Fair Haven Planning Commission

Town of Fair Haven - September 9, 2026 - Regular Meeting

Commissioners Present: Robert Richards - Chair, Ann Finley - Vice Chair, Sam Lucci - clerk, Mick Richards
Commissioners Absent: Linda Sienkiewicz
Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - recording secretary

Table of Contents:

Current Zoning Section 910
Proposed Zoning Section 910

Agenda

1. **Call to Order**:
   The meeting was called to order at 7:30 pm by Chair Richards.

2. **Review of Minutes of Previous Meeting:**
   a. **Approval of Minutes: Regular meeting - August 26, 2026**

Mr. Lucci, at 7:30 pm **motioned to accept the minutes of August 26th as written.** The motion was seconded by Mr. M. Richards. All were in favor and the motion passed.

3. **New Business:**
   a. **Update on Downtown Designation for Fair Haven.**
   b. **Addition of an update to the zoning regulations Article IX - General Regulations, Section 910-Keeping of Animals, Following the enactment of the State Law Act 166 (H.941.)**

Chair Richards noted that there was no update from the RRPC . Next week Chair Richards will have a meeting with Mr. Neary to see if there is staffing available to help with the Downtown designation work. There has been no comment from Mr. Holloway. Mrs. Finley asked what the Tier 16 offers the town. Chair Richards stated he will try and figure that out by next meeting. He meets with the RRPC on Tuesday the 15th at 7:00 PM. He's hoping to speak with Mr. Neary before the group meeting. ZA Adams asked that Chair Richards looks into getting a clean copy of the zoning regulations again. Chair Richards stated that request is on his list.

Chair Richards asked Mr. Lucci to give an update on the potential zoning chicken husbandry in Fair Haven. Mr. Lucci stated he had hoped that VLTC would have given their legal advice on his draft, but they haven't responded to his request yet. He asked that the PC review the document with him and let him know if there are any areas that need modification. He passed out two documents one containing the draft new regulations and one that is a copy of the current regulations (see below).

Mr. Lucci directed the PC to start at the highlighted area of the proposed bylaws; "*If the required setbacks cannot be met, no structure or fence shall be erected without first being*

brought to the Planning Commision for Site Plan Review". Mr. Lucci stated the intent of this statement was because the town cannot prohibit the keeping of chickens, if the town created their own setbacks then, if a family wanted to keep chickens but couldn't fit the zoning the Planning Commission could help their intentions. ZA Adams stated that the whole site plan review is a long and involved process and suggested that the wording be changed. Mr. Lucci asked what the process people normally utilize to sit before the Planning Commission to get an application reviewed and what the process of site plan review is. ZA Adams explained both. Mrs. Finley suggested the word "review" could be used instead. ZA Adams stated maybe the language could stay the same the PC just chose to exempt them from the site plan review process. Mr. Lucci stated that he thought if a family can't meet the set back requirements that the PC would want to know what they are doing - the current review process could help.

Mrs. Finley asked if chicken raising *had* to go through zoning. ZA Adams stated that if they wanted an enclosure they would need to go through the process. Mr. Lucci stated he would like a document that is clear and helps people see exactly what they would have to do to raise chickens in Fair Haven. The PC had a discussion about what lawn setbacks are. ZA Adams stated that one accessory building is allowed without a permit in category accessory building small with residential use. Chair Richards stated that maybe they could write something saying that if people wanted to use that building for chickens they would have to apply with the town. Mr. Lucci stated that the permit process cannot have a fee, but the town can require a registration. Chair Richards stated it simplifies for all except chicken raisers; "All coops must be reviewed by zoning". If they are required to go through a process they are apt to do it correctly.

