

TOWN OF NEW HAVEN
Development Review Board
Subdivision Review
FINDINGS AND DECISION

IN RE: Steve and Marcia Dupoise
Permit Application No. 2022-DRB-10-SD

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding involved review of an application submitted by Steve and Marcia Dupoise for subdivision approval under the Town of New Haven’s Subdivision Regulations adopted and amended July 2006.
2. The application and plat were received by the zoning administrator on June 15, 2022. A copy of the application and plat are available on the town’s website at: <https://www.newhavenvt.com/>
3. On June 30, 2022, notice of a public hearing for final plat review was published in *The Addison Independent*.
4. On July 14, 2022, notice of final plat review was posted at the following places:
 - New Haven Town Offices
 - The Village Green
 - New Haven Post Office
5. On July 14, 2022, a copy of the notice of a public hearing was e-mailed to the applicants. On June 27, 2022, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:

Map/ Parcel #	Adjoining property owners	Address
12/780; 777	Anthony Neri Property Rentals	658 Exchange St., Middlebury, VT
12/785	Chad & Stephanie Rule	163 Belden Falls Rd., New Haven, VT
12/820-100	Vt. Gas Systems, Inc.	85 Swift St., So. Burlington, VT
12/788-100	Silver Maple Const.	50 River Rd., New Haven, VT
12/789-100	Rodney & Joan Case	388 Ethan Allen Hwy., New Haven, VT
12/790	Donna & James Kendall	350 Ethan Allen Hwy., New Haven, VT
12/791	Sally Dwire	282 Ethan Allen Hwy., New Haven, VT
12/792-100	Addison Co. Home Health & Care	P.O. Box 754, Middlebury, VT
12/792-300	Jap Dhanguru Nanak, LLC	P.O. Box 48, Middlebury, VT
817-120	Joey & Tamara Boise	132 Ethan Allen Hwy., New Haven, VT
788-200	Numondo America, LP	5507 Ethan Allen Hwy., New Haven, VT

6. The application and plat were considered by the Development Review Board at a public hearing on July 18, 2022, under the Town of New Haven’s Subdivision Regulations as adopted and amended July 2006.
7. Present at the hearing were the following members of the Development Review Board:
 - Charlie Roy, Chair
 - Kathy Barrett, Vice Chair

- Don Johnston
- Victor LaBerge
- Paul Audy
- Carol Charbonneau
- Tom Fyles

8. At the outset of the hearing the Development Review Board afforded those persons wishing to achieve status as an interested person an opportunity under 24 V.S.A. §4465(b) to demonstrate that the criteria set forth in that statute could be met.

None present.

9. During the course of the hearing the following exhibits were submitted to the Development Review Board:
- DRB application dated June 6, 2022
 - Subdivision plat prepared by Donald Johnston dated June 6, 2022

These exhibits are available at the Town Offices or on the town's website at:

<https://www.newhavenvt.com/>

FINDINGS:

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

1. This proceeding involved review of permit application #2022-DRB-10-SD, a minor two-lot subdivision as determined by the DRB on June 20, 2022, is located at 229 Ethan Allen Highway, tax map parcel no. 0787, Map #12.
2. The property is located in the Highway Commercial district as described on 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. Applicants seek to subdivide 11.33 acres from the northern portion of the 29.33-acre parcel to create Lot 2. Retaining 18 acres allows for compliance with State stormwater rules. Applicants plan to sell Lot 2 to Silver Maple Construction, and add two additional storage buildings on Lot 1.

CONCLUSIONS:

The New Haven Development Review Board concludes that:

1. The minor two-lot subdivision as proposed will create conforming parcels as described in the specific standards for Section 1005.

DECISION AND CONDITIONS:

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 6-0 (D. Johnston abstained), approves the two-lot subdivision proposed by Steve and Marcia Dupoise for parcel #0787 as depicted on the site plan and application #2022-DRB-10-SD.

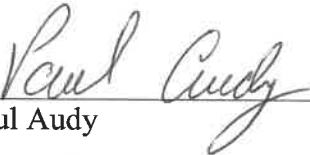
The following conditions are applied to this subdivision approval:


- The applicants shall submit for approval a survey/Mylar that complies with the required minimum standards.
- Prior to or at the time of submission of the survey/Mylar, the applicants shall submit a copy of wastewater and potable water supply permit.
- Further development of either lot may require an amendment to 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-10-SD and findings of fact as recorded in this decision are included as conditions in granting 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, DRB Chair


Kathy Barrett, DRB Vice Chair


Paul Audy


Carol Charbonneau


Victor LaBerge


Tom Fyles