

Town of New Haven Planning Commission
7:00 pm
Town Offices
Wednesday, November 14, 2012

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

Absent: Rob Litch

Visitors: John Madden and Claire Tebbs from Addison County Regional Planning Commission

VISITORS BUSINESS:

1. Mike Dunbar – Decided not to attend tonight's meeting because the previously set agenda did not allow time for discussion The PC briefly discussed the 3 issues Mr. Dunbar raised:

- To extend the commercial zone to Belden Falls Rd.
- Add Contractor's Yard or Fence Company to the list of permitted uses under the Highway Commercial Zone.
- State that setbacks are for permanent structures/buildings rather than any use.

Bill Brooks will invite Mike Dunbar to the December 12, 2012, to discuss these issues he has raised.

OLD BUSINESS:

1. Claire Tebbs from Addison County Regional Planning is here to continue the discussion about the Highway Commercial District along Route 7. Claire showed the PC a map she generated showing the developed Highway Commercial lots in red, and the ones outlined in green are the underdeveloped Highway Commercial lots.

Next, the PC went through the discussion paper with Claire regarding the Highway Commercial District along Route 7. The black print is the current language, and the red print reflects the proposed changes by the Addison County Regional Planning Commission. **see attached**

- **HIGHWAY COMMERCIAL DISTRICT (HC)** – Claire feels the objectives and guidelines are too broad. She recommends writing a purpose statement for the District. Which Claire will be happy to write. Discussed what other towns uses are, and what would be best suited for New Haven. This included preserving the agricultural and scenic vistas, keeping in mind architectural style; all while providing the opportunity for business. Dave Wetmore added that he

appreciates HC is designed there is no mixed uses, but some feel HC shouldn't stand out. Claire agreed, it should be within the rural context. She used Hinesburg as an example of using mixed uses, and that it works for them.

By Right Uses: Retail stores / Restaurant / Club: PC would like to move these under Conditional Use. All of them will need a Site Plan Review with the Development Review Board. Dave Wetmore thought if the PC was implementing design standards, then they need to be extremely precise so the Zoning Administrator and the DRB have something to follow. All agreed there needs to be more specific language with clearer definitions.

Conditional Uses: Freight and trucking terminals. Will discuss this topic further as to whether or not they want to keep it in there or remove it. Claire suggested implementing a scenic overlay to show where it would ruin the scenic vistas.

- **BUILDING SIZE DISCUSSION and LIMITATION on RETAIL FACILITIES** - Claire went through the minutes from the last meeting to get a sense of what the PC wanted with building size. She said it was divided between no restrictions and a lot of restrictions. The PC looked at photos of area businesses and square footage for comparisons. Claire also read from the Town of Waltham, Middlebury, St. George and Shelburne's Zoning Regulations on the difference in square footage for Commercial and Retail.
- **NEW HAVEN'S REVIEW OF WALTHAM'S PROPOSED HC DESIGN STANDARDS (OCT 10TH MEETING) -**

Building Envelope and Building Placement: Claire explained you can have mini performance standards along with agricultural land; HC can be surrounded by farmlands. She asked the PC to think about connectivity, think about what you are protecting – which is the working landscape aesthetic.

Page 8. Discussed having more than one building on a lot. You could have one building with multiple uses in it. Performance standards are minimum standards.

Page 9. Roof line – Several thought this was too specific.

Page 11. Parking and Driveways – 6.1 many thought this was a lot to ask for. Dave Wetmore read from our current zoning regs on parking restrictions, he added the DRB feels the current parking language in the regulations is unreasonable. Discussed listing parking and driveways elsewhere in the regulations.

- At the December 12, 2012 meeting, Claire will review all the comments from tonight's meeting and will prepare information for the PC to look at signage and lights.
2. Jim Walsh – VT Gas Pipeline – Filing with the Public Service Board in Mid - December. He would like to write a letter to the PSB about the pipeline running through New Haven concerning this is a non-conforming use, etc. The PC members agreed to have Jim write the letter.

