

**Fair Haven Planning Commission**  
Town of Fair Haven - May 6, 2026 - Regular Meeting

**Commissioners Present:** Robert Richards - Chair, Ann Finley - Vice Chair, Sam Lucci - clerk, Linda Sienkiewicz, Mick Richards

**Commissioners Absent:**

**Others Present:** Phil Adams - Zoning Administrator, Jennifer Jackson - recording secretary, Eric Hier - NorthLand Real Estate broker

Handouts:

[Town of Fair Haven Zoning Districts](#)

[Letter From Eric Hier](#)

[Fair Haven Town Plan - Land Use](#)

[Notice of Petition for Section 248 Certificate of Public Good](#)

[State of Vermont Public Utility Commission](#)

**Agenda**

1. **Call to Order:** The meeting was called to order at 7:32 pm by Chair Richards. Chairman Richards welcomed Mick Richards to the Planning Commission. He was appointed by the Selectboard on April 28th to be on the Planning Commission

**2. Review of Minutes of Previous Meeting:**

**a. Approval of Minutes: Regular meeting - April 15, 2026**

Mr. Lucci, at 7:33pm motioned to accept the minutes of April 15<sup>th</sup> with corrections. The motion was seconded by Mrs. Finley. Discussion included the following changes:

- Change on the first page the last sentence stating “*ill*” to “**will**”.

All were in favor and the motion passed.

**3. New Business:**

**a. Vermont Structural Slate Company, Inc. requests Commission consideration of changing the Zoning District from Industrial to Mixed River for the three parcels Tax Map numbers 24-52-49, 24-52-50, and 24-52-51, totaling 2.29 acres, that are located of the South Side of 3 Prospect Street.**

**b. Discussion of the latest developments of Vermont Act 181**

[Community Investment Program Downtown Designation: Step Three Center Application: https://outside.vermont.gov/agency/ACCD/ACCD\\_Web\\_Docs/CD/CPR/State-Designation-Programs/CPR-DT-Downtown-Designation-Step-Three-Guidelines-FINAL.pdf](https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/CD/CPR/State-Designation-Programs/CPR-DT-Downtown-Designation-Step-Three-Guidelines-FINAL.pdf) .

Chairman Richards invited ZA Adams to explain the application. ZA Adams stated that Mr Hier discussed with him the possibility of changing the zoning of the property location, they also discussed taking the property to the Zoning Board of Adjustment for a variance . The reasons they gave were to allow for more housing within the area; the zoning of Industrial has more restrictions than Mixed River.

Mr. Hier showed a map of the zoning within the area in consideration (see below - [Town of Fair Haven Zoning Districts](#)). Mr. Hier pointed out in the [Fair Haven Town Plan - Land Use](#) the last sentence in Mixed River descriptions; “*Mixed-use structures are encouraged to provide for both small-scale commercial and upper-story dwelling units.*” His belief that this would minimize conflict and create a more harmonious area. If the area was left as industrial it would create unwanted noises and traffic concerns with the main intersection.

ZA Adams pointed out the changes of the land across the street. Mr. Hier gave a history of the land use across the street and why it was used as it was used; the mill was controlled by the River.

Mr. Lucci asked about the plots of land included in the request. Mr. Hier went over the parcel numbers and the sub-division of land rules. Mr. Lucci asked about the Northern side already being mixed river and the southern side being commercial. Chair Richards asked if any modification to the zoning would affect the Dam? His curiosity stemmed from the desire to leave the option for water power open in the future. Mr. Adams stated there should be no effect.

Mr. Hier stated that buyers have asked for residential rather than industrial in that area. They are interested in more commercial uses. He believes that nothing industrial really fits in that space any more. He stated he is on the State of Vermont Rail Bureau and that materials don't really move by rail anymore.