Mr. Lucci guided the PC through the rest of the document. The first paragraph is the same as the current bylaws except for the required changes. The second paragraph the PC was in agreement in its content, "*No livestock and/or poultry are permitted to shelter in areas intended for human habitation whether currently inhabited by humans or not, nor in a garage.*"

Paragraph 3, Mr. Lucci drew attention to chickens being required to be penned in or not? The PC agreed that they should be penned. "*Chickens must be kept in an enclosure, such as a henhouse, chicken tractor, or fenced area at all times. Enclosures may be portable, but cannot be set up within the property line setbacks.*"

Paragraph 4, spoke to what the setbacks were. Mr. Lucci asked what the PC wanted the distance to be from neighbor property lines? Mr. Richards suggested the PC try for legal help with this section. ZA Adams stated maybe reduce the setbacks for smaller lots. Chair RIchards stated that if they want chickens on a difficult lot there should be more compromising. Mr. Lucci asked if it was changed to say that chickens must stay in the backyard in general and be at least 10 ft from property or street lines.

Paragraph 5, spoke to what the enclosures look like. Mr. Lucci stated he looked up this information. ZA Adams asked if people were allowed to only keep chickens in a fenced in yard. Chair Richards stated they would probably need a coop, but the PC doesn't need to demand it. Mrs. Finley asked about the humane keeping of chickens. Mr. Lucci stated that part might be better left for an ordinance and an animal officer to enforce. Mr. Lucci asked about how to enforce the second sentence "*Such structures shall be kept clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of*

neighboring lots due to noise, odor or other adverse impacts." Chair Richards stated via complaints. Mr. Lucci felt the language was needed in case we need to enforce the issue.The discussion turned to enforcement. ZA Adams stated he was afraid of things that are left up to interpretation. Mr. Lucci wanted to know who states who enforces something. Chair Richards stated that the PC could refer those complaints to animal control - and that the selectboard should know that is the intent.

Paragraph 6, storing of care materials.

Paragraph 7, slaughter. Mr. Lucci stated people are asked to keep trash cans behind screens and out of sight, why not do the same with slaughtering chickens. After discussion he stated he would remove it from the document.

Mr. Lucci stated when he hears from VLCT he will share the information with the PC.

4. **Other Business**
   a. **Public Comment:** None
   b. **Review of Mail:** None
   c. **Other:** ZA Adams wanted to let the PC kno that the last applicant withdrew their application due to Act 250 findings.

