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Town of New Haven
DEVELOPMENT REVIEW BOARD MEETING
HYBRID Public Meeting
Monday, April 18, 2022
Meeting Minutes

DRB Members Present:

In Person: Kathy Barrett, Tom Fyles (alt.), Victor LaBerge
Remote: Charlie Roy, Don Johnston, Carol Charbonneau

ABSENT:

Susan Smiley, Paul Audy

Staff Present:

Peggy Connor, Zoning Administrator, Minutes

Visitors Present:

Tamara Boise, Joe Boise (Cyclewise), Bill Sinks, Karrie Sinks, David Hills, Anthony Stout, (Deer View Project), John Monks (7:20 arrival), Maureen Lester, Sam Lester

Call to Order:

DRB Vice Chair Kathy Barrett called the meeting to order at 7:07 p.m.

I. Adjustments to Agenda:

All agreed to hold elections at the end of the meeting.

II. DRB Elections

Delayed until end of meeting.

III. Visitors' Business

Kathy Barrett read John Madden's letter received on April 18, 2022 to the DRB raising concerns to both the business expansion for Cyclewise and the Deer View Project, citing that the impact of high traffic volume creates an adverse effect, in accordance with Section 341(3c), dangerous conditions (Section 810), and a safety hazard (Section 820(7)). He added that the setback dimensions on the Cyclewise proposal are insufficient (Section 1005A), and "the non-permitted junkyard, towing service, and used car sales are not shown on the sketch plan" (Section 313). Mr. Madden further contended that "the proposals, individually and collectively are not in harmonious relationship with our rural Vermont town (see Neighborhood map) and do not protect renewable energy resources (Section 352 (1) and (7))."

IV. Conditional Use request by Tamara and Joe Boise (BIYD Properties) Permit #2022-DRB-03-CU per New Haven Zoning Bylaws Section 341 for a business expansion on property located at 130 Ethan Allen Highway

Tamara and Joe Boise reviewed their proposal to expand the footprint to accommodate their growing business located on 2.17 acres in the Highway Commercial zoning district; specifically, add to the current building a 67' x 122' addition, thereby increasing the existing 6,500 square foot building to 15,494 square feet. The front façade will be based on a modern barn look, and the one-story addition with a central mezzanine for offices and extra storage. The existing 2,000-square-foot storage building to the north side of the dealership will be relocated behind the newly renovated business with an added open wing of 28x x 56' for a total of 3,705 square feet. The use of the property will not change hours of operation, and any new parking spaces will comply with setback regulations. With the addition of another premium brand, it is anticipated that not only will sales increase but also the number of employees. Tamara added that they are now working through the State Act 250 review process.

Regarding Mr. Madden's concerns, Kathy Barrett noted that there is no junkyard on the property, nor are there any used cars for sale. Joe Boise did indicate, however, that he hopes to relocate the towing service, which is not shown on the plan. Kathy Barrett advised that the business has been in operation since 2007, and since no violation has been brought forth, it is no longer considered a violation after 15

Town of New Haven
Development Review Board
Meeting Minutes – April 18, 2022

58 years; however, it would be advisable for the business owners to relocate the towing service. In terms
59 of adverse effect and increased traffic impact, Kathy noted that the plan calls for a front façade based
60 on a modern barn look to blend with the Vermont landscape. She added that she does not foresee a
61 significant impact on traffic given the existing businesses in the immediate area. DRB members agreed.
62 Don Johnston pointed out that the front yard setback minimum does not appear on the plan, and added
63 that he would like to see where the parking lot will be located in relationship to the setback.
64

65 Tom Fyles moved to approve Conditional Use Permit #2022-DRB-03-CU, contingent upon Act 250
66 approval, wastewater permits, the final plat showing the 75” front yard setback minimum; Victor LaBerge
67 seconded.

68 **Roll call vote:**

69 **Yes – 6 (C. Roy, T. Fyles, K. Barrett, D. Johnston, C. Charbonneau, V. LaBerge)**

70 **No – 0**

71 **MOTION PASSED; Conditional Use Permit #2022-DRB-03-CU APPROVED**

72

73 Next steps:

- 74 ✓ The DRB’s written decision will be sent to the applicant via certified mail within 45 days;
75 and copies sent to all interested parties and abutting property owners. The 30-day appeal
76 period begins from the date of issuance.
- 77 ✓ Applicants may apply for a permit to remove the storage shed

78

79 **V. Conditional Use request by Multy Builders, LLC Permit #2022-DRB-04-CU per New**
80 **Haven Zoning Bylaws Section 341 related to the development of one of six proposed**
81 **structures on a 66-acre parcel located on the east side of Ethan Allen Highway;**
82 **specifically, a woodworking business on Lot 6**

