

Findings and Decision

**Timothy Bouton and Barbara Torian, 181 South Street, New Haven, VT 05472
Subdivision Application No. 2021-DRB-15-SD**

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of permit application #2021-DRB-15-SD, a minor subdivision application relative to an existing 2.42-acre parcel located at 181 South Street in New Haven, Vermont (Parcel ID #0256, Map #15).
2. The Development Review Board (DRB) reviewed the sketch plan for this application on October 18, 2021, and classified it as a minor subdivision. It reviewed the subsequent application for the subdivision at a meeting held January 3, 2022 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:

- Charlie Roy, Chair
- Kathy Barrett, Vice Chair
- Carol Charbonneau
- Paul Audy
- Tom Fyles
- Susan Smiley
- Victor LaBerge

The following member was absent from the January 3, 2022 meeting:

- Donald Johnston

4. The names of other persons present and available to provide testimony:

- Peggy Connor, Zoning Administrator
- Tim Bouton, Barbara Torian

5. During the course of the hearing the following exhibits were submitted to the DRB:

- a. DRB application form dated October 5, 2021
- b. Sketch plan prepared by Barnard & Gervais, LLC dated October 6, 2021 showing proposed 2-lot subdivision, water and wastewater systems designs

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

New Haven Town Clerk's Office
 Received February 1 20 22
 at 9 O'clock 30 Minutes AM
 and Recorded in Land Records
 Book 92 Pages 240
 Attest: [Signature] Assistant
 TOWN CLERK

FINDINGS OF FACT

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

1. This proceeding involved the minor subdivision application relative to an existing 2.42-acre parcel located at 181 South Street in New Haven, Vermont (Parcel ID #0256, Map #15).
2. The property contains land located within the Neighborhood Commercial District (NC).

CONCLUSIONS:

The New Haven Development Review Board concludes that:

1. The proposed minor subdivision will result in two conforming lots.

Findings and Decision

Timothy Bouton and Barbara Torian, 181 South Street, New Haven, VT 05472

Subdivision Application No. 2021-DRB-15-SD

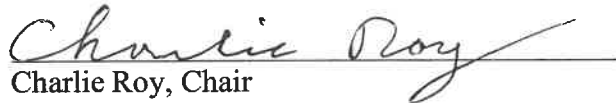
- 2. Lot 2 is proposed to be 1.11+/- acres and will include the existing garage/barn to be converted to a 2-bedroom single-family residence served by an off-site mound wastewater system located on Lot 1, and water provided by an off-site shared drilled well located on Lot 3
- 3. Lot 3 will be 1.31+/- acres on which a 2-bedroom single-family residence will be built served by an off-site mound wastewater system located on Lot 2, and water provided by an on-site shared drilled well located on Lot 3.

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 parties Tim Bouton and Barbara Torian as shown in the final application 2021-DRB-15-SD. The following conditions are applied to this site plan approval:

- No additional land development shall occur without prior approval.
- The applicants must submit an updated wastewater permit from the Department of Environmental Conservation.
- 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 # 2021-DRB-15-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 3rd day of January, 2022.

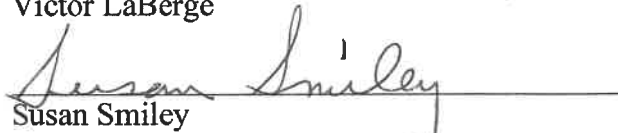

Charlie Roy, Chair


Kathy Barrett, Vice-Chair

Carol Charbonneau


Victor LaBerge


Tom Fyles


Susan Smiley


Paul Audy

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.