

Fair Haven Planning Commission
Town of Fair Haven - October 1, 2025 - Regular Meeting

Commissioners Present: Robert Richards - Chair, Deborah Laiacona - Vicechair, Ann Finley, Sam Lucci, Linda Sienkiewicz - clerk

Commissioners Absent:

Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - Minute-taker, Logan Solomon - RRPC Representative

Agenda

1. Call to Order:

The meeting was called to order at 7:31 pm by Chair Richards.

2. Review of Minutes of Previous Meeting:

Approval of Minutes: Regular meeting - September 17, 2025

Mr. Lucci motioned to accept the minutes of September 17th with the corrections.

The motion was seconded by Mrs. Laiacona.

Mrs. Sienkiewicz noted that on the last page the last paragraph in the sentence "ZA Adams stated yes, but *no* is a great time to change it" the "*no*" should read "*now*".

All were in favor and the motion passed.

3. New Business:

a. Adoption of the Historic District Regulations and Report

Downtown Designation Application Packet

(https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/CD/CPR/State-Designation-Programs/CPR-DT-Application-Guidelines.pdf)

Mr. Solomon state he reviewed the State Historic folks comments and included them in the document that was shared with the PC. He also stated he listened to the recording of the last PC meeting to include corrections. There were minor changes from the State to be included, around specific language. Mr. Solomon tagged areas for discussion.

The first area of discussion was around what could be used for window replacements. The State is in favor of requiring wood clad windows over vinyl windows. Mr. Solomon wanted to know the PC's opinion. Mrs. Sienkiewicz believes that vinyl windows would stand out. Chair Richards stated that replacing the windows with wood clad windows would be very expensive. Mrs. Sienkiewicz stated she would prefer the windows to not stand out if they were vinyl. Mr. Solomon stated he didn't think the application would be denied if Fair Haven chose to allow vinyl windows, as they have completed so much work to finish the application. Mrs. Laiacona stated with the Downtown Designation there should be opportunities for help paying for the more costly parts of the renovations, including windows. Mrs. Sienkiewicz suggested vinyl window coverings be required to be painted. Chairman Richards stated he doesn't want to lose the application because of allowing vinyl. Mr. Solomon read the changes to the window replacement section emphasizing the idea that the replacement should not negatively affect the historical aspect of the building. He stated the current regulation does not specify a material for

use. Mr. Lucci stated he would like to allow the use of vinyl, and would like to limit the number of applications that are brought before the Planning Commission. The material used seems a minor concern, and he suggests that language be used to require the replacement to look similar to the buildings in the area. The PC agrees with this compromise. Mr. Solomon stated he'll add the modification to the application document. He asked if there should be a painting to match the exterior cladding change. The PC was ok with that change.

Mr. Solomon then moved the PC on to the second area of discussion; concerning obscuring distinct characteristics of the area with new signage or buildings. Mr. Solomon stated that the language in the document is pretty common language, but there can be challenges in interpretation. Originally the idea was that if the historically significant structure was obscured from any direction, the modification wasn't allowed. The regulations were rephrased to be less stringent, to state as long as the historically significant structure could be seen from at least one angle the modification is allowed. Mr. Solomon asked the PC their opinion on "obscuring" parts of town. Mrs. Sienkiewicz asked for an example of something in Fair Haven that might fall into this regulation. Mrs. Laiacona gave the example of obscuring the bank alarm sign on the building that housed Rubies Bistro. ZA Adams asked if the zoning regulations would have to be changed if this modification was added. Mr. Solomon stated the historic district regulations would be a complementary "overlay" to the zoning regulations, meaning people in this district need to be aware of the different regulations in the Downtown district. The district would be similar to a Flood Hazard area. Mrs. Laiacona asked if it would be an appendix. Mr. Solomon stated no, it would be Section 930, a new section. The Historic District Report could be an appendix considered as part of the regulations or as a reference; but the appendix would be a good idea. Chairman Richards asked the PC how the PC should interpret obscure. Mr. Solomon read the changes to the regulations, "no exterior modification, addition, or covering should obscure the historical objects without at least one line of sight. He then asked if the same wording should be used for new construction. The PC was in agreement, but wanted to make sure that awnings were allowed for their historical significance and prevalence. Mr. Solomon stated that the Historical Preservation of awnings and storm windows is very much appreciated by historians because of the protection they provide in general. Chairman Richards stated he didn't want to lose the option for their addition and preservation. Mr. Solomon stated then maybe the wording should state; no exterior alteration except for storm windows and awnings. This modification further aligns the historical preservation comments.

