

## NEWPORT CITY PLANNING COMMISSION MINUTES

**\*April 26<sup>th</sup>, 2016\***

**MEMBERS PRESENT:** Chair Charles Elliott, Robert Currier, Clark Curtis, Woodman Page, and Dan Ross

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mayor Paul Monette, Daily Express Reporter Christopher Roy, Amy and Robert Brasseur, Susan and Joseph Broadbent, and Diane Peel

**7:00 p.m.** Chair Charles Elliott called the meeting to order. Clark Curtis moved to approve the minutes of the April 5<sup>th</sup>, 2016 meeting. This was seconded by Robert Currier. **APPROVED BY UNANIMOUS DECISION.**

**7:02 p.m. Discuss proposed changes to Bylaw Section 427-B Animals (Proposed changes affect all animals kept as household pets with specific changes related to chickens):** Chair Charles Elliott began the meeting by reading the proposed changes to the Animals' Bylaw. The initial restriction of raising horses, cattle, hogs, fowl or fur-bearing animals on a three acre lot size would remain in place since it is directed towards large farm animals.

The planning commission had been looking at the issue for some time and proposed changes would require that all animals (fowl, reptiles or other living creatures) must be kept restricted to the property owners' property. Mayor Monette asked if a chicken coops must meet minimum setback requirements which it was confirmed that it would.

Longview Avenue residents (The Brasseur and Broadbent families) raised a number of issues since a neighbor currently has goats, rabbits, chickens and roosters roaming around their neighborhood. Questions raised were permit requirements, fees, and property inspections. These items are currently not being considered by the Planning Commission. Ms Brasseur raised an important safety concern where her neighbors have seen either a fox or coyote in the area which seems to have been attracted to the local livestock. Ms Broadbent discussed how chickens are damaging vegetable and flower gardens and fecal matter is being left behind. The police have been contacted, but they deal only with dogs. Mr. Broadbent asked if roosters were permitted and Chair Elliott explained how they needed to be culled before maturity. Both the Broadbent and Brasseur families wanted it to be known that they are not trying to cause problems since they like their neighbor, but they simply want to be able to live in a safe environment and be able to protect their landscaped property. Charles Elliott explained that by creating the changes to the bylaw that it was hoped that it would be fair to all parties, but the bottom line was that if you have a pet/animal it must be maintained on your own property. Chair Elliott stated further that he does not know the number of city residents who own chickens since in most situations, residents who have chickens keep their animals within a fenced area.

Clark Curtis provided his personal views, comments, and observations on the issue. Mr. Curtis stated that the draft bylaw should spell out what the definition of a standard lot should be for housing chickens. Research of other towns within Vermont shows that roosters are not permitted, and other issues such as structures, setbacks and composting were considered. Clark Curtis further suggested that rather than a bylaw that an ordinance might be the proper way to deal with the issue. Clark Curtis had contacted the Essex Zoning Administrator and described how they handle the issue. If a resident of Essex wants chickens then they must submit an application to the town clerk. The application is then forwarded to the zoning administrator who ensures that the property meets the established requirements for a caged area, setbacks and then the application is then forwarded to the council for approval. The process is working well, but there are some in-house issues that come up.

Dan Ross agreed that an ordinance would be the better way to move forward. It was explained that most residential lots are less than 10,000 sq ft, so the bylaw would be more restricted than an ordinance. Mr. Ross explained that he understood that individuals want fresh eggs and that we live in an area that puts great emphasis on the fresh food to table experience. It was again emphasized that an ordinance would be the way to go and that the police/animal control officer could deal with the enforcement of animals in caged and or fenced areas. Mayor Monnete raised concerns that the police department has greater concerns dealing with the opiate/drug issue. It was also pointed out that based on the current bylaw residents with less than three acres who are raising chickens are in violation.

Chair Elliott stated that he had personally contacted the neighbor in question and had followed up with a letter. The neighbor knows that the commission is working on a solution and that in the future there may be fines. There are stiff fines for zoning infractions which can range up to \$200 a day. If the fines are ignored then there is a lien placed on the property and should the fines be ignored then the lien will be settled upon change of ownership of the property. Chair Elliott concluded that the current animal bylaw is in draft form and that the solution may be a combination of a zoning bylaw or ordinance requirement.

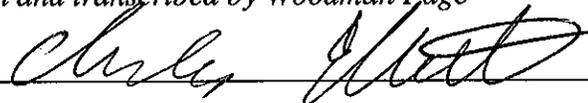
**7:53 p.m. Discuss proposed changes to Bylaw Section 304.09 Shore Land Control District:** Chair Charles Elliott went over all new material that had been added to the bylaw. A key item is that all shore land activity for new or expanded areas must be 250 feet from the shoreline. *Dan Ross pointed out that this did not apply to municipalities but did for private land owners.* Charles Elliott gave examples where private land owners did not get permits due to the 250 foot guide line. It was explained that any shore land development must have all state permits and supporting documents prior to applying for a city permit. Clark Curtis stated that for developers they first go to the municipality prior to the state. In any case, the change ensures that state and Army Corps of Engineers permits are in place prior to obtaining associated Newport City permits. Clark Curtis then moved that the changes to the Shore Land Control District Bylaw be approved. This was seconded by Dan Ross. **APPROVED BY UNANIMOUS DECISION.**

**8:05 p.m. Other Business:** Clark Curtis noted the increase in size of the façade of Wendy's. Charles Elliott stated that the fire marshal performed an inspection and that the Wendy's establishment did get their permits. The resulting work is that the restaurant can now be seen when driving down the causeway. In other business, Clark Curtis mentioned that the commission needed to meet with Derby planning officials and that a Historical Preservation Commission (HPC) meeting should take place in the near future. Charles Elliott stated that the HPC will probably take place at the next meeting.

**8:35 p.m Next Meeting:** The next meeting will be scheduled for May 17<sup>th</sup> 2016 at 7p.m.

**8:42 p.m.** Robert Currier made a motion to adjourn. This was seconded by Woodman Page. **APPROVED BY UNANIMOUS DECISION.**

*Minutes taken and transcribed by Woodman Page*

Approved:  Date: 5/17/16