

Findings and Decision

**Roger and Elizabeth Stowe, 583 East Street, New Haven, VT
Boundary Line Adjustment Application No. 2023-DRB-04-BLA**

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of boundary line adjustment application #2023-DRB-04-BLA submitted by Roger and Elizabeth Stowe, 583 East Street, New Haven, Vermont.
2. The Development Review Board (DRB) reviewed this application on March 20, 2023, 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 (in person)
 - Kathy Barrett (in person)
 - Victor LaBerge (in person)
 - Don Johnston (in person)
 - Paul Audy (remote)
 - Roger Hamilton (remote)
4. The names of other persons present and available to provide testimony:
 - Peggy Connor, Minute-Taker and Zoning Administrator
5. During the hearing the following exhibits were submitted to the DRB:
 - Letter dated March 14, 2023, authorizing Don Johnston to represent applicants at the DRB hearing;
 - Application to Development Review Board dated March 13, 2023;
 - Subdivision map prepared by Kenneth Weston dated February 14, 2012;
 - Final Plat for DRB review of Lot 4 Boundary Line Adjustment prepared by Don Johnston and received March 20, 2023

The application is on file and available by contacting the New Haven Zoning Administrator.

FINDINGS OF FACT

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

1. This proceeding involves a boundary line adjustment on lands owned by Roger and Elizabeth Stowe located at 583 East Street in New Haven, Vermont.
2. The property contains land located within RA-2 and RA-10 zoning districts.
3. The boundary line adjustment seeks to reduce the acreage of Lot 4 from 2.87 acres to 2.22 acres by shifting the current 50-foot right-of-way farm access onto the adjoining parcel.
4. The boundary line adjustment will have no impact on neighboring lot lines since the Stowes own the surrounding parcels.

CONCLUSIONS:

The New Haven Development Review Board concludes that:

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1. The proposed boundary line adjustment will reduce Lot 4 in size from 2.87 acres to 2.22 acres., maintaining adequate frontage.
2. The original Lot #4 line as depicted on the final plat for DRB review to be removed and merged with remaining lands owned by Stowes.
3. By adjusting the northern boundary line of Lot 4, the current 50-foot right-of-way farm access will become part of the adjoining parcel, and the existing shop building and silage bunker will remain on Lot 4.
4. The boundary line adjustment will have no impact on neighboring lot lines since the Stowes own the surrounding parcels.

DECISION AND CONDITIONS

Based upon the application record, testimony, above findings, and conclusions, the DRB in a vote of 5-0 (P. Audy, R. Hamilton, V. LaBerge, K. Barrett, C. Roy) and 1 abstention (D. Johnston), approves the boundary line adjustment application DRB-2023-04 BLA as presented.

The following conditions are applied to this approval:

- The applicants shall submit for approval a survey/Mylar that complies with the required minimum standards within 180 days.
- 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 #2023-DRB-04-BLA 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 29 day of March, 2023.


Charlie Roy, DRB Chair


Kathy Barrett, DRB Vice-Chair


Victor LaBerge

Paul Audy


Roger Hamilton

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.