Mr. Lucci asked about 14 and 9 Prospect Street uses. ZA Adams described the uses up the street. Chair Richards stated commercial in every other place, Mixed River allows for commercial use. He then asked the procedure for the process of changing the zoning district. ZA Adams stated it would be the same as any other Zoning Change and would need to go through the public hearing process with both the Planning Commission and the Select Board. Chair Richards stated it might be worth a site visit, but he doesn't see much opposition. ZA Adams stated there are always concerns with “spot zoning”, however consideration is warranted because uses have changed.

Chair Richards called for other questions. Mr. Lucci asked for parcel portion clarification. And asked if there are any potential hazards from previous industrial use to consider. Chair Richards questioned whether or not the State would step in for Brown Fields. Mr. Hier stated he works with “that guy” and will ask him.

Mr. Hier stated he had discussed potential buildings, but doesn't want to decide for a buyer. Chair Richards stated it is an interesting property with potential and asked what the Commission thought. Mrs. Sienkiewicz stated she is in favor of a site visit. The Planning Commission agreed and asked that a site visit be added to the next agenda. There was a discussion of timing for hearing and publication of warnings, but decided that could be better answered if the next item that needed to be discussed was discussed first.

The PC thanked Mr. Hier and he left at 8:07pm.

Mr. Lucci **motioned to add a change of meeting dates to the agenda of today's meeting.** The motion was seconded by Mrs. Finley. All were in favor and the motion passed.

Mrs. Finley stated she is requesting a change of meeting dates as she will be working the First Wednesday Food Truck Frenzie events for the summer and would not be able to make the meetings of the Planning Commission. She requests that meetings be moved to the 2nd and 4th Wednesday's instead. Mrs. Sienkiewicz **motioned that the Planning Commission**

**meetings be moved to the 2nd and 4th Wednesday's starting after the May 20th meeting and holding through the October meetings.** Mrs. Finley seconded the motion. All were in favor and the motion passed.

VT Act 181: Chair Richards stated that today the government refined the last 2 sections; road rules and rural part, only in the House. He sees no reason to move forward with the Step 3 work until the Act is settled completely. Mrs. Finley stated she has reached out to partners and informed them of what is happening.

#### **4. Other Business**

##### **a. Public Comment: None**

##### **b. Review of Mail:**

- i. Letter from Laura Parkes, Project Manager; Airport RD1 Solar Vt [Notice of Petition for Section 248 Certificate of Public Good](#) - see below .
- ii. Notice of Hearing [State of Vermont Public Utility Commission](#) Scheduling Conference - see below

##### **c. Other:**

ZA Adams asked for clarification of dates for creation of agendas and notices. He also is requesting someone contact the Regional Planning Commission for a clean copy of the new approved Town Zoning Regs. He'd like to put them up on the town website.

ZA Adams also stated he internally approved a sign for Edward Jones business after speaking with Chair Richards. The only change in the sign was wording: all other aspects were staying the same.

Chair Richards asked about the bowling alley church changes? ZA Adams stated because of allowance in zoning they are ok.

Mr. Lucci let the PC know about an update on H.941 in the government that possibly will nullify a town chick zoning abilities.

#### **5. Adjournment:**

Mrs. Finley **motioned to adjourn at 8:29 pm.** Mrs. Sienkiewicz seconded the motion. All were in favor and the meeting was adjourned.

