

**Development Review Board  
Town Offices, New Haven, Vermont  
May 18, 2011**

**Members Present:** Kathy Barrett, Donna Blaise, Tim Bouton, Steve Dupoise, Jim Gallott, Donald Johnston

**Members Absent:** Mike Sweeney

**Alternates Present:** Victor Bolduc, Andy Dykstra

**Staff:** Zoning Administrator - Dave Wetmore

**Guests:** Lucas Smith, Allison Roy, Lanny Smith, Cathy Smith, Gary Barrows

The Chair, Tim Bouton, called the Development Review Board (DRB) meeting to order at 7:01 PM. All DRB members and alternate introduced themselves to the attending public. Andy Dykstra will be a voting member this evening.

**Public Hearing**

*Application #2011-DRB-08 2-lot subdivision request of parcel #0180 on map 5 by Lucas Smith (applicant) and Jean Smith (owner of record). The Smith property is located at 749 North Street in the RA-2 District.*

Bouton and Johnston recused themselves from this hearing. Bouton is an abutting landowner and Johnston is the surveyor for the applicant.

Vice Chair Gallott will chair this portion of the meeting.

There is a letter on file from Jean Smith giving permission for Lucas Smith or Lanny Smith to speak on her behalf at this hearing.

Lucas Smith indicated that his application is a two lot subdivision of Jean Smith's property to allow Lucas to build a house. The new lot (Lucas') will be 2.79 acres and 221 feet of road frontage; the remaining acreage of Jean Smith's lot will be 210 acres.

Donald Johnston, surveyor explained that the proposed replacement septic easement shown on the Site Plan for Stephen Smith is no longer needed for Stephen's residence as per new State septic regulations; the replacement septic easement will now be used for Jean Smith's residence.

The Zoning Administrator (ZA) indicated that a letter approving the road cut for the driveway is pending. It was pointed out that the Town road crew has already installed the road cut for the driveway. Shown on the Survey Plat is the distance from the crest of the hill to the driveway road cut is 400 +/- feet; State law states that the distance must be at least 150 feet.

Johnston indicated that 10 foot contour lines are shown on the Survey Plat. The lot has been surveyed and the pins are in.

**Open for Public Comment**

None

**Public Comment Period Closed**

The Vice Chair read through the final plat list requirements. This application met all final plat requirements and all setbacks were met.

Dupoise made the motion to approve the 2- lot subdivision as presented.

Blaise seconded

Discussion – none

Vote: Yes – 5 (Barrett, Blaise, Dupoise, Dykstra, Gallott)  
No – 0  
Abstention – 2 (Bouton, Johnston)

Motion carries

The 30 day public appeal process will begin after the DRB approves and signs the Findings of Fact and Conclusions of Law at their next meeting scheduled for June 6, 2011.

### **End of Public Hearing**

The Vice Chair turned the meeting over to the Chair.

### **Other Business**

#### *I. Sketch Plan Review for Boundary Line Adjustment (BLA) by Gary and Gerri Barrows, application #2011-DRB-10.*

Gary Barrows presented a sketch plan for a BLA. Gary explained that when the Apgar's listed their house for sale, it was realized that the Apgar boundary line runs through the Southwest corner of the Barrows house. By doing a BLA the acreage of the Apgar property and the Barrows property will remain the same as before.

It was mentioned that the sketch plan shows a distance of 25 +/- feet between the corner of the Barrows house and the proposed new boundary line. This footage needs to be verified because there needs to be a side yard setback of 25 feet or more.

The sketch plan shows a distance of 26 feet from the Barrows new proposed boundary line and the Apgar boundary line. As this is the access to the back acreage for the Apgar property this distance should be a 50 foot right of way. The ZA indicated there are waiver language provisions in the subdivision regulations (Section 150) that this might fall under. Also State Statue allows for a 20 foot minimum right of way.

The other issue is the well setback of 20 feet from the Barrows new proposed boundary line. Barrows should obtain a letter from an engineer regarding the setbacks for the well and septic.

Barrows should obtain a letter from Apgar indicating that Apgar is aware of the proposed BLA.

The Mylar should reflect the standard BLA language.

#### *II. Minutes*

Dykstra made the motion to approve the DRB May 9, 2011, minutes as presented.

Barrett seconded

Discussion – none

Vote: Yes – 8 (Barrett, Blaise, Bolduc, Bouton, Dupoise, Dykstra, Gallott, Johnston)

No – 0

Abstention – 0

Motion carries

#### *III. Review and Sign Driscoll, BLA*

The ZA has not seen the letter from VTrans regarding approval of the driveway road cut. The Finding of Fact and Conclusions of Law were read.

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

Gallott seconded

Discussion – none

Vote: Yes – 8 (Barrett, Blaise, Bolduc, Bouton, Dupoise, Dykstra, Gallott, Johnston)

No – 0

Abstention – 0

Motion carries

IV. Correspondence

- Letter from Primer, Piper, Eggleston & Cramer regarding the VELCO shunt reactors.
- Corrective action plan from the Verterre Group for cleanup for the New Haven Mobil.

V. New Business

Dupoise indicated that in the future he would be coming before the DRB regarding proposed building of new dugouts on the baseball field. Dupoise asked the ZA to look into the wording regarding setbacks.

VI. Old Business

The Rules of Procedure were adopted and will be signed at the next scheduled DRB meeting.

The Chair reminded all DRB members that beginning in June, DRB meetings will change to the first and third Mondays of the month. The next meeting will be Monday, June 6<sup>th</sup>.

Dupoise made the motion to adjourn

Barrett seconded

Discussion – none

Vote: Yes – 8 (Barrett, Blaise, Bolduc, Bouton, Dupoise, Dykstra, Gallott, Johnston)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 8:00 PM

Respectfully Submitted By:

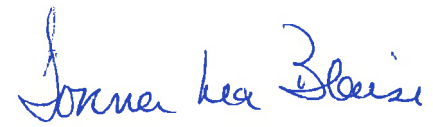
Karen Gallott



Jim Gallott, Vice Chair



Kathy Barrett

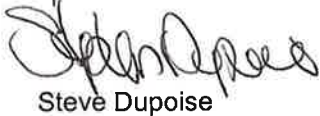


Donna Blaise



Tim Bouton, Chair

Victor Bolduc



Steve Dupoise



Andy Dykstra

Donald Johnston