EXHIBIT
H

Town of Underhill

Development Review Board
Final Findings and Decision

SUBDIVISION AMENDMENT REVIEW AND CONDITIONAL USE REVIEW APPLICATION OF MICHAEL & ELIZA KRAMER; PETE CZAJA TO AMEND A PREVIOUSLY APPROVED PLANNED RESIDENTIAL DEVELOPMENT TO ALLOW FOR THE CONSTRUCTION OF A DETACHED ACCESSORY DWELLING

In re: Michael & Eliza Kramer; Pete Czaja
3 Acer Ridge (AR003)
Underhill, VT 05489

Docket No. DRB-17-13

Decision: Approved with conditions (see Section V – Decisions and Conditions of Approval)

I. INTRODUCTION AND PROCEDURAL HISTORY

This proceeding concerns a joint subdivision amendment review and a conditional use review application submitted by Michael & Eliza Kramer; Pete Czaja regarding an amendment to a previously approved planned residential development to allow for the construction of a detached accessory dwelling on land the Kramer's own located at 3 Acer Ridge in Underhill, Vermont. Since the detached accessory dwelling requires the construction of an accessory structure, a conditional use permit is required per Section 4.2.B.1 of the Underhill Unified Land Use & Development Regulations (ULUDR).

A. On August 25, 2017, Pete Czaja and Michael & Eliza Kramer filed a joint application for a subdivision amendment review and conditional use review for the abovementioned project. Shortly thereafter, Planning Director & Zoning Administrator, Andrew Strniste, received the application and determined that it was complete. A site visit was scheduled for 6:00 PM on September 18, 2017, at 3 Acer Ridge, and a hearing date was scheduled for 6:35 PM at Underhill Town Hall on September 18, 2017.

B. On August 31, 2017, a copy of the notice of the joint subdivision amendment review and conditional use review hearing was mailed via certified mail to the following property owners adjoining the property subject to the application:

   A. AR004 – Suzanne K. Kusserow Trustee, P.O. Box 125, Underhill Center, VT 05490
   B. AR005 – John B. & Colleen A. Gay, 5 Acer Ridge, Underhill, VT 05489
   C. AR008 – Adrie S. Kusserow & Robert J. Lair, 8 Acer Ridge, Underhill, VT 05489
   D. BE013 – Bridget Scheffert Nease, 13 Beartown Road, Underhill, VT 05489
   E. BE020 – Walter E. & Marie A. Tedford Trustees, P.O. Box 26, Underhill Center, VT 05490
   F. BE031 – Christopher M. & Christine N. Dillon, 31 Beartown Road, Underhill, VT 05489
   G. BE046 – Roland A. & Rachel T. Burroughs, P.O. Box 84, Underhill Center, VT 05490
   H. BE049 – Thomas P. Fetters, 49 Beartown Road, Underhill, VT 05489
   I. PV020 – Michael K. & Emily E. Diffenderffer, 20 Pleasant Valley Road, Underhill, VT 05489

J. ST028 – Stephen G. Shuma, 28 Stevensville Road, Underhill, VT 05489
K. Applicant: Michael F. & Eliza R. Kramer, 3 Acer Ridge, Underhill, VT 05489
L. Consultant: Pete Czaja, 86 Deane Road, Underhill, VT 05489

C. During the week of August 27, 2017, notice of the public hearing for the Kramer Subdivision Amendment & Conditional Use Review application was posted at the following places:

A. The Underhill Town Clerk's office;
B. The Underhill Center Post Office; and
C. The Underhill Flats Post Office.

D. On Saturday, September 2, 2017, the notice of public hearing was published in the *Burlington Free Press.*

E. The site visit commenced at 6:00 pm on September 18, 2017 at 3 Acer Ridge, Underhill, Vermont.

F. Present at the site visit were the following members of the Development Review Board, and members of the public:

A. Board Member, Charles Van Winkle, Chairperson
B. Board Member, Matt Chapek
C. Board Member, Daniel Lee
D. Board Member, Karen McKnight
E. Board Member, Penny Miller
F. Board Member, Stacey Turkos

Also in attendance was Staff Member, Andrew Strniste, Planning Director & Zoning Administrator.

