

**TOWN OF CALAIS  
DEVELOPMENT REVIEW BOARD**

**Re: Permit Application 2018 2B  
Jordan & Brooke Hepburn  
PO Box 71  
East Calais, VT 05648**

**Introduction:**

The applicants are applying for a conditional use permit allowing access to one lot of their proposed 3 lot subdivision that does not meet the road frontage requirements of the Rural Residential District.

This matter came before the Development Review Board on November 29, 2018. Board members attending were Peg Bowen, Chair; Ruth Porter, Barbara Weedon and Janice Ohlsson. Others present were Tim Scandale, Secretary, and John McCullough, Calais ZA who represented the petition on behalf of the applicants.

The record was closed at the end of the hearing.

**Findings of Fact:**

The applicants presented a site plan prepared by Horizon Engineering describing the division of the property into 3 parcels. It demonstrated that frontage requirements would be met by Lot 1 and Lot 3 and how access to Lot 2 would be from a shared driveway extending from Durkee Drive which is a private road crossing into Lot 1 from Luce Rd. This shared driveway is shown to serve all three parcels as depicted on the survey presented to the DRB and that it will be 50 feet in width.

The zoning regulations allow the DRB to permit development on non-frontage lots (Section 3.2) when access is provided by a permanent easement or right-of-way of at least 20 feet in width.

**DECISION**

The permit for a Conditional Use is granted with the following conditions:

All three properties shall access the shared driveway extending from the existing Durkee Road as described on the submitted plan prepared by Horizons Engineering.

In accordance with Section 3.2 (A) 1) a. & b. and 3) a deed for a 50' wide permanent right-of way along the shared driveway is to be filed with the office of the Town of Calais before any construction is allowed to begin.

This right-of-way shall be maintained by the property owners for access by emergency vehicles to any dwelling unit.

Development on the non frontage property be limited to a single family dwelling.

Members of the Calais Development Review Board

Margaret Bowen dated 12/20/2018  
Margaret Bowen, chair

Ruth Porter dated 12/20/2018  
Ruth Porter

Janice Ohlsson dated 12/26/2018  
Janice Ohlsson

Barbara Weedon dated 12/20/2018  
Barbara Weedon



*Judith Paul  
Tom Clark*

**Notice of Right to Appeal:** In accordance with 24 VSA sections 4471 and 4472, this decision may be appealed within 30 days of the date to the Vermont Environmental Court. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy to the Calais Zoning Administrator and to every interested person who appeared at the DRB hearings. Failure of any interested person to appeal within the specified 3 day period shall result in the interested person being bound by this decision. Thereafter, the interested person shall not contest, either directly or indirectly, the decision of the DRB in any subsequent proceeding, including any enforcement action brought under the provisions of 24 VSA Chapter 117. See also Town of Calais Land Use and