

**Development Review Board Minutes
Town Office New Haven, Vermont
April 4, 2016**

- Members & Alternate Present:** Tim Bouton, Kathy Barrett, Donald Johnston, Susan Smiley, Mike Sweeney, Tom Fyles-Alternate
- Members Absent:** Steve Dupoise, Victor Bolduc-Alternate
- Staff:** Dave Wetmore, Zoning Administrator; Karen Gallott-Minute Taker
- Guests:** Ryan Miller, Nicole Burke, Gail Regan, Bob Regan

Tim Bouton, Chair, called the Development Review Board (DRB) meeting to order at 7:04 PM. Fyles will be a voting member this evening.

There were no adjustments to the agenda this evening.

Visitors Business – none

Public Hearing

a) 2016DRB-02-HB (Home Business) by Nicole Burke and Ryan Miller continued from 3/21/2016.

The meeting was recessed for 20 minutes in order to give everyone time to read the following handouts.

- Hand out from Nicole Burke and Ryan Miller listing Home Business and Agriculture Use, with accompanying maps
- The Zoning Administrators (ZA) report – 3/31/2016
- Comments and Concerns from Bob and Gail Regan (abutting neighbors)

The DRB reviewed the proposed Agricultural Operations first.

1. Vegetables and Berries

a) U-pick operation –DRB agreed this was an agricultural operation and meets VT Agriculture regulations

Parking for the various farm agriculture operations was discussed. The applicants submitted a map showing the parking area (P#3) for the U-pick operation. ½ of the parking lot will be graveled the other ½ not – the un-graveled part would be spill over parking for over 20 u-pick individuals and for other events that are being hosted on the site.

The Regan's expressed their concern that gravel restricts water flow and thus the water would flow into their yard. They also indicated that the proposed elderberry hedge is not sufficient screening.

The DRB would look into the topographical contours. In the meantime DRB encouraged the applicants to look into water runoff; where and how the water flows for this site. Also the DRB suggested the applicants look at other areas on site to identify as parking areas that may be away from the road and river.

The applicants indicated the elderberries may be used for the U-pick operation. DRB warned that depending on how close to River Road the plantings were, this may be a safety issue.

- b) *CSA and farm stand/farm store*— DRB agreed this was an agricultural operation and meets VT Agriculture regulations.

The farm stand would be located in the existing shed (#3 as shown on the map). Applicants will build shelving within the shed. Flood insurance was discussed; if improvements to the building exceed more than 50% of the value of the structure, then the building would have to be elevated or the building must be raised out of the base flood elevation.

The Regan's asked if the farm stand was the same building as the farm store- yes it is. Parking for the farm stand/farm store was indicated on the applicants map as P1. There are 6 cars spaces on the east side – 4 of these car spaces would be reserved for the Bed & Breakfast leaving 2 car spaces for the farm stand on the east side and 3 car spaces on the west side of the building.

- c) *Wholesale* – DRB agreed this was an agricultural operation and meets VT Agriculture regulations
- d) *Farmers Markets – offsite* – DRB agreed this was an agricultural operation and meets the VT Agriculture regulations

2. Honey

- a) *Farmers markets – offsite* - DRB agreed this was an agricultural operation and meets VT Agriculture regulations
- b) *Farm stand/farm store* -DRB agreed this was an agricultural operation and meets VT Agriculture regulations

3. Goats and Chickens, meat/milk and cheese and eggs

- a) *CSA and or Farm stand/Farm store* - DRB agreed this was an agricultural operation and meets VT Agriculture regulations
- b) *Farmers market* - DRB agreed this was an agricultural operation and meets VT Agriculture regulations

4. Hops and Specialty Crops – grains, oil crops, hay and fermented beverage

- a) *Direct Sale of grains* - DRB agreed this was an agricultural operation and meets VT Agriculture regulations
- b) *Fermented beverage*
 - i. Farm stand/farm store
 - ii. Farmers market

DRB indicated the applicants must abide by the Vermont Liquor Control regulations.

Sweeney made the determination from the ZA Report dated 3/31/2016 Agricultural Operations, items #1, 2, 3, 4 come under agricultural operations, whose regulations are governed by the VT Agency of Food and Markets.

Barrett seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

Non-Agricultural Operations:

The applicants did not come up with a list of priorities. The DRB decided to discuss item #1 from the ZA Report of 3/31/2016. The ZA suggested that the applicants contact the VT Dept of Agriculture to rule on Farm to Table, is this considered agriculture and write a letter affirming this.

1. Bed and Breakfast – in owner occupied residential structure

a) 4 Bedroom with 400 room nights/year

Applicants have 4 bedrooms (a total of 691 sq. feet) located in their residence they would like to use as a Bed & Breakfast. DRB suggested the applicants talk with the Town Lister's confirming the number of bedrooms within the residence – the Lister's card indicated 3 bedrooms not 4.

The ZA indicated his concerns with wastewater – Spencer Harris has no wastewater records. The septic must be addressed before opening the Bed & Breakfast.

Applicants were advised to check with the VT Dept. of Health regarding regulations for using the residence kitchen for the Bed & Breakfast.

DRB indicated if the applicants were to hire help, there can be no more than two (2) full time workers employed.

DRB agreed the bed & breakfast was a home based business.

Sweeney made the motion to approve the Bed & Breakfast as a home based business as set forth in the Zoning Regulations, with the following conditions:

- An approved wastewater permit from the State
- With no more than 691 sq. ft.; or 4 bedrooms to be used for the Bed & Breakfast
- There would be 4 car spaces reserved for Bed & Breakfast parking in P1

Smiley seconded

Discussion – the ZA would like a motion say up to 4 bedrooms or whatever the wastewater permit allows; to be used for the Bed & Breakfast.

This change was agreed on by both Sweeney and Smiley

The motion now reads: to approve the Bed & Breakfast as a home based business as set forth in the Zoning Regulations, with the following conditions:

- An approved wastewater permit from the State
- Up to 4 bedrooms to be used for the Bed & Breakfast
- There would be 4 car spaces reserved for Bed & Breakfast parking in P1

Vote: Yes – 6 (Barrett, Bouton, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

There was much discussion as to how the DRB should look at the remainder of the proposed non-agricultural operations. Should all the events be looked at as an "event center"? Or should each event be discussed and evaluated separately. No decision was made.

Fyles made the motion to continue the hearing for application 2016DRB-02-HB to the next regularly scheduled DRB meeting on April 18, 2016 at 7:00 PM.

Sweeney seconded

Discussion – the Chair asked if the DRB wanted to do a site visit. A site visit was declined by the DRB at this time.

Vote: Yes – 6 (Barrett, Bouton, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

DRB Business

1. Sketch plan reviews – none

2. Minutes

Smiley made the motion to approve the DRB minutes of March 21, 2016 as presented.

Johnston seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

3. Review and Sign Decisions – none

4. Review for Compliance and Sign Final Plats – none

5. Correspondence – none

6. New Business – none

7. Old Business – DRB is still looking for applicants to fill the vacant positions on the board

Barrett made the motion to adjourn

Fyles seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Fyles, Johnston, Smiley, Sweeney)

No – 0

Abstention – 0

Motion carried

The meeting was adjourned at 9:50 PM

Respectfully Submitted By

Karen Gallott



Tim Bouton, Chair


Kathy Barrett, Vice-Chair


Donald Johnston, Clerk

Tom Fyles

Susan Smiley


Mike Sweeney