

**TOWN OF NEW HAVEN
DEVELOPMENT REVIEW BOARD**

FINDINGS AND DECISION

RE: CONDITIONAL USE APPLICATION NO. 2024-DRB-11-CU

Applicants: Megan and Leland Ooms
261 Belden Falls Road
New Haven, VT 05472

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding involves a conditional use request submitted by Megan Ooms to establish a landscaping home business on property owned by Megan and her husband Leland Ooms located at 261 Belden Falls Road in New Haven, VT.
2. The 10.3 +/- acre parcel lies in the RA-2 and RA-10 zoning districts.
3. The application was received by the New Haven Zoning Administrator on April 24, 2024. A copy of the application is available at the New Haven Town Offices.
4. On May 2, 2024, notice of public hearing was published in *The Addison Independent*.
5. On May 16, 2024, notice of public hearing was posted at the following locations:
 - New Haven Town Offices
 - Village Green Market
 - New Haven Post Office
6. On May 7, 2024, a copy of the public hearing was mailed to the following abutting property owners:

Parcel/Map #	Adjoining Property Owner(s)	Address
784/12	Craig and Beth Bemis	289 Belden Falls Rd., New Haven, VT 05472
785/12	Chad and Stephanie Rule	163 Belden Falls Rd., New Haven, VT 05472
777/12	Anthony J. Neri Family Trust	1748 Dog Team Rd., New Haven, VT 05472

7. The Development Review Board reviewed this application on May 20, 2024, pursuant to the Town of New Haven Zoning and Subdivision Regulations adopted April 2024.
8. The following members of the DRB participated in the application review and decision on May 20, 2024:

Kathy Barrett	Paul Audy
Victor LaBerge	Tom Fyles

Members absent: Charlie Roy, Carol Charbonneau

9. The names of other persons present and available to provide testimony:
 - Megan Ooms, applicant
 - Leland Ooms, applicant
 - Peggy Connor, zoning administrator

10. The following exhibits were submitted to the DRB:

- DRB application stamp-dated April 24, 2024
- Narrative stamp-dated April 24, 2024
- Tax Map #12 showing 10.03-acre parcel #786
- Letter to abutting property owners dated May 7, 2024

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

FINDINGS:

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

- Applicants Leland and Megan Ooms propose establishing a landscaping home business on their property at 261 Belden Falls Road in New Haven.
- As the business grows, owners Leland and Megan Ooms may eventually employ up to 2 additional people.
- Up to 1,200 square feet of the 1st floor of the existing barn will be used for storage of equipment and tools associated with the landscaping home business.
- There will only be standard landscaping equipment on site.
- No additional lighting is proposed to the existing down-shielded outside lighting.
- Little to no traffic impact; typically, a truck and trailer will leave the premises each morning and return in the afternoon, similar to current traffic leaving and returning once per day.
- No external display of products, storage of materials or other exterior indications of the business will be visible from the road or adjacent properties.

DECISION AND CONDITIONS:

Based on the application, testimony, and above findings, the DRB in a vote of 4-0 (K. Barrett, P. Audy, V. LaBerge, T. Fyles) **APPROVE** conditional use permit #2024-DRB-11-CU, contingent upon meeting the following conditions:

- Hours of operation will be from 7:00 a.m. to 6:00 p.m. 6 days/week Monday-Saturday
- Home business shall occupy up to 1,200 square feet of space in existing barn
- Outside lighting to consist of current down-shielded lights
- The number of non-resident employees shall be limited to two
- Only standard landscaping equipment will be on site
- No external display of products, storage of materials or other exterior indications of the business will be visible from the road or adjacent properties.

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



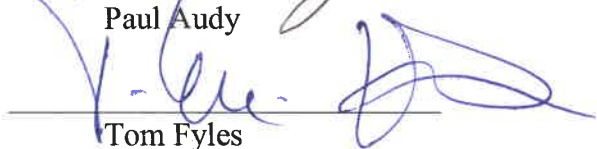
Kathy Barrett



Victor LaBerge



Paul Audy



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.