

Development Review Board Minutes
Town Office New Haven, Vermont
July 18, 2016

ORIGINAL

Members Present: Kathy Barrett, Tim Bouton, Carol Charbonneau, Susan Smiley, Mike Sweeney

Alternates Present: Tom Fyles

Members Absent: Donald Johnston

Alternates Absent: Victor Bolduc

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

Guests: Jim Manley-Pike Industries; Timothy Steady, Brent Rakowski-Otter Creek Engineering; Peter Viau, Nathan Heilman, Sean Flynn-Silver Maple Construction

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-03-BLA is a request for final plat approval for a boundary adjustment between parcels #0405, #0411 and #0514 on map #8 submitted by Pike Industries and Timothy Steady.

Jim Manley representing Pike Industries indicated that Pike Industries owns lots #0411 and #0514; Tim Steady currently owns lot #0405. The proposal is for Steady to convey 7.38 acres to Pike Industries and Pike's will convey 15.01 acres to Steady. After the boundary line adjustment is approved the Steady property will be a total of 17.63 acres.

There is current right-of-way along the south side of both Pike and Steady properties; this Right-of-way will be replaced by a new 50 foot right-of-way along the north side of the new proposed Steady property. This new 50 foot right-of-way will connect to an existing 30 foot right-of-way (northside) between Steady property and the Gilbert property.

Bouton made the motion to approve the boundary line adjustment for application #2016DRB-03-BLA as presented.

Sweeney seconded

Discussion – The Zoning Administrator (ZA) indicated that all public notices and warnings have been met.

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

No – 0

Abstention – 0

Motion Carries

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

The Heffernan's were not present at this time. The DRB decided to continue with Public Hearing (c) and will come back to Public Hearing (b) with hopes the Heffernan's are present.

c) Application #2016DRB-07-SD is a request for final plat approval for 2-lot minor subdivision (Lot #1 of 3.55 acres, Lot #2 of 16.4 acres) of parcel #0162-000 on map #5 submitted by the President and Fellows of Middlebury College and Otter Creek Engineering.

Brent Rakowski, Otter Creek Engineering is representing the President and Fellows of Middlebury College.

Since the last DRB meeting (5/16/2016):

- A road access permit has been obtained for the 1003 North Street property, from the Town of New Haven.
- A wastewater site plan has been developed – Plat C-2 shows the replacement areas for the existing house and the proposed new lot. The locations of both replacement areas are located on the boundary line between the two lots.

Middlebury College is only interested in dividing the parcel and not developing the parcel. Rakowski indicated that Lot #2 is in RA2 zoning area so Lot #2 could potentially be subdivided in the future. Rakowski did indicate that they did extensive soil testing and there is very limited capacity for additional wastewater systems under the current State regulations.

Sweeney made the motion to approve Application 32016DRB-07-SD as presented.

Bouton seconded

Discussion: The Zoning Administrator (ZA) indicated that all public notices and warnings have been met. The ZA indicated that in the future all light standards within the regulations must be complied with.

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

No – 0

Abstention – 0

Motion Carries

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

The Heffernan's still were not present. The DRB proceeded to take comments from Peter Viau and Nathan Heilman.

Viau resides across the road from the proposed property to be subdivided. He is very concerned with the over shadowing areas for the well isolation area and for the septic isolation area for proposed Lot #1 and Lot #2. Viau is concerned because his well is failing and he may have to drill in the future and it looks like his options for a new well location are very limited. His property currently has a VELCO easement as well as an easement for 4 Hills Farm.

There occurred a lengthy discussion regarding overlapping of the isolation areas on both Viau's land and on the proposed two Heffernan's lots.

The DRB will request to the Heffernan's that the engineering drawing needs to show the septic and well isolation areas for the Viau property, since Viau's isolation areas are pre-existing to the proposed Heffernan's. Also the DRB will ask the engineer to make a presentation at the next DRB meeting on August 1, 2016 to explain the shadowing areas.

Viau was advised to document everything.

Viau indicated that he is definitely against this proposed subdivision.

Heilman another abutting neighbor to the proposed subdivision explained that he was curious what the Heffernan's were proposing to do with the property. Heilman has no issues.

Bouton made the motion to continue the hearing for application #2016DRB-05-SD to the August 1, 2016 DRB meeting.

Smiley seconded

Discussion: - none

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

No – 0

Abstention – 0

Motion Carries

Public Hearing items (a) and (c) are closed. Hearing (b) will be continued.
End of Public Hearing

Sketch Plan Reviews

a) Silver Maple Construction LLC – discussion whether minor amendment to building plan will require amended site plan approval of #201~~6~~⁴DRB-05-PUD/SP (~~#2016~~^{#2014}DRB-05-PUD/SP)

Mike Sweeney recused himself.

Sean Flynn for Silver Maple Construction presented tonight. They have bought the former Horn property at the corner of River Road and Route 7. Flynn is presenting a revision of the former site plan showing an enlarged parking area, change in exterior siding of proposed building, elimination of shrubs at the corner of River Road, and proposal to drill a new well for the proposed new building.

At issue for the DRB is for board members to decide if there are significant changes to the former site plan that the DRB should review the proposed site plan or if the ZA could handle the review of the proposed site plan administratively.

Charbonneau made the motion to have the ZA handle review of the proposed site plan administratively. Fyles seconded

Discussion – Bouton and Smiley thought there were enough changes to the proposed site plan that the DRB should review it. Charbonneau and Barrett agreed that the ZA could handle the proposed site plan administratively since all set backs were met, hours of operation were not changing, and lighting

requirements were met. Bouton then changed his opinion indicating that he felt the ZA could handle the proposed site plan administratively.

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)
No – 0
Abstention – 1 (Sweeney)

Motion carried

DRB Business

1. Minutes June 20, 2016

Bouton made the motion to approve the June 20, 2016 DRB minutes as presented

Charbonneau seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Charbonneau, Fyles, Smiley)
No – 0
Abstention – 1 (Sweeney)

Motion carried

2. Review and Sign Decisions – none

3. Review for compliance and Sign Final Plats – none

4. Correspondence

- NOFA Resource Managing Rural Enterprises brochure
- When Governments Cooperative – Sept 9, 2016 workshop

5. New Business

- Home business application for a garage on Hunt Road will be on the DRB agenda for August 1, 2016

6. Old Business – none

Bouton made the motion to adjourn

Fyles seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Charbonneau, Fyles, Smiley, Sweeney)
No – 0
Abstention – 0

Motion Carries

The meeting was adjourned at 8:30 PM

Respectfully Submitted By
Karen Gallott




Kathy Barrett, Chair




Tim Bouton, Vice Chair



Carol Charbonneau



Tom Fyles



Susan Smiley

Mike Sweeney