REGULAR BUSINESS:

1. Francie Caccavo made a motion to approve the minutes from October 10, 2012, seconded by Jim Walsh. 6 yes / 0 no

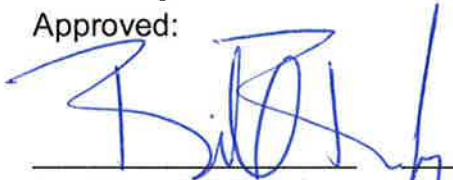
OTHER BUSINESS:

Adjourn: 9:45 pm

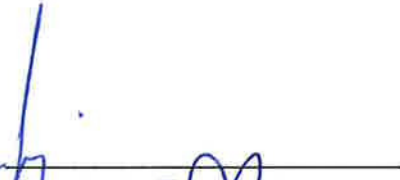
Respectfully submitted:

Pam Kingman

Approved:



Co-Chair, Bill Brooks




Co-Chair, Francie Caccavo



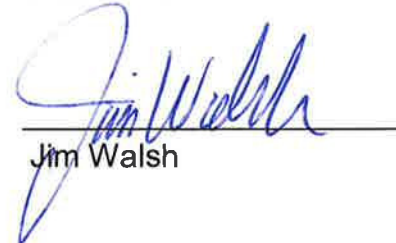
Rod Case



Angie Dunbar



Pat Palmer



Jim Walsh

11/13/2012

ACRPC_CT

Discussion Paper for Nov 14th New Haven PC Meeting/HC District

1. ACRPC comments on existing Section 1005 in New Haven Regs. (comments in red):

HIGHWAY COMMERCIAL DISTRICT (HC)

Section 1005: HIGHWAY COMMERCIAL DISTRICT (HC)

A. Objectives and Guidelines

This district is primarily to provide an area to serve highway-oriented businesses and highway uses.

This section needs to have a purpose statement that better describes your vision for this area – what kind of development you want and why, and what kind of characteristics you want to preserve. Currently, most anything could come in under this objective.

B. Permitted Uses

By Right Uses:

1. Club *This needs a definition attached to it, and why is it a 'by right' use. Seems as though*
2. Bank
3. Office
4. Recreation, indoor
5. Recreation, private outdoor
6. Recreation, public outdoor
7. Motel
8. **Retail store** **This needs to have a definition attached to it. If big box is your fear, then consider putting this as a conditional use. Or one type/size of retail in 'by right', and different type/sizes in conditional...**
9. Warehouse
10. Personal service
11. Farming, Farm Structures and Forest uses in compliance with AAP's (Accepted Agricultural Practices)
12. **Restaurant** **This also should have a definition – i.e. drive through/franchise?**
13. Accessory Dwelling Unit

Conditional Uses:

1. Gasoline and motor vehicle service station
2. Veterinary clinic
3. Motor vehicle sales and service facility
4. Mobile home, trailer, farm implement and contractor's equipment sales and service
5. **Freight and trucking terminals** **Do you really want this one here? Is there a need for this service in New Haven? It puts your scenic resources/rural character at risk and may create traffic pattern issues.**
6. One-family dwelling

7. Two-family dwelling
8. Commuter parking lot
9. Other highway commercial uses upon the finding by the Zoning Board of Adjustment that such use is of the same general character as those permitted and which will not be detrimental to the other uses within the district or to the adjoining uses.
10. Public Use exceptions as governed by section 518 of these regulations
11. Residential care or group home serving fewer than 8 persons and not within 1000ft of another such Home.
12. Family Child Care facility serving fewer than 6 full time and 4 part time children

C. District Regulations

The permitted uses and uses permitted after issuance of a Conditional Use Permit in the HC District shall be subject to the specific standards set forth in Section 1005-A. The general standards designated in Section 431 of these regulations shall act as general standards and shall be required for any proposed conditional use under this section. The provisions set forth in all prior articles of these regulations shall apply to this district when applicable. Site plan approval as described in Sections 350, 351 and 352 of these regulations shall be required for all uses in the HC District, except for one-family and two-family dwellings.

