

Development Review Board Minutes  
Town Office New Haven, Vermont  
May 21, 2018

**ORIGINAL**

**Members Present:** Tim Bouton, Carol Charbonneau, Tom Fyles, Donald Johnston, Susan Smiley

**Members Absent:** Kathy Barrett, Charlie Roy

**Staff:** Karen Gallott-Minute Taker; Katie Raycroft-Meyer-Zoning Administrator

**Guests:** Steve Dupoise (for 2018DRB-04-BLATown/School); Marcia Dupoise, Taborri Bruhl (for 2018DRB-04-BLATown/School), Roger Stowe (for 2018DRB-06-SD/Wright Stowe Revocable Trust), Eleanor Kohler (for 2018DRB-05-SD/Peck), Curtis Swartzentruber (for 2018DRB-06-SD/Wright Stowe Revocable Trust), Ron LaRose (for 2018DRB-05-SD/Peck), Peter Rothchild (for 2018DRB-05-SD/Peck)

Tom Fyles, Vice Chair called the Development Review Board (DRB) meeting to order at 7:00pm.

Introductions were made.

**Adjustments to the Agenda:** none

**Visitors Business:** none

**Public Hearings:**

**A) 2018DRB-01-SD (Subdivision): All-Star Group LLC continued from April 16, 2018.**

The applicant indicated they would like to postpone until July 16, 2018.

Johnston made the motion to postpone 2018DRB-01-SD All-Star Group LLC to July 16, 2018.

Smiley seconded

Discussion – none

Vote: Yes – 5 (Bouton, Charbonneau, Fyles, Johnston, Smiley)

No – 0

Abstention – 0

Motion carries

**B) 2018 DRB-04-BLA (boundary line adjustment between the Town of New Haven and the New Haven School District at 70 North Street as approved by voters, March 6, 2018.**

Johnston recused himself from this hearing.

Taborri Bruhl and Steve Dupoise, Selectboard members presented the boundary line adjustment (BLA) plan which is approved by the Beeman School Board (Ed McGuire and Phyllis Smith) as per email on May 21, 2018 from McGuire to Bruhl. This BLA was approved by the Town on March 6, 2018. It is an exchange of land between Town and School. A .15 acre of Town land will be conveyed to the School and land that the Old Town Hall is located on, will now go to the Town so the Town owns the land.

DRB asked if any new lots were being created – Bruhl indicated no.

DRB asked about setback issues. The only change from the discussion at the DRB April 16, 2018 meeting is the rear setback behind the Old Town Hall was 20 feet, is now 30 feet, making all setbacks in compliance.

Bouton made the motion to approve application 2018DRB-04-BLA between the Town of New Haven and the New Haven School District.

Charbonneau seconded

Discussion – none

Vote Yes – 4 (Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 1 (Johnston)

Motion carries

**C) 2018DRB-05-SD: David and Sarah Peck, a 2 lot subdivision at 4170 Munger Street.**

Ron LaRose has permission from the Peck's to present tonight on their behalf.

The Pecks would like to do a 2-lot subdivision, Lot #1 being 7.5 acres with an existing residence and Lot #2 being 5.2 acres undeveloped.

All abutters have been notified of this application.

The waste water permit is being developed- do not anticipate any issues from the State

The curb cut for lot #2 will be determined by the New Haven Road Crew

**Open for Public Comment**

Peter Rothchild asked about the acreage of each lot- lot #1 7.5 acres with an existing residence and lot #2 5.2 acres undeveloped.

Eleanor Kohler, abutter:"...according to the map it looked like the property is adjacent to hers, where is the existing house located?" It was determined that Eleanor Kohler was not looking at the correct parcel.

**Public Comment Closed**

Bouton made the motion to accept application 2018DRB-05-SD David and Sarah Peck, a 2-lot subdivision, with the following conditions:

- The formal decision does not go into effect until a curb cut identified and permitted by the Selectboard
- The curb cut is to be shown on the Site Plan
- Wastewater permit must be approved and developed before the formal decision goes into effect

Charbonneau seconded the motion with the conditions as stated.

Discussion – Peter Rothchild's mentioned that real estate signage has been seen on the property. Can this property be sold before this decision goes into effect? He was assured that the property can not be sold until the DRB has finalized this process.

Vote: Yes – 5 (Bouton, Charbonneau, Fyles, Johnston, Smiley)

No – 0

Abstention – 0

Motion carries

The decision will be in effect 30 days after approval by the DRB. Ron LaRose would like a copy of the decision mailed to him.

**D) 2018DRB-05-SD: Wright Stowe Revocable Trust, a 4-lot subdivision on East Street.**

Johnston recused himself from this hearing.

Johnston presented for the Stowe's tonight. This is a major subdivision and tonight is the first hearing of two hearings. Previously a BLA was done on this property and will be recorded within a week.

