

Findings and Decision

Josh Sullivan d/b/a Sully’s Place, LLC, 17 Forest Drive, New Haven, VT
Conditional Use Application No. 2022-DRB-08-CU

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding involves review of an application for conditional use submitted by Josh Sullivan d/b/a Sully’s Place, LLC, 17 Forest Drive, New Haven, Vermont.
2. The application was received by the New Haven Zoning Administrator on June 16, 2022. A copy of the application is available at the New Haven Town Offices.
3. On July 14, 2022, notice of a public hearing was published in *The Addison Independent*.
4. On July 28, 2022, notice of public hearing was posted at the following places:
 - New Haven Town Offices
 - Village Green Market
 - New Haven Post Office
5. On July 21, 2022, a copy of the notice of a public hearing was emailed to the applicant, and a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the Certificate of Service:

Map/ Parcel #	Adjoining property owners	Address
#5/0204-100	Alan & Debra Bessette	781 Quarry Rd., New Haven, VT
#5/0204-300	Robert Helm & Brandi Betcher	93 Forest Dr., New Haven, VT
#5/0291-000	Vermont Highway Dept.	490 Main St., New Haven, VT
#5/0290-100	Adam Becker & Jessica Rossi	688 Main St., New Haven, VT
#5/0290-400	Karvn & Brett Wells	690 Main St., New Haven, VT
#5/0204-520	Eva Shepard	405 Main St., New Haven, VT
#5/0290-200	Laurel & Cheryl Junkins	382 Main St., New Haven, VT

6. The Development Review Board reviewed this application on August 1, 2022, pursuant to the Town of New Haven Zoning Bylaws adopted and amended August 21, 2012.
7. The following members of the DRB participated in the application review and decision:
 - Charlie Roy Paul Audy
 - Kathy Barrett Don Johnston
 - Tom Fyles Victor LaBerge
 - Roger Hamilton
 Members Absent: Carol Charbonneau
4. The names of other persons present and available to provide testimony:
 - Peggy Connor, Zoning Administrator
5. During the hearing the following exhibits were submitted to the DRB:
 - Permit application dated June 16, 2022
 - Application to DRB dated June 28, 2022

These exhibits are available at the New Haven Town Office.

FINDINGS:

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

1. The applicant seeks a conditional use permit for an existing 35’ x 31’ garage to operate a home auto repair business in the Town of New Haven (tax map no.5, parcel # 204.200).

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2. The property is located in the Highway Commercial zoning district as described in the Town of New Haven Zoning Map on record at the Town of New Haven municipal office and Section 1005 of the Zoning Bylaws.
3. Conditional use approval is requested for the project as a home business as that term is defined in Article V, Section B of the Zoning Bylaws.

DECISION AND CONDITIONS:

Based upon these findings, and subject to the conditions set forth below, the Development Review Board **GRANTS** the application for conditional use proposed by Josh Sullivan d/b/a Sully's Place, LLC in a vote of 6-0 (K. Barrett, P. Audy, V. LaBerge, T. Fyles, D. Johnston, R. Hamilton)

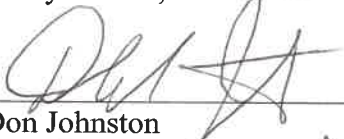
- The applicant shall limit hours of operation from 8:00 a.m. to 5:00 p.m. on weekdays.
- No additional signage, other than the required signage on the building for State inspections.
- There will be no employees.
- Overhead doors will be closed to reduce any noise.
- No additional land development shall 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 # 2022-DRB-08-CU 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 1st day of August, 2022.

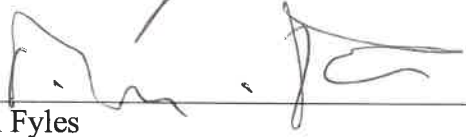

Charlie Roy, Chair


Kathy Barrett, Vice Chair


Paul Audy


Don Johnston


Roger Hamilton


Tom Fyles


Victor LaBerge

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.