Section 1005-A: SPECIFIC STANDARDS FOR HC DISTRICT

Lot area minimum One acre

Minimum for each dwelling unit One acre

Lot frontage minimum 200 feet

Lot depth minimum 200 feet

Front yard setback minimum 75 feet

Rear yard minimum 30 feet

Side yard minimum 20 feet each side

Covered maximum 25 percent

All non-residential conditional uses proposed on lots adjacent to residential districts shall have a minimum 200 foot setback from residential districts.

Building size and height? See next page for more discussion on this.

District/Design Standards to be added, as discussed.

2. BUILDING SIZE DISCUSSION

In response to your thoughts on building size caps, below are examples of building sizes and regulations that some other towns use. In regards to building size limitations, some towns use them and others do not. Both big and small buildings can both look good and bad depending on many other factors, so size regulations must go hand in hand with district/design/performance standards.

Here are some examples of building sizes:

- Typical Dollar Store=10,000sf
- Typical Grocery Store= 30-40,000sf

- New Haven Mobile Station (near Middlebury) on Route 7 = approx. 6,500 s.f.



- Dakin Farm/Barn building on Route 7 = approx. 8,500 s.f



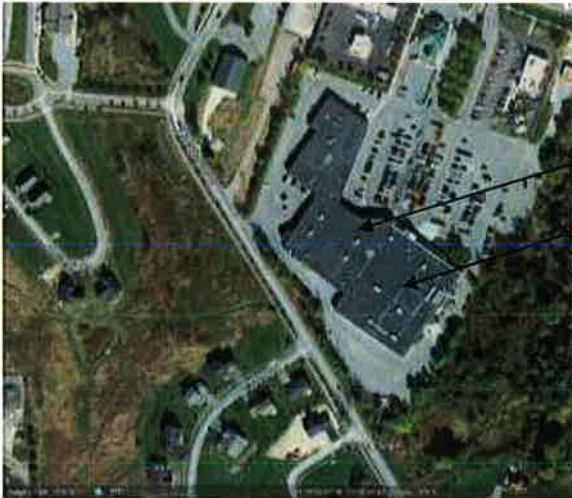
- Sears in Middlebury = approx. 14,000 s.f



- Rite Aid on Route 7 in Middlebury = approx. 15,000 s.f



- TJ MAXX, Route 7 Middlebury = approx. 24,000 s.f
- Hannafords in Middlebury = approx. 50,000 s.f



TJ Maxx 24,000
Hannafords 50,000

New offices, Shelburne Rt.7 = approx. 50,000 s.f/massing broken up by design



BUILDING SIZE and HEIGHT RESTRICTIONS – EXAMPLES FROM SURROUNDING TOWNS/HIGHWAY COMMERCIAL

Waltham: proposed/draft verbage:

Building size maximum: Maximum footprint for any building in the Highway Commercial district shall be 15,000sq.ft, with a maximum building height of 35 feet. The footprint of all buildings on a lot shall be equal to or less than 50,000sq ~~feet~~, or 20% maximum impervious coverage, whichever is less.

Number of allowable buildings per lot: Lots containing more than one building shall be developed as a PUD and comply with section 450. Buildings, infrastructure, and parking shall be designed in accordance with the HC Design Standards in section 240 and seek to maximize surrounding open space and natural features. More than one non-residential use may be located on a lot. A landscaped buffer area of 25 feet shall be required where the non-residential uses adjoin residential districts.

Also will have specific design standards, as you have reviewed.

Middlebury:

Section 698 – Limitation on Retail Facilities

Notwithstanding any other provision of these regulations, no application for land development in any Zoning District which would result in a single retail store/business with a gross floor area in excess of 50,000 square feet shall be considered or permitted by the Town of Middlebury

Brandon

(d) Maximum Building Height in High-Density Multi-Use Districts: 36 feet. (See Section 325 for height exemptions.)

