

**TOWN OF NEW HAVEN  
DEVELOPMENT REVIEW BOARD**

**FINDINGS AND DECISION**

**RE: CONDITIONAL USE APPLICATION NO. 2024-DRB-22-CU**

**Applicant:**        **Cross Pollination, Inc.**  
                             **P.O. Box 64815**  
                             **Burlington, VT 05406**

**Landowner:**       **Paul Lekstutis**

**Address of Subject Property:** **7263/7261 Ethan Allen Highway**  
   **New Haven, VT 05472**

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**INTRODUCTION AND PROCEDURAL HISTORY:**

1. This proceeding involves a conditional use request by Paul Lekstutis on behalf of Cross Pollination, Inc. of Burlington, VT for a cannabis manufacturing facility as an adaptive re-use of an existing dairy barn, in accordance with Section 527 of the New Haven Zoning and Subdivision Regulations adopted April 2024.
2. The 174.8+/- acre parcel is located in the RA-10 zoning district at 7263/7261 Ethan Allen Highway in New Haven..
3. The application was received by the New Haven Zoning Administrator on November 6, 2024. A copy of the application is available at the New Haven Town Offices, and on the Town's website at [Official Website of New Haven, Vermont](#)
4. On November 14, 2024, notice of public hearing was published in *The Addison Independent*.
5. On November 28, 2024, notice of public hearing was posted at the following places:
  - New Haven Town Offices
  - Village Green Market
  - New Haven Post Office
6. On November 14, 2024, a copy of the public hearing was mailed to the following abutting property owners:

<b>Parcel #</b>	<b>Adjoining Property Owners</b>	<b>Address</b>
125	Ronald Hill	722 Burpee Rd., Bristol, VT 05443
134	Victor Lavoie	6842 Ethan Allen Hwy., New Haven, VT 05472
138	Yvette Lapete	P.O. Box 50, New Haven, VT 05472
126	Paul Bolduc	7320 Ethan Allen Hwy., New Haven, VT 05472
	Jennifer Yustin	333 School House Rd., Waltham, VT 05491
133.200	Stephen Delphia	7327 Ethan Allen Hwy., New Haven, VT 05472
135	Harold Allen	6786 Ethan Allen Hwy., New Haven, VT 05472
	Town of Waltham	P.O. Box 175, Vergennes, VT 05491
188.1	Timothy Wildey	5849 Ethan Allen Hwy., New Haven, VT 05472
132	Dupoise Hollow, LLC	1451 Dog Team Rd., New Haven, VT 05472
133.300	Roger Hamilton	7325 Ethan Allen Hwy., New Haven, VT 05472
136	John Roleau	88 Town Hill Rd., New Haven, VT 05472
139	Charles & Brenda Charron	273 Lime Kiln Rd., New Haven, VT 05472
157	Donna Corcoran	2803 Green St., Waltham, VT 05491
127	Loni Parker	192 Pine Oak Park, Vergennes, VT 05491
512	Champlain Precision	P.O. Box 576, Middlebury, VT 05753
511	Trailease Corporation	P.O. Box 119, New Haven, VT 05472
606	Randall Ross & Jeffrey Heath	747 Campground Rd., New Haven, VT 05472

7. The Development Review Board reviewed this application on December 2, 2024.
8. The following members of the DRB participated in the application review and decision:

Charlie Roy	Carol Charbonneau
Kathy Barrett	Victor LaBerge
Tom Fyles (remote)	Paul Audy
9. The names of other persons present and available to provide testimony:
  - Paul Lekstutis, applicant/landowner
  - Stephen Delipha, resident
  - Brenda Charron, resident (remote)
  - Peggy Connor, Zoning Administrator
10. During the hearing, the following exhibits were submitted to the DRB:
  - DRB application dated November 6, 2024
  - Proposal narrative received November 20, 2024
  - Site Plans S1 and S2 received November 20, 2024

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:


- Phase One (Cannabis Manufacturing) will include a new septic system, the rehabilitation of the exterior envelope of the entire 7,970+/- square foot dairy barn, including foundation and structural repairs, and the interior fit-up of the 2,000+/- square foot calving barn.
- Phase Two (Growth Phase) will include the fit-up of the 370+/- square foot milk parlor and 5,600+/- square foot milking barn.
- The existing 945+/- square foot machine shop will be used as a transition space to accommodate the phased construction of the dairy barn.
- The first floor of the existing milking barn to be used for indoor grow space.
- The second level (hay loft) of the existing milking barn will be used for product curing.
- The existing calving barn will be used for agricultural product processing (manufacturing).
- The existing red farmhouse and white house will continue to be used as residential rental buildings.
- Cross Pollination will lease the barn to manufacturers who are currently seeking licensing from the Vermont Cannabis Board.
- HVAC system and lighting will meet State energy standards.
- No change to current traffic pattern, as only 1-2 people will be on site during the phased construction, and 6-8 people when fully operational.
- No changes to the existing footprint, and every effort made to maintain the character of the building by using the same materials, while complying with all state requirements.
- Windows to be boarded from the inside as required for security.
- There will be no signage.
- Outside video monitoring vs. outside lighting.
- No retail sales on site.
- Ground source heat pump systems installed resulting in an entirely inside operation.
- Approximately 200 gallons of water will be used per day from on-site well for washing the product initially, while new septic system is built.
- A carbon air filtration system for odor control similar to the cannabis manufacturing facility in Eden, Vermont, which uses a dedicated reverse osmosis system that filters exhaust through carbon filters, thus eliminating any odors outside.

**DECISION AND CONDITIONS:**

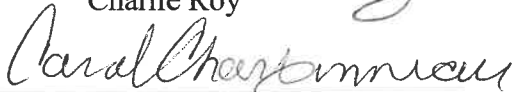
Based on the application, testimony, and above findings, the DRB in a vote of 6-0 (C. Roy, K. Barrett, C. Charbonneau, V. LaBerge, P. Audy, T. Fyles) **APPROVE** conditional use permit #2024-DRB-22-CU contingent upon the following conditions:

- Any outside lighting to be down-shielded.
- There will be no change in access to the building.
- Rehabilitation of the barn will maintain its current character.
- All state permits must be obtained.
- Compliance with all state regulations.


Dated at New Haven, Vermont, this 16<sup>th</sup> day of December, 2024.

  
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Charlie Roy

  
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Kathy Barrett

  
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Carol Charbonneau

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

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

  
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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.