Mr. Solomon stated that was all the discussion for the Historic Regulations. He wanted to shift the PC's attention to the required Report. Mr. Solomon stated that a comment given was the PC needed to provide more alinement in buildings with similar features; for example two buildings, 2 South Park Place and 2 West Park Place, both with seemingly residential porches and patios needed consideration in the report as other buildings, like Adam's House and the Marble Mansion, with very distinct porches were mentioned and included in the Report. Mr. Solomon brought a copy of Fair Haven Memories book II for review if needed. Chairman Richards stated that in the 60's many residential porches were removed. He asked the PC if they believed losing the porch changes the character of the house. Mr. Solomon stated that the PC would have to include language demonstrating that removing the distinct characteristic of the porch would have a large impact on the historical significance of the building. He read the

examples he had available. He stated there could be a public health and safety exemption. He then asked if the porches merit the consideration. Chairman Richards stated he believed the porches were significant; he stated he didn't want to prohibit the modification of the porches but wanted to encourage people to come speak with the PC before any large modifications. Mr. Solomon asked if the same consideration should be given to both porches. Chairman Richards stated yes. If you live in a Historic district there are advantages, this might not be, but there might be more chances for grants to help cover the costs of repair.

Mr. Solomon asked the PC if there were any other sections to discuss. Chair Richards asked if the PC could adopt the regulations with the changes. Mr. Solomon stated the PC might want to talk with ZA Adams about a concern he had with the zoning regulations and a correction needed. Chairman Richards stated that the Selectboard had a hearing on Subdivision Regulations and Section 929, but forgot to include the PUD Modification in the warning so couldn't hold a hearing on it. Chairman Richards stated he would like the Historic District Regulations and the Report to be voted on at the next meeting.

Mrs. Finley suggested ZA Adams may have wanted to discuss Section 926; The Table of Uses for Downtown has a "P" for permitted use. Whereas in section 926 it states conditional Use:

- o *Section 926 – Dwelling Units in the Downtown District*
 - 1. *Dwellings are allowed in the Downtown District as conditional use on all non-street-level floors.*
 - i. *Off street parking is required for all Downtown District dwelling units that are on non-street level floors.*
 - 2. *Dwellings are allowed in the Downtown District as conditional use at the street-level provided that no more than 50% of the gross square footage can be used for residential purposes.*
 - i. *Storefronts must be maintained for commercial use.*
 - ii. *Dwelling entrance and exit may not face Main Street.*
 - iii. *Dwellings must have adequate parking accessible from Liberty Street or Maple Street.*

Mr. Solomon stated some towns use an asterisk to indicate the need to review a section for further clarification. He also stated that in the Fair Haven Zoning Bylaws there is a section stating the more restrictive regulations should be used.

Chairman Richards suggested that the PC adopt the Historic District Regulations now and the report and talk about the modifications when ZA Adams is back in the room.

At 8:17 pm Mr. Lucci **motioned to send the adoption of the Historic District Regulations and the Report to the Public Hearing Process.** The motion was seconded by Mrs. Sienkiewicz. All were in favor and the motion passed.

The Planning Commission took a short recess and resumed discussions at 8:23 PM. The discussion started with ZA Adams explaining the conflict within the zoning bylaws. Section 301 with the Table of Uses and Section 926. Mr. Solomon stated the situation is a fairly common situation with a few ways to fix it. One method would be to change the table of uses to say P/C but add see Section 926. Another method would be to change the Table to say P* *see section 926. Chairman Richards asked for clarification on the P/C example. Mr. Solomon stated because of dwelling on the street level Mr. Solomon re-read the sections for clarification. ZA Adams stated he believed the current zoning was in place to keep store fronts, store fronts at the ground level in the business area. Mrs. Laiacona asked some clarifying questions about parking from Section 926 and why it is required with some of the buildings and dwelling units and not others. Mr. Lucci stated that section 701 and 702 further clarifies parking requirements.

