

Fair Haven Planning Commission

Town of Fair Haven

July 20, 2022

Regular Meeting

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

Commissioners Absent: Lorraine Brown

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

Agenda:

1. Call to Order:

- a. Mr. Eighmey called the meeting to order at 7:04 pm.

2. New Business:

Joseph and Caroline Laramie - Application #A2022-024 for approval of the Home Occupation of wine tasting and sales, using 100% of a shed with deck area. Location 375 Scotch Hill Road. Tax Map #07-01-15.

Mr. Laramie stated that the deck will be built straight up the driveway and off to the right. The deck will be 18ft and look out over the hill. He describes the view as the "best view in town." Mrs. Sienkiewicz asked what people will do at the location. Mr. Laramie stated that people will taste the wine that they produce and if they want they can purchase a bottle. They have obtained a Federal license and have spoken with Waste Water people and they do not need a wastewater permit because they will not be serving food other than the required charcuterie available with alcohol. He stated that he has been growing grapes for the past 12 years. They have not incurred any expense with the grapes; but this change will cause some debt so he is being cautious with what happens.

Mrs. Pritchard asked what the hours of operation will be. Mr. Laramie stated that they will be open Thursday through Sunday from Memorial Day until the October holiday. He has no desire to be open through the winter; his goal is to break even on the deal. They usually pick the grapes in September and they do all the fermenting and processing at home.

Mr. Eighmey asked about parking. Mr. Laramie stated that people can park on the side of the driveway. They don't want to schedule appointments, but they will be restricting customers. They aren't set on all the particulars with seating yet either.

Mrs Pritchard followed with asking about signs and the name of the business. Mr. Laramie stated that people call them Fall Mountain Vineyards, but that their official registered name is Fall Mountain Wines. He has held off on any large sign as they are hoping that word of mouth will share the vineyard as they are wanting. They do have a small sign currently that ZA Adams has seen. The vineyards were a hobby to start off, they are a lot of work but fun work.

Mr. Frazier asked if the vineyard has had any issues with the spongy moth. Mr. Laramie stated they haven't but in the first year of COVID the birds ate all their grapes. Mr. Frazier followed up by asking about lighting for the wine tasting business. Mr. Laramie stated that they don't plan on being open when lighting is needed. Their goal is just to have a different experience for people in our area. They are growing Riesling, Shiraz, and Merlot grapes currently. We have taken an alcohol course required by the state to be able to produce our wines.

Mrs. Laiacona asked which proposal he would like the Planning Commission to vote on. Mr. Laramie stated that the only difference is the size of the deck. The second proposal is for a slightly larger deck.

Mr. Eighmey called for any more questions. Then asked if the neighbors are aware of his plans. Mr. Laramie stated he thinks they are ok with the plan. Mrs. Pritchard reminded that once a permit is given the neighbors have a period of time they can contest the permit. She then asked if there would be any staff. Mr. Laramie stated that he and his wife would run the wine tasting portion. He isn't concerned about there being too many patrons.

ZA Adams told the PC that he asked Mr. Laramie to draw up two proposals because they weren't sure which they wanted when they applied. Mr. Richards stated he did not see any violation of Home Occupancy Rules. ZA Adams agreed there were no violations. His only question had to do with parking and what would be prepared for patrons. Mr. Laramie stated that he thinks there is enough room for 8-10 vehicles. He will create better turn-around access. ZA Adams asked that a representation be given for parking in the application materials including the maximum number of spaces they will have. Mr. Laramie reiterated that he doesn't think there will be many people. ZA Adams stated that the business isn't a restaurant so they do not have to follow those requirements. They don't fit any established parking requirement criteria so if they PC feels what the plan has will work then Mr. Laramie fits the parking requirements. Mr. Laramie stated that they have plenty of parking atleast where the farm equipment is parked.

Mrs. Laiacona **motioned to forgo a site plan review.** Mrs. Prichard seconded the motion. All were in favor and the motion passed.

