

**Development Review Board
September 21, 2020
Town Office, New Haven, VT**

DRB Members Present via Remote:

Paul Audy, Kathy Barrett, Donald Johnston, Victor LaBerge, Charlie Roy, Susan Smiley

DRB Members Absent:

Carol Charbonneau

DRB Alternate Absent:

Tom Fyles

Staff Present via Remote

Karen Gallott – Minute Taker

Aaron Brown – Zoning Administrator & Town Administrator

Guests via Remote:

Kathleen Rule, Joseph Bodington

Charlie Roy, DRB Chair called the remote meeting to order at 7:06 PM.

Adjustments to the Agenda: none

Visitors' Business: Kathleen Rule

Kathleen Rule heard that her neighbor, Dan Neilson, was going to subdivide. Kathleen asked questions on how the subdivision process works. The Zoning Administrator gave a brief description of the process. Kathleen will contact the ZA during normal office hours for further discussion.

Public Hearing

1) #2020-DRB-13-CU Joseph Bodington d/b/a Champion Auto Glass application for home business at 3378 Ethan Allen Highway.

Joseph Bodington and his son Richard Bodington (son), both currently reside at 3378 Ethan Allen Highway. Joseph Bodington is currently using the 32 x 51-foot garage building to supplement a mobile windshield replacement business (Champion Auto Glass) especially during inclement weather. During the periods of inclement weather, there may be 2 or 3 customers daily during a five-day work week. Richard Bodington also is using the same building to do diesel repair, Rick's business, Rick's Automotive, operates Monday through Friday, hours of operation were not discussed

Bodington's have been doing business at the property since 2019, when they purchased the property. They are now in the process of applying for a home business with signage.

The Bodington's would like to add a 14 x 32-foot cold storage pole barn to the east side of the existing 32 x 51 garage. This pole barn would be enclosed on the North, South and West sides and open on the East side. This proposed pole barn would house personal home equipment (i.e. tractor, lawnmower, etc.), no business equipment would be stored in this area.

The Bodington's would also like to remove an existing separate 15 x 30 building, turning this area into a parking area.

Upon removal of the 15 x 30 building, they would like to add a 28 x 28-foot addition onto the south side of the existing 32 x 51-foot garage. This addition would include a workspace for Champion Auto Glass, 3 offices, bathroom and waiting room, leaving the main garage building for Rick's Automotive.

Bodington's would like to install a 3 x 4-foot sign advertising both businesses. Sign would be located on the left side of the driveway 50 feet from center line of Route 7.

The DRB expressed the following concerns:

- Home business may occupy up to 1, 200 square feet in an accessory building.
The current garage building at 1, 600 square feet, exceeds the 1, 200 square foot. Any additions would definitely exceed what is allowable

The DRB has the discretion within the regulations to allow a larger space as per adaptive re-use. But there is no evidence that previous owner used as a commercial garage.
- The pole barn to be used for personal equipment use only, is permissible as long as the setbacks are in compliance with RA10 zoning
- What would be the increase of business, and business hours?
- Previous owner had a home occupation, the Bodington wants to do a home business
- Signage would be facing North/South visible from Route 7 it would have to meet the 150-foot setback
 - Bodington asked about putting the sign on the building and what size is allowable = larger than 5 x 2

Barrett made the motion to continue the hearing for #2020-DRB-13-CU Joseph Bodington d/b/a Champion Auto Glass application for home business at 3378 Ethan Allen Highway to the October 5, 2020 DRB meeting

Smiley seconded

Discussion: the ZA was advised to contact Bodington to come back on October 5 with an updated site plan to include:

- Indicate what is personnel space and what would be business space with in the garage
- Signage on the building or not
- Give options to reduce square footage.
- Business hours and days for Ricks Automotive and Champion Auto Glass
- Clarification on number of used cars for sale on the property
- Future plans for both businesses

The ZA will check state regulations into the need for a license to sell used cars in Vermont
DRB discussion on automobile sales

Roll Call Vote: Yes -5 (Barrett, Johnston, LaBerge, Roy, Smiley)

Paul Audy did not vote, he was not available remotely

No – 0

Abstention – 0

Motion Carries.

2. #2020-DRB-10-AP Appeal of Zoning Administrator’s Issuance of Zoning Permit #2020-ZP-25-WAF LLC (Yara-Eaton) for Conversion of 3-bedroom primary residence to 1-bedroom accessory dwelling

Barrett made the motion to close the hearing of #2020-DRB-10-AP Appeal of Zoning Administrator’s Issuance of Zoning Permit #2020-ZP-25-WAF LLC (Yara-Eaton) for Conversion of 3-bedroom primary residence to 1-bedroom accessory dwelling.

Smiley seconded

Discussion - none

Roll Call Vote: Yes -5 (Barrett, Johnston, LaBerge, Roy, Smiley)

Paul Audy did not vote, he was not available remotely

No – 0

Abstention – 0

Motion Carries.

Johnston made the motion to adjourn.

Barrett seconded

Discussion - none

Roll Call Vote: Yes -5 (Barrett, Johnston, LaBerge, Roy, Smiley)

Paul Audy did not vote, he was not available remotely

No – 0

Abstention – 0

Motion Carries.

The meeting was adjourned at 8:00 PM

Respectfully Submitted By

Karen Gallott

Charlie Roy, Chair

Kathy Barrett, Vice Chair

Donald Johnston, Clerk

Paul Audy

Victor LaBerge

Susan Smiley