

**Development Review Board Minutes  
Town Office New Haven, Vermont  
November 19, 2018**

**ORIGINAL**

**Members Present:** Kathy Barrett, Tim Bouton, Carol Charbonneau, Tom Fyles, Donald Johnston, Charlie Roy, Susan Smiley

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

**Guests:** Brittany Leno, Linda Sweeney, Zane Leno, Amanda Bodell, Jeff Glassberg

Kathy Barrett, Chair called the Development Review Board (DRB) meeting to order at 7:00 pm.

**Adjustments to the Agenda:** none

**Public Hearing Session**

*a) DRB#2018-07-SD, Sweeney Family 3-lot subdivision, continuation of final plat hearing.*

Brittany Leno said they had received a letter from the State indicating the wastewater application had been received and the State has 45 day to act upon the application.

A revised site map showing all proposed subdivision lots are now located on the west side of the road.

The Sweeney's were in attendance tonight to hear about the Planning Commission's (PC) current interpretation of the zoning map and how it will affect their application.

The Chair indicated there were a couple of issues confronting the DRB:

- Current local zoning regulations don't consider septic systems as land development.
- As per Section 230 of the zoning bylaws "If uncertainty exists with respect to the boundary of any zoning district on the official Zoning Map, the Planning Commission (PC) shall determine the location of such boundary". As per Section 220 of the zoning bylaws, the PC ruled that the zoning map depicts the zoning boundaries.
- The PC suggested that the zoning regulations should be interpreted by the DRB in the future.

DRB made these suggestions to the applicants:

- Withdraw the application until the PC goes through their hearing process and Select Board's hearing process regarding changes to the zoning; this would take considerable amount of time.
- Keep the application open while the DRB discusses (which will be later in tonight's meeting) and comes to an agreement regarding what the court case is referencing relating to land development for septic.

The Sweeney's will keep the application open until they hear the DRB's decision as it relates to land development for septic.

D. Johnston, DRB member, again reiterated that he felt the application was received and had DRB preliminary approval based on the current zoning regulations at that time. Thus, this subdivision should be approved.

T. Bouton indicated that the glitch was that the zoning hasn't changed but the DRB was interpreting it differently.

C. Roy made the motion to continue the DRB#2018-07-SD, Sweeney family application to the DRB meeting on December 3, 2018

D. Johnston seconded

Discussion: another possibility would be to close the hearing, if the DRB didn't render a decision in 45 days, the application would be automatically be approved.

Vote: Yes - 7 (Barrett, Bouton, Charbonneau, Fyles, Johnston, Roy, Smiley)

No - 0

Abstention - 0

Motion carries

**Visitors Business** – none

**DRB Business**

**1. Minutes for November 5, 2018**

T. Bouton made the motion to approve the DRB November 5, 2018 minutes as presented

S Smiley seconded

Discussion – none

Vote: Yes - 6 (Barrett, Bouton, Charbonneau, Fyles, Johnston, Smiley)

No - 0

Abstention – 1 (Roy)

Motion carries

**2. Review and sign decisions** – none

**3. Review decision compliance and/or sign final plats** – none

**4. Correspondence** – none

**5. New/Old Business**

*a. Review meeting with the PC on November 12, 2018. Possible interim zoning map/regulation changes.*

T Bouton reporting on the PC meeting he attended. It was first thought by the DRB that the PC didn't want to make the decision that was made. After more discussion, the PC did want to make the decision – the zoning map indicates the zoning boundaries. The PC has begun revisions on changes to the zoning regulations. Copies of the edits were passed out to DRB members. It was suggested DRB members review and make edits to bring back to the next DRB meeting, then all edits would go to the PC at their next meeting. It was also suggested that the two boards should have a joint meeting.

K. Barrett, chair made the motion to go into deliberative session with the Board and ZA

C. Roy seconded

Discussion – none

Vote: Yes – 4 (Barrett, Charbonneau, Roy, Smiley)

No – 3 (Bouton, Fyles, Johnston)

Abstention – 0

Motion carries - the DRB and ZA went into deliberative session at 8:24 PM

Came out of deliberative session at 8:35 PM

C. Roy made the motion to adjourn

Charbonneau seconded

Discussion – none

Vote: Yes - 7 (Barrett, Bouton, Charbonneau, Fyles, Johnston, Roy, Smiley)

No – 0

Abstention – 0

Motion carries


The meeting was adjourned at 8:36 PM

Respectfully Submitted By

Karen Gallott



Kathy Barrett, Chair



Tom Fyles, Vice Chair



Donald Johnston, Clerk



Timothy Bouton



Carol Charbonneau

Charlie Roy



Susan Smiley