

Fair Haven Planning Commission

Town of Fair Haven

November 3, 2021

Commissioners Present: David Eighmey - Chair, Robert Richards - Vice Chair, Deborah (Fallon) Laiacona - clerk, Cindy Pritchard

Commissioners Absent: Patrick Frazier

Others Present: Zoning Administrator Phil Adams, Jennifer Jackson - minute-taker, Derik Kerber - representing Revive Church

1. **Call to Order:** 7:02 pm by David Eighmey

2. **New Business:**

Revive Church represented by Derik Kerber - Application #2021-057 for approval of a change in use from Commercial auto auction to a Place of Worship/Church. Property owner: Shawn Camara. Location: 799 South Main Street. Tax Map # 27-01-88

Mr. Eighmey summarized the application. They are wanting to buy and convert the old bowling alley/ YorkMont auto auction site into a Church.

Mr. Kerber stated that they didn't want to do anything major to the building, just to add interior walls to make classrooms.

Ms. Pritchard asked about the LED sign that is mentioned in the application. Mr. Kerber stated it would be like the Castleton Legion sign. They preferred that type of sign for its ease of use. The total sign would be 18"x48" and would have letters for events and the words "Revive Church" with their website above the LED signage. They will also be adding lights that point into the parking lot. Ms. Pritchard stated that there are residences next door and she wants to make sure the addition of lights respects the neighbors.

Ms. Pritchard then asked if the church really wanted to put up metal siding? Mr. Kerber stated that they want to update the exterior, not necessarily the siding. They want to modernize the outside and metal has a longer life than paint or other choices.

Mr. Richards asked if they were in the process of buying the building. Mr. Kerber stated that yes they were and that their closing is scheduled for December 10th.

ZA Adams stated that the existing lighting faces out to the parking lot and that Revive Church knows that they need to be careful of light impeding the residences. Mr. Kerber added that the lights would only be on when there is an event, most likely Sunday mornings and Wednesday evenings.

ZA Adams also stated that there is adequate parking. The rule is 1 space per 3 seats. The proposal is for adequate parking that is even wider than typical zoning. The plan is to also close the auction doors and they plan to do food vending, in the future they may want to add a full kitchen. Mr. Kerber stated he doesn't want a commercial kitchen, but there are a few parts from the bowling alley still remaining. Mr. Kerber said they would come back for permitting when/if the church wants to put in the kitchen.

ZA Adams stated that Revive Church has contacted the State - Life Safety department to make sure that everything is okay to use as a church. Mr. Kerber stated that Life Safety came in on Monday and that he had turned in paperwork to the fire marshal for their inspection.

Mr. Kerber summarized the history of the church. His church has about 150-200 people. They have been mobile for about 2 years and are really looking for a stable home.

Ms. Pritchard asked if they needed a site plan review. Mr. Eighmey read what is eligible to be exempt from site plan review criteria and asked the Planning Commission for their opinion.

Mr. Kerber stated that the Church has a 501c tax exemption. They carry commercial insurance, but are tax exempt.

ZA Adams made the PC aware that the Church is planning to take down the fence that is currently surrounding the property.

Mr. Richard stated that the church isn't looking to make major changes. Ms. Pritchard stated they are only changing the inside. She asked when services were. Mr. Kerber explained Sundays at 10 am and Wednesday nights for small groups. The Church isn't sure if they will be holding small groups at the building or in homes yet. Ms. Pritchard commented that traffic uptake shouldn't be too drastic to the town as a whole.

Mr. Eighmey stated that he'd entertain a motion. Ms. Pritchard motioned at 7:16 pm to exempt the application from a site plan review stating only minor changes. Mr. Richards seconded the motion.

Mr. Eighmey suggested that Revive Church work with the state for traffic control flashing lights on 22a.

The Planning Commission voted on the motion and all were in favor. The motion passed at 7:18 pm.

Mr. Eighmey addressed the PC as to what their wishes were for the application. ZA Adams stated that the sign doesn't require a permit by the FH Zoning Regulations as it is

a church and is exempt, but the Church understands that they must follow all State requirements.

Mr. Richards asked the PC if they should mention we are approving the application without a commercial kitchen which most churches have? Mr. Kerber stated that he wants classrooms - a kitchen isn't a must. He doesn't mind coming back when they are ready to construct a kitchen and getting a permit. The application doesn't mention a kitchen at all so the thought was tabled.

Mr. Eighmey stated he'd entertain a motion for the application. Ms. Pritchard motioned to approve the application and that all necessary state and local permits be obtained by the applicant. Mr. Richards seconded the motion. All were in favor and the motion passed at 7:22pm.

ZA Adams stated he would call Mr. Kerber when the permit is ready and Mr. Kerber may come pick it up. Mr. Kerber thanked the PC and left.

3. Review of Minutes of Previous Meeting:

Approval of Minutes: Regular Meeting of October 20, 2021

Mr. Richards motioned to approve the minutes of October 20, 2021 as written. Ms. Laiacona seconded the motion. All were in favor and the motion passed.

4. Other Business:

a. **Review of mail** - None

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

Began at 7:25pm.

Ms. Pritchard read from meeting minutes dated 12/05/2018 "Dani corrected downtown description..." Ms. Pritchard asked if the changes had already been made. ZA Adams stated that he believed they had. Mr. Richards found the change in zoning ordinance and it had been changed.

Ms. Pritchard began a new quote from previous meeting minutes. "Dani suggested a change in definition for car dealership on page 9 under retail services. Also to strike from the bylaws and table of uses "retail sales and services small."

7/17/2019 Section 927 (which Ms Pritchard didn't have in her copy of bylaws) Paul stated, accept Section 927 as written. ZA Adams stated that it may be about restriction from apartments downtown. Section 926 is concerning dwelling units in the downtown district. Section 927 - The architectural character of the downtown district should protect the heritage of the district. ZA Adams stated that it was struck because he learned the town would need to designate a design control district for the statement to be able to be upheld.

Mr. Richards wants the PC to think about parking for downtown apartments at a future meeting. ZA Adams says for the PC to look at Section 702. The downtown lots are a unique situation because the buildings use up the majority of land owned by the lot.

Another set of meeting minutes referenced Paul stating that there is a need to add a definition of veterinary services because it is separate from animal boarding. Section 925 (which can't be found) and Article 4 Section 413 (also not available)

Ms. Pritchard made a motion in section 924 to change wording to animal grooming, boarding, and veterinary services and add the word boarding to the table of uses. Mr. Richards seconded the motion asking ZA Adams to come back with verbage for a definition of boarding which the PC would change at a later date. All were in favor and the motion passed at 8:07pm.

c. Public Comment: None

- 5. Adjournment: Meeting Adjourned:** Ms. Laiacona motioned to adjourn at 8:14 pm. Mr. Richards seconded the motion. All agreed and the motion carried.

**** Next Scheduled Regular Meeting is on November 17, 2021****

Respectfully Submitted,
Jennifer Jackson, Minute-taker
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