Others present at the site visit were:

G. Consultant, Pete Czaja
H. Applicant, Michael Kramer
I. Abutting Neighbor, Suzanne Kusserow
J. Abutting Neighbor, Thomas Fetters

G. The joint subdivision amendment review and conditional use review hearing commenced at 6:35 pm on September 18, 2017 at the Town of Underhill Town Hall.

H. Present at the final subdivision review and conditional use review hearing were the following members of the Development Review Board:

A. Board Member, Charles Van Winkle, Chairperson
B. Board Member, Matt Chapek
C. Board Member, Daniel Lee
D. Board Member, Karen McKnight
E. Board Member, Penny Miller
F. Board Member, Stacey Turkos

Also in attendance was Staff Member, Andrew Strniste, Planning Director & Zoning Administrator.

Others present at the hearing were:

1. Suzanne Kusserow, Abutting Neighbor (4 Acer Ridge, Underhill, VT 05489)
2. Michael Kramer, Applicant (3 Acer Ridge, Underhill, VT 05489)
3. Pete Czaja, Consultant/Applicant (86 Deane Road, Underhill, VT 05489)

I. At the outset of the hearing, Chair Van Winkle explained the criteria under 24 V.S.A § 4465(b) for being considered an "interested party." Those who spoke at the hearing were:

1. Suzanne Kusserow
2. Michael Kramer
3. Pete Czaja

J. In support of the joint subdivision amendment review and conditional use review application, and as part of the staff report, the following exhibits were submitted to the Development Review Board:

Exhibit A – AR003 Kramer Staff Report - Subdivision Amendment Review
Exhibit B – AR003 Rules of Procedure - Subdivision Amendment & Conditional Use Review
Exhibit C – Subdivision Amendment Application Form
Exhibit D - Conditional Use Hearing Request Form
Exhibit E - Site Plan Hearing Request Form
Exhibit F - Conditional Use Review Standards Checklist
Exhibit G - Site Plan Review Standards Checklist
Exhibit H – Certificate of Service
Exhibit I - Floor Area of Existing Single-Family Dwelling
Exhibit J - DRB-10-17 Findings & Decision
Exhibit K - DRB-10-17 Subdivision Plat
Exhibit L - DRB-10-17 Site Plan
Exhibit M - Proposed Site Plan
Exhibit N - Water & Wastewater Details
Exhibit O - ANR Source Protection Areas Map
Exhibit P - ANR Slopes Map

No exhibits were submitted prior to the start of the hearing.

The following exhibits were submitted during the hearing:

Exhibit Q – Proposed Building Floor Plan & Preliminary Elevations

All exhibits are available for public review in the AR003 Subdivision Amendment Review & Conditional Use Review file (DRB 17-13) at the Underhill Zoning & Planning office.

II. FINDINGS

The Minutes of September 18, 2017 meeting, written by Andrew Strniste, are incorporated by reference into this decision. Please refer to the Minutes for a summary of the testimony.

Based on the submitted application, testimony, exhibits, and evidence, the Development Review Board makes the following findings under the requirements of the Underhill Unified Land Use and Development Regulations (ULUDR):

FACTUAL FINDINGS

The applicants, Michael & Eliza Kramer, record owner of the property located at 3 Acer Ridge in Underhill, Vermont, and Pete Czaja, are seeking a subdivision amendment and conditional use review permit to amend a previously approved planned residential development to allow for the construction of a detached accessory dwelling. Since the detached accessory dwelling requires the construction of an accessory structure, a conditional use permit is required per Section 4.2.B.1 of the Underhill Unified Land Use & Development Regulations (ULUDR).

The property is located in the Water Conservation zoning districts as defined in Article II, Table 2.4 of the 2014 Underhill Unified Land Use & Development Regulations.

ARTICLE II – ZONING DISTRICTS

A. **ARTICLE II, TABLE 2.4 – WATER CONSERVATION DISTRICT**
   The Board finds that the proposed development and subdivision amendment is consistent with the purpose of the Water Conservation District.

ARTICLE III – GENERAL REGULATIONS

A. **SECTION 3.2 – ACCESS**
   The Board finds that 3 Acer Ridge was originally permitted under Access Permit #: A-12-03, which was approved by the Selectboard in February 2012. The applicants shall apply for an Access Permit for the detached accessory dwelling driveway.

