

Findings and Decision

**Seanaveri and Ashley Smith, Lot #6 – Helena Place, New Haven, VT
Subdivision Amendment Application No. 2020-DRB-11-SDA**

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of permit application #2020-DRB-11-SDA, a subdivision amendment for Lot #6 on Helena Place, New Haven, Vermont, which was originally approved under 2011-DRB-28 Wright Stowe Planned Unit Development.
2. The application was considered by the Development Review Board (DRB) at a public hearing on July 20, 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. The following members of the DRB participated in the applications review and decision:
 - Kathy Barrett, Vice-Chair
 - Carol Charbonneau
 - Donald Johnston
 - Victor Laberge
 - Charlie Roy, Chair
 - Susan Smiley
 - Tom Fyles
4. The names of other persons present and available to provide testimony:
 - Aaron Brown, Zoning Administrator
 - Karen Gallot, Minute-Taker
 - David Munzer, Abutter
 - David Matthews, Jeffrey Meyers, Tammy Newmark, Alyssa Rittendale, David Maille, Lynn Wolf, Ron Yara, and Maggie Eaton.
5. During the course of the hearing the following exhibits were submitted to the DRB:
 1. Site Plan by Scott Baker of Barnard and Gervais, dated June 29, 2020
 2. 2011-DRB-28 Wright Stowe Planned Unit Development

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

FINDINGS OF FACT

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

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1. This proceeding involves expansion of the building envelope originally approved under 2011-DRB-28 Wright Stowe Planned Unit Development.
 2. The property, Lot #6, is located in the Rural Agricultural Five-Acre (RA-5) district.
 3. Existing Lot #6 will remain an 8.07-acre lot.
 4. 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 building envelope amendment as proposed will maintain legal conforming setbacks as described in the specific standards for section 1002.

DECISION AND CONDITIONS

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 4-3, approves the building envelope amendment proposed by Seanaveri and Ashley Smith at parcel 0265-100 depicted on the final application 2020-DRB-11-SDA.

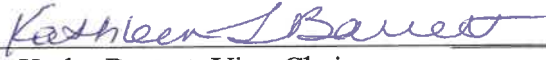
The following conditions are applied to this site plan approval:

- The applicants shall submit for approval a survey/Mylar that complies with the required minimum standards.
- No additional land development shall occur without prior approval, including any proposal to conduct a home business or build accessory structures, according to the Zoning By-Laws adopted August 21, 2012.
- No stream alteration shall occur without any required approval from state and federal agencies.
- Further development of the 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-11-SDA and findings of fact as recorded in this decision are included as conditions in the granting of this approval, unless otherwise amended in 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 3rd Day of August, 2020.



Kathy Barrett, Vice-Chair

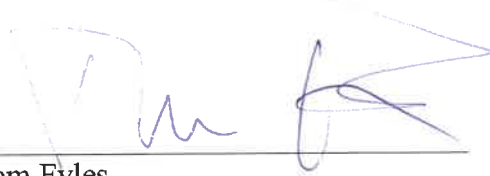


Carol Charbonneau

Donald Johnston



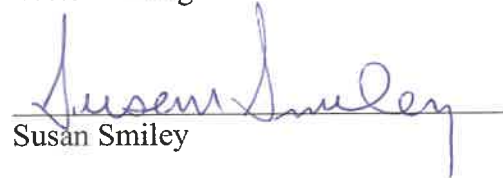
Charlie Roy, Chair



Tom Fyles



Victor Laberge



Susan Smiley

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding 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.