

Fair Haven Planning Commission
Town of Fair Haven - March 29, 2023 - Special Meeting

Commissioners Present: David Eighmey - Chair, Deborah Laiacona - clerk via phone), Linda Sienkiewicz

Commissioners Absent: Robert Richards - Vice Chair, Patrick Frazier, Cindy Pritchard, Lorraine Brown

Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - minute-taker, Ed Bove Rutland Regional Planning Commission

******* No Quorum present. Meeting not held. Special discussion with Ed Bove about his suggestions on going forward with the Zoning Bylaws Grant was held. No official business was discussed. *******

Agenda

1. **Call to Order:** Began at 7:10 PM

2. **New Business:**

- a. Rescheduled meeting with Ed Bove of the Rutland Regional Planning Commission - Assistance with the completion of the Fair Haven Zoning Regulation update.

Mr. Bove started the discussion by reviewing where the PC was at with the grant and how he understood the desires of the PC; that the Planning Commission wanted to update the zoning bylaws quickly, adopt them, and then move on to any particular planning updates. He stated that he believed there were two things that needed attention before the PC could bring the Zoning before a hearing process.

1. Accessory Dwelling Units definition on page one of the bylaws. Accessory Apartments needs more words from statute. The PC needs to add "on an owner occupied lot" to the definition. This is needed because it is wanted to allow an owner to live in the apartment and rent the larger living structure as needed. Accessory Apartment definition should read, "*A separate complete housekeeping unit that is located within of appurtenant to a single family dwelling on an owner occupied lot and has sufficient wastewater capacity, and does not exceed 30 percent of the total habitable floor area of the single family dwelling or 900 square feet, whichever is greater.*"
2. In section 807 on page 35 he suggests that the Certificate of Compliance be changed to Certificate of Occupancy. He suggests this for two reasons; one attorney's come to town offices to check on notices of occupancy, and the flood hazard regs FEMA likes to see occupancy rather than compliance.

Mrs. Laiacona stated that April will be her last month with the Planning Commission and that if Mr. Bove sees any changes and the PC approves them then it might be better if Mr. Bove goes ahead and makes the change on the document he has. She also stated she didn't understand why "occupancy" should be used over "compliance" as not all structures are occupied by humans. Mr. Bove stated that no one is supposed to occupy a building until it has been inspected and is complete. ZA Adams stated the change was made on his request, because people were skipping the inspection part and he was wanting them to comply with town regulations. He now understands how it works with the current standards and is ok with the switch. Mr. Bove reiterated that Flood hazard stuff is pushing the change but it is just a suggestion.

Mr. Bove stated that other than those two changes the regulations could go on to the hearing process. ZA Adams asked about flood hazard update. Mr. Bove stated that he had looked at the flood hazard regulations and they need some tweaking, but it will take a little time. He isn't confident moving forward with many changes as no one is really sure what FEMA will require in the next three years and he doesn't want to modify things too much and believes that if the PC did them now they'd end up being more stringent than the town would want. Right now Flood Hazard regs are fine. We're still years out for FEMA's maps. ZA Adams asked about new State Models. Mr. Bove stated there were new state models, he stated that the PC could adopt state regs, but that they are a little more restrictive. This group would have to spend time going between existing and new maps to find changes. Mr. Bove will send model regs to Mr. Adams. Mr. Bove is confident that the state regs will pass muster. Mr. Bove stated that Fair Haven's current flood hazard regs are about 10 pages. New regs are about 20 pages, so there will be work to be done to update Fair Haven's when the time comes.

Mr. Bove stated the next time he comes, he will make sure that there is a clean draft of Fair Haven's zoning bylaws which he will have sent to ZA Adams, he will also send Model Flood Hazard regulations to ZA Adams.

ZA Adams let the PC know that the town offices will be closed the second half of April due to asbestos abatement, meaning there will be no April 19 PC meeting. Mr. Bove stated he is unable to meet April 5th due to a prior commitment with Killington. He would be available to come May 3rd. He stated when the PC is ready he will help with the adoption process. He stated that the PC could have their first public hearing on May 3 as needed. The members present stated they would like to wait until the entire commission is present before making such a decision.

The discussion concluded at 7:45 pm.

3. Review of Minutes of Previous Meeting:

- a. Approval of Minutes: Regular Meeting March 15, 2023**

4. Other Business:

- a. Public Comment: None**

5. Adjournment:

**** Next Scheduled Regular Planning Commission Meeting is on April 5, 2023****

Respectfully Submitted,
Jennifer Jackson, Minute-taker