

**Fair Haven Planning Commission**

Town of Fair Haven

March 2, 2022

**Commissioners Present:** David Eighmey - Chair, Robert Richards - Vice Chair, Deborah Laiacona - clerk, Linda Sienkiewicz

**Commissioners Absent:** Patrick Frazier, Cindy Pritchard

**Others Present:** Phil Adams - Zoning Administrator, Jennifer Jackson - minute-taker

1. **Call to Order:** 7:08 pm by David Eighmey

2. **New Business:**

None

3. **Review of Minutes of Previous Meeting:**

**Approval of Minutes:**

**Regular Meeting of February 16, 2022**

Mr. Richards **motioned** to approve the minutes of February 16, 2022. Mrs. Sienkiewicz seconded the motion. All were in favor and the motion carried.

4. **Other Business:**

a. **Review of mail - None**

b. **Zoning Regulation Update - Thirty minutes**

The Planning Commission began working on the updates suggested by Ed Bove from the Rutland Regional Planning Commission. (The list of suggested edits can be found at the end of the document.) The commission wants to invite Mr. Bove back to a meeting to help clarify some of his suggestions. First a document of questions relating to the suggested updates will need to be created. The majority of the meeting was a working session focusing on discussion of the suggestions and where clarification was needed from Ed Bove and Rutland Regional Planning Commission.

**Questions for Ed Bove:**

1. Should the Planning Commission in their Zoning Bylaws simply reference a State Law if they choose to only follow the State Law or should they paraphrase/restate the law in writing?
2. Exactly what parts of the bylaws can be kept and what needs to be removed?
3. What part of Fair Haven Zoning Section 403 needs to be changed to comply?

4. With Group Homes - how much closer can they be? Is the sentence the only thing that needs to be removed?
5. Add 2021 statutory language regarding work in the State Right of Way - ask Mr. Bove to clarify the meaning.
6. Under Dimensional Requirements - Is there an example from another town more similar to Fair Haven on how to loosen requirements.
7. Explain the meaning again for Farmstand modifications.

ZA Adams suggested to the PC that they look into fencing because of a court issue that arose due to the facing of the finished side of the fence and there might need to be some clarification.

**c. Public Comment: None**

5. **Adjournment: Meeting Adjourned:** Mr. Richards motioned to adjourn at 8:44 pm. Mrs. Laiacona seconded the motion. All agreed and the motion carried.

**\*\* Next Scheduled Regular Meeting is on March 16, 2022\*\***

Respectfully Submitted,  
Jennifer Jackson, Minute-taker  
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RUTLAND REGIONAL PLANNING COMMISSION

*Together, We Grow Strong Communities*

### Fair Haven Zoning Review - July 22, 2021

Section 105 – Term Definition - Update to match statute: **Accessory Apartment** (Accessory Dwelling Unit), **Accepted Agricultural Practices** (Required Agricultural Practices), **Farm Structure**, **Home Occupation**, **Residential Care Home/Group Home**.

Section 400 – Conditional Uses - Add statutory language regarding multi-family development (24 VSA 4414 - cannot deny based on character of area).

Section 807 & 1206 – Certificate of Compliance - Consider replacing with Certificate of Occupancy to avoid confusion with Certificate of Compliance used for real estate transactions.

Section 910 – Keeping of Animals - Replace Accepted Agricultural Practices with Required Agricultural Practices.

Section 919 – Residential Care/Group Home - Update with 2018 statutory changes (24VSA 4412).

Section 1501 – Violations and Enforcement - Consider adding enforcement route allowing a municipal ticketing option (24VSA 1974).

Other - Add 2021 statutory language regarding work in the state highway right-of-way 'Section 1111' Access permits and regulatory exemptions for on-farm food residuals (prohibits a farm from initiating the production of compost within a village center unless the municipality has expressly allowed in zoning (24VSA 76).

Other - Modify Dimensional Requirements (page 17) to allow more flexibility with residential and commercial development.

Other - Modify Parking and Loading Requirements (page 28-29) to allow more flexibility with residential and commercial development.

Other - Consider adding Accessory On-Farm Business Protections and Limitations language (24 VSA 4412).

Other - Update Appendix B – Flood Hazard Area Regulations with new ANR model language (optional).

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