

**TOWN OF NEW HAVEN
DEVELOPMENT REVIEW BOARD**

FINDINGS AND DECISION

RE: CONDITIONAL USE APPLICATION NO. 2023-DRB-11-CU

Applicant: Alex Layn d/b/a Layn Properties, LLC
2877 Ethan Allen Highway
New Haven, VT 05472

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding involves a conditional use request for an agricultural and construction equipment sales and service facility to be located at 1908 Ethan Allen Highway (formerly Maplefields) per New Haven Zoning Bylaws Section 341.
2. The 13.9-acre parcel, currently owned by R.L. Vallee, Inc., is located in the Industrial and Highway Commercial zoning districts.
3. The application was received by the New Haven Zoning Administrator on September 26, 2023. A copy of the application is available at the New Haven Town Offices.
4. On September 28, 2023, notice of public hearing was published in *The Addison Independent*.
5. On October 12, 2023, notice of public hearing was posted at the following places:
 - New Haven Town Offices
 - Village Green Market
 - New Haven Post Office
6. On September 27, 2023, a copy of the public hearing was mailed to the following abutting property owners:

| Parcel # | Adjoining Property Owner(s) | Address |
|-----------------|------------------------------------|--|
| 612.200 | Multy Builders, LLC | 225 Perkins Rd., Weybridge, VT 05753 |
| 691.300 | Richard & Jennifer Cochran | 2703 Rocklyn Rd., Shaker Hgts., OH 44122 |
| 642.110 | Roger Sturtevant | 1052 Hunt Rd., New Haven, VT 05472 |
| 642.130 | Ronald, Brian, Kevin, Joanne Hill | 722 Burpee Rd., Bristol, VT 05443 |
| 692 | 615 Dog Team Rd., LLC | 2703 Rocklyn Rd., Shaker Hgts., OH 44122 |

7. The Development Review Board reviewed this application on October 16, 2023, pursuant to the Town of New Haven Zoning Bylaws adopted and amended August 21, 2012, and Interim Zoning Adopted October 17, 2013 and May 16, 2023.
8. The following members of the DRB participated in the application review and decision:
 - Kathy Barrett
 - Carol Charbonneau
 - Paul Audy
 - Roger Hamilton
 - Tom FylesMember(s) Absent: Charlie Roy, Victor LaBerge, Don Johnston

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

- Alex Layn
- Bill Sinks (abutter – Multy Builders)
- Alexander J. LaRosa, Esq. on behalf of property owner R.L. Vallee, Inc.
- Peggy Connor, Zoning Administrator

10. During the hearing the following exhibits were submitted to the DRB:

- DRB application dated September 25, 2023, 2023
- Email from Otter Creek Engineering Permit Specialist Cathy Foutch dated September 25, 2023
- Email dated October 16, 2023 from Alexander LaRosa, Esq. on behalf of property owner R.L. Vallee, Inc.

These exhibits are available at the New Haven Town Office and on the Town's website.

FINDINGS:

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

- The applicant seeks to purchase the 60' x 100' building on 1908 Ethan Allen Highway, formerly Maplefields, in order that his existing tenant, Munroe Tractor currently located at applicant's business, Driven Transport, LLC on 2877 Ethan Allen Highway, may relocate their agricultural equipment dealership.
- The existing building will house an office and a parts service area.
- All displays will be located on the asphalt surface to comply with wetland setbacks.
- No changes proposed to outside lighting.
- Tentative closing scheduled for January 2, 2024.

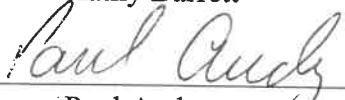
DECISION AND CONDITIONS:

Based on the application, testimony, and above findings, the DRB in a vote of 5-0 (R. Hamilton, T. Fyles, C. Charbonneau, P. Audy, K. Barrett) **APPROVE** conditional use permit #2022-DRB-11-CU as presented.

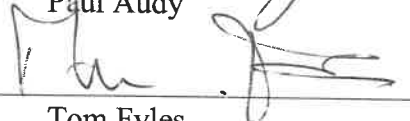
Dated at New Haven, Vermont, this 30th day of October, 2023.


Kathy Barrett


Carol Charbonneau


Paul Audy


Roger Hamilton


Tom Fyles

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings 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.