

**TOWN OF NEW HAVEN  
DEVELOPMENT REVIEW BOARD**

**FINDINGS AND DECISION**

**RE: SUBDIVISION APPLICATION NO. 2024-DRB-14-SD**

**Applicants:** Emily and Eugene Charlebois  
2962 North Street  
New Haven, VT 05472

**Property Owners:** Emily and Eugene Charlebois  
2962 North Street  
New Haven, VT 05472

**INTRODUCTION AND PROCEDURAL HISTORY:**

1. This proceeding involved review of Application #2024-DRB-14-SD submitted by Emily and Eugene Charlebois for subdivision approval under the 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 May 2, 2024.
3. Following a sketch plan review on June 3, 2024, by the Development Review Board (DRB), public notice of the Final Plat Review was published in *The Addison Independent* on June 13, 2024.
4. On June 27, 2024, notice of the Final Plat Review scheduled for July 1, 2024, was posted at the following locations:
  - The New Haven Town Offices
  - The Village Green Market
  - New Haven Post Office

On July 3, 2024, notice of the Final Plat Review was mailed to the following abutting property owners:

Parcel #	Adjoining Property Owner(s)	Address
43	Mark & Anne Caban	3098 North St., New Haven, VT 05472
45.7	Eric & Jennifer Neil	425 Meadow Ln., New Haven, VT 05472
35	The Watershed Center	P.O. Box 96, Bristol, VT 05443
42	Elgin Spring Farm	2291 Lime Kiln Rd., New Haven, VT 05472
45.6	Robert & Kirsten Pitts	495 Meadow Ln., New Haven, VT 05472
45.3	Elizabeth Curler	2900 North St., New Haven, VT 05472

**FINDINGS AT SKETCH PLAN REVIEW:**

1. DRB members present for the Sketch Plan Review on June 3, 2024: Charlie Roy, Kathy Barrett, Paul Audy, Carol Charbonneau, Victor LaBerge. Absent: Tom Fyles  
The names of other persons present and available to provide testimony:
  - Emily and Eugene Charlebois, applicants
  - Peggy Connor, zoning administrator
2. The following exhibits were submitted for the Sketch Plan Review on June 3, 2024:
  - DRB Application received and date-stamped May 2, 2024
  - Sketch plan showing a total area of 10+/- located in the RA-2 and RA-10 zoning districts to be subdivided to create:
    - Lot #1 consisting of 8.60+/- acres
    - Lot #2 consisting of 2.03+/- acres
    - 203' minimum lot frontage on proposed Lot #2

These exhibits are available at the Town Offices or on the Town's website at: [newhavenvt.com](http://newhavenvt.com)

[The hearing was re-opened on July 15, 2024 to hear a concern emailed on July 9, 2024 to Zoning Administrator Peggy Connor by abutting property owner Elizabeth Curler regarding her water. There is a shared spring that currently serves 3 homes. In the past it served 3 homes plus a barn housing 100+/- cows and a milking parlor. Peggy reviewed the deed with E. Curler and assured her that the rights to the water source will remain intact subsequent to the subdivision and based on the testimony, it appears that there is sufficient water to accommodate an additional home.]

3. In a vote of 4-0 (C. Roy, P. Audy, V. LaBerge, C. Charbonneau) and 1 recused (K. Barrett), 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 1, 2024, and again on July 15, 2024: Charlie Roy, Kathy Barrett, Paul Audy, Victor LaBerge, Carol Charbonneau, and Tom Fyles. [Kathy Barrett recused]

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

Emily and Eugene Charlebois, applicants  
Peggy Connor, zoning administrator  
Eric Neil, abutter (joined remotely on July 15, 2024)

2. The following exhibits were submitted for the Final Plat Review on July 1, 2024:
  - Survey plat received and date-stamped June 3, 2024
  - June 3, 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](http://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-14-SD, a minor 2-lot subdivision as determined by the DRB on June 3, 2024, located at 2962 North Street in New Haven, Parcel #45, Map #3.
- The property lies in the RA-2 and RA-10 zoning districts as described on the Town of New Haven Zoning Map on record at the Town of New Haven Town Office, and on Page 9 of the New Haven Zoning and Subdivision Regulations adopted April 2024.
- Applicants propose to subdivide the existing 10.63+/- acre lot to create:
  - Lot #1 consisting of 8.62+/- acres
  - Lot #2 consisting of 2.03+/- acres

#### **CONCLUSIONS:**

The New Haven Development Review Board concluded that:

- The minor 2-lot subdivision as proposed will create conforming parcels in the RA2 and RA-10 zoning districts, in accordance with the Zoning Districts Table contained in the New Haven Zoning and Subdivision Regulations.
- Applicants will apply to the Selectboard for a road access permit for Lot #2.

#### **DECISION AND CONDITIONS:**


Based on the application, testimony, and above findings, the DRB in a vote of 5-0 (C. Roy, P.

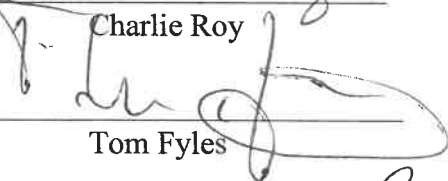
Audy, V. LaBerge, C. Charbonneau, T. Fyles) and 1 recusal (K. Barrett) **APPROVE Application #2024-DRB-14-SD** as presented, contingent upon meeting the following conditions:


1. Applicants shall submit for approval an 18" x 24" Mylar, in accordance with Section 924 of the New Haven Zoning and Subdivision Regulations, that shows the proposed curb cuts.
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-14-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.

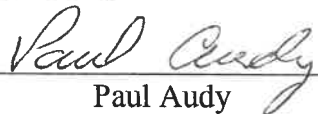
Dated at New Haven, Vermont, this 22<sup>nd</sup> day of July, 2024.

  
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Charlie Roy

  
\_\_\_\_\_  
Carol Charbonneau

  
\_\_\_\_\_  
Tom Fyles

  
\_\_\_\_\_  
Victor LaBerge

  
\_\_\_\_\_  
Paul Audy

**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.