

Findings and Decision

**Scott Hardy, 1374 Pearson Road, New Haven, VT
Subdivision Application No. 2020-DRB-20-SD**

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of permit application #2020-DRB-20-SD, a major subdivision application for 1374 Pearson Road, New Haven, Vermont, parcel number 0394. The application continued into the year 2021 but retains a 2020 designation.
2. The Development Review Board (DRB) reviewed the sketch plan for this application November 16, 2020 and classified it as a major subdivision. It reviewed the subsequent application for the major subdivision at meetings held January 4 and January 18, 2021 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:
 - Paul Audy
 - 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 (2020)
 - Peggy Connor, Minute-Taker (2021)
 - Eileen and Don Rinker, Neighbors of 1374 Pearson Road
 - Scott Hardy, Former Owner of 1374 Pearson Road and Authorized Applicant
 - Betsy Taylor, New Owner of 1374 Pearson Road
5. During the course of the hearing the following exhibits were submitted to the DRB:
 1. Subdivision Plan dated May 12, 2017, prepared by Kevin Larose
 2. Updated Subdivision Plan dated December 11, 2020, prepared by Kevin LaRose
 3. Septic Design number #13053 and dated December 11, 2020, prepared by LaRose Suveys
 4. Minutes from prior sketch plan hearing dated October 21, 2013.

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 the major subdivision of 1374 Pearson Road into three lots: Lot 1 (3.37 acres), Lot 2 (2.98 Acres), and Lot 3 (13.71 acres)
2. The property contains land located within RA-2 and RA-10 zoning districts.

CONCLUSIONS:

The New Haven Development Review Board concludes that:

1. The proposed major subdivision will result in three conforming lots.
2. Lot 1 will use the existing horseshoe shaped access. Lot 2 will use an existing farm road. Lot 3 will use a new access as approved by the Selectboard.

DECISION AND CONDITIONS

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 7-0, approves the subdivision proposed by Scott Hardy at parcel 0394 depicted on the final application 2020-DRB-20-SD.

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 within 180 days.
- No additional land development shall occur without prior approval.
- Further development of the lot may require 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-20-SD 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.

Dated at New Haven, Vermont, this 16 Day of Feb, 2021.

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Donald Johnston

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.