

**Approved
Minutes
Hartford Planning Commission
December 18, 2023**

**THIS MEETING WAS CONDUCTED IN COMPLIANCE WITH
THE VERMONT OPEN MEETING LAW
IN PERSON WITH ELECTRONIC PARTICIPATION AVAILABLE**

Present: John Reid, Chair, Bruce Riddle, Vice Chair, Toby Dayman, Dillon Bianchi, John Heath, Colin Butler, Dylan Kreis, Kim Souza, Selectboard Liaison, and Jo-Ann Ells, Zoning Administrator

Absent: None

Administrative Matters

John Reid read the hybrid meeting script and took a roll call.

1. Public Comment

None

2. Determine location of zoning district boundary line, Summit Distributing, LLC, lot 44-0041-000, Sykes Mountain Ave. and Beech Street

Lot 44-0041-000 is located in two zoning districts, I-C and R-1.

The zoning district boundary line is located 250' feet from the center of Beech Street. The distance from Route 5 is not identified on the Zoning Map and the district boundary line crosses the back of lot 44-0041-000 at an angle.

Section 260-14 of the Zoning Regulations states, "District boundaries shown within the lines of roads, streams and transportation rights-of-way shall be deemed to follow the center lines. The abandonment of roads shall not affect the location of district boundaries. When the Administrative Officer cannot definitely determine the location of a district boundary by such center lines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, the Officer shall refer the matter to the Planning Commission, which shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of these regulations."

Jo-Ann Ells noted that she was unable to determine the location of the zoning district boundary line and has referred the matter to the Planning Commission for interpretation.

2. 12-18-23

After some discussion, the Commission unanimously agreed that the zoning district boundary line should be located as indicated in red on a plan prepared by GPI, entitled "Presentation Plan, dated December 5, 2023.

Toby Dayman joined the meeting remotely.

3. Minutes

Bruce Riddle moved to approve the minutes of November 13, 2023 as presented. Colin Butler seconded, and the motion passed unanimously.

Bruce Riddle moved to approve the minutes of December 4, 2023 with several changes. Colin Butler seconded, and the motion passed unanimously.

4. Administrative Permits

Jo-Ann Ells reviewed an administrative permit that was granted to Twin Pines at 747 Hartford Ave to increase the width of a dumpster, construct patio at grade, relocate a hydrant, cover a mechanical pad, and reduce length and height of a retaining wall.

5. Act 250 Applications

Jo-Ann Ells noted that an application by Jasmin/Eromeno, LLC for a boundary line adjustment and site plan amendments and a new parking facility and office that had already been approved by the Planning Commission had been submitted to Act 250.

6. Town Plan Steering Committee Update

Bruce Riddle noted new Town Plans were approved for Bradford and West Fairlee.

7. Regional Planning Commission Update

Colin Butler asked if the Regional Planning Commission is discussing housing. Bruce Riddle noted that discussions are ongoing.

8. Climate Action Plan Update

None

9. Availability for the next Public Hearing

All Commissioner expected to be at the February 5, 2024 Hearing.

Public Hearing

John Reid opened the Public Hearing, asked people to sign in, explained the Hearing process, noting that general public comments will be limited to two minutes, reviewed the Interested Party Rule, and administered the oath.

1. Application #23-26 by The Town of Hartford School District (owner/applicant) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for amendments to an approval for a school/educational building related to hours and programming, lot 09-0028-001, Christian Street, Hartford, in an agricultural overlay district and R-3 zoning district.

Jonathan Garthwaite was present.

Jonathan Garthwaite reviewed the proposed changes/clarifications as outlined in Finding #7 and noted several changes made by the Zoning Board of Adjustment the previous week.

Bruce Riddle thanked the applicant for his efforts.

There was no public comment.

Bruce Riddle moved to close the Public Hearing. Dillon Bianchi seconded, and the Public Hearing was closed.

Bruce Riddle moved to approve the application with the noted changes. Dillon Bianchi seconded, and the motion passed unanimously.

2. Application #23-21 by Craftstudies Inc. (owner) and The Upper Valley Haven (applicant) for Site Development Plan Approval under section 260-45 of the Hartford Zoning Regulations for an Emergency Shelter, lot 45-0003-000, 608 North Main Street, White River Junction, in the HCR Zoning District.

