

**Findings and Decision
Seguin Boundary Line Adjustment
Application #2020-DRB-02-BLA**

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of permit application #2020-DRB-02-BLA, a boundary line adjustment application submitted by Donna and John Seguin for parcels numbered 0256 and 0273 on map #6. The properties are located at 181 South Street.
2. The application was considered by the Development Review Board (DRB) at a public hearing on March 16, 2020. The DRB reviewed the application pursuant to the Town of New Haven Subdivision Regulations adopted and amended in July 2006 and the Town of New Haven Zoning regulations as adopted August 21, 2012.
3. Due to recent news of COVID-19, several members attended this meeting remotely. Within days of the meeting, Town Offices were closed to the public, staff worked to establish remote access, and public meetings were made remote for the foreseeable future. On August 18, 2020, Zoning Administrator discovered that this decision lacked signatures, hence the late signature date.
4. The following members of the DRB participated in the applications review and decision:
 - Paul Audy
 - Kathy Barrett
 - Carol Charbonneau
 - Victor Laberge
 - Charlie Roy
 - Susan Smiley (remote)
 - Tom Fyles, Alternate

Donald Johnston recused himself.

4. The names of other persons present and available to provide testimony:
 - Aaron Brown, Zoning Administrator
 - Karen Gallot, Minute Taker
 - Donald Johnston, Consultant
 - Donna Seguin
 - John Seguin
5. During the course of the hearing the following exhibits were submitted to the DRB:
 1. Site Plan by Donald Johnston, dated March 12, 2020
 2. Wastewater Permit WW-9-0860-1

These exhibits and application are on file and available by contacting the New Haven Zoning Administrator.

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FINDINGS OF FACT

Based on the provided site plan, testimony, exhibits, and other evidence, the DRB makes the following findings:

1. This proceeding involves review of permit application #2020-DRB-02-SD, a boundary line adjustment at parcel 0347-200.
2. The properties are located in the Neighborhood Commercial district.
3. Existing Lot #1 (10.03 acres) will become a 12.03 +/- acre lot with an existing house, barn, concrete foundation, and septic disposal system.
4. Existing Lot #2 will become 139.4 +/- acres and contain an existing barn and permitted septic replacement area.
5. No additional lots will be created, either intentionally or unintentionally, by the proposed subdivision.

CONCLUSIONS:

The New Haven Development Review Board concludes that:

1. The boundary line adjustment as proposed will create legal conforming parcels as described in the specific standards for Article X.

DECISION AND CONDITIONS

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 7-0, approves the boundary line adjustment proposed by John and Donna depicted on the final application 2020-DRB-02-BLA.

The following conditions are applied to this site plan approval:

- The applicants shall submit for approval a survey/Mylar that complies with the required minimum standards, including a description of the proposed septic replacement area.
- The Mylar shall show road frontage for all affected parcel.
- Further development of either lot may require an amendment to wastewater/potable water supply and other state or federal permits. Please contact Rick Oberkirch, Permit Assistance Specialist at the Agency of Natural Resources, for more information: (802) 282-6498 or Rick.Oberkirch@vermont.gov.
- All exhibits presented in support of application # 2020-DRB-02-BLA and findings of fact as recorded in this decision are included as conditions in the granting of this approval.
- The approval of the DRB shall expire 180 days from the date of this decision, unless the approved plat is duly filed and recorded in the office of the municipal clerk.

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Dated at New Haven, Vermont, this ___ day of August 2020.

Paul Audy _____

Kathy Barrett Kathleen L Barrett

Carol Charbonneau _____

Don Johnston _____

Victor Laberge Victor Laberge

Charlie Roy Charlie Roy

Susan Smiley Susan Smiley

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the development review board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.