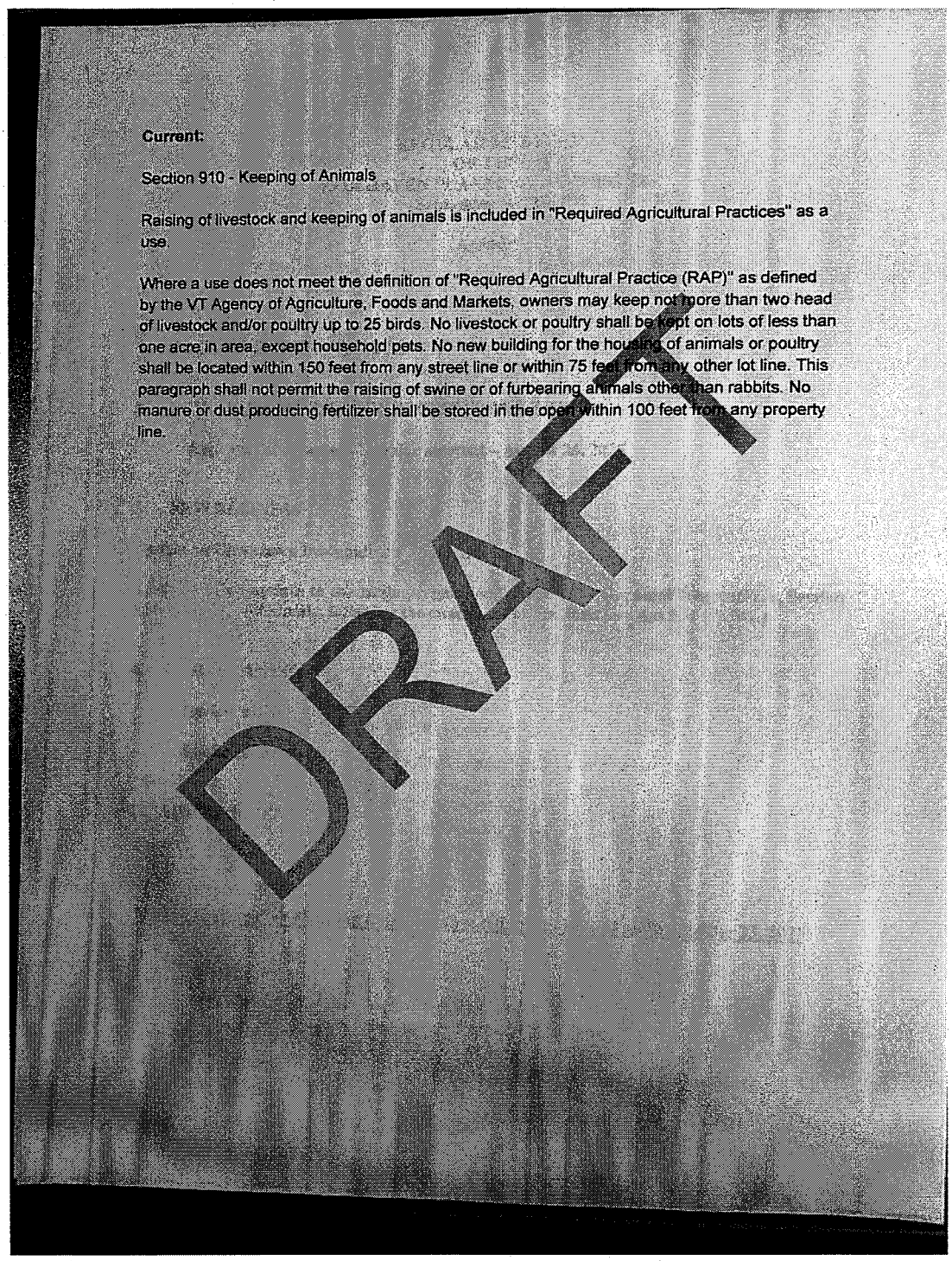
5. **Adjournment:**

Mrs. Finley **motioned to adjourn at 8:20 pm.** Mr. Lucci seconded the motion. All were in favor and the meeting was adjourned.

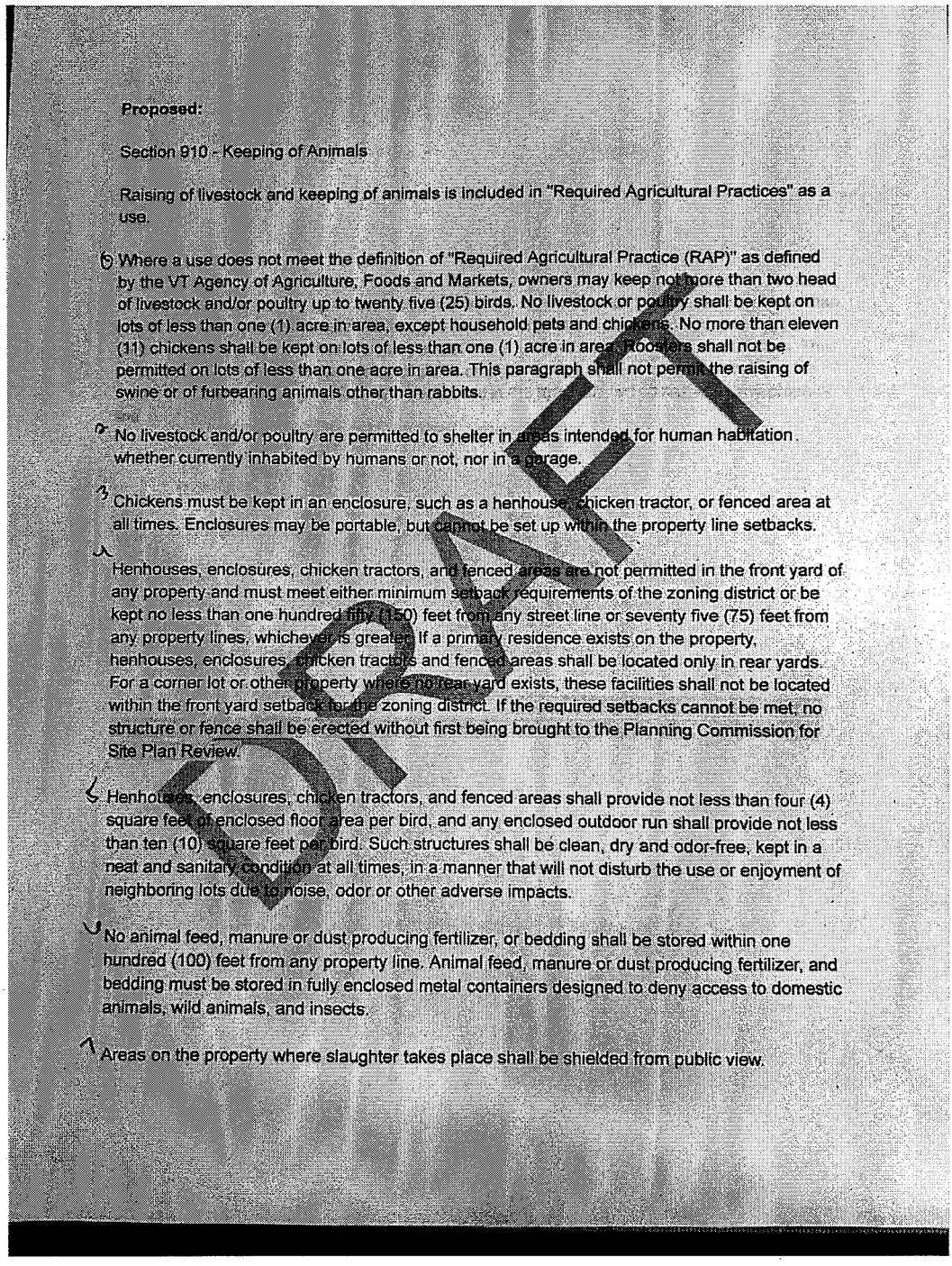
Respectfully Submitted,
Jennifer Jackson, Minute-taker