B. **SECTION 3.7 – LOT, YARD & SETBACK REQUIREMENTS**
   The Board finds that 3 Acer Ridge was reviewed as part of the DRB-10-17 application, and thus, the lot, yard & setback requirements were reviewed and explicitly approved. The lot was part of a planned residential development, which set aside 5.3 Acres as open space. The proposed detached accessory dwelling is located outside of the designated open space areas and meets the setback requirements of the Water Conservation District.

C. **SECTION 3.13 – PARKING, LOADING & SERVICE AREAS**
   The Board finds that the applicants have identified a carport to accommodate the additional parking space as required under Table 3.1 & Section 4.2.A.5.

D. **SECTION 3.17 – SOURCE PROTECTION AREAS**
   The Board finds that the obtainment of a Wastewater System and Potable Water Supply Permit implicitly confirms that the proposed development will not adversely affect the groundwater source protection area.

E. **SECTION 3.18 – STEEP SLOPES**
   The Board finds that the existing lot contains areas of steep slopes (15-25%) and very steep slopes (>25%); however, the proposed development is generally located on areas of non-steep slopes, and therefore, there will be a *de minimis* impact on the areas of steep slopes.

F. **SECTION 3.19 – SURFACE WATERS & WETLANDS**
The Board finds that no surface waters or wetlands were identified on the property, and therefore, review under this Section is not required.

G. **SECTION 3.22 – WATER SUPPLY & WASTEWATER SYSTEMS**
The Board finds that the applicants are required to submit a copy of the Wastewater System & Potable Water Supply Permit prior to the issuance of a Certificate of Occupancy as required per Section 10.4.A.2.b. A finalized Wastewater System & Potable Water Supply Permit will validate the presumption that the wastewater system will not pollute or contaminate the soils, surface waters, or groundwater in the project's vicinity. The applicants have proposed a separate drilled well and separate wastewater system for the detached accessory dwelling, which are to be located in close proximity to the structure, along the shared driveway.

ARTICLE IV – SPECIFIC USE STANDARDS

A. **SECTION 4.2 – ACCESSORY DWELLING**
The Board finds that the construction of a new structure to accommodate an accessory dwelling (i.e. a detached accessory dwelling) requires both subdivision amendment approval and conditional use approval. Since the structure was not identified during the original planned residential development application (DRB-10-17), a subdivision amendment is required. In addition, Section 4.2.B.1 requires conditional use review when the construction of a new accessory structure is required to accommodate the accessory dwelling.

The Board finds that the proposed detached accessory dwelling meets the requirements of Section 4.2, specifically:

- Only one accessory dwelling is proposed;
- The accessory dwelling will be located in an accessory structure;
- The accessory dwelling will not exceed 50% of the existing total habitable floor area of the single family dwelling, excluding unfinished attics and basements:

  Primary Dwelling Living Space (According to Listers Card): 3,094 sq. ft.
  Accessory Dwelling Living Space (According to Application): 940 sq. ft.

  940 sq. ft./3,094 sq. ft. = .3038 x 100 = 30.4%;

- The accessory dwelling will meet the setbacks, building coverage, and lot coverage requirements of the Water Conservation District;
- The applicants are in the process of obtaining the water/wastewater permits for the detached accessory building;
- A shared driveway access will be utilized
- One additional onsite parking space has been provided.

ARTICLE V – DEVELOPMENT REVIEW

A. **SECTION 5.1 – APPLICABILITY**
Staff finds that conditional use review is required per Sections 4.2.B.1.

B. **SECTION 5.3 – SITE PLAN REVIEW**

SECTION 5.3.A – PURPOSE

The Board finds site plan review is required as part of conditional use review per Section 5.4.C.

SECTION 5.3.B – STANDARDS
The Board finds the following regarding each subsection:

Section 5.3.B.1 – Existing Site Features: The Board finds that the applicants have submitted a site plan illustrating that the proposed development will not have an undue adverse impact on natural, historic and scenic resources that are listed in Subsection 5.3.B.1.a.

Section 5.3.B.2 – Site Layout & Design: The Board finds that the site design and layout reinforces the traditional, compact village settlement pattern of the Water Conservation District as described in Section 5.3.B.2.b. In addition, the site design reinforces the rural character and traditional working landscape of the district, as well as minimize encroachments to open fields and prominent ridgelines or hilltops. The building is also oriented and designed in a manner that is compatible with the residential character and scale of adjoining development.

