

**Development Review Board Minutes
Town Offices, New Haven, Vermont
January 6, 2014**

Members Present: Kathy Barrett, Tim Bouton, Steve Dupoise, Jim Gallott, Donald Johnston, Mike Sweeney

Members Absent: Donna Blaise

Alternate Present: Victor Bolduc

Staff: Zoning Administrator-Dave Wetmore

Visitors: Carole Hall, Joel Wollum, Matt Schlein, Jackie Schlein

Tim Bouton, Chair, called the Development Review Board (DRB) to order at 7:00 PM.

Visitors Business – none

Public Hearing

1) Application 2013DRB-10-NCS – Request to rebuild non-conforming single-family home that was destroyed by fire, continued from 12/16/2013.

The Chair read off the exhibit list related to this application.

Members of the DRB that went to the site visit on Saturday, December 21, 2013 presented their findings.

- Gallott presented pictures that he took at that visit
- Bouton did some rough measurements from the boundary line to various points on the Schein residence. He also indicated that the boundary line is approximately 3 feet south of the fence line.

The Zoning Administrator (ZA) and his assistant also went to the Schlein's residence and took measurements. The measurements are actual distances from the boundary line to various points on the Schlein residence. In addition the ZA measured 162 feet between Carole Hall's residence and the old Schlein residence (the residence that burned down), according to Google Maps. The ZA indicated that the zoning permit shows a 50 foot setback for Carole Hall's house.

There was discussion regarding the Schlein's new house and how it seems to be closer to the boundary line than their old residence. During this discussion, a question was raised regarding the regulations and how they relate to covered decks and porches. The regulations state that a minimum setback is encouraged.

Opened for Public Comment

Carole Hall feels a loss of privacy with the location of the Schlein's new house, their house being closer to the boundary line than the old house. Regarding the Schlein's proposed location of the sun porch, Carole doesn't feel it is right to make it any closer to her residence. There have been past conflicts with regards to the boundaries but they have been amiably resolved. Carole would prefer a resolution that

would lessen the impact of the closeness of the Schlein's residence to her residence. A planting of trees on both sides of the fence would be beneficial and the Schlein's have previously agreed to planting of some trees.

Jackie Schlein indicated that their house was built before the Halls' built their house. Thus the Hall's chose the closeness of their location. The issues of previous boundary line conflicts have been amiably resolved. The Schlein's are willing to plant trees, but asked that financial considerations be kept in mind.

Public Comment Period Closed

The Board discussed the non-conformity of the Schlein residence and the structure of the proposed attached sun porch.

Gallott indicated that there are two separate questions for the Board to vote on:

- 1) Re-building of a non-conforming structure with a sun porch, location unspecified.
- 2) Building of the proposed sun porch and the location of it.

Members of the board agreed - yes, there were two questions to be voted on.

Gallott made the motion to approve reconstruction of a non-conforming 40 x 28 foot single family structure on the Schlein property as currently constructed; as per Section 513.1, for application 2013DRB-10-NCS.

Sweeney seconded

Discussion:

Gallott would like to add an amendment to the above motion:

- The Schlein's to pay for the planting two arborvitae trees (cedar trees were approved by Carole Hall) in the vicinity of the propane tank on the Hall property to screen location of the new Schlein residence. The exact location of the tree plantings to be cooperatively decided between the Halls & Schlein's.

Sweeney seconded the amendment:

The motion now reads:

To approve reconstruction of a non-conforming 40 x 28 foot single family structure on the Schlein property as currently constructed; as per Section 513.1, referring to application 2013DRB-10-NCS. With the following condition:

- The Schlein's to pay for the planting two arborvitae trees (cedar trees were approved by Carole Hall) in the vicinity of the propane tank on the Hall property to screen location of the new Schlein residence. The exact location of the tree plantings to be cooperatively decided between the Halls & Schlein's.

Discussion: Johnston made the comment that his is not in favor of the board making a decree on the type of plantings to be made.

Vote: Yes – 6 (Barrett, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

Sweeney made the motion to approve Exhibit 4-Plan B, for a not to exceed 12 x 20 foot single story enclosed addition (20 foot length would be along the western side of the Schlein residence) as shown in Exhibit 4. The addition shall be no closer to the boundary line than the corner of the new Schlein's house.

- Exhibit 3-Plan A is not approved.

Gallott seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

The public hearing for this application was closed at 8:25 PM.

2) Continued from 10/7/2013, 10/21/2013, 11/18/2013 and 12/2/2013-application #2013DRB-08-SP is a request by Dale Dingler dba Dingler Holdings, LLC for amended site plan approval.

Barrett made the motion to continue this hearing to February 3, 2014 DRB meeting.

Dupoise seconded

Discussion: none

Vote: Yes – 6 (Barrett, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

End of Public Hearing at 8:27 PM

DRB Business

1. **Sketch plan reviews** – none

2. **Minutes**

a) Barrett made the motion to approve the 11/18/2013 DRB minutes as presented.

Dupoise seconded

Discussion – none

Vote: Yes – 5 (Barrett, Bouton, Dupoise, Gallott, Sweeney)

No – 0

Abstention – 1 (Johnston)

Motion carries

b) Dupoise made the motion to approve the 12/2/2013 DRB minutes as presented.

Barrett seconded

Discussion – none

Vote: Yes – 3 (Barrett, Dupoise, Johnston)

No – 0

Abstention – 3 (Bouton, Gallott, Sweeney)

Motion carries

Minutes for the 12/16/2013 DRB could not be approved tonight - no quorum.

- 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** – none

Dupoise made the motion to adjourn

Barrett seconded

Discussion – none

Vote: Yes – 6 (Barrett, Bouton, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 8:35 PM

dated 1/20/2014 DW

Respectfully Submitted By
Karen Gallott



Tim Bouton, Chair



Jim Gallott, Vice Chair



Kathy Barrett

Steve Dupoise



Donald Johnston, Secretary



Mike Sweeney