(e) Maximum Impervious Lot Coverage by Building and Paving in High-Density Multi-Use Districts:

40%

Shelburne/notes from their Town Planner

Shelburne retained the setback formula approach until just a few years ago, when it adopted an individual building footprint maximum as well as significantly reduced the applicable front yard setback requirements.

The initial proposal for building footprint-20,000 square feet-was developed by the Planning Commission working in conjunction with a consultant (Mike Munson). By the time the proposal got through the Selectboard, the footprint ended up at 30,000 square feet. In some unusual circumstances, the 30,000 square ~~feet~~ limit can be boosted higher (but never exceeding 30% of the

total footprint of all existing buildings on a site/within a PUD).

St. George/business park overlay language:

The size and footprint of the individual buildings may vary depending on use of the building and characteristics of the lot. However, the building materials, textures and colors should be coordinated throughout the park. Use of non-reflective materials and subtle, earth-tone colors is encouraged. Color, texture and architectural elements should be used to emphasize entrances and break the monotony, scale and massing of large buildings, particularly on building facades. Use of energy efficient materials and design is encouraged.

Other associated regulations/middlebury:

Section 640 - Special Regulations - Land Adjacent to U.S. Route 7

The following regulations shall apply to land development in the PHD and other lands along U.S. Route 7, north of the intersection with High Street or south of Creek Road: { XE "Protected Highway District (PHD):special regulations for the" }

- I. A person shall not change or increase the use of any land or commence any land development, other than a driveway entrance, sign, landscaping, or utility lines, within 125 feet from the centerline of the traveled portion of U.S. Rt. 7 or within 75 feet from the right-of-way (whichever is the greater setback). On a parcel owned or controlled by a person on the effective date hereof (May 23, 1980) and having a lot depth of less than 200 feet, this setback shall be reduced to 40 percent of lot depth, but in no case less than 50 feet from the edge of the right-of-way.
- II. Any roadway or above-ground utility within 125 feet from the centerline of the traveled portion of U.S. Route 7 shall be constructed at approximately right angles to the centerline.
- III. The outdoor storage or display of raw materials or inventory shall be located to the rear of the buildings or otherwise appropriately screened from public highway view and the view of persons in residential districts. Outside retail display of items customarily used and kept out of doors (eg: lawn and garden items) may be permitted by the DRB in designated areas off of the highway right of way.
- IV. The display of motor vehicles or equipment for sale or rent shall be prohibited within 75 feet from the centerline of the traveled portion of the public highway. Not more than 5 vehicles or pieces of equipment may be displayed in the area between the front line of the principal building and the aforementioned 75 feet setback line, and these units must be located within 10 feet of each other.
- V. The following uses shall be located 150' or greater from the center line of US Route 7:
 - A. motor vehicle sales and service
 - B. industrial uses
 - C. retail stores/services that involve buildings over 15,000 sq. ft. footprint
 - D. parking lots with more than 15 spaces
 - E. outside storage yards (including screened areas per III above)

Section 650 - Preservation of Farmland, Wildlife Habitat, and Scenic Views in ARR and PHD

{ XE " Agricultural Rural Residential Zone (ARR):preservation of farmland and scenic views in the" } { XE "Protected Highway District (PHD):preservation of farmland and scenic views in the" } { XE "Scenic Views:preservation of" } { XE "Farmland:preservation of" } The purpose of this section is to prevent harm to the scenic and agricultural land resources in Middlebury.

- I. The subdivision of lots and the siting of non-agricultural buildings in the ARR and PHD zones shall be subject to the following, while preserving the rights of the property owner to create the number of building sites allowable within the zone with adequate sewage disposal:
 - A. lots shall be located and sized so as to preserve farm lands and wildlife habitat to the maximum extent possible; and
 - B. buildings and other structures shall not generally be sited in the middle of open fields. Buildings and structures shall be located so as to preserve agricultural utilization, wildlife habitat, and scenic views and minimize the loss of open space to the extent possible.
- II. This section shall be implemented by the Administrative Officer for individual zoning permit applications, or by the DRB in the case of subdivisions or Planned Unit Developments.
- III. The DRB may allow a density bonus{ XE "Density:bonus" } of an additional lot or building site, to compensate, only in unusual cases where the application of the above standards would create unreasonable additional costs upon the property owner.

