

**TOWN OF NEW HAVEN**  
**Development Review Board**  
**Subdivision Review**

**FINDINGS AND DECISION**

**IN RE:** An Duclos

**PERMIT APPLICATION:** #2021-DRB-14-SD

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**INTRODUCTION AND PROCEDURAL HISTORY:**

1. This proceeding involves review of an application submitted by An Duclos for subdivision approval under the Town of New Haven's Subdivision Regulations adopted and amended July 2006.
2. The Development Review Board (DRB) application was received by the zoning administrator on July 19, 2021, and draft survey plat on October 13, 2021. Copies of the application and plat are available on the town's website at: [newhavenvt.com](http://newhavenvt.com)
3. On September 30, 2021, notice of a public hearing for final plat review was published in *The Addison Independent*.
4. On October 14, 2021, notice of the final plat review was posted at the following places:
  - New Haven Town Offices
  - The Village Green
  - New Haven Post Office
5. On October 6, 2021, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:

<b>Map/ Parcel #</b>	<b>Adjoining property owners</b>	<b>Address</b>
14/733-100	Foster Bros. Farm, Inc.	297 Lower Foote St., Middlebury, VT 05753
13/736.000	Robert & Suzanne Thorn	653 Cobble Rd., Middlebury, VT 05753
13/737.000	Benjamin & Jamie Kayhart	547 Cobble Rd., New Haven, VT 05472
13	Town of Middlebury	77 Main St., Middlebury, VT 05753

6. The sketch plan was considered by the Development Review Board at a public hearing on July 19, 2021, and was determined to be a minor subdivision under the Town of New Haven's Subdivision Regulations as adopted and amended July 2006.
7. The Final Plat hearing was held October 18, 2021. Present were the following members of the Development Review Board:
  - Charlie Roy, Chair
  - Kathy Barrett, Vice Chair
  - Don Johnston
  - Paul Audy
  - Victor LaBerge
  - Carol Charbonneau
  - Susan Smiley
  - Tom Fyles
8. Names of other persons present and available to provide testimony:
  - Aaron Brown, Zoning Administrator
  - An Duclos, Applicant
9. During the hearing the following exhibits were submitted to the DRB:
  - Sketch Plan and Application dated July 19, 2021
  - DRB subdivision application dated October 13, 2021

➤ Draft survey plat prepared by Don Johnston

These exhibits are available at the Town Offices or on the town's website at: [newhavenvt.com](http://newhavenvt.com)

**FINDINGS:**

Based on the application, testimony, exhibits, and other evidence the Development Review Board makes the following findings:

1. This proceeding involves a 2-lot subdivision of the 19 +/- acres located at 727 and 729 Cobble Road in the RA-10 and RA-2 zoning districts in the Town of New Haven.
2. The property is located in the RA-2/RA-10 zoning districts as described on the Town of New Haven Zoning Map on record at the Town of New Haven municipal office and Sections 1001 and 1003 of the Zoning Bylaws.
3. Applicant seeks to subdivide the 19+/- acre parcel into Lot 1 consisting of 12+/- acres to include the main house; and Lot 2 consisting of 7+/- acres on which a shop and apartment are located.
4. The parcel is situated in the RA-2 zoning district along the road, and RA-10 in the back, with 200+ frontage on both lots.
5. Access easements are planned for both septic systems in Lot #2, and water on Lot #1.

**DECISION AND CONDITIONS:**

Based upon the application, record, testimony, and above findings, the DRB in a vote of 7 in favor (C. Roy, K. Barrett, C. Charbonneau, S. Smiley, P. Audy, V. LaBerge, T. Fyles), 0 opposed, and 1 abstention (D. Johnston) approves the two-lot subdivision as proposed by An Duclos and depicted on the survey plat prepared by Don Johnston.

The following conditions are applied to this subdivision approval:

- In accordance with Section 514 of the New Haven Zoning Bylaws, the applicant is prohibited from expanding on the dwelling and shop on Lot #2, which consists of 7+/- acres and situated in the RA-10 zoning district.
- All exhibits presented in support of application #2021-DRB-14-SD and findings as recorded in this decision are included as conditions in granting this approval.
- Applicant shall submit for approval a survey/Mylar that complies with the required minimum standards within 180 days.\*\*

Dated at New Haven, Vermont, this 17<sup>th</sup> day of July, 2023.

Charlie Roy  
Charlie Roy, Chair

Carol Charbonneau  
Carol Charbonneau

Paul Audy  
Paul Audy

Susan Smiley  
Susan Smiley

Kathy Barrett  
Kathy Barrett, Vice Chair

Victor LaBerge  
Victor LaBerge

Tom Fyles  
Tom Fyles

\*\* Due to a clerical error, the decision was affirmed by the DRB on July 17, 2023; survey/Mylar received and recorded on January 11, 2022