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**Town of New Haven**  
**DEVELOPMENT REVIEW BOARD MEETING**  
**HYBRID Public Meeting**  
**Monday, March 7, 2022**  
**Meeting Minutes**

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**DRB Members Present:**

*In Person:* Kathy Barrett, Susan Smiley, Paul Audy, Tom Fyles, Don Johnston

*Remote:* Carol Charbonneau

**ABSENT:**

Charlie Roy, Victor LaBerge

**Staff Present:**

Peggy Connor, Zoning Administrator, Minutes

**Visitors Present:**

Applicant Terri Lyons; Interested parties Corey Collette and Summer Rivers

**Call to Order:**

DRB Vice Chair Kathy Barrett called the meeting to order at 7:03 p.m.

**I. Adjustments to Agenda:**

None.

**II. Visitors' Business**

None.

**III. Variance Request by Terri Lyons Permit #DRB-2022-02-SD per New Haven Zoning Bylaws Section 342 related to minor subdivision located at 956 South Street**

Applicant Terri Lyons has proposed to sell a 2.5-acre parcel of her land located at 956 South Street to Corey Collette and Summer Rivers to build a house; however, 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 a pond, the only location for a new dwelling is on the elevated open land that lies in the RA-10 zoning district. DRB members had reviewed the sketch plan at their January 24<sup>th</sup> meeting and determined that approval for a minor subdivision could not be granted without a variance. Kathy Barrett cited the following five criteria that must be met to grant a variance in accordance with the Town's Bylaws, 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,

57 or be detrimental to the public welfare.

- 58  
59 5. The variance, if authorized, will represent the minimum variance that will afford relief and  
60 will represent the least deviation possible from the bylaw and from the plan.

61  
62 DRB members present unanimously agreed that the five criteria for granting a variance were met.  
63 Don Johnston noted that the survey map dated February 1, 2022, should indicate the zoning  
64 district line, beginning from the center line of the road. Don moved to approve the variance; Susan  
65 Smiley seconded.

66 **Roll call vote: Yes – 5 (K. Barrett, S. Smiley, D. Johnston, C. Charbonneau, P.  
67 Audy)**

68 **No – 0**

69 **Abstention – 1 (T. Fyles)**

70 **MOTION PASSED; variance granted**

71  
72 Don advised that the 2-acre parcel meets the minimum of 200' road frontage and all dimensional  
73 requirements are met. He added that the septic and well is located on the lot, and no easements  
74 will be created. Tom Fyles moved to approve the minor subdivision contingent upon installing  
75 survey pins, submission of a Mylar map that complies with the required minimum standards, as  
76 well as required State wastewater permit; Paul Audy seconded.

77 **Roll call vote: Yes – 6 (T. Fyles, K. Barrett, S. Smiley, D. Johnston, C.  
78 Charbonneau, P. Audy)**

79 **No – 0**

80 **MOTION PASSED; minor subdivision approved**

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82 Next steps:

- 83 ✓ The DRB's written decision will be sent to the applicant via certified mail within 45  
84 days; and copies sent to all interested parties and abutting property owners.  
85  
86 ✓ In the meantime, applicant may choose to submit a Road/Access Permit to the  
87 Selectboard showing the proposed driveway north of the cross culvert and apply  
88 for a building permit which requires a 30-day appeal period prior to commencement  
89 of construction.

90  
91 **IV. Approval of DRB meeting minutes for February 7, 2022**

92 Don Johnston moved to approve DRB meeting minutes for February 7, 2022; Susan Smiley  
93 seconded.

94 **Roll call vote: Yes – 5 (T. Fyles, K. Barrett, S. Smiley, D. Johnston, C.  
95 Charbonneau)**

96 **No – 0**

97 **Abstention: Paul Audy**

98 **MOTION PASSED; February 7, 2022, minutes approved as presented**

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100 **Adjournment**

101 Carol Charbonneau moved to adjourn; Tom Fyles seconded.

102 **Roll call vote: Yes – 6 (T. Fyles, K. Barrett, S. Smiley, D. Johnston, C.  
103 Charbonneau, P. Audy)**

104 **No – 0**

105 **MOTION PASSED; meeting adjourned at 7:30 p.m.**

106  
107 Respectfully submitted,  
108 Peggy Connor

Town of New Haven  
Development Review Board  
Meeting Minutes – March 7, 2022

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Kathy Barrett, Vice Chair

Carol Charbonneau

Tom Fyles

Susan Smiley

Don Johnston

Paul Audy