Also see [design and district standards in St. George regulations](#).

3. New Haven's Review of Waltham's proposed HC Design Standards(OCT 10th meeting)

See areas highlighted in yellow for discussion focus, based on your concerns/interests

1. BUILDING ENVELOPE and BUILDING PLACEMENT

1.1 Buildings and other structures shall not generally be sited in the middle of open fields. Buildings and structures shall be located so as to preserve agricultural utilization, wildlife habitat, and scenic views and minimize the loss of open space and forests to the extent possible. When feasible, building envelopes shall be located along the edge of existing natural or built features, or restricted by property lines and setback requirements.

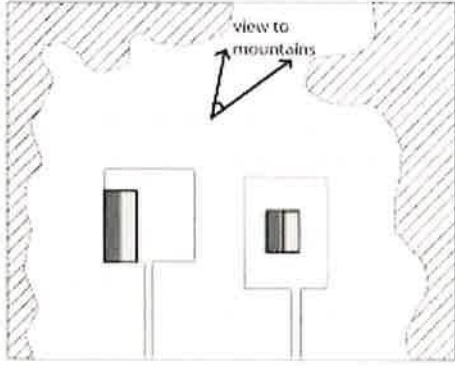


Fig. 2a. NO. Building placement diminishes open space and blocks view.

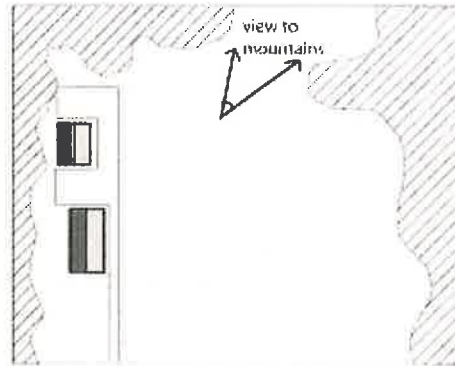


Fig. 2b. YES. Building placement conserves open space, shares driveway and maintains view.

- 1.2 Multiple buildings or structures on the same lot should be clustered together in order to conserve views and open space and mimic historical character of clustered village housing or farm buildings.
- 1.3 Whenever possible, buildings shall be located such that the roofline is below the skyline when viewed from Route 7 or neighboring properties, so as to fit within the contours and scale of the existing landscape.

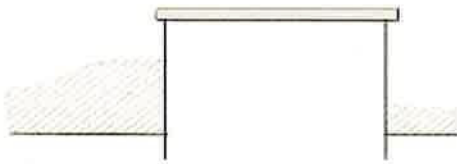


Fig. 3a. NO. Existing landscape contours have been leveled and building sits high above the skyline, bringing more attention to the building than to the scenic, rural context.



Fig. 3b. YES. Building is placed within existing contours and roofline is below skyline to minimize visual impact of building mass.

- 1.4 Loading docks and other utilitarian elements of a building shall be placed at the rear of a building and screened from surrounding roads.
- 1.5 The main building entrance should be identifiable from the main point of vehicular and pedestrian entry.
- 1.6 A minimum of a 50 foot wide landscaped area must be maintained immediately from edge of public right-of-way. Landscaped areas may include grass berms, grassy swales, trees, and/or clusters of herbaceous plantings.

2. BUILDING DESIGN and MASSING

- 2.1 Buildings shall reflect the vernacular design of Vermont’s historic, rural architecture such as seen in Addison County farm houses and barns, including such features as gable roofs, dormers, porches, ells, barns and sheds.
- 2.2 Front and entry areas of a building are articulated with design features that reduce the mass and scale of the building.

