

Town of Danville, Development Review Board
Permit 2025-16, Waiver Hearing

Applicant: Jim and Ashley Morris

Site: JP200-024,022, 030, 56 Laperle Dr, West Danville VT 05873

Zoning District: MDR-2 with Shoreland Overlay

Project Description: Applicant seeks waiver for 26' setback vs 35' to construct roof over existing patios and stairwell.

Warning: 18 April 2025 (Caledonia Record).

Hearing Date: 07 May 2025.

Development Review Board Members Present: Mickey Bullock, Brian Henderson (Chair), Larry Rossi, Wes Standish.

Development Review Board Members Absent: . Terry Hoffer, Bob Magro, Craig Morris, Bruce Palmer,

Interested Parties Present: Dennis Marquise (Zoning Administrator), Jim Morris (Applicant).

Correspondence from Interested Parties: Letter from abutter David Parker (Not present)

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 304, page 17, Waivers

Sec 515, page 47, Medium Density Residential II

Findings of Fact:

304.2 General Conditions for a Waiver. The applicant must demonstrate for each requested waiver:

- a) that the waiver, if authorized, shall not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the lawful use or development of adjacent property, reduce access to renewable energy sources, or be detrimental to the environment or public safety; and*
- b) that the waiver, if authorized, will represent the minimum waiver necessary to afford relief and will represent the least deviation possible from these bylaws and the goals and recommendations of the Danville Town Plan.*

505.3 Minimum Area and Dimensional Requirements

Minimum Lot size: 1.5 acres

Minimum Lot Frontage: 150 feet

Minimum Setback Front: 25 feet

Minimum Setback Side: 35 feet

Summary of Discussion:

The applicant explained that the roof would cover an existing patio and deck. He would extend the deck or patio at the corner, adding 140 sf under the new roof. The proposed construction adds 949 sf of roof, most over existing impermeable areas. A small roof (67sf) will also be added over the stairs.

The 20% impermeable area is 34,560 sf, based on the total lot size. The applicant will need to follow up with the VT Dept of Environmental Conservation, Shoreland Division, to see if they have any issue with the increased area or runoff.

Decision and Conditions:

Larry Rossi motioned to grant the waiver as requested. Brian Henderson seconded the motion. With no objections, the motion carries, and the permit is approved.

The applicant must follow up with the Shoreland Division.

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

Signed:

Brian Henderson

Brian Henderson, Chair, Danville Development Review Board

Date of Decision: 07 May 2025

Final Appeal Date: 06 June 2025

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.

To: Town of Danville

April 29, 2025

Re: Boundary set backs for Morris property

I am writing today to inform the Town of Danville that I have reviewed the plans that Boomer and Ashley Morris have for their property. I have seen where the deck will be built and reviewed the measurements onsite to understand the project. I have no concerns with the project and understand fully the waiver for proposed setback process. Thank you for your time.

Respectfully,

A handwritten signature in dark ink, appearing to read "D. Parker", with a long horizontal flourish extending to the right.

David Parker