Michael Redmond, Kim Butler, Jim Wasser, Doug Sonsalla, Paul Simon, and Adam Morse were present.

John Reid noted the Commission had received a vast number of letters/emails and thanked people for submitting their comments. He noted that there were remarks about Hartford being the only town to address the issue of homelessness and pointed out that Lebanon is working on a temporary and permanent shelter as mentioned in Lebanon City Councilor and State Representative George Sykes letter to the Commission.

John Reid noted that the Commission's review authority is limited by 24 VSA 4413 (Act 47). He listed the criteria the Commission may consider in their review.

Kim Butler explained that Act 47 has changed the legal landscape and limits the Commission's review authority. She noted that the Town may regulate where Emergency Shelter's may be located. However, she explained that the Vermont Supreme Court has ruled that if a town does not specify a location, it may be located anywhere in town. She noted that The Haven identified the subject property about a year and a half ago and determined that it is a good location. She added that the application meets the criteria of the Act.

Michael Redmond, Haven Director, noted that Hartford's Zoning Board of Adjustment denied an application for a shelter in 2022 based on location. He summarized five reasons the shelter is needed:

- Urgency/Growing Crisis
- Lack of housing increases need for emergency services
- The Haven will make a significant investment in the site and the community
- Shelter can be a gateway to ending homelessness
- It takes an entire community to address complex issues like homelessness and housing.

Cherry Sullivan, Haven Director of Shelter and Community Programs, reviewed how the location was chosen, noting that the site will provide housing and day services, and guests will be allowed to have pets.

Jim Wasser reviewed the architectural plans.

John Heath asked about the stability of the hillside. Doug Sonsalla explained that a structural engineer had been engaged and based on their review, the back of the foundation wall will be pinned. John Heath asked for confirmation that the hillside will not be disturbed. It was noted that dangerous limbs would likely need to be removed. It was agreed that the applicant should submit a maintenance plan for the hillside.

It was noted that pets could be off leash in the pet run area and will sleep inside. Cherry Sullivan noted that they are working on protocols for ensuring animals are vaccinated. John Reid commented that the pet run area should be supervised so barking dogs do not create a nuisance.

It was noted that a minimum of two staff people will be on site at all times and additional volunteers will be on site.

Colin Butler pointed out that the traffic memo makes it appear that the building will not be staffed during the day. He noted the memo needed to be revised.

Colin Butler asked what a typical day might look like.

Michael Redmond explained that guests will wake, eat breakfast, some guests will stay and some will leave, and daytime staff will arrive. He noted that on site services will be targeted to people staying overnight.

Bruce Riddle noted that the public sidewalk needs to remain open during construction.

Bruce Riddle asked about emergency interior and exterior lighting. Jim Wasser stated that both would be provided and added that a generator would be onsite.

Bruce Riddle suggested the applicant monitor interior CO2 levels.

Dylan Kreis asked the public to be respectful of the population who would be using the shelter when commenting on the application.

There was a brief discussion regarding parking and the need for vehicles to move in order for a trash hauler to access the dumpster area.

Toby Dayman noted that the area behind the building should be monitored as it looks to be in use today.

Heather Potter addressed the Commission and stated that she believed the project will affect the quality of life in her neighborhood, expressed concern that the population being served will not adhere to rules, and the location invites people to the Fairview Terrace neighborhood. She shared several stories of criminal activity in the Fairview Terrace neighborhood. She stated she is angry and scared, understands the need/problem, but does not think the location is appropriate.

Regan Shaw told the Commission that she has been involved with social services and has been homeless. She acknowledged that she supports the work The Haven does at its main campus, but is concerned with the nature of the proposed shelter given the lack of rules. She noted that similar shelters have resulted in problems in other towns.

Kate Hagner introduced herself as a Board member of The Haven and suggested a lot of the fear being expressed is rooted in bias. She noted she wrote a letter to the Commission.

Dave Potter noted that Fairview Terrace is the main way out of his neighborhood and expressed concern that vibrations from construction could affect the hillside behind the building, Fairview Terrace, and building foundations. He shared that he was concerned with the proximity of a business across the street, the ability of staff to address issues when they arise, and people hanging out in the Fairview Terrace neighborhood during the day.