Section 701 - Required Off-Street Parking

For all development hereafter authorized by Zoning Permit there shall be provided off-street parking spaces at least as set forth below:

1. Residential uses: One parking space per dwelling unit.. The front yard shall not be used for designated parking spaces.
2. Lodging facilities: Hotel, motel, lodge, country inn, guest house: One parking space per lodging unit.
3. Places of public assembly: 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, one parking space for every three hundred (300) square feet of area used for assembly.
4. Commercial business use: One parking space for every three hundred (300) square feet of area used for business.
5. Restaurant, eating, and drinking establishments: One parking space for every four seats and every five employees.
6. Industrial, Wholesale, Warehouse, Storage, Freight and Trucking Uses: One parking space for every motor vehicle used in the business, plus one parking space for every two employees employed on the premises in the maximum shift.
7. Home Occupations: At least one parking space must be provided for each full time or full-time equivalent employee in addition to the requirements of paragraph 1 (above). The front yard shall not be used for designated employee parking.
8. Park- Privately Owned: All parking site plans must be reviewed and approved by the Planning Commission based on the maximum estimated use with one parking space required for every three projected patrons.

Section 702 - Parking in the Downtown and Mixed Use Districts

Within the Downtown District, parking requirements under Section 701 may be met by demonstrating during site plan or conditional use review that adequate public or commercial parking is available in the vicinity for the time of day the activity is expected to operate.

Mrs. Laiacona appreciated the reference and suggested that section 926 1i be modified to state "see section 701 and 702 for parking requirements".

Mr. Solomon then asked the PC about the second half of Section 926 and whether or not the PC wanted to keep the section as is. Mrs. Laiacona again asked about parking, why would the ground floor be required to have parking but the second and above aren't required. Mr. Lucci suggested it was done to keep parking near the backdoor entrance that is required for ground level dwellings and safety. Mrs. Laiacona felt it gave the impression of parking privilege to those places. Mr. Lucci suggested keeping Section 926 2 as it was.

Mr. Solomon summarized the discussion; the PC wanted to change the Table of Uses to say "P/C see Section 926" and to modify section 926 1i to state "see sections 701 and 702 for clarification."

At 8:58 PM Mr. Lucci **amended his prior motion to include the changes to Section 301 and Section 92 as discussed in the meeting.** The motion was seconded by Mrs. Sienkiewicz. All were in favor and the amendment passed.

Chairman Richards asked about the Public Hearing Process. Mr. Solmon explained. Chairman Richards stated he will e-mail Town Manager Gunter to get the notice posted. Mr. Solomon asked the PC what version of the edits the town would want for the informational hearing and the perusal of the public. Chairman Richards stated the clean version please.

b. Discussion of items to include in the strategic 5-year Plan to be included in the Downtown Designation

Mr. Solomon stated the 5-year plan really is a task that should involve the EDC. He stated it might be a good idea for himself to attend a meeting. He stated the Hardwick plan is a good example to base Fair Haven's off of. Mrs. Finley stated the next EDC meeting will be Monday October 13th at 5:00 PM.

4. Other Business:

a. Public Comment:

ZA Adams asked the PC about the inaccuracy found in the Flood Hazard Area. He had been in contact with Nick Stark about the changes, which Nick will implement. ZA Adams asked if the PC wanted to add that change to the Public hearing process. Mr. Solomon stated an amendment to the first motion would be a good choice. Mr. Solomon stated some towns state in the zoning that individuals should only look at flood insurance studies. ZA Adams doesn't see the Flood Hazard Maps changing any time soon as they are expensive studies. Mr. Solomon stated that FEMA is currently updating their maps, but it is taking some time. The previous deadline was 2019 and now has been pushed out to 2028. Insurance companies rely on the most current map until FEMA updates. Mr. Solomon stated there is a provision that covers use of only flood insurance maps, the legal language is already included. Chairman Richards asked if the Town was liable if they didn't update to the most current maps. Mr. Solomon stated that if you can change it might be a good idea, if it makes a sort of flood hazard district. At 9:19 PM Mr. Lucci **amended his previous motion to include PUD residential on the table of uses as permitted use and amend the zoning maps flood hazard boundary to accurately reflect FEMAS maps.** The motion was seconded by Mrs. Sienkiewicz. All were in favor and the motion passed.

b. Review of Mail: None

c. Other: None

5. Adjournment:

Mrs. Sienkiewicz **motioned to adjourn at 9:20 pm.** Mrs. Finley seconded the motion. All were in favor and the meeting was adjourned.

Respectfully Submitted,
Jennifer Jackson, Minute-taker

The Next Commission Meeting will be held on October 15, 2025 at 7:30 pm