

1.A.01.B.7- This sign type should not be exempt, move to allowed sign in addition to other allowed signage on a property.

1.A.01.B.8- John thinks this is quite open. PC agrees to limit to only awnings and umbrella's. Strike "similar accessory structures".

1.A.01.B.11- Need to accommodate Field Days signs, they are approx. 8-ft. by 16-ft.

1.A.01.B.12- Strike last sentence.

Prohibited signs-

1.A.01.C.4- Strike rest of language after last semi-colon

1.A.01.C.6- What is the roofline? Benjamin suggests they could be allowed w/site plan review.

1.A.01.C.7- Strike and move. This should be considered part of the overall amount of signage allowed on a building.

1.A.01.F- This is very generous. Add window signage as part of total

1.A.01.G- Ground mounted signs- This is relative to Jim's comments about home business type signage. Benjamin would like to see example of some. PC commented that using speed does not necessarily reflect the needs of New Haven.

PC will pickup here next meeting.

3. Member concerns-

Jim- updated the PC on the gas line tax bill. Jim expressed that he has done the best job he could to this point and is handing the responsibilities off to someone else. He suggests that his work has greatly improved the tax benefits to the Town over what had been proposed in Chris Bray's bill. Jim has been very involved with the PSB review of the Gas Line. Someone needs to keep an eye on phase 2 and 3 of this project. He hopes that someone on the PC or SB will pick up the ball. Jim also reminded the PC that the Town Plan needs to be revised for 2016. He also believes that the Selectboard does not feel that the PC is moving fast enough on amendments

Francie- suggests that each member take a particular issue and follow it.

**IV MINUTES APPROVAL**

1. Jim moved the minutes of 4/9/2014, Pat 2nds. Approved 5-yes and 0-no
2. 2/11/2014 minutes need additional signatures. They were approved but members forgot to sign. Need Rods.

**V CORRESPONENCE**

- a. Planning Forum June 4, 2014
- b. Middlebury proposed Bylaw amendments

**VI OTHER**

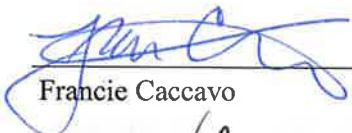
June 9, 2014 agenda to include:


1. Review PC report for Dupoise amendment request
2. Review sign amendments

Angie moved to adjourn at 9:20 PM, 2<sup>nd</sup> by Benjamin. Motion approved 5-yes and 0-no


Respectfully submitted:  
Dave Wetmore


Approved on 7/14/14

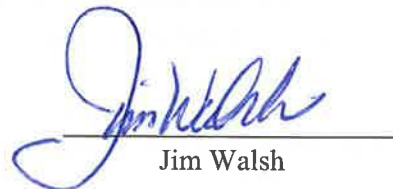
  
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