

Fair Haven Planning Commission

Town of Fair Haven

March 16, 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:** 7:09 pm by David Eighmey

2. **New Business:**

a. **Kori Mitchell** - Application #A2022-009 for approval of the Retail Sales/Services use of Massage Therapy, and commercial sign, in the location previously used as a hair salon. Property owner: Ned's Downtown LLC, David Calvi and Anne Marie Marhar Et Al, Trust. Location " 67 Main Street. Tax Map number: 24-51-32-1.

Ms. Mitchell is absent from the meeting as she has clients. ZA Adams reports that her application is missing from his files, although he and the applicant went over the application on Monday and is asking the board if he can present the application verbally. The Planning Commission was ok with a verbal presentation by the zoning administrator.

The application is to fill a vacated location from February Applicant Krista Hall. Ms. Mitchell (ZA Adams was uncertain of the spelling of her name because of the misplaced application) will keep the space the same, open, and will be putting a small sign above the door on the outside. The business will be for massage therapy by appointment. The new application in ZA Adams opinion is "same as, same as" - retail services with small sales associated with the massage business. There will be no change to the interior of the space. ZA Adams let the applicant know the parking requirements of staff and owners parking in free parking spaces downtown. The applicant was in agreement.

Mr. Eighmey asked the PC their thoughts on whether the application was a Minor change or a Major change. Mr. Richards **motioned that the application be considered as a minor change with no need for a site plan review.** Ms Sienkiewicz seconded the motion. All were in favor and the motion carried. Mr. Eighmey entertained a motion on the application. Mr. Richards **motioned to approve the application as written and allow Chairman Eighmey to sign for the board.** Ms. Laiacona seconded the motion. All were in favor and the motion carried.

b. **Annual Planning Commission organizational election of Chairman, Vice Chairman, and Clerk**

Ms. Laiacona asked if Mr. Richards was an ex officio member of the board now due to his Selectboard election. Mr. Richards stated that he had checked with the town clerk and VLCT to see how to proceed with two positions in town. He was told he can act as any other member on the Planning Commission. It was then asked if the PC

wanted to wait until everyone was present to vote. It was decided since there is a quorum present to continue with the elections.

Mr. Eighmey asked the board how they would like to proceed; vote on each position or vote on the lot at one time. Currently Mr. Eighmey is Chairman, Mr. Richards is Vice Chairman, and Ms. Laiacona is Clerk. The board decided to vote as a lot. Mr. Richards **motioned to keep officers as they are.** Ms. Sienkiewicz seconded the motion. All were in favor and the motion passed.

3. Review of Minutes of Previous Meeting:

Approval of Minutes:

Regular Meeting of March 2, 2022

Mr. Richards pointed out on the list of questions for RRPC and Mr. Bove that question 2 was very vague and may lead to confusion. It was asked to include "concerning section 403b" to clarify what parts of the bylaws were needing to be kept and removed.

Mr. Richards **motioned to approve the minutes of March 2, 2022 with corrections.** Mrs. Liacona seconded the motion. All were in favor and the motion carried.

4. Other Business:

a. Review of mail -

- i. Letter from Manager Gunter to ZA Adams letting the PC know that Loraine Brown had expressed interest in joining the PC. In the past the proposed appointment had been brought to the PC for approval before the Selectboard made a decision. The PC was in favor of a new addition as it brings the PC to an uneven number of members again. The consensus was in favor and were ok with ZA Adams starting the process of adding Loraine to the PC.
 1. ZA Adams stated that Mr. Frazier had let him know that his commission had expired and that he had sent either a letter or e-mail to the Manager Gunter expressing his interest to continue. Manager Gunter should bring it to the Selectboard.
 2. ZA Adams restated the procedure of those on an appointed board to continue their service they should; 1. Give indication that they want to continue on the board. 2. Then sent to the selectboard for approval or not.
 3. Mr Eighmey asked if ZA Adams knew of anyone else that needed to be reappointed. ZA Adams stated that he couldn't find letters of appointment and for term limits. He needs the Selectboard to be clear on the terms of appointment for the Planning Commission member. A letter should be sent to each member with the terms of their commission and any information they might need to serve and give ZA Adams a copy of the letter for his record files.

- ii. Letter from State of Vermont Public Utility Commission Notice of Solar Project for Evergreen Rd.

b. Zoning Regulation Update - Thirty minutes

Ms. Laiacona was ill this past week and didn't get to complete the needed work to share with the board. Mr. Richards stated that the PC seemed that they are at the point where they need to receive Rutland Regional Planning Commission with Mr. Bove's input and Ms. Laiacona's copies before they can continue. Ms. Laiacona stated she could have the copies ready by the April 6th Meeting and that maybe Mr. Bove should be invited to the April 20th meeting.

ZA Adams stated he would try and reach out to Mr. Bove, he had been unsuccessful in the past. ZA Adams stated he had given a copy of the July 21st and Aug. 18th minutes to the PC; both were sessions where Mr. Bove had given input. Mr. Richards told ZA Adams that if he had trouble reaching Mr. Bove to contact him and he would help reach out. ZA Adams stated he would try to schedule a visit for the 20th of April but if needed will schedule a special session of the Planning Commission to make room for a conversation with Mr. Bove.

ZA Adams told the PC that he had also sent out a copy of the Zoning Regulations from Poultney with the changes identified as an example.

Ms. Laiacona stated that with the change from PDF format to Word Document the copy of Fair Haven's Zoning Regulations has many formatting errors and she is unsure what should be done. Most likely the document needs to be re-typed to fix all the errors of formatting. The information is correct. The formatting is incorrect. Mr. Richards stated maybe that is something RRPC can assist with. ZA Adams will ask along with inviting Mr. Bove to a meeting.

c. Public Comment: None

5. **Adjournment: Meeting Adjourned:** Mr. Richards motioned to adjourn at 7:51 pm. Mrs. Sienkiewicz seconded the motion. All agreed and the motion carried.

**** Next Scheduled Regular Meeting is on April 6, 2022****

Respectfully Submitted,
Jennifer Jackson, Minute-taker
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