Currently Lots1 & 9 are one lot and Lots 10 & 11 are one lot; these two lots existed from an earlier subdivision (approximately 10 years ago). This major subdivision would make 4 individual lots:

- Lot #1 with 3.78 acres with an existing house and previously approved replacement wastewater system; with the correct road frontage.
- Lot #9 with 3.58 acres is a new lot, no residence, with the wastewater easement located on Lot #11; with the correct road frontage.

- Lot #10 with 3.48 acres is a new lot, with an existing residence and wastewater system located on the lot; with the correct road frontage.
- Lot #11 with 10.15 acres, no residence and approved wastewater system located next to the house site. Lot #11 is an interior lot and access to this lot will be via a 50-foot right-of-way beginning in Lot #9 going through Lot #5 to Lot #11. All side setbacks for this lot are 100 feet and are met.

#### **Public Comment Opened**

Curtis Swartzentruber expressed his concern of excess water constantly coming from Lots #10 and #11 and running over his lot. During the spring months there are 3 to 4 streams of water continuously flowing over his land and Curtis is afraid this excess water will result in his leach field failing.

There was lengthy discussion regarding stormwater and its runoff as it will relate to the previously installed stormwater pond and its relation to the proposed 50-foot right-of-way to Lot #11.

The DRB thought it would be helpful to have Jason Barnard present at the next DRB meeting to address stormwater flow and runoff. Particularly to address the 50-foot right-of-way and its influence relating to the water runoff issue for the Swartzentruber property.

#### **Public Comment Closed**

Bouton made the motion to approve the preliminary plat. With the request that Jason Barnard attend the next DRB meeting on June 4, 2018 to speak about future changes in stormwater that may affect the neighbor.

Charbonneau seconded

Discussion: DRB members agreed to do a site visit.

Vote Yes – 4 (Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 1 (Johnston)

Motion carries

Bouton made the motion to do a site visit on June 4, 2018 at 6:00 PM

Smiley seconded

Discussion – none

Vote Yes – 4 (Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 1 (Johnston)

Motion carries

#### **End of Public Hearings**

#### **DRB Business**

**Sketch Plan Reviews** – none

#### **Minutes:**

a) *DRB minutes of April 16, 2017*

Bouton made the motion to accept the DRB minutes of April 16, 2018 as presented.

Charbonneau seconded

Discussion – none

Vote: Yes -4 (Bouton, Charbonneau, Fyles, Johnston )

No – 0

Abstention – 1 (Smiley)

Motion carries

*DRB minutes of May 7, 2017*

Smiley made the motion to accept the DRB minutes of May 7, 2018 as presented

Bouton seconded

Discussion – none

Vote: Yes -4 (Bouton, Fyles, Johnston, Smiley)

No – 0

Abstention – 1 (Charbonneau)

Motion carries

**Review and Sign Decisions:**

A) *Bouton made the motion to accept the Decision for DRB2017-12-BLA, Recline LLC boundary line adjustment on North Street, as presented.*

Smiley seconded

Discussion – none

Vote: Yes – 5 (Bouton, Charbonneau, Fyles, Johnston, Smiley)

No – 0

Abstention – 0

Motion carries

B) *Smiley made the motion to accept the Decision for DRB2018-3-BLA, Wright Stowe Revocable Trust, boundary line adjustment on East Street, as presented.*

Charbonneau seconded

Discussion – none

Vote: Yes – 5 (Bouton, Charbonneau, Fyles, Smiley)

No – 0

Abstention – 1 (Johnston)

Motion carries

C) *Decision for DRB2018-02-CU (conditional use) for Mitchell was deferred.*

**Review decision compliance and/or sign final plat:**

The mylar was signed for the Wright Stowe boundary line adjustment for Lots #1 and #5

**Old Business – none**

**New Business**

The DRB prioritized 7 items from the list of issues that came out of the joint meeting with the Planning Commission:

1. Flood district regulations update
2. Define farm accessory uses and create standards (i.e. farm to plate)
3. Require applicants to be in compliance with all zoning regs or be grandfathered in before allowing any new applications
4. Standards for private driveways (width of traveled portion of the driveway, require pull-off every xx feet)
5. Look at what the ZA could do without bringing to the DRB
6. Zoning districts following property lines-zoning map needs updating
7. Rewrite Sections 350-352 (site plan approval process) to make it easier for applicants with a checklist and a sample of what is required.

Charbonneau made the motion to adjourn

Smiley seconded

Discussion – none

Vote: Yes – 5 (Bouton, Charbonneau, Fyles, Johnston, Smiley)

No – 0

Abstention – 0

Motion carries

The meeting was adjourned at 8:45 PM

Respectfully Submitted By

Karen Gallott

Tom Fyles, Vice Chair

Donald Johnston, Clerk

Tim Bouton

Carol Charbonneau

Susan Smiley