

**Development Review Board Minutes  
Town Office New Haven, Vermont  
August 1, 2016**

**Members Present:** Kathy Barrett, Tim Bouton, Carol Charbonneau, Susan Smiley,  
**Alternates Present:** Tom Fyles

**Members Absent:** Donald Johnston, Mike Sweeney  
**Alternates Absent:** Victor Bolduc

**Staff:** Dave Wetmore, Zoning Administrator & Karen Gallott-Minute Taker

**Guests:** Ambrose Cousino, Starlyn Cousino, Peter Viau, Steve Heffernan, Roger Sturtevant, Bridget Kipp,

Kathy Barrett, Chair, called the Development Review Board (DRB) meeting to order at 7:00 PM.  
Tom Fyles, Alternate will be a voting member tonight.

There were no adjustments to the agenda.

**Visitors Business** – none

**Public Hearings:**

*a) Application #2016DRB-10-Home Business (HB) is a request for home business pursuant to section 450B by Ambrose and Starlyn Cousino, parcel #0586-200.*

Cousino's would like to open a small automotive/tire repair business in their current detached 26 x 28 foot (728 sq ft) garage. The business would employ Ambrose and his son who lives on the property. The business office would be located in a room (approximately 100 sq ft) in the basement of the residence.

- Customer parking would be located out back (behind) the garage. This area will be graveled.
- Hours of operation - Monday through Friday 7:00 AM to 5:00 PM and Saturday 7:00 AM to 12 noon
- There would be customers that would drop off their vehicles after hours
- There will be hazardous waste stored on site:
  - The coolant would be stored in covered 55 gallon drums and picked up by a hazardous waste company
  - Used oil would be burned to produce heat for the building
- Outdoor motion detector flood light will be added on the garage
- Maximum cars per day would be 10 or 20 trips

There was discussion on the south side setback. Setback requirements for this district are 25 feet. The Zoning Administrator will go out and measure the distance from the boundary line to the garage.

The DRB mentioned that the work is to be done inside the building with the doors shut to limit noise levels within the residential district.

**Open for Public Comment**

Roger Sturtevant lives across the road from the Cousino's. Sturtevant's concerns were:

- Hours of operation
- Excessive noise from the business
- Safe access from Hunt Road to Cousino's driveway
- Number of cars parked on the lot

Cousino indicated that he would be willing to clear out the brush at the end of the driveway as this would go with the plan to install a business sign at the end of the driveway. The ZA indicated that clearing the brush would need to be a discussion with the Town Road Commissioner.

### Public Comment Closed

Cousino indicated if business was good in the future he would like to build a 26 x 28 foot addition to the existing garage. The DRB indicated that for a home business the limit is 1200 sq ft for the business. This size addition would not meet regulations.

Bouton made the motion to approve application #2016DRB-10-Home Business (HB) as presented with the following conditions

- Hours of operation 7-5 Monday through Friday, 7 to 12 noon on Saturday
- Work is to be done inside the building with the door closed
- Lighting to be down shielded and on a motion detector
- Customer parking to be located out behind (back) of the garage and must be 25 feet from side yard
- Appropriate disposal of hazardous waste materials
- Increase visibility of access at the road end of the driveway by obtaining permission from the New Haven Road Commissioner.
- Applicant will check with the State to make sure permits are met according to State regulations

Charbonneau seconded

Discussion: What if the setback doesn't meet the 25 foot setback? The ZA will go and measure and will contact the DRB with his findings. If the setback doesn't meet the setback the applicant will need to come back to the DRB.

Both Bouton and Charbonneau agreed to this condition.

The motion now reads...to approve application #2016DRB-10-Home Business (HB) as presented with the following conditions

- Hours of operation 7-5 Monday through Friday, 7 to 12 noon on Saturday
- Work is to be done inside the building with the door closed
- Lighting to be down shielded and on a motion detector
- Customer parking to be located out behind (back) of the garage and must be 25 feet from side yard
- Appropriate disposal of hazardous waste materials
- Increase visibility of access at the road end of the driveway by obtaining permission from the New Haven Road Commissioner.
- Applicant will check with the State to make sure all necessary permits are met according to State regulations
- Setback must meet the 25 foot from the side yard

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 0

Motion Carries

*b) Application #2016DRB-05-Sub Division (SD) is a request for final plat approval for 2-lot minor subdivision (Lot #1 of 7 +/- acres; Lot #2 of 6 +/- acres) of parcel #0642-100 on map #12 submitted by Steven Heffernan and Diane Heffernan, continued from July 18, 2016*

Due to family relationships, Barrett asked the DRB if they would like her to recuse herself from this hearing. She was asked if she could remain impartial and she indicated that she could. So she was not asked to be recused.

Heffernan indicated that they had purchased the property at 161 Hunt Road and would like to do a 2 lot subdivision.

Heffernan and Viau (neighbor across the road) have met and discussed Viau's water concerns and Heffernan is willing to move the location of the well on Lot #2 closer to the location of the well for Lot #1. This would permit Viau additional 20 to 30 feet more to site a replacement well on his property. Viau indicated his approval of the change of the well location on Lot #2.

Lot #1 has an existing house and Heffernan has someone interested in restoring it and they are looking for an October 1, 2016 closing date for this lot.

Lot #2 has no residence as this time. Residence would be determined by the new owner of the property. Heffernan has not obtained the driveway access permit from the town at this time.

Heffernan will submit a new site plan showing the relocation of the well on Lot #2 to be closer in proximity to the well location on Lot #1.

### **Open for Public Comment**

Roger Sturtevant indicated that adequate water is an issue in this area.

### **Public Comment Closed**

Bouton made the motion to approve application #2016DRB-05-Sub Division (SD) with one correction – the corrected final plat will show the well location for Lot #2 moved up near the well location on Lot #1;

And the following conditions:

- Road access permit from the Town Road Commissioner for Lot #2 is obtained
- All setbacks for both lots are met
- Easements for well water from Lot #1 to Lot #2 are shown (if necessary)

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 0

Motion Carries

### **End of Public Hearing**

### **DRB Business**

**Sketch Plan Reviews** – none

**Minutes – July 18, 2016**

Smiley made the motion to accept the July 18, 2016 DRB minutes as presented

Bouton seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 0

Motion Carries

### **Review and Sign Decisions:**

*a) Pike/Steady boundary adjustment #2016DRB-03-BLA*

Smiley made the motion to approve the Decisions and Findings as presented.

Bouton seconded

Discussion - none

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 0

Motion Carries

b) President and Fellows of Middlebury College 32016DRB-07-SD

Smiley made the motion to approve the Decisions and Findings as presented.

Bouton seconded

Discussion - none

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 0

Motion Carries

**Review for Compliance and Sign Final Plats – none**

**Correspondence – none**

**New Business – none**

**Old Business – none**

Bouton made the motion to adjourn

Smiley seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 0

Motion Carries

The meeting was adjourned at 8:25 PM

Respectfully Submitted By

Karen Gallott

Kathy Barrett, Chair

Tim Bouton, Vice Chair

Carol Charbonneau

Tom Fyles

Susan Smiley