Fair Haven Planning Commission

Town of Fair Haven October 6, 2021

Commissioners Present: David Eighmey - Chair, Deborah Fallon - clerk, Cindy Pritchard,

Patrick Frazier

Commissioners Absent: Robert Richards

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

1. Call to Order: 7:13 pm by David Eighmey

2. New Business: None

3. Review of Minutes of Previous Meeting: Regular meeting of September 15, 2021 Special meeting of September 22, 2021

Regular meeting of September 15, 2021

ZA Adams stated that for a permit issuance he needs a larger completed site plan for McDonalds application which is agreed upon. Mr. Eighmey passed out the e-mail attachment copy that was shared with ZA Adams from McDonalds developers. ZA Adams said he had expected a site visit, discussion with developers, then a vote on exempting a requirement for a site plan review with public hearing, then the issue of approval.

He also had concerns about if the PC actually had reason to go into executive session or if they misspoke but actually went into deliberation during the meeting instead. He gave a copy of VT Statues for entering executive session and stated that he didn't believe the time spent in discussion of McDonalds application on September 15th didn't qualify based on the requirements. But that time spent in deliberation was an appropriate use of their time. Ms Fallon asked what the difference between an executive session and a deliberative session is. ZA Adams explained that the deliberative session was time for the PC to discuss what has been presented to them before they vote and approve a final plan. Executive session has to be voted on and agreed by 2/3rds vote to enter. It also has to be based on something state law allows you to enter an executive session for. Mr Eighmey entertained a motion to change the wording.

Ms Pritchard motioned to change the wording in the minutes from executive session to deliberative session. Mr. Frazier seconded the motion. All were in favor and the motion passed.

Ms. Pritchard made a motion to add to the condition of approval the wording "A final large, revised, dated, site plan with needed changes be submitted to ZA Adams to be kept on file with the application prior to the issuance of the permit." Mr. Frazier seconded the motion. All were in agreement and the motion passed.

Special meeting of September 22, 2021

Mr. Eighmey reviewed the meeting minutes with the PC and explained what happened to those that weren't present. ZA Adams suggested that Mr Eighmey be present at the Select Boards budget meeting to support their requests. He stated that he would also be there.

Mr. Frazier made a motion to accept the minutes as presented. Ms. Fallon seconded the motion. All were in favor and the motion to accept the minutes passed.

4. Other Business:

Review of final revised site plan for The McDonalds USA, LLC project.

ZA Adams is under the impression that the PC meant to exempt the McDonalds' application from a formal site plan review because they omitted the vote. They will also not need a separate written decision. The PC made the decision to approve the application as agreed upon with the developer within the regular meeting.

The PC and ZA Adams were having difficulty understanding the proposed updates to the plan from the small size of the submitted drawing. Part of the PC's approval is submitting a full site plan for the zoning administrator's file. ZA Adams was afraid something would be missed from the plan in permitting with the small sized blueprint he was given.

Review of mail

Mr. Gunter sent an e-mail with the revised Park and Ride plan for the south end of the Fair Haven Park. He wanted the Planning Commission to be aware of the Select Board's approval.

Zoning Regulation Update - Thirty minutes

Ms. Fallon made a motion to postpone zoning update until the next regularly scheduled meeting. Mr. Frazier seconded the motion. All were in favor and the motion passed.

Public Comment:

5. Adjournment: Meeting Adjourned: Mr. Frazier motioned to adjourn at 8:33 pm. Ms. Fallon seconded the motion. All agreed and the motion carried.

Respectfully Submitted, Jennifer Jackson, Minute-taker jennifer.jackson110882@gmail.com

^{**} Next Scheduled Regular Meeting is on October 20, 2021**