

**Development Review Board
Town Offices, New Haven, Vermont
September 20, 2010**

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

Alternates Present: Steve Dupoise

Alternates Absent: Andy Dykstra

Guests: Assistant Zoning Administrator-Jill DeVoe

Public Present: Michael McGrath, Michael Dunbar, Joey Boise, Rick Shappy

Tim Bouton, Chair, called the meeting of the Development Review Board (DRB) to order at 7:08 PM.

Public Hearing

There were no public hearing items this evening.

Visitors Business – none

Minutes

Barrett made the motion to approve the September 13, 2010 DRB minutes as presented.

Gallott seconded

Discussion – none

Vote: Yes – 8 (Apgar, Barrett, Blaise, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

Correspondence

- Vermont League of Cities & Towns – “Land Use in Vermont Locally Driven, Sustainable and Achievable?”

New Business – none

Old Business

1) Michael McGrath's Conditional Use

The Chair distributed to DRB members a draft copy of the Findings of Facts and Conclusions of Law for Michael McGrath's permit application #2010-DRB-09. The Chair felt there would not be many corrections to the draft, thus corrections could be made this evening and then the DRB could vote tonight on the decision. Corrections were made (See Attachment).

Michael Dunbar made a comment with regard to Page #2, Item #4 – the 200 foot front yard setback from the center line of the highway. Dunbar indicated there are a few businesses in town that have an issue with the 200 foot front yard setback. Dunbar was questioning why a 200 foot front yard setback is required. The DRB responded that across the road from where McGrath wants to do a motor vehicle sales and service business is zoned residential and this is described in Section 1005A of the regulations. The DRB considers the border line between zones is the center of traveled portion of the highway. The DRB chair indicated that they have asked the Planning Commission to make a change to this regulation, which they did but the Select Board did not approve of this change.

Dunbar went on to say the New Haven regulations do not define that the front yard setback begins at the center line of the highway. Dunbar researched this with several other towns, and in his personal view, the definition of the set back is to a buildings/structure front line.

McGrath indicated that he agreed with Dunbar's definition of front yard setback.

Barrett made a motion to approve the Findings of Fact/Conclusions of Law and the decisions of the DRB with corrections made this evening, concerning Michael McGrath's Conditional Use.

Sweeney seconded

Discussion – Alternate, Steve Dupoise will not be voting.

Vote: Yes – 7 (Apgar, Barrett, Blaise, Bouton, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

The DRB chair indicated to McGrath there is now a 30 day public appeal period. This must be met before McGrath can begin the motor vehicle sales and service business.

Budget for 2011

- Karen Gallott submitted a request for a wage increase beginning with the 2011 fiscal year. This increase does not exceed the total 2010 budget amount of \$3,000.00. This request was approved by the DRB Chair and the request will be forwarded to the Select Board for consideration.
- In the 2010 budget there was also \$1,000 for Legal Notices. This amount will stay the same for 2011.
- \$700.00 was budgeted in 2010 for DRB Contract Services. This amount will stay the same for 2011 but will change from Contract Services to Education/Training.

There are no additional changes from the 2010 budget for the 2011 budget.

The Chair signed the Mylar for Jon Apgar's boundary line adjustment.

Barrett made the motion to go into executive session.

Gallott seconded

Discussion – none

Vote: Yes – 8 (Apgar, Barrett, Blaise, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

The DRB went into executive session at 8:10 PM

Barrett made the motion to come out of executive session.

Gallott seconded

Discussion – none

Vote: Yes – 8 (Apgar, Barrett, Blaise, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

The DRB came out of executive session at 8:30PM

Barrett made the motion to adjourn

Apgar seconded

Discussion – none

Vote: Yes – 8 (Apgar, Barrett, Blaise, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

The meeting was adjourned at 8:35 PM.

Respectfully Submitted By
Karen Gallott

Tim Bouton, Chair

George Apgar

Kathy Barrett

Donna Blaise

Steve Dupoise

Jim Gallott

Donald Johnston

Mike Sweeney