Section 5.3.B.3 – Vehicle Access: The Board finds that the detached accessory dwelling will be served by a shared driveway that currently serves 3 Acer Ridge (AR003) and 5 Acer Ridge (AR005). The applicants shall obtain an access permit from the Selectboard per Section 3.B(iii) of the Underhill Road Ordinance.

Section 5.3.B.4 – Parking, Loading & Service Areas: The Board finds that the applicants are proposing on-site parking for the detached accessory dwelling – a carport, which satisfies the parking requirements under Sections 3.13 and 4.2.A.5.

Section 5.3.B.5 – Site Circulation: The Board finds that the proposed development and driveway will provide site circulation that is consistent with a single-family dwelling.

Section 5.3.B.6 – Landscaping and Screening: The Board finds that the applicants are proposing a design that is consistent with other residential lots along Beartown Road.

Section 5.3.B.7 – Outdoor Lighting: The Board finds that the applicants are proposing modest, outdoor lighting, which is consistent with other residential lots along Beartown Road. Any exterior residential lighting that is installed shall conform to the General Standards outlined in section 3.11 B of the UULUDR.

Section 5.3.B.8 – Stormwater Management and Erosion Control: The Board finds that the applicants shall utilize the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control during the construction of the detached accessory dwelling.

C. **SECTION 5.4 – CONDITIONAL USE REVIEW**

SECTION 5.4.A – PURPOSE
The Board finds that Conditional Use Review is required per Sections 4.2.B.1.

SECTION 5.4.B – GENERAL STANDARDS
The Board finds that the proposed development will not result in an undue adverse effect on any of the following subsections:

Section 5.4.B.1 – The Capacity of Existing or Planned Community Services or Facilities: The Board finds that the detached accessory dwelling will result in little to no impact on community services and facilities. The Board notes that the applicants are in the process of obtaining a Wastewater System and Potable Water Supply Permit.

Section 5.4.B.2 – The Character of the Area Affected: The Board finds that the proposed detached accessory dwelling will be consistent with the Town Plan.

Section 5.4.B.3 – Traffic on Roads and Highways in the Vicinity: The Board finds that the proposed detached accessory dwelling will result in minimal impact on the road network, if any.

Section 5.4.B.4 – Bylaws in Effect: The Board makes no finding regarding this subsection.

Section 5.4.B.5 – The Utilization of Renewable Energy Resources: The Board makes no finding regarding this subsection.

SECTION 5.4.C – SITE PLAN REVIEW STANDARDS
The Board finds that site plan review is required per this section. Analysis can be found directly above under Section 5.3 – Site Plan Review.

SECTION 5.4.D – SPECIFIC STANDARDS
The Board has not identified any conditions that need to be imposed to reduce or mitigate any identified adverse impacts of the proposed development.

Section 5.4.D.1 – Conformance with the Town Plan: The Board finds that the proposed project complies with the Town Plan.

Section 5.4.D.2 – Zoning District & Use Standards: The Board finds that the proposed project conforms with the use standards and zoning district requirements.

Section 5.4.D.3 – Performance Standards: The Board finds that the proposed project will comply with the performance standards set forth in Section 3.14.

Section 5.4.D.4 – Legal Documentation: The Board finds that the applicants are not required to submit any legal documents as part of this application process.

ARTICLE VI – FLOOD HAZARD AREA REVIEW
The Board finds that there are no Flood Hazard Areas located on the lot, and therefore, review under this Article is not required.

ARTICLE VII – SUBDIVISION REVIEW
A. **SECTION 7.8 – REVISIONS TO AN APPROVED SUBDIVISION**
The Board finds that the Zoning Administrator has not been granted the authority to issue an administrative amendment to amend the planned residential development to allow for the construction of an accessory dwelling, as a modification to a planned residential development must be made by the Board unless explicitly stated under Section 10.7.F.5. The Underhill Unified Land Use & Development Regulations does not specifically require that the applicants record an updated Mylar showing the revised subdivision plat, although it may be implied under Section 7.7. The Board finds that the applicant is not required to record another Mylar as

a result of this decision. Therefore, although the recorded site plan (recorded as Map Slide 278B) was to depict all existing and future building footprints/envelopes, this decision effectively supersedes the original site plan to update and add the depiction of the detached accessory dwelling building envelope only.

