

Fair Haven Planning Commission

Town of Fair Haven - November 16, 2022 - Regular Meeting

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

Commissioners Absent:

Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - minute-taker, Jessie Gray, Theodore Gray (applicant), David Camara

1. Call to Order:

Mr. Eighmey called the meeting to order at 7:02pm.

2. New Business:

- a. Theodore Gray - Application #A2022-064 for approval of the use of Retail Sales of cannabis in the existing first floor area. Also approval of commercial signage proposed for the store front door and window areas. Property owner: David H Nelson. Location: 41 Main Street. Fair Haven Tax Map number 24-51-63

Mr. Eighmey called for questions. ZA Adams stated that all materials were given with application. Mrs. Pritchard asked about State permits. Mr. Gray stated he received his State Permit today. Mrs. Pritchard followed with asking the plan for the store. Mr. Gray stated they plan on selling cannabis flower, edibles, vaporized cartridges. They will be open 10-7 5 to 6 days a week. Mrs. Laiacona asked the name of the business. Mr. Gray stated, Vermont Trap House. She followed by asking about the process with the State for permitting. Mr. Gray stated it's taken a while to obtain their permit. They have been trying since August. Mr. Richards asked when they were planning on opening. Mr. Gray explained they would like to open within the next couple weeks. Mrs. Sienkiewicz asked if they plan on selling paraphernalia. Mr. Gray explained not now, but maybe in the future.

Mr. Eighmey asked Mr. Gray if there was anything else the Planning Commission should know about the business before they vote on the application. Mr. Gray explained that he and his wife are the only people employed currently and they aren't looking to hire more as of yet. Mrs. Sienkiewicz asked about the signage for the business. Mr. Gray stated the windows will be frosted with the sign making it so people will not be able to see inside the store.

Mr. Eighmey asked the PC if they should consider the application as a major or minor application and suggested to the PC they choose minor because the store front is going from retail sales to retail sales. Mr. Richards **motioned to consider the application a minor application therefore exempt from site plan review.** Mrs. Pritchard seconded the motion. All were in favor and the motion passed.

Mr. Richards then **motioned to accept the application as written with signage in permit.** Mrs. Pritchard seconded the motion, all were in favor and the motion passed at 7:09pm.

3. Review of Minutes of Previous Meeting:

- a. **Approval of Minutes: Regular Meeting of November 2, 2022**
- b. The Recording secretary let the Planning Commission know that ZA Adams noticed in the November 2nd minutes that the word "Special" was in the title of the minutes and that the meeting was NOT a special meeting, just a regular meeting.
- c. Mrs. Pritchard mentioned that her last name was spelled incorrectly multiple times and asked for corrections. Mrs. Brown noted that page 1, 4a paragraph 2 needed to be rewritten because it was hard to follow. It should be changed to "*ZA Adams stated the only change with the property he has record of is the combination of the once three way subdivided land into only two separate properties.*"
- d. Mrs. Pritchard **motioned to approve, with corrections, the November 2, 2022 meeting minutes.** Mrs. Brown seconded the motion. All were in favor and the motion carried.

4. Other Business:

a. Review of Mail:

None

b. Other- Zoning Regulation update - 30 minutes:

- i. Mr. Richards let the PC know that he had made a mistake on this parking motion last week. He had misplaced his notes and caused the PC to amend the Public Assembly parking NOT the Commercial Business parking. He stated he need to rescind his motion and make the motion for Section 701 #4 instead. Mr. Richards made a **motion to rescind the motion from the November 2, 2022 meeting stating "change Section 701 #3 Places of Public Assembly to state "*Every structure used as a theater, amusement facility, auditorium, community center, club, stadium, library, museum, church, hall, or other place of public or private assembly: 1 parking space per every 300 ft² of area used for assembly*". And to change Section 701 #5 Restaurant, eating, and drinking establishments to state "*One (1) parking space per every four (4) seats and one (1) parking space per every five (5) employees.*"** Mrs. Sienkiewicz seconded the motion. All were in favor and the motion passed. Mrs. Pritchard made a **motion to change Section 701 #4 Commercial business use to state "*One (1) parking space for every three hundred (300) square feet of area used for business.*"**
- ii. The Recording secretary let the Planning Commission know that on pg 47 #8 she noticed a typo within the Zoning Bylaws. The word is printed as "comer" and she believes it should be "*comer*" The PC agrees, but it is something that just needs to be corrected in editing. She also let the PC know that she found what she believes to be the *ITE Parking Generation* manual at

<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>

. Mr. Richards stated that he believes they will still let the engineers provide the manual as needed.

- iii. Mr. Richards stated he has spoken with Mr. Bove about what has been completed so far and that Mr. Bove is pleased. Mrs. Pritchard asked what the next steps are. Mr. Richards believes that it is dependant on the grant approval. ZA Adams asked the PC to refer to the handouts he dispersed on the process before bringing the Zoning Bylaws to the Select board and Public.

c. Public Comment:

- i. Mr. Richards explained that the Select Board held their budget review plan last night and that they decided it is ok to raise the budget for Planning Commission to \$750 as the membership in the PC has been increased. He reminded the PC that they must sign a paper to receive their stipend. He also let the PC know that budgets are tight this year and they are cutting costs where they can. He asked the recording secretary to give an estimate of her actual time worked and a guess at future hours needed for minute taking as they are most likely to reduce the recording secretary budget line.

5. Adjournment:

- a. Mrs. Pritchard **motioned to adjourn the meeting at 7:37 pm.** The motion was seconded by Mrs. Laiacona. All were in favor and the meeting was adjourned.

**** Next Scheduled Regular Planning Commission Meeting is on December 7, 2022****

Respectfully Submitted,
Jennifer Jackson, Minute-taker