

Town of Danville Development Review Board
Permit 2023-19, Subdivision Hearing,

Applicants: Janet Carson.

Site: SA002.069.000, 1727 Bruce Badger Memorial Highway, Danville VT 05828.

Zoning District: LDR

Project Description: Subdivide 52-acre parcel into Lot-1; 4.7-acres with commercial structure, and Lot-2; 47.3-acres.

Warnings: 01 June 2023

Hearing Date: 21 June 2023. Hearing to be held in person at town hall.

Development Review Board Members Present: Mickey Bullock, Brian Henderson (Chair), Terry Hoffer, , Bob Magro, Bruce Palmer, Theresa Pelletier, Wes Standish.

Development Review Board Members Absent: Craig Morris, Larry Rossi

Interested Parties Present: Dennis Marquise (Zoning Administrator), Brett Carson (for applicant)

Correspondence from Interested Parties: None

Disclosure of Conflict of Interest: None.

Disclosure of *Ex Parté* Communication: None.

Applicable Bylaws:

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

Sec 516, page 48, Low Density Residential.

Sec 701, page 56, Subdivisions of Land.

Preliminary Findings of Fact:

Sec 516.3, Low Density Residential

- a) *Minimum lot size 3.0 acres. The resulting lots exceed 3.0 acres.*
- b) *Minimum lot frontage 150 feet. The frontage is noted on the drawing as 502' frontage.*

Sec 701, Subdivision

- a) *701.3 A subdivision shall not create any building lot that, when developed, would fail to meet the dimensional requirements of this bylaw.*
- b) *701.4 Subdivisions may only create lots that meet zoning district area requirements except when combining a nonconforming lot (see Non-Conforming Lots) or in creating nonconforming lots in a cluster to preserve agricultural/silvicultural land (see Rural Residential Clustering).*
- c) *701.5 A subdivision may create an undersized parcel, provided it is combined with land from an adjacent property to form a conforming parcel, and a single property description with a new warranty or similar deed is filed in the Town's land records. The Development Review Board*

may waive access and dimensional requirements where a subdivision is made for the purpose of immediate conveyance of an undersized parcel to the owner of an abutting or contiguous parcel which complies with the requirements. The subdivision will result in two conforming lots.

Summary of Discussion:

As this is a compliant subdivision, there was not much discussion. Brett intends to convert the garage structure to a residence, and already has the design for the wastewater upgrade. He will need to meet with the zoning administrator for a change of use permit when he is ready to do this.

Decision and Conditions:

After a brief discussion, Terry Hoffer motioned to approve the subdivision as submitted, without conditions. Bob Magro seconded the motion. With all in favor, and with no objections, the subdivision is approved.

An approved permit will be issued once the above conditions are met and the 30-day appeal period has passed, pending any appeals.

Signed:

Brian F Henderson

Brian Henderson, Chair, Danville Development Review Board

Date of Decision: 21 June 2023

Final Appeal Date: 21 July 2023

NOTICE:

This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding (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.