

TOWN OF NEW HAVEN
DEVELOPMENT REVIEW BOARD
FINDINGS AND DECISION

RE: BUILDING PERMIT NO. 2025-DRB-04-BP McConnell

Applicants: Royce and Grace McConnell
#1333
122 Delaware Street
Kansas City, MO 64105

INTRODUCTION AND PROCEDURAL HISTORY:

1. This proceeding relates to a request for an extension of time for reconstruction of dwelling at 5918 Ethan Allen Highway, per Section 425 on Non-Conforming Structures, and request for Waiver per section 333 of the New Haven Zoning and Subdivision Regulations.
2. The 1850 farmhouse previously sited on the 1.7-acre parcel located in the RA-10 zoning district at 5918 Ethan Allen Highway was destroyed by fire in August 2022.
3. New property owners Royce and Grace McConnell propose installing a double-wide manufactured home over the existing footprint.
4. An application was received by the New Haven Zoning Administrator on June 3, 2025, and amended application received June 9, 2025. Copies are available at the New Haven Town Offices.
5. On June 12, 2025, notice of public hearing was published in *The Addison Independent*.
6. On July 2, 2025, notice of public hearing was posted at the following locations:
 - New Haven Town Offices
 - Village Green Market
 - New Haven Post Office
 - Town of New Haven website: <https://www.newhavenvt.com/>
7. On June 12, 2025, a copy of the public hearing was mailed to the following abutting property owners:

Parcel#	Adjoining Property Owner(s)	Address
188	Kaitlin Gallipo	5856 Ethan Allen Hwy., New Haven, VT 05472
183 & 185	Four Hill Gen 3, LLC	722 Burpee Rd., Bristol, VT 05443

8. The following members of the DRB participated in the application decision on July 7, 2025:
 - DRB Chair Charlie Roy
 - DRB Vice Chair Kathy Barrett
 - Carol Charbonneau
 - Paul Audy
 - Tim Paquette
 - Tom Fyles (remote)

9. The names of other persons present and available to provide testimony at the hearing held July 7, 2025:
Peggy Connor, Zoning Administrator
Applicants Royce and Grace McConnell (remote)

10. During the hearing held July 7, 2025, the following exhibits were submitted to the DRB:

- DRB application received June 5, 2025
- Waiver request narrative received June 5, 2025
- Listers' card for Parcel #0184, Map #5: 5918 Ethan Allen Highway
- Blueprint of Fecteau Homes double-wide #409
- Photos of parcel included in MLS listing
- Screenshot of text conversation with excavator
- Letter dated June 10, 2025 from Solid Concrete owner Bill Sinks re: foundation

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 1.7-acre parcel lies in the RA-10 zoning district, in accordance with the updated zoning map adopted in April 2024, as part of the New Haven Zoning and Subdivision Regulations.
- Criteria for granting a variance more adequately applies given the criteria below for authorizing a variance in Section 330 of the Town's zoning regulations:
 - 1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions, peculiar to the property, and that unnecessary hardship is due to these conditions, and not to the circumstances or conditions generally created by the provisions of these Regulations in the neighborhood or district in which the property is located.
 2. Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these Regulations, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 3. Unnecessary hardship has not been created by the applicant.
 4. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy structures, or be detrimental to the public welfare.
 5. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from these Regulations and from the plan.

DECISION AND CONDITIONS:


Based on the application, testimony, and above findings, the DRB in a vote of 6-0 (C. Roy, K. Barrett, T. Paquette, P. Audy, C. Charbonneau) GRANT the variance and APPROVE Application #2025-DRB-04-BP for the proposed dwelling at 5918 Ethan Allen Highway to be located on the site of the previous house if the current septic system is viable or a revised location which would meet the front yard setback if a new septic system must be installed, and to extend the time to rebuild from the date of purchase by two years with an option of extending another two years.

Applicants are not required to come again before the DRB should the existing septic fail to accommodate the new dwelling thereby necessitating a mound system and relocation of the manufactured home, provided all setbacks are met.


Dated at New Haven, Vermont this 14th day of July, 2025.



Charlie Roy


Kathy Barrett


Paul Audy


Carol Charbonneau


Tim Paquette


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. 54471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.