

NEWPORT CITY PLANNING COMMISSION MINUTES

June 7th, 2016

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

MEMBERS ABSENT:

OTHERS PRESENT: Amy Brasseur, and Pam Ladds.

7:05 p.m. Chair Charles Elliott called the meeting to order. Robert Currier moved to approve the minutes of the May 17th, 2016 meeting. This was seconded by Clark Curtis. Dan Ross abstained from voting since he did not attend the previous meeting.

APPROVED BY UNANIMOUS DECISION.

7:08 p.m. Discuss proposed ordinance for back yard chickens: Chair Charles Elliott distributed copies of the draft chicken ordinance to members of the Planning Commission and to the public in attendance. Dan Ross suggested changes to include allowing the selling of eggs since the maximum number of chickens allowed would not be considered a commercial enterprise and that the waste storage and removal section be revised to reflect upcoming changes in Vermont's landfill regulations. Dan Ross also recommended a section devoted to definitions since he pointed out the term chicken tractor which no one was familiar with. Charles Elliott agreed to include these changes and later informed everyone that the definition for a chicken tractor was simply a chicken coup on wheels. Pam Ladds agreed with Dan Ross' suggested changes, but took exception to chickens being housed more than twenty feet from all property lines. Chair Elliott emphasized that Ms Ladds having chickens was not the reason for the ordinance, but rather it was because individuals with chickens are not respecting their neighbor's rights. Amy Brasseur agreed with Chair Elliott and also reminded everyone that the Bylaw was being violated. Charles Elliott had previously determined that for the ordinance to be effective it would need to be based upon expert knowledge so there is a reference for accepted practices to raising chickens from the Penn State Cooperative Extension Service along with their web site. Charles Elliott also pointed out that the enforcement section of the ordinance would have to be provided by the city's attorney. Violators of the code would face fines and payment would be collected by the city. If fines were ignored than liens would be placed on property. Chair Elliott stated that he was amazed of the time that he had spent on the issue and felt that he had developed a straight forward plan through the ordinance which dealt with the issue.

7:30 p.m. Dan Ross expressed disappointment that the Zoning Administrator Elliott was spending so much time on the issue. Charles Elliott stated that it would eventually be routine if a citizen wanted to keep chickens then it would require a site visit for a permit and if compliance with the ordinance was not followed then fines would be issued and permits could be revoked. Robert Currier inquired if the bylaw would be changed to recognize the ordinance and whether the ordinance would need to go before the voters. Charles Elliott stated that the bylaw would need to reference the ordinance and that it

would go to the council where there would be a public hearing. If the ordinance is implemented and about five percent of the voters object to it then it would be placed on a ballot for the citizens to vote. The fees were set arbitrarily, but ultimately it was up to the City Council to set all fees.

7:40 p.m. Dan Ross moved that the ordinance with the previously discussed changes be submitted to the council for approval. This was seconded by Woodman Page. Clark Curtis gave his support for what the commission was trying to accomplish, but that the ordinance was not completed. Clark Curtis was fine with the suggested changes, but wanted to see the completion of the attorney's work on the enforcement section. It was also pointed out that the ordinance currently contradicts the Bylaw and that changes to the Bylaw were needed for the ordinance to move forward. Ultimately Clark Curtis stated that he wanted a finalized version of the ordinance and language related to the changes in the Bylaw before he voted to approve sending the ordinance to the council. Chair Elliott stated that the change in the Bylaw would simply be a statement referring to the Ordinance. Dan Ross recognized Clark Curtis' remarks on how the Bylaw states one thing where the Ordinance states something different. Clark Curtis gave further inputs on moving forward with seeing Charles Elliott create language for the Bylaw recognizing the Ordinance along with a report that the Planning Commission would vote on for moving forward with the finalized version of the Ordinance. Clark Curtis also suggested that the guidelines for the Certificate of Occupancy might be included. Concern was expressed that the Chicken Ordinance would be further delayed, but that it was better to finalize the work prior to moving it forward to the City Council. **THE MOTION WAS NOT APPROVED**

7:47 p.m. Other Business: None.

7:48 p.m Next Meeting: The next meeting will be scheduled for June 21st, 2016 at 7p.m.

7:49 p.m. Clark Curtis made a motion to adjourn. This was seconded by Robert Currier. **APPROVED BY UNANIMOUS DECISION.**

Minutes taken and transcribed by Woodman Page

Approved: _____

Charles Elliott

Date: 6-21-16