

**Development Review Board  
Town Offices, New Haven, Vermont  
October 19, 2010**

**Members Present:** George Apgar, Kathy Barrett, Tim Bouton, Jim Gallott,  
Donald Johnston, Mike Sweeney

**Members Absent:** Donna Blaise

**Alternates Present:** Steve Dupoise

**Alternates Absent:** Andy Dykstra

**Guests:** Assistant Zoning Administrator (AZA)-Jill DeVoe  
New Haven Town's Attorney – Cindy Hill

Tim Bouton, Chair, called the emergency meeting of the Development Review Board (DRB) to order at 8:16 PM on Tuesday, October 19, 2010.

Gallott made the motion that the DRB go into executive session to discuss a matter of potential litigation with the Town's Attorney-Cindy Hill.

Sweeney seconded

Discussion – none

Vote: Yes – 6 (Apgar, Barrett, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

The meeting went into executive session at 8:17 PM.

Barrett made the motion to come out of executive session.

Apgar seconded

Discussion – none

Vote: Yes – 6 (Apgar, Barrett, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

The DRB came out of executive session at 8:59 PM.

Barrett indicated that the DRB board would like to acknowledge they received the letter from John Madden on Monday, October 18, 2010. Upon advice of legal counsel, the DRB finds that Mr. Madden is not an interested party. In addition, per state statute, his only remedy in the McGrath case is to appeal to the environmental court within the 30 day appeal period which expires on October 20, 2010.

Bouton indicated that Mr. Madden's letter was untimely further testimony that needed to come during the actual hearing. The hearing has been closed; therefore this is untimely submission and cannot be considered by the DRB.

Discussed with the AZA, the new procedure for the issuance of the "P" (permit) sign.

- The applicant(s) are to sign indicating that they have received the "P" sign and instructed as to where this sign needs to be posted.
- The DRB is suggesting a new duty for the Zoning Administrator (ZA) or AZA; do a visual check one or two days after the issuance of the "P" to make sure the "P" sign is posted correctly in accordance with the regulations.
- The ZA or AZA are to make notations in the applicants file indicating the day and time the visual inspection took place and if the "P" sign was posted as per regulations.

DeVoe, (AZA), will start a log in each applicant(s) file indicating what forms, signs, papers, etc. were given to the applicant from the Town. Also in each file the ZA or AZA will include copies of notices in the paper, the three locations where the notice was posted in town, and notations regarding certified mailings to interested parties.

Johnston made the motion to adjourn.

Barrett seconded

Discussion – none

Vote: Yes – 6 (Apgar, Barrett, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

The meeting was adjourned at 9:07PM.

Respectfully Submitted By

Karen Gallott

Tim Bouton, Chair

George Apgar

Kathy Barrett

Steve Dupoise

Jim Gallott

Donald Johnston

Mike Sweeney