

NEWPORT CITY PLANNING COMMISSION MINUTES

July 14, 2015

MEMBERS PRESENT: Charles Elliott, Clark Curtis, Woodman Page

MEMBERS ABSENT: Dan Ross

OTHERS PRESENT: Mayor Paul Monette, Councilman John Wilson, Daily Express Reporter Chris Roy, Anne Page, Diane Peel, Nancy Rae, Graham Rae, Diana Henry, Holly White, and Leslie Becker

7:00 p.m. Chair Charles Elliott called the meeting to order. Clark Curtis moved to approve the minutes of the March 10, 2015 meeting. This was seconded by Woodman Page. **APPROVED BY UNANIMOUS DECISION.**

7:02 p.m. ELECTION OF OFFICERS. Clark Curtis moved to nominate Charles Elliott as the Chairman of the Planning Commission. This was seconded by Woodman Page. **APPROVED BY UNANIMOUS DECISION.** Woodman Page moved to nominate Clark Curtis as the Vice Chair of the Planning Commission. This was seconded by Charles Elliott. **APPROVED BY UNANIMOUS DECISION.** Clark Curtis moved to nominate Woodman Page as the Clerk. This was seconded by Charles Elliott. **APPROVED BY UNANIMOUS DECISION.**

7:04 p.m. CONSIDERATION OF BYLAW CHANGES. Chair Elliott began by stating that there was a position open on the Planning Commission and anyone interested should contact him following the meeting. The process of making changes to the Zoning Bylaws was explained and further inputs were requested to those in attendance.

7:06 p.m. ADULT OUTDOOR SIGNAGE BYLAW. Charles Elliott stated that he had received complaints related to the prominence of tobacco advertising. It was further explained that one could not just focus on tobacco without addressing alcohol advertising. To be fair and uniform, Chair Elliott determined that there should be a prohibition on outdoor signs advertising adult only products and read the draft proposal. Mayor Monette felt that the bylaw was beyond the city's authority and was too restrictive. Woodman Page inquired on the definition of adult products and whether the bylaw would cover tattoos and body piercing which it would. Nancy Rae praised the proposal as a wonderful intention, but felt that more work would need to be required for the content. Ms Rae also wondered if the issue hadn't already been ruled on by the U.S. Supreme Court. Chair Elliott stated that the city attorney had not yet been consulted and that it was not his intention to restrict local business. Diane Peel said that she was recently surprised by a large advertisement for cigarettes in the window of the local Family Dollar Store and felt that the size of signs should be regulated. Nancy Rae added that some communities in Vermont have established regulations on the percentage of space being displayed in a window that could be covered by an advertisement or sign. Leslie Becker could see the spirit of fairness related to the issue and ultimately improve the health of the community as a whole. Woodman Page stated how he would like to see

cigarettes banned downtown from the Hebard State Building to the Goodrich Library. The mayor said that enforcement would be impossible and that there wasn't enough police manpower available. Graham Rae observed that at the recent city block party that individuals were receptive in not smoking when approached by citizens and Nancy Rae added that the signage issue is worth pursuing and that restrictions should be in parks and other public places. Charles Elliott said that this was his first edit of the proposed bylaw and that he would do further research and refine the proposal. Ms Henry felt that Newport area businesses were struggling economically and didn't need any further restrictions placed on them. Councilman John Wilson added that the smoke free zone would be a challenge and wondered what other restrictions would follow. Councilman Wilson informed the attendees that the State of Vermont receives taxes from cigarettes and alcohol and that the issue should be left to the state. Leslie Becker added that it was a balancing act in protecting businesses, but also the health of citizens such as her daughter who has asthma. Diane Peel had the final word on the issue by stating that the size of the adult advertisements should be what is regulated.