ARTICLE VIII – SUBDIVISION STANDARDS

A. **SECTION 8.2 – GENERAL STANDARDS**

SECTION 8.2.G – BUILDING ENVELOPE

The Board finds that no building envelope for 3 Acer Ridge (Lot 1) was depicted during the original subdivision application (see DRB-10-17), and therefore, the current building envelope is least restrictive as permitted per the Regulations in effect at the time of a proposed project. The Board clarifies that this least restrictive building envelope is for the principal dwelling and any associated accessory structures only. The Board accepts and approves the building envelope for the detached accessory dwelling as presented at the hearing (Plan Sheet S1; Titled: Site Plan, Proposed Accessory Dwelling; Dated 08/23/2017). The Board notes that any associated accessory or ancillary structures for the detached accessory dwelling will have to be within that detached accessory dwelling building envelope.

ARTICLE IX – PLANNED UNIT DEVELOPMENT

The Board finds that analysis under Article IX is required as a result of the applicants proposing an amendment to an already approved (DRB Decision #: DRB-10-17) planned residential development.

A. **SECTION 9.2 – APPLICABILITY**

The Board finds that planned residential developments are permitted in all zoning districts.

B. **SECTION 9.3 – APPLICATION REQUIREMENTS**

SECTION 9.3.A.1 – UNTITLED

The Board finds that the applicants have submitted a survey plat as part of their original Planned Residential Development application (DRB Decision #: DRB-10-17), and are not proposing any modifications to the original survey plat.

SECTION 9.3.A.2 – UNTITLED

The Board finds that a master plan is not required.

SECTION 9.3.A.3 – UNTITLED

The Board finds that the applicants satisfied this requirement (pertaining to explicitly requesting modification changes or supplementations to the zoning provisions) during the original application process.

SECTION 9.3.A.4 – UNTITLED

The Board finds that the applicants submitted a proposed site plan, preliminary elevations and floor plan for the single-story, 940sf Accessory Dwelling, which satisfies the requirement of this section. The Board makes no findings on the submitted building design and gives the Zoning Administrator the authority to review the elevations and floor plan as part of the building permit process.

SECTION 9.3.A.5 – UNTITLED

The Board finds that the applicants have satisfied the density requirements, as the lot was approved as part of original planned residential development application (DRB Decision #: DRB-10-17). The Board notes that the addition of the detached accessory dwelling is not increasing density per Table 2.4 and Section 3.7 since the dwelling is accessory and not contained to its own lot.

SECTION 9.3.A.6 – UNTITLED
The Board finds that the management plans for the designated open space area were approved as part of the original planned residential development application (DRB Decision #: DRB-10-17).

SECTION 9.3.A.7 – UNTITLED
The Board finds that this subsection does not apply.

SECTION 9.3.A.8– UNTITLED
The Board finds that this subsection does not apply.

C. **SECTION 9.4 – REVIEW PROCESS**

SECTION 9.4.A.1 – UNTITLED
The Board has specifically identified the approved modifications and other conditions of approval in this approval and its previous findings & decision (see DRB Decision #: DRB-10-17). The condition of its previous findings & decision (DRB Decision #: DRB-10-17) remain in effect, unless explicitly amended as part of this decision.

SECTION 9.4.A.2 – UNTITLED
The Board finds that the management plans for the designated open space area were approved as part of the original planned residential development application (DRB Decision #: DRB-10-17).

SECTION 9.4.A.3 – UNTITLED
The Board finds that this subsection does not apply

SECTION 9.4.A.4 – UNTITLED
The Board finds that this subsection does not apply.

D. **SECTION 9.5 – GENERAL STANDARDS**

SECTION 9.5.A – UNTITLED
The Board finds that the amendment to the planned residential development is consistent with the goals and policies of the Underhill Town Plan currently in effect, as well as the purpose of the Water Conservation zoning district.

SECTION 9.5.B – ALLOWED USES
The Board finds that the proposed planned residential development is an allowed use under this subsection, and is only being used for residential purposes.

SECTION 9.5.C – DENSITY CALCULATIONS
The Board finds that the applicants' proposed amendment is consistent with the density

requirements of the Water Conservation District.

SECTION 9.6 – DENSITY BONUSES
The Board finds that this section does not apply.