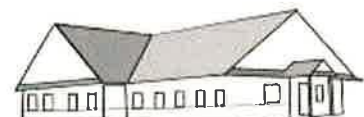
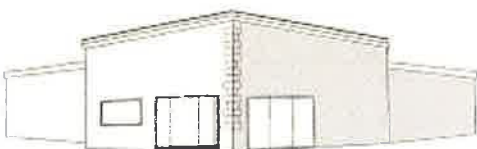


Fig. 4a. NO. Building design that does not include details to scale down entrances, roofs or wall size, and does not reflect Vermont's historic, rural architecture does little to complement a scenic rural landscape.

Fig.4b YES. Building design that reduces the scale of a building and mimics Vermont historic, rural building characteristics can complement a scenic, rural landscape.

2.3 Utility buildings, structures or utility doors shall be at the rear of the building.



Fig. 5a. NO. Locating utility areas directly toward a right-of-way can create an unattractive edge to a scenic highway, and does not provide an understandable entrance for customers/clients.



Fig. 5b. YES. Back of building dedicated to utility needs and front of building provides a friendly face to the public right-of-way.

3. ROOF LINE

3.1 Sloped roof structures shall maintain a pitch of 6:12 or greater with the exception of dormers, entry canopies or other similar elements.

3.2 Sloped roof overhangs shall be between 6"-18" deep.

3.3 Flat roof buildings shall incorporate architectural details that reduce the mass and scale of the building, reflecting the vernacular design of Vermont's historic, rural architecture. See 2.1

4. BUILDING MATERIALS.

4.1 Cladding shall be natural materials or mimic traditional Vermont materials such as wood, stone, solid-color brick and/or metal. Any manufactured or engineered materials that mimic natural materials must be of similar durability than the natural alternative.

4.2 Materials should not create excessive glare to drivers.

5. LANDSCAPING and SCREENING

5.1 Landscaping, screening and vegetated buffers are required and will be proportional to the size, scale

and use of the associated structure(s) and used to mitigate visual impacts.

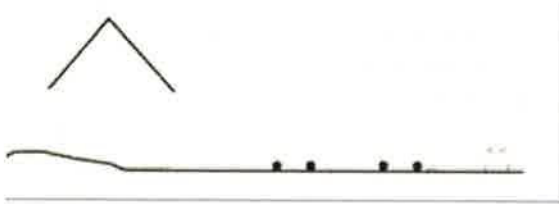


Fig. 6a NO. No vegetated buffer between the road and the parking lot creates a large, unattractive expanse of impervious surface, and little distinction between moving cars and parked cars.

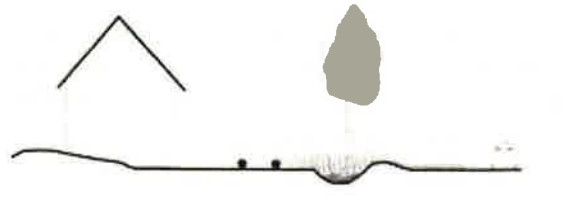


Fig. 6b YES. A landscaped buffer provides an attractive edge to a rural, scenic highway, a safety buffer between parked and moving cars, and can provide a place to infiltrate storm water.

5.2 A minimum of a 50 foot wide landscaped area must be maintained immediately from edge of any public right-of-way along the frontage of an entire property. Landscaped areas may include grass berms, grassy swales, trees, and/or clusters of herbaceous plantings.

5.3 Retain existing vegetation and significant landscape features such as forest patches, hedgerows, streams, and rock outcrops.

5.4 When planting new vegetation, imitate existing vegetation growth patterns (such hedgerows and clusters of trees) found in the landscape.

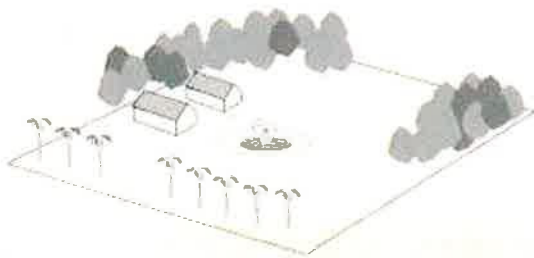


Fig. 5a. NO. Landscape treatment has removed existing natural features and added features out of context to the pastoral, rural character of the area.