Mr. Eighmey asked about the permit. Mr. Laramie stated that plan 1 falls within the family budget currently. Mrs. Laiacona asked if the PC can approve with conditions to do otherwise if Mr. Laramie wanted? ZA Adams stated yes. Mr. Richards **motioned to approve the application with the condition that Mr. Laramie may choose either/or choice of plan.** The motion was seconded by Mrs. Sienkiewicz, all were in favor and the motion passed. ZA Adams stated that he will issue the permit within the week because no one was at the meeting to object, but there is still a 15 day period before the permit is active.

ZA Adams asked if the board would like to make the condition that the applicant be responsible for all permits necessary. Mr. Frazier asked Mr. Laramie if he would consider expanding if the business was a hit. Mr. Frazier stated no, because it is a lot of work. Mr. Richards **motioned to amend his previous motion to add the condition that the applicant must obtain all necessary permits.** Mr. Frazier seconded the motion, all were in favor and the motion passed.

3. Review of Minutes of Previous Meeting:

a. Regular Meeting of July 6, 2022

Mrs. Jackson let the PC know that ZA Adams alerted her to a mistake on page 2 section 4 b iv. that the sentence should have read "Mr. Richards believes that the previous plan was well written and should *not* need much work.

Mrs. Laiacona noticed that on pg 2 c ii that Mrs. Pritchard's name was spelled incorrectly.

Mrs. Sienkiewicz made a **motion to approve the minutes of July 6th with the corrections discussed**. Seconded by Mrs. Pritchard. All were in favor and the motion passed.

4. Other Business:

a. Review of mail:

- i. Mr. Eighmey passed out copies of The Vermont Statutes Online Title 24 Chapter 117 Subchapter 001 Statute 4302. Purpose; goals and The Vermont Statutes Online Title 24 Chapter 117 Subchapter 005 Statute 4382. The plan for a municipality. These documents were sent from Ed Bove to help with the Town Plan Update. The sections to help with the update were highlighted for the PC to pull from when designing the plan.

b. Zoning Regulation Update - thirty minutes

- i. Mrs. Laiacona stated that Mr. Bove from Rutland Regional Planning Commission, is looking at the second meeting in September to attend and assist with the Zoning Regulation Update. He stated to her that The RRPC will update the formatting of the file once it is sent to them.
- ii. ZA Adams stated that Mr. Bove told him that he would come to the September 21st meeting, but that he was unable to get to the meeting until 7:30. The PC stated that was fine and they would still start the meeting at 7:00 to complete other business before meeting with Mr. Bove.

c. Public Comment:

- i. Mrs. Pritchard explained that she had tried to contact the lawyers in Burlington, but they would not return calls. So she did her own research online. She found "Rule 1: Licensing of Cannabis Establishments" created by the State of Vermont Cannabis Control Board. She passed out copies of the Rule to the PC. She also passed out "Guidance for Local Cannabis Commissions April 2022" Created by The Vermont State Cannabis Control Board. She explained that Planning Commissions and Selectboards from other towns were working together to create Cannabis Control Boards for their towns; Middlebury being one example. The handouts cover growing and retail sales of Cannabis. She stated once again that she felt it is very important for Fair Haven to have their regulations in place soon.

- ii. Mr. Richards stated that he believed that the town just needs to write specific enough rules that all can follow and the town should be covered. Mrs. Laiacona stated that Fair Haven needs to make sure that the town does not put anything in our bylaws that are contrary to the documents handed out by Mrs. Pritchard.
- iii. Mrs. Pritchard stated she will continue researching the matter and will report back to the PC as needed.
- iv. Mr. Richards reported back to the PC the discussion about the Food Trucks on town property and who is supposed to allow access of the businesses. The Selectboard believes that because they are not permanent it is ok for the SB to manage the trucks. The Planning Commission discussed the issue and how other citizens could interpret the lack of strong policy. Mrs. Laiacona stated that she believes it is important for the town to have a policy about the vending.

5. Adjournment:

- a. Mrs. Pritchard **motioned to adjourn the meeting at 8:17 pm.** The motion was seconded by Mr. Frazier, all were in favor and the motion passed.

**** Next Scheduled Regular Planning Commission Meeting is on August 3, 2022****

Respectfully Submitted,
Jennifer Jackson, Minute-taker