

**Findings and Decision**

**Charles Roy Revocable Trust, South Street, New Haven, VT  
Planned Unit Development Application No. 2021-DRB-08-PUD**

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**INTRODUCTION AND PROCEDURAL HISTORY**

1. This proceeding involves review of permit application #2021-DRB-08-PUD, a Planned Unit Development application for the Charles Roy Revocable on lands on the westerly side of South Street, New Haven, Vermont.
2. The Development Review Board (DRB) reviewed originally viewed this application as a subdivision proposal June 7, 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. The applicant then requested that the proposal be considered a Planned Unit Development and the application was heard again July 19, 2021.
3. Charles Roy recused himself as Development Review Board chair during the hearings.
4. The following members of the DRB participated in the application review of the subdivision:
  - Kathy Barrett, Vice Chair
  - Paul Audy
  - Victor Laberge
  - Susan Smiley

The following members of the DRB participated in the application review of the Planned Unit Development:

- Kathy Barrett, Vice Chair
  - Paul Audy,
  - Carol Charbonneau
  - Tom Fyles
  - Don Johnston (recused)
  - Victor Laberge
4. The names of other persons present and available to provide testimony:
    - Aaron Brown, Zoning Administrator
    - Peggy Connor, Minute-Taker
    - Charles Roy, Applicant
    - Al Karnatz
    - Reginald and Janet Menard
    - Lynn Goldsmith
  5. During the hearing the following exhibits were submitted to the DRB:
    1. Planned Unit Development application submitted by Charles Roy June 21, 2021 (the same application materials were presented at a sketch plan meeting and subdivision hearing).

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The application is 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:

1. This proceeding involves a planned unit development application to create three lots from a 41 +/- acre parcel: Lot 1 as 3-acre lot with an existing single-family residence; Lot 2 as a 3-acre lot with a future residential building envelope; and Lot 3 as a 35-acre lot to be preserved as agricultural land.
2. The property contains land located within RA-2 and RA-10 zoning districts.
3. Lot 3 contains a road access to benefit Lots 1, 2, and 3.
4. Lots 1, 2, and 3 each contain their own drilled wells.
5. Lot 3 contains a proposed mound system to benefit the other lots.

**CONCLUSIONS:**

The New Haven Development Review Board concludes that:

1. The applicant proposes to create two lots of 3 acres each, and the original 35 acres respectively.
2. The property consists of a 41-acre lot with a single-family home and existing road access, drilled well, and in-ground septic system.

**DECISION AND CONDITIONS**

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 4-0, approves the conditional use application proposed by Charles Roy Revocable Trust depicted on the final application 2021-DRB-08-PUD.

The following conditions are applied to this site plan approval:

- The mylar shall show a building envelope on Lot 3 within the RA-2 setback.
- Further development of any additional portion of the existing lot may require wastewater/potable water supply and other state or federal permits. Please contact Rick Oberkirch, Permit Assistance

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Specialist at the Agency of Natural Resources, for more information: (802) 282-6498 or [Rick.Oberkirch@vermont.gov](mailto:Rick.Oberkirch@vermont.gov).

- All exhibits presented in support of application # 2021-DRB-08-PUD 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 \_\_\_ Day of \_\_\_\_\_, 2021.

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Kathy Barrett, Vice Chair

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Carol Charbonneau

\_\_\_\_\_  
Paul Audy

\_\_\_\_\_  
Tom Fyles

**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.