III. CONCLUSION

The Board is satisfied with the level of investigation, engineering and evaluation conducted in the application submittal and review process concerning the abovementioned project. The Board thoroughly reviewed all aspects of the proposal under the evaluation criteria in the ULUDR.

The Board concludes that based on the evidence submitted and the above findings, the proposed subdivision/development generally conforms to the Underhill Unified Land Use & Development Regulations.

IV. WAIVERS, MODIFICATIONS & SUPPLEMENTATIONS

The Board grants the following waivers/modifications:

1. Per Section 10.7.F.5, the Development Review Board may authorize administrative review by the Zoning Administrator allowing him or her to make subsequent changes or amendments to an approved project as outlined in the above referenced Section. Applicants are typically required to amend their Planned Residential Development (as part of a Subdivision Amendment Review application) or Site Plan (as part of a Conditional Use/Site Plan Review application) if they wish to construct subsequent structures not identified on the site plan. However, the Board waives this requirement in part, as the applicants are not required to amend the subdivision plans for the construction of any out buildings, ancillary buildings, or accessory buildings associated with the detached accessory dwelling, which are to be located within the detached access dwelling's building envelope. Therefore, building permits for these ancillary-type buildings can be administratively reviewed and approved. However, the abovementioned structures must conform to the Regulations in effect at the time of the proposed project(s).
2. The applicants are not required to come before the Board if they wish to relocate the detached accessory dwelling within the building envelope. The Board recognizes that the identified location of the accessory dwelling on the engineering plans submitted as a part of this application is for illustration purposes only, and may not reflect the final footprint/location of the detached accessory dwelling.
3. The applicants are not required to come before the Board if they wish to relocate the driveway for the detached accessory dwelling. The Board recognizes that the identified location of driveway on the engineering plans submitted as a part of this application is for illustration purposes only and could potentially changes during the access permitting process.

V. DECISIONS AND CONDITIONS OF APPROVAL

Based upon the findings above, and subject to the conditions below, the Development Review Board grants final approval for the subdivision amendment, as well as granting the conditional use permits required for detached accessory dwelling, as presented at the hearing with the following conditions:

1. The Board requires the project to be constructed in accordance with the drawing set submitted as part of the review process, and as amended accordingly to address the changes herein, which is listed as follows
    a. Plan Sheet S1; Titled: Site Plan, Proposed Accessory Dwelling; Dated 08/23/2017).
2. The Board finds that the applicants will need to apply for an Access Permit for the detached accessory dwelling driveway per Section 3.B (iii) of the Underhill Road Ordinance. Any changes the Selectboard may impose to the currently proposed access way do not require additional Board review.
3. The Board finds that the Vermont DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control shall be utilized during the construction of the detached accessory dwelling.
4. The Board finds that the applicant is not required to record a Mylar as a result of this decision.
5. The Board finds that building elevations and exterior design specifications shall be submitted to the Zoning Administrator during the building permit process.
6. The Board finds that the applicants are not required to submit any legal documents as part of this application process.
7. Any exterior residential lighting that is installed shall conform to the General Standards outlined in Section 3.11 B of the UULUDR .
8. Prior to the issuance of a Certificate of Occupancy, the applicants shall provide a certification letter from a Vermont Licensed Professional Engineer or Vermont Licensed Designer that the wastewater system and water supply have been constructed according to the approved ANR plan.
9. The E-911 Codes for the dwelling shall be posted per the Underhill-Jericho Fire Department specifications prior to the issuance of a Certificate of Occupancy permit.
10. Notwithstanding the conditions above, prior to issuing a building permit, the applicant shall comply with applicable aspects of the Underhill Land Use and Development Regulations in effect at the time of the application.

Dated at Underhill, Vermont this 5 day of October, 2017.

Charles Van Winkle

Digitally signed by Charles Van Winkle
DN: cn=Charles Van Winkle, o=Northern Reliability, Inc, ou=Chief Operations Officer, email=charlievanwinkle@outlook.com, c=US
Date: 2017.10.04 13:29:14 -04'00'

Charles Van Winkle, Chair, Development Review Board

NOTICE: This decision may be appealed to the Vermont Environment Court by an interested person who participated in the proceedings before the Development Review Board. 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. Appeal period ends November 4, 2017.