

Findings and Decision

Sean Flynn d/b/a Silver Maple Construction, 46 River Road, New Haven, VT

Amended Site Plan Application No. 2022-DRB-13-SP

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding involves review of an application for an amended site plan submitted by Sean Flynn d/b/a Silver Maple Construction, 46 River Road, New Haven, Vermont.
2. The application was received by the New Haven Zoning Administrator on September 9, 2022. A copy of the application is available at the New Haven Town Offices.
3. On September 15, 2022, notice of a public hearing was published in *The Addison Independent*.
4. On September 29, 2022, notice of public hearing was posted at the following places:
 - New Haven Town Offices
 - Village Green Market
 - New Haven Post Office
5. On September 15, 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
12/0778-100	Bruce Manv	47 River Rd., New Haven, VT 05472
12/0788-200	Numondo America, LP	5507 Ethan Allen Hwy., New Haven, VT
12/0787-000	Stephen & Marcia Dupoise	1217 Ethan Allen Hwy., New Haven, VT
12/0777-000	Anthony & Nancy Neri	658 Exchange St., Middlebury, VT
12/0789-200	James & Donna Kendall	350 Ethan Allen Hwy., New Haven, VT

6. The Development Review Board reviewed this application on October 3, 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:

Kathy Barrett	Carol Charbonneau
Paul Audy	Don Johnston
Tom Fyles	

Members absent: Charlie Roy, Victor LaBerge, Roger Hamilton
4. The names of other persons present and available to provide testimony:

Peggy Connor, Zoning Administrator	Sean Flynn
John Tenny	Brent Rakowski
5. During the hearing, the following exhibits were submitted to the DRB:
 - Application to DRB dated September 9, 2022
 - Site Plan dated August 28, 2022
 - Design Development Plan dated August 22, 2022

These exhibits are available at the New Haven Town Office.

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FINDINGS:


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

1. The DRB previously approved Silver Maple Construction’s application for an Amended Site Plan on August 7, 2017, stipulating that, “The site plan for the proposed additional buildings shall remain valid for 5 years. If the buildings are not permitted within five years, new amended site plan approval will need to be required.”
2. The applicant seeks to construct a 24’ x 14’ one-story addition to the southwest side of the existing farmhouse structure currently being repaired from damaging floods this past winter. The addition will feature a parapet roof to distinguish it from the historical structure, which will continue serving as office space.
3. The property is located at the junction between River Road and Route 7 (tax map #12, parcel #0788-100) in the Highway Commercial (HC) 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.

DECISION AND CONDITIONS:

Based upon these findings, the Development Review Board **APPROVES** the application for an amended site plan as proposed by Sean Flynn d/b/a Silver Maple Construction in a vote of 5-0 (C. Charbonneau, T. Fyles, D. Johnston, P. Audy, K. Barrett)

Dated at New Haven, Vermont, this 13 day of October, 2022.




 Kathy Barrett, Vice Chair



 Paul Audy



 Don Johnston



 Tom Fyles

 Carol Charbonneau

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.