

Fair Haven Planning Commission

Town of Fair Haven

February 2, 2022

Commissioners Present: David Eighmey - Chair, Deborah Laiacona - clerk, Cindy Pritchard, Patrick Frazier, Linda Sienkiewicz

Commissioners Absent: Robert Richards - Vice Chair

Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - minute-taker, Cynthia Hollister, Charles Greeno.

1. **Call to Order:** 7:04 pm by David Eighmey

2. **New Business:**

Cynthia Hollister - Application #A2022-004 for approval of a realty Business Office use in a portion of the first-floor building area and commercial signs. Property owner: Kevin Durkee. Location: 31 B Main Street. Tax Map #24-51-61.

Mrs. Hollister has been running NYVT Realty since 2009. She employs only herself and a part-time contract realtor from Middletown. Mrs. Hollister was looking for an office space that she can use to not be located in her home. She is aware that employees must utilize the free parking spaces in the town of Fair Haven.

Mr. Frazier asked about the signage. Mrs. Hollister stated that she will be inserting signage on her windows. A small sign with her logo in the middle lower window pain and and a larger sign with VTNY Realty on the larger window. None of the signage will be lighted. She is planning to hang icicle lights on the window to highlight her logo and properties for sale. These lights will be on a timer.

The PC decided that because the space had been used for retail sales before and that there was no major construction going on or change of use that the application could be exempted from a site plan review under section 502. Ms. Pritchard **motioned to accept** the application as written. Mrs. Laiacona seconded the motion. All were in favor and the motion passed.

Charles Greeno - Application # A2022 - 003 for approval of a new retail sales use, the sale of fireworks, with the installation of: two metal containers, a roofed area, a parking area and commercial signs. Property owner: Peter Partch. Location: 1211 Prospect Street. Tax Map number 07-01-43.

Mrs. Pritchard asked exactly where the lot is located. Mr. Greeno stated directly across from Exit 1 RV - near the log cabin home and in front of a building with a three bay garage. He will be installing 2 large metal containers; one for storage and one for display and sales. They put Royal Glass locks on the containers for safety. He stated they were in Rutland for 7 years and Pitsford for 4 years and they haven't had any security issues all that time. The PC asked about security cameras. Mr. Greeno stated they do not use cameras because they won't have any electricity in the containers. If there is no electricity it is better for the absence of fire. He stated that they would like to invest in the property in the future with a permanent building or structure but until that happens there will be no electricity or cameras.

Mr. Greeno stated his signage will be a 3' x 10' sign that is located on one of the containers. It will rise above the top of the container. He will also have 6 feather flags that will be put out when they are open for business and taken down at night. He wants people to easily understand when they are open and when they aren't

Mr. Eighmey asked why they are leaving Rutland. Mr. Greeno stated that when Josh Terranzini was on the Select Board they were welcomed in Rutland. After he left there was a change in heart and the Rutland Town Select Board didn't want them there any longer.

They carry a \$2 million liability insurance plan with the town of Fair Haven and the landowner as writers on the plan. They aren't regulated by ATF. They do follow state regulations very closely. The steel containers that they utilize for storage and sales need to be heated to 450°F for over 30 seconds for the fireworks to ignite but the containers are strong enough that even if that did happen they would contain the fireworks within.

Mr. Greeno would like to be open by May 1st. The location is commercially zoned. The property owner Mr. Partch owns the lots that hold the nearest residences. There is a property buffer between the Firework Sales lots and the residences. Mr. Greeno stated that he and his father had already been to 6 select board meetings and if people had issues with their business they have had the opportunity to come and let their grievances be known.

The fireworks will be sold to VT residents who already have a permit from their town of residence and to anyone out of state. The parking will be to the right of the driveway. There is plenty of room for customers to park and turn around as needed. Regulations indicate that 4 spaces need to be created plus a space for employees to park. Mr. Greeno states that that is already available.

Mr. Eighmey asked about permanent structures. Mr. Greeno stated none yet, but that is how State Fire Marshals like fireworks sales locations. He has not consulted with the Fair Haven Fire Department yet about his location and business, but they have been invited to select board meetings when the Greenos have been present.

Ms. Pritchard **motioned that the application be exempt** from a site plan review under section 502. Mrs. Sienkiewicz seconded the motion. All were in favor and the motion passed.

Ms. Laiacona **motioned to accept the application** as written. Mrs. Pritchard seconded the motion. All were in favor and the motion passed. Mr. Greeno thanked the Planning Commission and left.

3. Review of Minutes of Previous Meeting:

Approval of Minutes:

Regular Meeting of January 19, 2022

ZA Adams suggested that on page 1 section 4b the word "Zoning" be added for clarification before "board of adjustment".

Ms. Pritchard **motioned** to approve the minutes of January 19, 2022 with the addition. Mrs. Sienkiewicz seconded the motion. All in favor and the motion carried.

4. Other Business:

a. Review of mail -

An email from Patrick Griffin, P.E. Project Manager shared Schedule G for the Act 250 Permit Application 1R0394 for SV Allen. A notice of Initial Application Filing with the State of Vermont to merge three lots into two lots. No changes to buildings, water, sewer, uses, or other site elements are proposed.

b. Zoning Regulation Update - Thirty minutes

Mrs. Lailaona let the PC know that she had finished all the updates that had been given to her. She did state that because of the conversion from PDF file to Word Doc as she made changes, the format of the document had many changes that are proving to be difficult to fix. Maybe this is something the RRPC can help fix.

ZA Adams let the PC know that the Town did not receive a grant from RRPC and that Ed Bove had resigned from his position with the RRPC. Mr Adams isn't certain what help they provide will be given for free and what help needs payment.

Mr Frazier asked ZA Adams his opinion on issues that had been discussed by previous boards but not voted on, what should this PC do? ZA Adams said it is their job to fix those issues as needed.

Ms. Pritchard suggested because of the hour that the PC table more regulation updates until the next meeting. The PC was in agreement.

c. Public Comment: None

5. **Adjournment: Meeting Adjourned:** Ms. Pritchard **motioned** to adjourn at 8:40 pm. Mr. Frazier seconded the motion. All agreed and the motion carried.

**** Next Scheduled Regular Meeting is on February 16, 2022****

Respectfully Submitted,
Jennifer Jackson, Minute-taker
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