83 Senior Planner Anthony Stout offered a brief background:

84

85 While the project gained Act 250 approval in 2008, because no construction had commenced, the new
86 wetland rules required a slight reconfiguration of the project, with portions of the private road and
87 building lots shifting west. The size of the six building areas were slightly reduced, but the proposed
88 drainage pattern and stormwater treatment designs remained the same. Although the project was
89 designed as a PUD, the lots have now been configured to meet conventional zoning dimensional
90 requirements, meeting coverage compliance of 25% for the HC zoning district, and 40% for the IN
91 district. All of the lots will be served by a community wastewater disposal system, and each lot will be
92 served by individual drilled wells. Multy Builders intend to retain fee ownership of the land and lease the
93 six building sites. There is a common road with a single access point on U.S. Route 7 that has been
94 relocated approximately 100 feet north of an existing farm access to avoid the class 2 wetland buffer.
95 Anthony advised that Act 250 review is nearly 90% complete, and now just waiting on stormwater
96 permits.
97

98 Vermont Tree Goods owner John Monks joined the meeting and offered a preview of how he envisions
99 a combination woodworking operation and showroom on Lot 6. Vermont Tree Goods mills planks and
100 creates furniture from recycled heirloom trees that have reached the end of their growing years. Right
101 now, John leases space on North Street in New Haven, but his growing business needs a permanent
102 space to house all of its components, including a showroom to attract visitors. Kathy Barrett noted that
103 John Madden’s concerns appear to be irrelevant.
104

105 Don Johnston asked a procedural question: Without an approved lot layout, how is the DRB able to
106 move forward on the conditional use permit? Anthony Stout agreed that there needs to be an
107 amendment to the subdivision plat. Kathy Barrett suggested that the DRB recess the conditional use
108 hearing until such time the applicants submit an amended subdivision plat and footprint of the building

109 proposed on Lot 6. Following a brief discussion on timing, Kathy Barrett moved to recess conditional
110 use Permit #2022-DRB-04-CU until June 6, 2022; Tom Fyles seconded.

111
112 **Roll call vote:**

113 **Yes – 6 (T. Fyles, C. Roy, K. Barrett, D. Johnston, C. Charbonneau, V. LaBerge)**
114 **No – 0**

115 **MOTION PASSED; Conditional Use Permit #2022-DRB-04-CU RECESSED UNTIL JUNE 6, 2022**
116

117 **II. Elections**

118 Kathy Barrett moved to re-elect Charlie Roy as DRB chair; Victor Laberge seconded.

119 **Roll call vote:**

120 **Yes – 6 (T. Fyles, K. Barrett, C. Roy, D. Johnston, C. Charbonneau, V. LaBerge)**
121 **No – 0**

122 **MOTION PASSED; Charlie Roy elected DRB Chair**
123

124 Charlie Roy moved to re-elect Kathy Barrett as DRB vice chair; Tom Fyles seconded.

125 **Roll call vote:**

126 **Yes – 6 (T. Fyles, K. Barrett, C. Roy, D. Johnston, C. Charbonneau, V. LaBerge)**
127 **No – 0**

128 **MOTION PASSED; Kathy Barrett elected DRB Vice Chair**
129

130 Kathy Barrett moved to re-elect Don Johnston as DRB clerk; Victor LaBerge seconded.

131 **Yes – 6 (T. Fyles, K. Barrett, C. Roy, D. Johnston, C. Charbonneau, V. LaBerge)**
132 **No – 0**

133 **MOTION PASSED; Don Johnston elected DRB Clerk**
134
135

136 **DRB Meeting Date**

137 All agreed DRB meetings to continue being held on the 1st and 3rd Monday of each month.
138

139 **VI. Approval of DRB meeting minutes for March 7, 2022**

140 Kathy Barrett moved to approve DRB meeting minutes for March 7, 2022; Tom Fyles seconded.

141 **Roll call vote:**

142 **Yes – 4 (T. Fyles, K. Barrett, D. Johnston, C. Charbonneau)**
143 **No – 0**

144 **Abstaining: V. Laberge, C. Roy**

145 **MOTION PASSED; March 7, 2022, DRB meeting minutes APPROVED as presented.**
146

147 **Adjournment**

148 Carol Charbonneau moved to adjourn; Victor LaBerge seconded.

149 **Roll call vote:**

150 **Yes – 6 (T. Fyles, K. Barrett, C. Roy, D. Johnston, C. Charbonneau, V. LaBerge)**
151 **No – 0**

152 **MOTION PASSED; meeting adjourned at 8:15 p.m.**
153

154 Respectfully submitted,
155 Peggy Connor
156

157 Charlie Roy, Chair

Kathy Barrett, Vice Chair

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Town of New Haven
Development Review Board
Meeting Minutes – April 18, 2022

161	Tom Fyles	Carol Charbonneau
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164		
165	Don Johnston	Victor LaBerge
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