

**TOWN OF NEW HAVEN
DEVELOPMENT REVIEW BOARD**

**FINDINGS AND DECISION
RE: SUBDIVISION APPLICATION NO. 2024-DRB-09-SD**

Applicants: Cody & Britney Cyr
1476 North Street
New Haven, VT 05472

Property Location: 1476 North Street
New Haven, VT 05472

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding involved review of Application #2024-DRB-09-SD submitted by Cody and Britney Cyr on behalf of landowner Four-Hills Gen 3, LLC for subdivision approval under New Haven Zoning and Subdivision Regulations adopted April 2024.
2. The DRB application for a Sketch Plan Review was received by the New Haven Zoning Administrator on March 6, 2024.
3. Following a sketch review by the Development Review Board (DRB) on April 1, 2024, notice of the Final Plat Review was published in *The Addison Independent* on June 27, 2024.
4. On June 27, 2024, public notice of the Final Plat Review scheduled for July 15, 2024, was posted at the following locations:
 - The New Haven Town Offices
 - The Village Green Market
 - New Haven Post Office

On June 27, 2024, notice of the Final Plat Review was mailed to the following abutting property owners:

Parcel #	Adjoining Property Owner(s)	Address
0107.000	David A. & Frances Caccavo	1423 North St., New Haven, VT 05472
0106.200	Maralee Smith	1322 North St., New Haven, VT 05472
0106.300	Phyllis Smith	1148 North St., New Haven, VT 05472
0052.00	Ronald, Brian, Kevin & Joanne Hill	722 Burpee Rd., c/o Four Hills Farm, Bristol, VT 05443

FINDINGS AT SKETCH PLAN REVIEW:

1. DRB members present for the Sketch Plan Review on April 1, 2024: Charlie Roy, Paul Audy, Kathy Barrett, Don Johnston, Carol Charbonneau, Tom Fyles. Absent: Roger Hamilton, Victor LaBerge

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

Cody and Britney Cyr, applicants
Jason Barnard, surveyor
Peggy Connor, zoning administrator

2. The following exhibits were submitted for the Sketch Plan Review on April 1, 2024:
 - DRB Application received and date-stamped March 6, 2024
 - Sketch plan dated February 22, 2024, showing proposed 2-lot subdivision relative to the existing 75.7+/- acre residential parcel located at 1476 North Street in New Haven
 - List of abutting property owners
 - Letter from Barnard & Gervais, LLC dated February 22, 2024

These exhibits are available at the Town Offices or on the Town's website at: newhavenvt.com

3. The DRB classified the proposal as a minor subdivision, to be scheduled for Final Plat Review, per Section 923 of the New Haven Zoning and Subdivision Regulations, adopted April 2024.

FINDINGS AT FINAL PLAT REVIEW:

1. DRB members present for the Final Plat Review on July 15, 2024: Charlie Roy, Kathy Barrett, Paul Audy, Carol Charbonneau, and Tom Fyles.

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

Adam Whitcomb of Barnard & Gervais, LLC
Peggy Connor, zoning administrator

2. The following exhibits were submitted for the Final Plat Review on July 1, 2024:
 - Site Plan (S-1) dated May 16, 2024
 - Site Plan (S-2) dated May 16, 2024
 - Two-Lot Subdivision Survey Plat dated May 16, 2024
 - April 1, 2024, DRB meeting minutes that included the sketch review

These exhibits are available at the Town Offices or on the Town's website at: newhavenvt.com

3. Based on the application, testimony, exhibits, and other evidence, the Development Review Board made the following findings:
 - This proceeding involved review of Application #2024-DRB-09-SD, a minor 2-lot subdivision as determined by the DRB on April 1, 2024, located at 1476 North Street in New Haven, Parcel #105, Map #6.
 - The property lies in the RA-2, RA-10, and Flood Hazard District (FHD) zoning districts as described on the Town of New Haven Zoning Map adopted April 2024.
 - Applicants propose to subdivide the existing 75.7+/- acre parcel located at 1476 North Street to create Lot #2 consisting of 2.08 acres.
 - Lot #2 will meet all setback requirements.
 - Lot #2 will utilize the current well and mound system by way of a 15' wide force main easement.
 - The remaining land will be accessible by the existing curb cut to the field.

CONCLUSIONS:

The New Haven Development Review Board concluded that:

- The minor 2-lot subdivision as proposed will create conforming parcels, in accordance with the Zoning Districts Table contained in the New Haven Zoning and Subdivision Regulations adopted April 2024.

DECISION AND CONDITIONS:

Based on the application, testimony, and above findings, the DRB in a vote of 5-0 (C. Roy, K. Barrett, P. Audy, C. Charbonneau, T. Fyles) **APPROVE Application #2024-DRB-09-SD** as presented, contingent upon meeting the following conditions:

1. Applicants shall submit for approval an 18" x 24" Mylar, per Section 924 of the New Haven Zoning and Subdivision Regulations.
2. No additional land development shall occur without prior approval.
3. Applicants shall submit a copy of wastewater and potable water supply permit.

4. Further development of any of the lots may require an amendment to wastewater/potable water supply and other state or federal permits. Please contact the Department of Environmental Conservation Rutland regional office at: (802) 786-5915.
5. All exhibits presented in support of application #2024-DRB-09-SD and findings of fact as recorded in this decision are included as conditions in granting this approval.
6. The approval of the DRB shall expire 180 days from the date of this decision unless the approved Mylar is duly filed and recorded in the office of the municipal clerk.

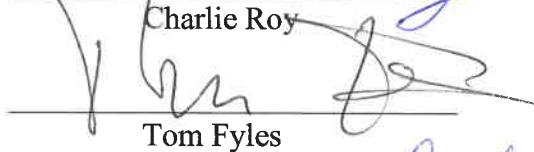
Dated at New Haven, Vermont, this 29th day of July, 2024.



Charlie Roy



Kathy Barrett



Tom Fyles



Paul Audy



Carol Charbonneau

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.