

Town of Danville Development Review Board
Permit 2023-63, Subdivision Hearing,

Applicants: Troy and Peggy Cochran.

Site: TH054-002.003, 311 Greenbanks Hollow Rd, Danville VT 05828.

Zoning District: LDR

Project Description: Subdivide 43-acre parcel into Lot-3; 35.0-acres; Lot-4; 8.0-acres.

Warnings: 29 September 2023 (Caledonian Record)

Hearing Date: 18 October 2023. Hearing to be held in person at town hall.

Development Review Board Members Present: Brian Henderson(Chair), Terry Hoffer, Bob Magro, Craig Morris, Theresa Pelletier, Larry Rossi.

Development Review Board Members Absent: Bruce Palmer, Wes Standish

Interested Parties Present: Bruce Brink (Abutter), Troy and Peggy Cochran (Applicant), Franklin Hovey (Abutter), Dennis Marquise (Zoning Administrator),

Correspondence from Interested Parties: None

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 402, page 21, Required frontage on or Access to Public Roads.

Sec 516, page 50, Low Density Residential.

Sec 701, page 58, Subdivisions of Land.

Preliminary Findings of Fact:

Sec 402, Required Frontage

*402.1 No land development may be permitted which does not have adequate means of access, either through frontage on a maintained public road (class 1, 2, or 3) or with the approval of the DRB, access by means of permanent easement or right of way to such a public road or to public waters. Access easements or right of way shall not be less than 50 feet in width. **Proposed Lot-3 has 890' frontage and proposed Lot-4 has 730' frontage on Greenbanks Hollow Rd.***

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. **Both proposed lots exceed the minimum 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. This subdivision will result in two conforming lots.

Summary of Discussion:

The Chair noted that this subdivision met the minimum requirements for frontage and lot size.

Decision and Conditions:

Craig Morris motioned to approve the subdivision. Mickey Bullock seconded the motion. With all in favor and with no objections, the board approved the subdivision with the following conditions:

1. The survey plat needs to be revised/updated to indicate the purpose of the drawing as to subdividing the 43-acre Lot-3 into a revised Lot-3 of 35 acres and Lot-4 of 8 acres. The date of this change also needs to be updated to current.
2. The ROW or driveway at the southern boundary of Lot-4, leading to TH054-002.001, needs to be identified and clarified.
3. A final subdivision plat on Mylar will be submitted to the Zoning Administrator with the appropriate recording fee within 180 days of this decision for approval and subsequent filing in the town records.

A permit will be issued by the Zoning Administrator 30 days after this decision.

Signed:

Brian F Henderson

Brian Henderson, Chair, Danville Development Review Board

Date of Hearing: 18 October 2023

Final Appeal Date: 17 November 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.