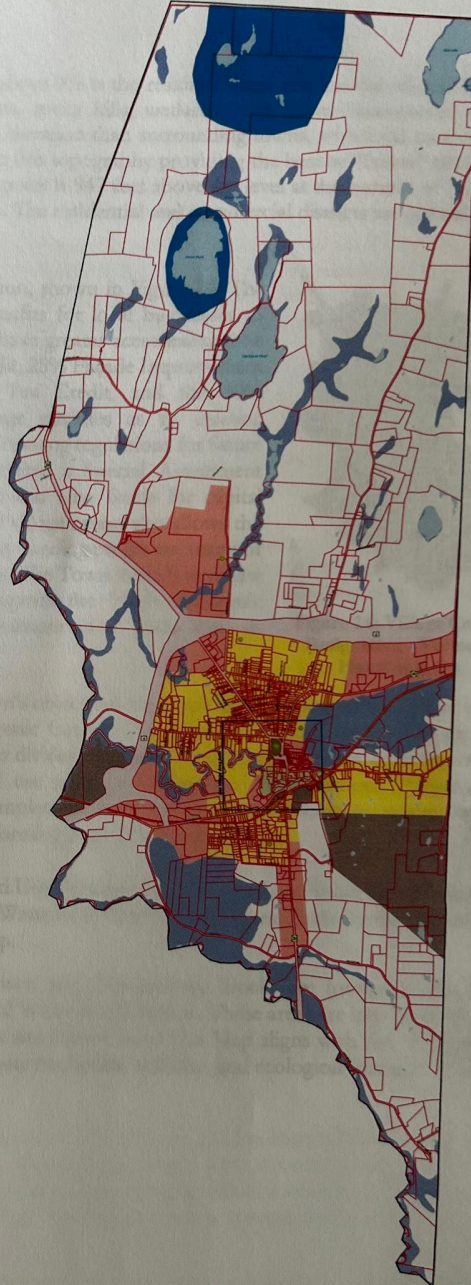
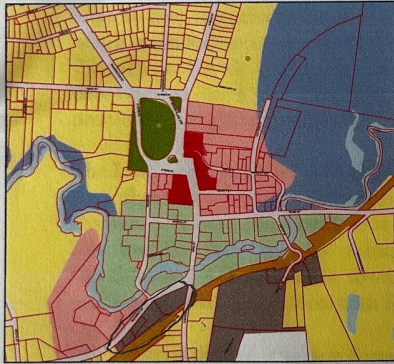
Respectfully Submitted,  
Jennifer Jackson, Minute-taker

\*\*\*The Next Commission Meeting will be held on May 20, 2026 at 7:30 pm\*\*\*

# Town of Fair Haven Zoning Districts

## Town of Fair Haven Zoning Districts

Fair Haven Village Area

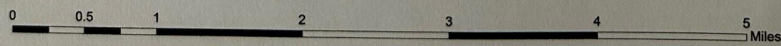


### Legend

- |             |                         |
|-------------|-------------------------|
| Floodplains | Recreation Areas        |
| Rural       | Rivers and Streams      |
| Industrial  | Lakes and Ponds         |
| Downtown    | Fair Haven Parcels 2018 |
| Watershed   |                         |
| Residential |                         |
| Mixed River |                         |
| Commercial  |                         |
| Road        |                         |
| Recreation  |                         |



December 3, 2008  
Updated December 15, 2009,  
July 16, 2020.



Letter From Eric Hier

NorthLand Real Estate  
115 Main Street  
Poultney, Vermont 05764

Planning Commission  
Town of Fair Haven  
5 North Park Place  
Fair Haven, VT 05743

**RE: Request to Change Zoning from Industrial to Mixed River**  
**Parcel Address: 3 Prospect St., Fair Haven Vermont**  
**SPAN: 216-070-11186 / 2.29 Acres**

To the Town of Fair Haven Planning Commission:

I represent Vermont Structural Slate Company, Inc. (VSS) who owns the above-referenced property on Prospect Street. VSS respectfully requests that the Planning Commission consider changing the zoning of these parcels from Industrial to Mixed River.

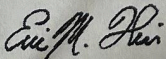
With Sally Padilla's property now zoned as Mixed River, the immediate "neighborhood" (the eastern end of Prospect Street between the railroad tracks and the Castleton River) has a residential/commercial feel...appropriate for Mixed River zoning. A residence or a commercial building built across the street from Sally Padilla's property would be compatible with Sally's residential/commercial use, and the other existing houses. An Industrial use built across the street from Sally's, possibly loud and busy, would not be harmonious.

