

NEWPORT CITY PLANNING COMMISSION MINUTES

December 22nd, 2015

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

MEMBERS ABSENT: Dan Ross

OTHERS PRESENT: Pam Ladds

7:09 p.m. Chair Charles Elliott called the meeting to order. Robert Currier moved to approve the minutes of the November 3rd meeting. This was seconded by Clark Curtis. **APPROVED BY UNANIMOUS DECISION.**

7:10 p.m. Rewrite of City Bylaw: Chair Elliott began the meeting by stating that his office is being moved and once settled that he will have Laurel Wilson put the City Bylaws on the community web site so that commission members can begin updating them. Clark Curtis stated that based on recent developments by Irasburg town officials that the Vermont Secretary of State's Office has in that particular case stated their work was in violation of the open meeting law and this might be the case for commission members doing work on the bylaws at home on their own personal computers. Pam Ladds added that the commission did not have office support or space to do its work. Charles Elliott stated that he would make inquiries on the open meeting law.

7:17 p.m. City Bylaw Section 405.01 Residential Care Homes: This issue was raised when the North East Kingdom Human Services proposed to expand their existing facility to include another building located on an adjoining lot on Glen Road/Kingdom Way. Some time ago a single family permit had originally been issued. In May 2015, Chair Elliott issued another permit for the expansion of a multi family dwelling which all came under one umbrella and triggered a requirement for an Act 250 permit and local review that included participation by the Development Review Board (DRB). The DRB requested that the city lawyer review the case prior to the DRB calling for a hearing on the expansion. The city lawyer ruled that the expansion of the group home (level 3) should be reviewed as a multi family dwelling. Chair Elliott rewrote a new permit superseding the original which now allowed for the expansion of the original home to include the second home and lot which would now be considered a group home consisting of a multi family dwelling. The DRB ultimately did approve the expansion, but there was another issue since the bylaw had originally stated that residential care homes could not be located within 500 feet of another existing or permitted home. Chair Elliott shared this issue with planning commission members since it had been controversial and wanted to show how wording matters when it comes to different interpretations. Chair Elliott made a note that additional guidelines might be needed for the bylaw

7:50 p.m. City Bylaw Section 304.08 Industrial Zone Conditional uses: No 2: Chair Elliott reviewed the bylaw which states that in an industrial district that other permitted

uses for the area could be allowed provided that it was in affiliation with industry and or ancillary needs of the school system. Background information was provided to include how members of the commission had originally wanted to protect an area that comprised the industrial district. The change to the bylaw came about through a request by Turning Point School to have a facility affiliated with the high school in the industrial area. The DRB requested that the bylaw be reviewed by the city lawyer to determine if various training programs met the applicability of conditional uses. Chair Elliott stated that he would recommend that the current bylaw be eliminated and that the previous bylaw take its place. Reasoning for the change was that educational training programs are permitted as long as they do not become the primary purpose from industrial or commercial use. Chair Elliott also stated another real reason for the legal review was that there had also been a request to have a health club in the industrial area. Ultimately the DRB denied the permit for a health club in the area and the applicant withdrew his request.

8:25 p.m Other Business: Clark Curtis advised the commission that the Historical Preservation Commission (HPC) had only met three times for 2015. He went on to say that there was a requirement for the HPC to meet at least four times during the year and did not know if there were any penalties for not doing so. Clark Curtis also pointed out that he had agreed to step down from the HPC in order for Pam Ladds to take his position. Chair Elliott acknowledged that Pam Ladds had submitted her letter to be considered for membership on the HPC. Another issue to consider is whether Clark Curtis could remain on the HPC and also have Pam Ladds included on the HPC. The issues of whether to add another person to the current slate of personnel to the HPC and whether Pam Ladds will be approved to serve on the HPC will have to be presented to the City Council. Chair Elliott is hopeful that by adding the membership of Pam Ladds on the HPC that greater interest might be generated and that the HPC could be a greater conduit for grant applications.

8:33 p.m Next Meeting: The next meeting will be January 5th, 2016 at 7p.m.

8:35 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: _____

01-05-2016