

# TOWN OF PEACHAM

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## Development Review Board Hearing Results for

### Bunting Property Subdivision, Zoning Application 13-24 1535 Penny Street

#### INTRODUCTION AND PROCEDURAL HISTORY

1. The hearing was to review an application for subdivision of land submitted by Charles I. Bunting. The zoning application was received at the Town Office on May 16, 2024. The application was referred to the Development Review Board on June 11, 2024.
2. The warning for this hearing was posted in three places in town, and on the town website on July 5, 2024, and it appeared in the *Caledonia Record* on July 3, 2024. A copy of the application and site information was available at Peacham Town Offices. On July 5, 2024, a copy of the notice of a public hearing and the zoning application were mailed to the applicant and to the owners of abutting properties.
3. The subdivision application was considered at a public hearing on July 25, 2024. The application was reviewed under the *Town of Peacham, Vermont Zoning and Flood Hazard Regulations* adopted February 28, 2017.
4. Present at the hearing were members of the Peacham Development Review Board, Morris McCain, Geoff Sewake, Anna Rubin, and Rusty Barber.
5. Those wishing to achieve status as an interested person were given the opportunity, under 24 V.S.A. § 4465(b), to demonstrate that they met the criteria set forth in the statute. Interested people were Charles Bunting, John Nadas, and Dave Trevithick.
6. During the hearing, the following exhibits were considered:
  - The application including a list of abutters.
  - A site survey prepared by Truline Land Surveyors dated 05/02/2024 showing both parcels of the subdivision.

#### FINDINGS

Subdivision of property is considered conditional use and is evaluated in accordance with *ARTICLE 8: SPECIAL PROVISIONS*. Based on the application, testimony, exhibits, and other evidence, the Development Review Board makes the following findings:

- The property is in a Rural District.
- Lot 2A will be 2.34 acres and have frontage along a common right-of-way of 214 feet. Lot 2B will be approximately 31.5 acres with frontage along the common right-of-way exceeding the minimum requirement of 200 feet
- Both Lots 2A and 2B comply with the Minimum Lot Area and Dimensional Requirements of Rural Districts.

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## **CONCLUSIONS**

### **802.1: General Standards of Review**

#### (A) The Capacity of Existing or Planned Development.

- 1) The project will not result in undue impacts on the municipal water supply.
- 2) The project will not cause other undue impacts on the municipality including but not limited to education, fire protection, emergency services, health services, recreation, waste disposal, and recycling.

#### (B) The Character of the Area Affected.

- 1) The proposed project, by its nature, scale, appearance, or operation, will not adversely change the character of the potentially affected area as it exists or as the area is projected to exist in the municipal land use plan and the zoning by-law in effect.

#### (C) Traffic on Roads and Highways in the Vicinity.

- 1) The project will not significantly reduce the safety of existing pedestrian, vehicular, or recreational uses of the highways affected.
- 2) The proposed use will not exhaust or exceed the physical capacity of the affected highway. In general, the project shall not substantially overburden the municipality in providing adequate highway construction and maintenance services.

#### (E) Utilization of Renewable Energy Resources.

- 1) No renewable energy resources are proposed.

## **DECISION**

At the conclusion of the hearing the Development Review Board conducted private deliberations to consider the application.

**Based upon the Findings and Conclusions the Development Review Board grants the application.**

The approval of the subdivision will expire 180 days from the date of this decision unless the approved site survey is recorded in the office of the Town Clerk.

August 2, 2024

Development Review Board

James (Rusty) Barber, Chair

***NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s). Such appeal must be taken 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.*