

Development Review Board
Town Offices, New Haven, Vermont
June 6, 2011

Members Present: Kathy Barrett, Donna Blaise, Steve Dupoise, Jim Gallott, Donald Johnston, Mike Sweeney

Members Absent: Tim Bouton

Alternates Present: Victor Bolduc

Alternates Absent: Andy Dykstra

Staff: Zoning Administrator - Dave Wetmore

Guests: Gary Barrows, Milo Schaefer, Norman LeBoeuf, Brenda Charron, ^{Charles} Lee Charron

Vice Chair – Jim Gallott, called the Development Review Board (DRB) meeting to order at 7:05 pm. Alternate Victor Bolduc will be a voting member this evening.

Public Hearing Open

Application #2011-DRB-06-Final plat hearing for a minor subdivision request by ^{Charles} Lee and Brenda Charron parcel #0076 on map #5. The Charron property is located on LaDuc Road RA-2 and RA-10 District.

^{Charles} Lee Charron explained that they would like to subdivide a 2.13 acre house lot (Lot 1) off their large 74.3+/- lot (Lot 2). Both lots would have more than the required 200 foot of road frontage. Charron presented a paper Mylar to the DRB tonight.

The paper Mylar does not show the location of the proposed building envelope or well; this information is shown on the sketch plan that was previously submitted to the DRB. The DRB felt comfortable using the sketch plan for these locations to make sure the new lot (Lot 1) will be a conforming lot as per regulations.

The DRB suggested the final Mylar should show that the remaining 72 +/- acreage is depicted as Lot 2 and show the number for the acreage.

The Zoning Administrator (ZA) indicated that all abutting landowners were notified of this proposed subdivision. And the Permit sign has been posted. The Town of Ferrisburgh was also notified.

Open For Public Comment

Milo Schaefer stated his understanding is that the original septic will be on the original lot, not on the newly created 2.12 acres. Is there any requirement for a Covenant to be recorded in the deed that says the owner of the original lot gives authorization to the new lot to use the old lot for a septic? The ZA explained that the deed references the fact there is an easement and the State Wastewater Permit also references this action and is filed in the land records.

Public Comment Closed

The DRB read the final Plat check list and this minor subdivision met all the requirements, except that Lot #1 with acreage and Lot #2 with acreage should be shown on the Mylar.

Barrett made the motion to approve the subdivision as presented with the addition of Lot #2 and the acreage for Lot #2 added to the Mylar.

Sweeney seconded

Discussion – none

Vote: Yes – 7 (Barrett, Blaise, Bolduc, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carried

After the DRB approves the Findings of Fact and Conclusions of Law, at the next regularly scheduled DRB meeting on June 20th; there will be a 30 appeal period before the subdivision becomes official.

Application #2011-DRB-10 Final plat hearing for boundary line adjustment (BLA) request by Gary and Gerri Barrows.

Gary Barrows indicated that a part of his house is located on the Apgar's property, thus the Barrows' are requesting a BLA. All the lots involved will remain the same size as they were originally. Barrows presented a letter from the Apgar's dated June 6, 2011, that indicates that the Apgar's are aware of this BLA and are in favor of it.

The ZA indicated that he received a letter from the Surveyor that indicates the locations of the septic and well appear to meet State regulations. The letter states that the minimum setback from the boundary line to the well is 10 feet; and the minimum setback from the boundary line to the septic is 25 feet.

The DRB's required boundary line language is shown on the Mylar.

The ZA indicated that it was properly warned and the permit sign was posted.

Access to the back of the lot meets the State standard of 20 feet.

Opened for Public Comment

None

Public Comment Closed

Dupoise made the motion to approve the plat as presented.

Barrett seconded

Discussion – none

Vote: Yes – 7 (Barrett, Blaise, Bolduc, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

After the DRB approves the Findings of Fact and Conclusions of Law, at the next regularly scheduled DRB meeting on June 20th; there will be a 30 appeal period before the subdivision becomes official.

I. Minutes

Barrett made the motion to approve the 5/18/2011 DRB minutes as presented.

Dupoise seconded

Discussion – None

Vote: Yes – 6 (Barrett, Blaise, Bolduc, Dupoise, Gallott, Johnston)

No – 0

Abstention – 1 (Sweeney)

Motion carries

II.a) Review and Sign Lucas Smith Findings of Fact and Conclusions of Law.

Barrett made the motion to approve the Findings of Fact and Conclusions of Law as presented.

Dupoise seconded

Discussion – none

Vote: Yes – 5 (Barrett, Blaise, Bolduc, Dupoise, Gallott)

No – 0

Abstention – 2 (Johnston, Sweeney)

Motion carries

Because the DRB will not meet on Monday, July 4th, there was discussion on what DRB member would be available on July 7th to sign the Lucas Smith plat once the 30 day appeal period has expired.

Barrett made the motion to authorize Tim Bouton to sign the Smith plat on July 7, 2011.

Dupoise seconded

Discussion – none

Vote: Yes – 6 (Barrett, Blaise, Bolduc, Dupoise, Gallott, Sweeney)

No – 0

Abstention – 1 (Johnston)

Motion carries

II. b) Minor revision to Stone final plat application #2010-DRB-04 sign and note in minutes.

The ZA explained there was a mistake on the Mylar. When doing the research, it was discovered that the number for one of the deeds indicated on the Mylar was wrong.

There was considerable discussion and after review the Board determined that they wanted the following additional information before signing:

1. The DRB wants to make sure that the portion of barn and manure storage pit that was to be removed has in fact been removed as required.
2. The DRB wants to compare the revised plat against the recorded plat for compliance. Since the vault was locked this was not available to them.
3. The DRB requests that the revised plat include this statement; “The purpose of this revised survey plat is to replace the plat approved by the New Haven DRB on July 19, 2010, decision # 2010-DRB-04 and recorded as map slide #76-113”.
4. Additionally, the DRB noted that all the revisions made to the final plat to be recorded are not noted on the final plat, specifically the revision noting the 7/16/2010 septic replacement area.
5. The DRB requested that the ZA conduct a drive by and confirm that the barn has been removed.

III Correspondence

- Wastewater permit for Home Tech Enterprises (Driscoll's) new lot on Route 17
- A petition from Primer, Piper, Eggleston & Cramer regarding the VELCO shunt reactor
- Letter of completed application from the State for Home Tech Enterprises (Driscoll)
- Comments from the Windham Regional Commission regarding the VELCO Shunt reactor
- Wastewater permit for Tim Guyett for 1639 South Street
- Notice from the State that they have received the application for 1639 South Street.

IV New Business

The ZA mentioned there will be two sketch plan reviews for the June 20th DRB meeting.

V Old Business

Rules of Procedure were previously approved on May 18, 2011, by the DRB and were signed tonight.

Barrett made the motion to adjourn.

Sweeney seconded

Discussion – none

Vote: Yes – 7 (Barrett, Blaise, Bolduc, Dupoise, Gallott, Johnston, Sweeney)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 8:25 PM

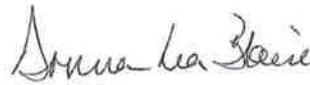
Respectfully Submitted By

Karen Gallott



Jim Gallott Vice-Chair

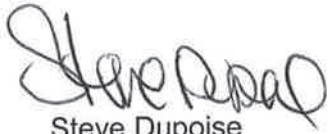
Kathy Barrett



Donna Blaise



Victor Bolduc



Steve Dupoise

Donald Johnston



Mike Sweeney