A zoning change from Industrial to Mixed River would represent a strategic investment in Fair Haven's environmental stewardship, housing affordability, and long-term community vitality. By limiting industrial uses along the river corridor, the amendment protects water quality, reduces noise and heavy truck traffic, and enhances public safety for adjacent residential neighborhoods.

Mixed River zoning expands opportunities for affordable and diverse housing options—including apartments, multi-family residences, and live-work units—helping local workers, families, and seniors secure housing within the community. In addition, the broader mix of residential and small-scale commercial uses supports local businesses, strengthens the municipal tax base, and promotes walkable, river-oriented development that is consistent with surrounding land uses. Collectively, these outcomes advance the Fair Haven Town Plan and Vermont's housing objectives while ensuring the river corridor remains a safe, resilient, and sustainable community asset.

Thank you for your consideration.

Best Regards,



Eric M. Hier  
Associate Broker  
NorthLand Real Estate

# LAND USE

Fair Haven is 71.5 square miles of which about 8% is the residential and commercial village, 43% is rural and open lands, and 49% is forests, rocky hills, wetlands, and Town/State-owned lands. Topographically, Fair Haven is at a lower elevation than surrounding towns, with local rumors that the origin of "Fair" in Fair Haven is due to this topography providing the best or "fairest" climate in the State of Vermont. The town's highest point is 947 feet above sea level at the summit of "Coon's Den" within the untouched North Woods. The residential and commercial districts are generally flat and lie roughly 385 feet above sea level.

Fair Haven has a Village Center Designation, shown in Figure 24. The Village Center designation offers five benefits for local businesses to provide more welcoming storefronts and have greater accessibility: The 10% State Historic Rehabilitation Tax Credit, 25% Façade Improvement Tax Credit, 50% Code Improvement Tax Credit, and the 50% Technology Tax Credit. Also, the village qualifies as an existing settlement under criterion 9(L) of Act 250, relaxing regulations for future business development. The town may create a Special Assessment District within the Village Center, which can raise funds for capital expenses to support business projects. The village center also allows the town to have top priority for all state agency funding programs, many of which could further economic development. The Town intends to renew the Village Center designation as it supports the Plan's economic development, land use, housing, and transportation goals that all promote smart growth principles.

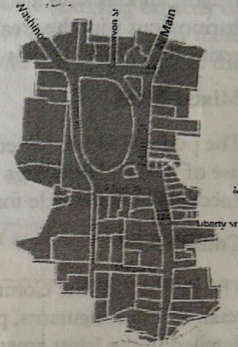


Figure 24: Village Center Designation - Vermont Planning Atlas

The Land Use chapter is based on the Town's objectives for future development as they relate to and are influenced by natural and socio-economic factors; The goals and actions outlined in previous chapters have been considered. This chapter divides the Town into land use districts, outlining current land use and recommended future land use types and intensity. The Vermont Planning and Development Act authorizes towns to implement land use regulations such as zoning bylaws, provided regulations conform with State planning goals (24 V.S.A. §4411a).

Fair Haven is divided into nine Future Land Use Districts: Downtown; Residential; River Mixed Use; Commercial; Industrial; Rural; Recreation; Watershed; Flood Hazard Area. Each district's boundaries can be located on the Future Land Use Map.

Fair Haven's Highest Priority Interior Forest and Connectivity Blocks are located in the Rural, Floodplain, Commercial (northern part), and Watershed Districts. These areas are important as forest blocks and habitat connectors and the Plan and Future Land Use Map aligns with Act 171 guidance to minimize forest fragmentation and promote the health, viability, and ecological function of forests.

## Downtown

## FAIR HAVEN TOWN PLAN

The purpose of the Downtown Land Use District is to promote the renovation and re-use of historic structures in Downtown Fair Haven and to promote the construction of buildings in keeping with the existing built environment and The Fair Haven Green. Regulations for this district are intended to promote commercial and residential activity and maintain the area as the center of activity for the town. Regulations shall allow for creative uses of upper stories for residential, commercial, or entertainment purposes.