Amie Koshy noted that the home she purchased in 2021 was formerly a “drug house,” and was in disrepair when she purchased it. She noted she was concerned that guests would not be respectful of the shelter and damage similar to how her home was damaged. She noted that concerns raised at a neighborhood meetings hosted by The Haven included

lack of guidelines/rules at the shelter, attracting people to the Fairview Terrace neighborhood, the ability of Hartford's emergency services to respond to issues, trash/misc. items being left on the sides of the street, and that this is not the appropriate location for the targeted guests.

Garrett Strizich stated that he understands the problem but is concerned with loitering, drug activity during the day, and problems arising like Burlington VT is experiencing.

Kathleen (no last name given) noted that she moved back to the area from Portland Oregon and stated that she sympathizes with the concerns that have been shared but the problem needs to be addressed and added that not all guests will be a problem.

Lucy Danger expressed support for the project, noting saying you want to help is very different than doing something to help. She noted that when people run out of options for housing their chance of dying increases.

Mark Bradley, Bugbee Senior Center Director, shared a story of someone who was sleeping in the bushes at the Center after losing their housing due to an increase in rent. He noted that the number of vulnerable older adults is increasing, and the consensus of the Center's Board is support for the project.

Brianna Whiteway referred to a study that she found that concluded that crime increases around emergency shelters.

Debbe (no last name given) noted that she works at The Haven. She shared that she experienced homelessness as a teen and received help from The Haven. She noted that there are vulnerable people in the community that need help and that staff is well trained.

Heather Potter noted that operation of a shelter with no rules is not allowed on The Haven's main campus.

Scott Snyder stated that he opposes the application, and noted that while he wrote a letter, he wanted to express his feelings in person.

Michelle Kearsey expressed her support for the project and noted that the lack of housing has led to a crisis.

Kathy Tracy noted that people do not often have help available where they live, this is a good location, and The Haven has experience and training.

Faith Dubois stated that she works at The Haven and worked at their low barrier shelter when it was operating. She noted that there are a lot of heartbreaking stories, and that people seeking help are not just criminals and addicts.

Simon Dennis suggested that inclusion is safer than exclusion, and expressed support for the project.

Robin Adair Logan suggested that a definition of the proposed low barrier shelter be added to the Findings of Fact. John Reid noted that a definition is included in the Findings of Fact as defined in the statute.

Kim Souza, speaking as a resident and not member of the Selectboard, explained, in response to concerns regarding safety, that it is not the Planning Commission purview to address safety. She explained that the Town has contracted with a consultant to review community safety. She noted information is on the Town website.

John Vogal noted that the Planning Commission needs to decide on the merits of the application, and suggested that concerned neighbors reach out directly to The Haven.

Val Werner noted that they found the study Brianna Whiteway referenced and suggested that the statistics were unclear and noted that the study was from a big city.

Ally Tufenkjian, speaking as a resident and not member of the Selectboard, voiced support for the application, and noted that the Planning Commission's role is not to engage in a moral debate about the application, but to determine if it meets the criteria.

Heidi Duto expressed her opposition to the project based on location, lack of rules, that guests will not necessarily be Hartford residents, the inability of the police to respond to problems, and the number of affordable housing units coming on line.

Bruce Riddle moved to close the Public Hearing. Colin Butler seconded, and the Public Hearing was closed.

Bruce Riddle moved to enter deliberative session. Dillon Bianchi seconded, and the motion passed unanimously.

When the Commission reconvened, John Reid thanked everyone for their participation. He reviewed the criteria the Commission has to consider as limited by 24 VSA 4413 (Act 47).

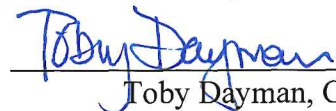
Jo-Ann Ells reviewed several changes to the Findings of Fact as discussed by the Commission.

Bruce Riddle moved to approve the application with the changes as noted. Dylan Kreis seconded, and the motion passed unanimously.

Adjournment

At 9:20 p.m., Bruce Riddle moved to adjourn. Colin Butler seconded, and the Hearing was adjourned.

Respectively Submitted,


Toby Dayman, Clerk

8. 12-18-23

John Reid 01-11-24

John Heath 03-22-24

Toby Dayman 06-28-24

Colin Butler 07-12-24

Bruce Riddle 02-07-25

Dillon Bianchi 09-05-25

Dylan Kreis 6/26/2026