7:06 p.m. ELECTRONIC MESSAGE SIGNAGE BYLAW. Chair Elliott spoke about the new sign at Lapierre's Decorating Center on East Main Street and how it was not in compliance with the current bylaw. It was stated that the issue should have been dealt with prior to the appointment of the new Zoning Administrator. Charles Elliott then proceeded to read the draft proposal allowing electronic message board signs in Newport. No complaints had been received on the electronic sign, but that the Cumberland Farms Store would soon be adding an electronic message board above their gas pumps. Diane Peel informed the group that the Lapierre's sign was extremely bright and distracting thus being a safety issue. Woodman Page added that the sign was not in compliance with current bylaws by illuminating onto other properties and that this small sign was much brighter than even the nearby Ford dealership sign. Clark Curtis asked if the Newport Fire Station would have to have their sign replaced since it too is an electronic message board. Leslie Becker felt that Newport is a great place with a certain ambiance and unique quality. Ms Becker could see how the bylaw was attempting to preserve Newport's uniqueness rather than having it become something like a showy Las Vegas. Ms Becker further praised the bylaw for trying to maintain Newport's environment and keep it as a great place to live.

7:40 p.m. JUNK YARD BYLAW. The proposed draft was read where junk yards would be prohibited in all city zones. The proposal was to prevent individuals from storing and or selling discarded material on their lawns. Clark Curtis inquired if this wasn't prohibitive even if it was in a building. Charles Elliott stated that it was not and that the proposal was intended to prevent individuals from dismantling all sorts of mechanical devices or waste and having it strewn throughout their lawns. Chair Elliott further clarified that there exists a bylaw for unregistered vehicles and that this did not apply to the hobbyists who were restoring vehicles or antiques as long as it was inside a building. The city receives a number of complaints where individuals are leaving all sorts of items from building materials to garbage strewn throughout their property. Charles Elliott stated that it is pretty obvious when someone is being untidy. Reporter Chris Roy inquired if this affected scrap yards and was informed that these businesses

were heavily regulated by the state and that only the state could issue such permits. Chair Elliott explained that the city is very generous in working and giving individuals time to correct their individual situations.

7:45 p.m. ANIMAL BYLAW. Here again, the city has been receiving complaints on the number of chickens that are not being properly kept on owners property. Charles Elliott stated that he had discussed the issue with the city attorney who assured him that he was on solid ground with his proposal and was encouraged to expand on the restrictions related to housing and odor. There are apparently a number of areas within Newport where chickens are running free. Mayor Monette stated that he recently almost hit a chicken while driving through one of these neighborhoods. Diane Peel took exception to the bylaw where it lays out the number of chickens to be held and the relation to lot sizes. Mayor Monette felt that six was a good number for individual home owners to be able to manage. Clark Curtis said that the new proposal was better since the previous bylaw restricts all livestock. Chair Elliott further elaborated that household pets fell into a different category of the bylaw which Ms Peel responded that some fowl are considered pets and that some are also considered as therapy for some individuals. Diane Henry read a prepared statement further questioning the limits placed on individuals to only six birds within the limits of a property three acres or less. Ms Henry further questioned the expense in building a fence for ones chickens and how this new bylaw detracts from peoples' food self-sufficiency. The mayor stated that six chickens in a lot like his would be a good number, but if one wanted more then perhaps one should move to the country. Diane Peel asked whether any research had been performed on what the square footage should be per chicken and recommended that someone on the commission should contact the National Organic Farmers Association for further advice. Charles Elliott explained that he grew up on a rural farm in Morgan and that he is not opposed to research, but that we live in an urban area where this issue can have an impact on neighbors' property. Clark Curtis again reiterated the current zero versus six chickens that the proposed bylaw would now cover. Charles Elliott agreed to further research the issue.

8:16 p.m. SHORELAND CONTROL DISTRICT BYLAW. Chair Elliott stated that the state has new regulations related to shoreland development. To alleviate some of the existing confusion, the addition to the bylaw would state that all individuals developing along Lake Memphremagog must first obtain all the necessary state permits prior to receiving any permits from the city. There was no discussion on this issue.

8:18 p.m. NEXT MEETING. Chair Elliott is currently waiting for some updated zoning maps to be printed and would then plan on an actual date for their review. The next date will probably be either August 4th or the 11th, but for now the next meeting has officially been left open. Mayor Monette asked if there would be another advertisement for the Planning Commission opening and Chair Elliott stated that he would submit another advertisement. Diana Henry suggested that the Planning Commission might advertise on Front Page Forum. Charles Elliott asked that Ms Henry send him the link so that he could review it.

8:40 p.m. Woodman Page made a motion to adjourn. This was seconded by Clark Curtis. **APPROVED BY UNANIMOUS DECISION.**

Minutes taken and transcribed by Woodman Page

Approved: Clark Elliott Date: July 15, 2015