### Residential

The purpose of the Residential Land Use District to promote single- and multi-family residential neighborhoods within a short distance of Fair Haven Village and to allow for uses incidental to or harmonious with the area's character. No commercial or industrial use shall be established within the residential district except for permitted home occupations.

### Mixed River

The purpose of the Mixed River Land Use District to promote a mix of residential and commercial use of land and buildings immediately adjacent to the Downtown District. Mixed-use structures are encouraged to provide for both small-scale commercial and upper-story dwelling units.

### Commercial

The purpose of the Commercial Land Use District is to promote commercial activity in the form of retail stores, restaurants, professional and business offices, light industry, and other establishments as detailed in the latest amended/adopted Zoning Bylaws. Development should maintain the character of the neighborhood and should promote ease of access between neighboring parcels and uses for vehicles and pedestrians. In the small segment of the district where the Highest Priority Interior Forest and Connectivity Blocks are located, future development should be designed to minimize forest fragmentation and promote the health, viability, and ecological function of forests.

### Industrial

The purpose of the Industrial Land Use District is to allow for light and heavy industry, such as slate or stone works, machine shops, textile manufacture, laundry and dry-cleaning plants, or similar operations as described latest amended/adopted Zoning Bylaws. These areas are and shall always be separated from residential and natural areas to minimize use conflicts.

### Rural

The purpose of the Rural Land Use District is to maintain a balance between ongoing agricultural practices, slate quarrying, low-density residential settlement, commercial use, and light industrial uses in the town. Any residential development in this district should consider the effects of permitted quarries in the area and should be designed to minimize forest fragmentation and promote the health, viability, and ecological function of forests.

### Recreation

The purpose of the Recreation Land Use District is to ensure and provide public recreation areas. The following six areas within the town borders are set aside as public recreational areas: (a) A small area of airport property used as a barbecue picnic recreation area (b) Louis Faryniarz Playground - the area east of the Grade School known as the "playground" (c) The area at Fair Haven Union High School

(d) The area at the former "South School" on Academy Street (e) The area of the Fair Haven Green known as the Park (f) The "Fur Haven Dog Park" north of the barbecue picnic recreation area

**Watershed**

The purpose of the Watershed Land Use District is the long-term protection of the Town's water supply. No development or any change in land use shall contaminate or potentially contaminate the Town's water supply (Inman Pond) nor fragment any wildlife corridor.

**Floodplain**

The purpose of the Floodplain Land Use District is to maintain the flood water carrying capacity of all flood-prone areas in the Town and to ensure that any structures or uses permitted within these areas are properly protected from flood hazards and minimize forest fragmentation and promote the health, viability, and ecological function of forests.

**LAND USE GOAL**

1. To plan development to maintain the historic settlement pattern of compact villages separated by rural countryside.

**LAND USE ACTIONS**

1. Implement current zoning regulations to promote orderly development.
2. Support or oppose development proposals based on meeting the land uses' purpose as defined in the Town's zoning and the Town's land use goal.
3. Work with prospective developers to adapt site plans to better conform with the Town's opinion, including minimizing forest and wildlife corridor fragmentation.
4. Re-obtain Village Center Designation or, if possible, obtain a Downtown Designation.
5. Encourage the rehabilitation of Main Street properties by promoting available financial resources that help offset the cost of doing so.
6. Participate actively in the formulation and implementation of the RRPC Regional Plan to ensure the regional functions of the area's municipalities are represented.

