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Town of New Haven
DEVELOPMENT REVIEW BOARD MEETING
HYBRID Public Meeting
Monday, January 24, 2022
Meeting Minutes

DRB Members Present:

In Person: Tom Fyles, Don Johnston, Victor LaBerge

Remote: Charlie Roy, Kathy Barrett, Carol Charbonneau, Susan Smiley

ABSENT:

Paul Audy

Staff Present:

Peggy Connor, Zoning Administrator, Minutes

Visitors Present:

In Person: Terri Lyons, Corey Collette, Summer Rivers

Call to Order:

DRB Chair Charlie Roy called the meeting to order at 7:02 p.m.

I. Adjustments to Agenda:

None.

II. Visitors' Business

None.

III. Sketch Plan Application: #2022-DRB-01-SK Lyons for a subdivision of a 6.52-acre parcel located at 956 South Street

Applicant Terri Lyons reviewed her application and proposed to sell a 2.5-acre parcel to Corey Collette and Summer Rivers to build a house. Because the location of the new house will be situated in the back of the property, where the RA-2 zoning district ends and the RA-10 district begins behind the pond, Terri asked that the DRB consider granting a variance. She explained that the house cannot be built in the RA-2 zoning district where the ground is too wet. The total road frontage for the entire parcel as it now exists is 765 feet.

Noting that the current zoning regulations call for front setback maximum of 200' with a 30-foot buffer allowed, Kathy Barrett asked about the distance from the pond to the side of the new house to be built, and the distance from the center line of the road. Corey Collette offered an estimate of 150 +/- feet between the pond and front of the new house, and that it will sit approximately 230' from the center line of the road. Terri added that the only location for a new house is on the elevated open land that lies in the RA-10 zoning district which is why she has asked for a variance.

Don Johnston explained that the DRB is hesitant to grant variances which have been legally challenged in the past. Kathy Barrett noted that as it now stands, the DRB cannot approve a subdivision without a variance request, and cited the following five criteria that must be met in the current zoning regulations, Section 342:

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions, and not to the circumstances or conditions generally created by the provision of the bylaw in the neighborhood or district in which the property is located.

2. Because of these physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the bylaw, and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. Unnecessary hardship has not been created by the appellant.
4. The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.
5. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the bylaw and from the plan.

In addition to meeting the five criteria above, Don Johnston advised the applicant that an engineer should draft a survey plan that shows dimensions of the lot, placement of driveway, and why the house cannot be built closer to the pond. Kathy Barrett recommended that contour lines also be shown on the plat. Corey Collette noted that he plans to install a 4' culvert, 30' in length under the proposed driveway, as recommended by the Town Road Foreman.

Tom Fyles moved to move forward with the sketch plan as a minor subdivision; Kathy Barrett seconded.

Roll call vote: Yes - 7 (Fyles, Barrett, Charbonneau, LaBerge, Smiley, Roy, Johnston)

No – 0

MOTION PASSED – Sketch Plan approved as Minor Subdivision

**IV. DISCUSSION: Addison County Solid Waste Management District (ACSWMD)
Proposed Transfer Station Project**

The Addison County Solid Waste Management District (ACSWMD) is in the process of purchasing two lots on Campground Road near US Route 7, and propose to build a new transfer station for residential use in three phases:

- Phase 1 will consist of a driveway, queueing area and drop-off zone for garbage trucks to be staged.
- Phase 2 will allow ACSWMD to operate the facility on its own and expand its services to the public.
- Phase 3 will consider a second lot to the north, which now houses a church and solar field, to build a new residential household hazardous waste facility

In his email dated January 10, 2022, Project Manager Shane Mullen asked what level of permit would be required; specifically, what provisions of the land use regulations are of most concern so that a formal application may be structured that addresses any concerns ahead of time.

DRB members agreed that a sketch plan must first be reviewed for conditional use which may only be approved after public notice and public hearing, and it is determined by the DRB that the proposed use will not have any undue adverse effect as identified in Section 341 of the Town's zoning regulations.

V. Approval of DRB meeting minutes for January 3, 2022

Carol Charbonneau moved to approve meeting minutes for January 3, 2022; Susan Smiley seconded.

Roll call vote: Yes - 6 (Fyles, Barrett, Charbonneau, LaBerge, Smiley, Roy)

Town of New Haven
Development Review Board
Meeting Minutes – January 24, 2022

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No – 0
Abstention – Don Johnston

MOTION PASSED – Minutes approved as presented

ADJOURNMENT

Carol Charbonneau moved to adjourn; Tom Fyles seconded.

Roll call vote: Yes – 7 (Fyles, Barrett, Charbonneau, LaBerge, Johnston, Smiley, Roy)

No – 0

MOTION PASSED – Meeting adjourned at 8:06 p.m.

The next DRB meeting is tentatively scheduled for Monday, February 7, 2022, at 7:00 p.m.

Respectfully submitted,
Peggy Connor

Charlie Roy, Chair	Kathy Barrett, Vice Chair	Carol Charbonneau
Tom Fyles	Susan Smiley	Victor LaBerge
Don Johnston		