

**Development Review Board Minutes  
Town Office New Haven, Vermont  
May 20, 2019**

Members Present: Paul Audy, Kathy Barrett, Tom Fyles, Donald Johnston

Members Absent: Carol Charbonneau, Charlie Roy, Susan Smiley

Staff: Karen Gallott-Minute Taker

Guests: Rob Litch, Michelle Litch, Riley Sullivan, Jim Manley-Pike Industries

Kathy Barrett, Chair called the Development Review Board (DRB) meeting to order at 7:04 PM.

Adjustments to Agenda: sketch plan for Ralph Farnsworth

Visitors Business – none

**Public Hearing**

*a) 2019DRB-06-BLA by John & Carmen Palmer at 328 North Street. The original 3-acre lot will be decreased from 3 acres to 2 acres and the remaining acreage will increase from 245 acres to 246 acres. Continued from May 6, 2019.*

The Chair mentioned that she might have a conflict of interest and asked the DRB if she should recuse herself from this hearing. DRB members did not think that there was a conflict of interest.

Donald Johnston mentioned that he might have a conflict of interest and asked the DRB if he should recuse himself from this hearing. DRB members did not think that there was a conflict of interest.

Rob Litch speaking on behalf of the Palmer's indicated they would like to do a boundary line adjustment to the property located at 328 North Street. Currently the property is subdivided into 2 lots. One lot being 3 acres and the other lot 245 acres. The property is in a RA2 zone. A boundary line adjustment would decrease the 3 acres to 2 acres and increase 245 acres to 246. The proposed 2 acres would become a housing lot and the larger acreage will be put into agriculture production.

There is no change from the current 215-foot road frontage.

The wastewater permit is filed with the town.

There will be a right-of-way over the 2 acres to access the back acreage.

Fyles made the motion to accept the Boundary Line Adjustment for application 2019DRB-06-BLA by John & Carmen Palmer at 328 North Street as presented, with the following conditions:

- Wastewater permit on file
- Mylar

Audy seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

Johnston made the motion to close the hearing for 2019DRB-06-BLA.

Fyles seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

Sketch Plan Review:

*a) Pike Industries update to 2011 decision.*

Jim Manley presented. Pike Industries is requesting a permit to move gravel or “overburden” and stockpile it. The “overburden” material (dirt, soil & rocks) is overlaying the rock in the quarry that Pike Industries wants to access. Movement of “overburden” will be internal within the quarry movement. All the natural resources have been mapped and will be avoided. The stockpiling will be stabilized and hydroseeded.

The majority of the “overburden” movement would be in the northeast section of the quarry, the old Quenneville property. Stockpiling would not be visible from the road. This work would continue annually for several years.

Another area of stockpiling of “overburden” would be off the entrance on Campground Road to the fields to the east there is potential to put material there as a berm. Work in this area would probably be completed in one season.

The quarry is not expanding in size. Removal of the overburden and stockpiling it would complete the quarry footprint and allow Pike’s to excavate downward.

The Chair mentioned that a permit to move for the dirt would only last for 2 years. Pike would need to come back to the zoning administrator to renew the permit.

Johnston would like to see something in writing from Pike’s regarding the movement and placement of the “overburden”.

Fyles made the motion to have the acting zoning administrator (Dave Wetmore) administratively issue a permit to Pike’s for the movement of “overburden” material on their property, with the following condition:

- A site sketch be given to the acting zoning administrator (Dave Wetmore) at the time of when the permit is issued.

Johnston seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

Back in 2011 Pike Industries obtained a permit for the asphalt plant to do nightwork on a limited basis. Noise testing for nightwork was never done since the permission was granted in 2011. Pike would now like to do 2 nights of testing. Since it wasn’t done in 2011 but they want to do it now; would Pike’s need

to submit a new site plan? Or can the DRB authorize the zoning administrator to issue a permit since the work was never done.

The Chair indicated at a permit is only good for 2 years, in 2014 Pike's was granted another 2-yr. extension by the DRB.

New Haven Zoning office would send out a letter to all abutters notifying them of the 2 nights of noise testing in June.

To do the noise testing Pike's would hire RSG the same firm they worked with in 2011.

Audy did not see any problem having the acting zoning administrator issue a permit

Johnston did not see any problem having the acting zoning administrator issue a permit if all the criteria is the same as presented in 2011. Wants to make sure all abutters receive a letter regarding the noise testing.

Johnston made the motion to allow acting zoning administrator (Dave Wetmore) administratively extend the night work for 2 nights at Pikes expiring September 1, 2019; to run sound tests, this was in the original permit and did not happen during the first 4 years of the original permit in 2011.

Fyles seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

#### *b) Ralph Farnsworth sketch plan*

Johnston recused himself and he presented for Ralph Farnsworth. The 57 +/- acre lot is located at the corner of North Street and Quarry Road. Farnsworth would like to subdivide it into 3 lots.

- Lot #1 to include the current house and all outbuildings with road frontage on North Street
- Lot #2 (approx., 2 acres) to include the apartment building with road frontage on North Street and Quarry Rd
- Lot #3 to include the remaining lands with road frontage on Quarry Rd

Lot #2 would probably end up with an easement for the driveway and for accessing the well and septic. There would be no new construction.

DRB Business

#### 1. Minutes

Johnston made the motion to approve the DRB minutes for May 6, 2019 as presented.

Fyles seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

#### 2. Review and Sign Decisions

*a) 2019DRB-04-NCS by Victor Laberge to remove a garage and construct a garage on his property at 794 Dog Team Road.*

Fyles made the motion to accept the Findings and Decisions as written

Audy seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

b) 2019DRB-05-BLA by Steven Heffernan and Sean Heffernan at 1161 Hunt Road, (Lot 1 & Lot 2).

Johnston made the motion to accept the Findings and Decisions as written

Audy seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

3. Review Decision Compliance and/or sign final plats – none

4. Correspondence – none

5. New Business –there were quite a few applications received for the Town Manager and Zoning Administrator positions.

6. Old Business – none

Fyles made the motion to adjourn.

Audy seconded

Discussion – none

Vote: Yes – 4 (Audy, Barrett, Fyles, Johnston)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 8:00 PM

Respectfully Submitted By

Karen Gallott

Kathy Barrett, Chair

Tom Fyles, Vice Chair

Donald Johnston, Clerk

Paul Audy