Notice of Petition for Section 248 Certificate of Public Good

**AIRPORT RD1 SOLAR VT**

**NOTICE OF PETITION FOR SECTION 248 CERTIFICATE OF PUBLIC GOOD**

RECEIVED  
APR 27 2025  
TIME:  
INITIALS:

Please be advised that on April 16, 2026, a petition was filed with the Vermont Public Utility Commission on behalf of Airport RD1 VT Solar, LLC seeking approval for the installation of a 4.975 MW (AC) solar electric generation facility to be located off Airport Road in Fair Haven, Vermont (the Project). The plans for the Project were described in a pre-filing notice letter to you dated November 18, 2025.

The Public Utility Commission determined the petition was administratively complete on April 21, 2026, and it opened a proceeding to review the Project. The case has been assigned number 26-0736-PET. A copy of the petition and supporting materials can be accessed online through this link: <https://tinyurl.com/5pwhux4u> or by entering a search for the case number 26-0736-PET in ePUC, the Public Utility Commission's electronic filing system (<http://epuc.vermont.gov>). If you are unable to access an electronic copy of the petition, you may email a request for a hard copy to [lac@lac-lca.com](mailto:lac@lac-lca.com).

You will find information on public participation through public comment or intervention at the Public Utility Commission at these links:

- <http://puc.vermont.gov/document/public-participation-and-intervention-proceedings-public-utility-commission>
- <http://puc.vermont.gov/document/section-248-procedures>

If you have any questions about the Project, please email, call, or text me using the contact information below.

Cordially yours,

Laura Parkes, Project Manager  
[parkes@breakawayrenewables.com](mailto:parkes@breakawayrenewables.com)  
802-356-2712



State of Vermont Public Utility Commission

112 State Street  
4th Floor  
Montpelier, VT 05620-2701  
TEL: 802-828-2358

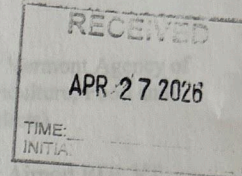


TTY/TDD (VT: 800-253-0191)  
FAX: 802-828-3351  
E-mail: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov)  
Internet: <http://puc.vermont.gov>

State of Vermont  
Public Utility Commission

April 22, 2026

**NOTICE OF HEARING**



A Hearing Officer of the Vermont Public Utility Commission, Mary Jo Krolewski, Utilities Analyst, will hold a **SCHEDULING CONFERENCE**, pursuant to 30 V.S.A. Sections 8, 10 and 248 in Case No. 26-0736-PET –

Petition of Airport RD1 VT Solar, LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the construction and operation of a 4.975 MW solar facility in Fair Haven, Vermont –

on **May 1, 2026**, beginning at **10:00 A.M.**, via Teams videoconference.

Participants and members of the public may access the scheduling conference online at [this link](https://teams.microsoft.com/meet/285676619371329?p=QonSsaKUieFv6TKvrt) (<https://teams.microsoft.com/meet/285676619371329?p=QonSsaKUieFv6TKvrt>) on May 1, 2026.

Participants and members of the public may also use the following information to attend the scheduling conference: Meeting ID: 285 676 619 371 329; Passcode: zF9U6pV7; or call in by telephone using the following information: phone number & conference id: phone number & conference id (+1 802-828-7667,,23199535#)

Participants may wish to review guidance on how to join the meeting and system requirements (<https://support.microsoft.com/en-us/office/join-a-meeting-in-microsoft-teams-1613bb53-f3fa-431e-85a9-d6a91e3468c9>).

Please note that Commission Rule 2.225(A) requires parties to make all reasonable efforts to reach agreement on, and jointly file, a proposed schedule no later than three days before a scheduling conference. That rule also requires parties to make separate filings if they cannot agree on all scheduling matters.

Pursuant to 30 V.S.A. §§ 20 and 21, the Petitioner will be responsible for any costs incurred by the Commission as a result of this scheduling conference. Invoices for these costs will be mailed to the attorney(s) of record or the official representative(s) for the Petitioner.

VERMONT PUBLIC UTILITY COMMISSION

By: \_\_\_\_\_

Holly R. Anderson  
Clerk of the Commission