The Next Commission Meeting will be held on September 23, 2026 at 7:30 pm

Current Zoning Section 910



Proposed Zoning Section 910



Proposed:

Section 910 - Keeping of Animals

Raising of livestock and keeping of animals is included in "Required Agricultural Practices" as a use.

Where a use does not meet the definition of "Required Agricultural Practice (RAP)" as defined by the VT Agency of Agriculture, Foods and Markets, owners may keep not more than two head of livestock and/or poultry up to twenty five (25) birds. No livestock or poultry shall be kept on lots of less than one (1) acre in area, except household pets and chickens. No more than eleven (11) chickens shall be kept on lots of less than one (1) acre in area. Roosters shall not be permitted on lots of less than one acre in area. This paragraph shall not permit the raising of swine or of furbearing animals other than rabbits.

No livestock and/or poultry are permitted to shelter in areas intended for human habitation whether currently inhabited by humans or not, nor in a garage.

Chickens must be kept in an enclosure, such as a henhouse, chicken tractor, or fenced area at all times. Enclosures may be portable, but cannot be set up within the property line setbacks.

Henhouses, enclosures, chicken tractors, and fenced areas are not permitted in the front yard of any property and must meet either minimum setback requirements of the zoning district or be kept no less than one hundred fifty (150) feet from any street line or seventy five (75) feet from any property lines, whichever is greater. If a primary residence exists on the property, henhouses, enclosures, chicken tractors and fenced areas shall be located only in rear yards. For a corner lot or other property where no rear yard exists, these facilities shall not be located within the front yard setback for the zoning district. If the required setbacks cannot be met, no structure or fence shall be erected without first being brought to the Planning Commission for Site Plan Review.

Henhouses, enclosures, chicken tractors, and fenced areas shall provide not less than four (4) square feet of enclosed floor area per bird, and any enclosed outdoor run shall provide not less than ten (10) square feet per bird. Such structures shall be clean, dry and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impacts.

No animal feed, manure or dust producing fertilizer, or bedding shall be stored within one hundred (100) feet from any property line. Animal feed, manure or dust producing fertilizer, and bedding must be stored in fully enclosed metal containers designed to deny access to domestic animals, wild animals, and insects.

Areas on the property where slaughter takes place shall be shielded from public view.

DRAFT