

**Town of Danville, Development Review Board**  
**Permit 2026-06, Reconsideration Request**

**Applicant:** Jeffrey and Susan Tucker

**Owner:** Jeffrey and Susan Tucker

**Site:** JP200-078.000, 313 Old Homestead Road, W Danville VT 05873

**Zoning District:** MDR-2 with Developed Shoreland Overlay

**Project Description:** The applicant seeks to remove existing C-1913 two story 1264 square foot house and 383 square foot detached garage. Construct new two-story 1223 square foot three-bedroom modular home with attached 749 square foot garage Applicant seeks a waiver for:

1. Section 531.4, 1500sf maximum building footprint.
2. Section 531.4, 20% maximum impervious coverage
3. Section 531.4, Maximum height of buildings and structures: 25 feet
4. Sec 513.3, Front Setback

**Warning:** 31 March 2026 (Caledonia Record).

**Hearing Date:** 15 April 2026.

**Reconsideration Date: 06 May 2026**

**Development Review Board Members Present:** David Beidler, Mickey Bullock, Brian Henderson (Chair), Terry Hoffer, Bruce Palmer, Wes Standish.

**Development Review Board Members Absent:** Bob Magro, Craig Morris, Larry Rossi,.

**Interested Parties Present:** Dennis Marquise (Zoning Administrator),

**Correspondence from Interested Parties:** None by board.

**Disclosure of Conflict of Interest:** None by board.

**Disclosure of *Ex Parté* Communication:** None by board.

**Applicable Bylaws:**

This application requires a review by the DRB under the following section of the Danville Bylaws:

Sec 808.4, page 83, Appeals

**Findings of Fact:**

***Section 202, Definitions***

*The distance above ground of a building as measured vertically from the average finished grade at the base of the building to the highest point of the structure or roof peak, excluding chimneys, steeples, and cupolas, and attached flag poles, antennae, satellite dishes or solar collectors. Farm buildings, including barns, are specifically excluded from this definition and associated height restrictions under these regulations. See also BUILDING.*

***Section 531.4 Area and Dimensional Requirements:***

<i>Maximum height of buildings and structures:</i>	<i>25 feet</i>
<i>Maximum building footprint:</i>	<i>1,500 square feet</i>
<i>Minimum shoreline frontage (if applicable):</i>	<i>50 feet</i>
<i>Minimum setback from mean high water (if applicable):</i>	<i>25 feet</i>

*Maximum impervious coverage (buildings, driveways, etc.): 20%*

**The applicant seeks an additional waiver for the structure height.**

**Summary of Discussion:**

The applicant requested a reconsideration of the waiver for the building height. By email, he states that the existing building height varies from 24'-6 to 28'-6, for an average height of 26'-6 above grade.

As the board granted waivers to replicate the existing footprint and impermeability conditions, yet not exceed them and make the new structure more nonconforming, they agreed to grant a waiver for the height of the new building. The new building shall not exceed the existing average height of 26'-6 above grade, according to the bylaw definition above. This height includes the structure plus the average height of exposed foundation. This may still require some modification to the structure due to the grade differential on the lakeside.

**Decision and Conditions:**

This request was addressed during the deliberative session of a hearing on 06 May. Bruce Palmer motioned to grant a height waiver for a structure with a maximum height of 26'-6", based on the Building Height definition in the bylaws. Terry Hoffer seconded the motion. With all in favor and with no objections, the waiver is granted.

**Signed:**

*Brian Henderson*

Brian Henderson, Chair, Danville Development Review Board

**Date of Decision:** 06 May 2026

**Final Appeal Date:** 05 June 2026

**NOTICE:**

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceedings (in person or in writing) before the Development Review Board. Such appeal must be made within 30 days of the date of this decision, pursuant to 24 V.S.A. #4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.