Fig. 5b. YES. Landscape treatment has maintained existing vegetation and natural features, and and/or imitated natural features found in the landscape.

5.5 Fencing materials should match associated building materials. See Section 4, building materials.

Chain link fence in visible locations shall be avoided.

5.6 Where any non-residential district abuts any residential district, a strip of land at least twenty-five feet in width shall be maintained as a landscaped area in the front, side, or rear yards, which abut the residential district.

5.7 The outdoor storage of trash shall be screened or hidden from public view and the view of persons in residential districts. In commercial districts such storage shall be screened and located to the rear of the buildings.

NOTE to PC: 5.6 and 5. 7 are taken directly from existing regulations: Section 440 #1 and 2 and should be removed from this section.

6. PARKING and DRIVEWAYS

- 6.1 Parking lots with more than 10 spaces shall include vegetated islands and edges to minimize the impacts of storm water run-off.
- 6.2 Impervious surfaces should be minimized and total amount of parking shall be limited to the minimum necessary to accommodate the planned use of the associated building.
- 6.3 Parking lots shall include designated walk ways connecting directly to the main entrance of the building.
- 6.4 No more than 15% of employee and customer parking for any one building, or no more than 5 parking spaces (whichever is less) should be placed adjacent to any right-of-way. All other parking shall be at the rear and/or side-rear of a building.
- 6.5 Curb cuts and land disturbance for roads and driveways shall be minimized.

7 . SIGNAGE

- 7.1 Wall signs shall not be placed over architectural details of a building/structure, such as windows, eaves, cornices or trim.

See also *ARTICLE VII: SIGNS*



Fig. 6a. NO. Signage out of scale to building and covering unique architectural details.



Fig. 6b. YES. Signage in scale to the building and complements architectural details of the building.

8. LIGHTING

See *ARTICLE VIII: PERFORMANCE STANDARDS Section 820*

9. BUILDING CANOPIES AND DRIVE-THRU FACILITIES

9.1 Any canopies and/or drive-thru facilities shall be part of the architecture of the associated building and consistent with the building materials, scale and massing.

9.2 Canopies shall not be internally illuminated or include signage on the canopy.

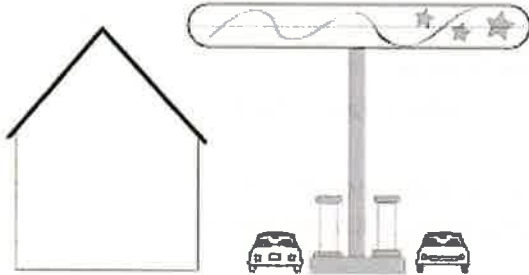


Fig. 6a. NO. Stand-alone gas station canopies can be out of scale with associated buildings, do not attempt to fit within the contours of the landscape, and can diminish the unique character of a place.

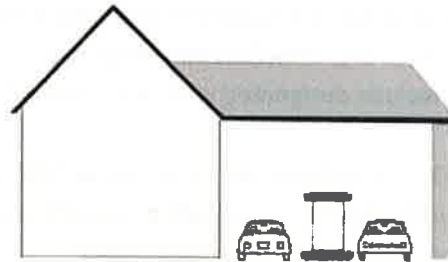


Fig. 6b. YES. Gas station canopies built as part of the architectural design and scale of a building can lessen the visual impact to a scenic, rural landscape.

10. VEHICLES AND EQUIPMENT SALES

10.1 The display of motor vehicles or equipment for sale or rent shall be prohibited within 50 feet from edge of any public right-of-way. See also landscaping requirements 5.1.

10.2 The majority of all rolling stock inventory shall be stored and/or displayed inside, in the rear or on the side of the associated building that is *not* facing a public right-of-way.

10.3 Equipment or motor vehicle display areas along the frontage of a public road should have (1) a 20x20 ft. minimum tree planting area at each end; and (2) a 20x20 ft. minimum tree planting area at intervals of between 60 and 120 feet if the display area exceeds 120 feet in frontage length.