

TOWN OF LONDONDERRY VT
100 OLD SCHOOL ST, SOUTH LONDONDERRY VT 05155
ZONING PERMIT 2026-03

Owners of Record	Kenny, Michael W & Diana J Bataille, Clayton C & Madison T	Date of Application	12/17/25
Applicant	Kenny, Michael W & Diana J	Application Complete	12/17/25
Location	1966 Thompsonburg Rd	Date approved	1/29/26
Parcel Number	035016	Appeal By *	2/29/26
Deed Book-Page	87/48	18x24mylar	Received

* Permits issued concurrently with a DRB decision take effect after 30-day appeal day pursuant to Vt. Rules for Environmental Court Proceedings #5

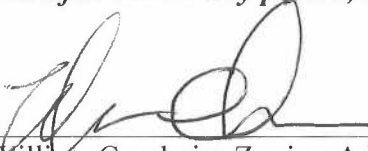
Based on application materials submitted by the applicant, the following land development is found to meet the provisions of the Town of Londonderry Zoning Bylaw and is hereby **APPROVED**. See the decision for conditions

TWO LOT SUBDIVISION

The project shall be completed in accordance with the application and all sketch or site plans of record, and any decisions of the Development Review Board related to this project. No alterations shall be made to the project except where prior written application to the Zoning Administrator has been made and the required approvals obtained.

Enclosed is a Zoning Permit Notice placard which must be posted and in place at the property and easily viewable from the adjacent public road for a period of 30 days starting from the date the permit is issued. The permit is effective on the 31st day after issuance.

NOTICE OF RIGHT TO APPEAL: The decision by the D.R.B to issue this permit may be appealed to the Vt. Environmental Court by an interested person, pursuant to 24 V.S.A. 4465. An appeal must be taken within 30 days of the date of the D.R.B.'s decision. After the 30-day period, the decision of the D.R.B. becomes final.



William Goodwin, Zoning Administrator

1/29/26

Date

NOTICE: State of Vermont permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for and obtain relevant State permits. Call 802-279-4747 to speak to the Regional Permit Specialist before beginning any earth work or construction.

Received on this _____ day of _____, 2025 at _____ AM/PM and Recorded in

Book _____, Page _____ of the Londonderry Land Records

Allison Marino, Town Clerk

Town of Londonderry Vermont Development Review Board
Application#2026-03, Parcel #035016, Hearing held January 21, 2026

Introduction

This proceeding involves the review of an application for a two-lot subdivision submitted by Dianna & Michael Wade Kenney and Madison & Clayton Bataille.

The application was received on 12/17/25 and deemed complete 12/17/25.

On 1/7/26, notice of a public hearing was published in the Vermont journal.

On 12/30/25 notice of a public hearing was posted at the following places:

- The municipal clerk's office;
- The town Bulletin Board;
- The Londonderry and South Londonderry Post Offices.

On 12/30/25 a notice of a public hearing was mailed to the applicant by certified mail.

On 12/30/25 the ZA hung a hearing notice poster where it could be seen from Thompsonburg Rd, the public-right-of-way most nearly adjacent to the property for which the application was made

On 12/31/25 a notice of public hearing was mailed to the owners of properties adjoining the property subject to the application (see attached proof of service).

The application was considered by the Development Review Board (DRB) at a public hearing on 1/21/25.

Board Members Present: Esther Fishman Chair (Zoom), Chris Laselle, Bob Maisey, Rich Phelan (zoom), Andrew Rackear, Robert Trask.

Others in Attendance: Tom Caucis (zoom), Wade and Diana Kenney, Eric Santini Sr.(zoom), Eric Santini Jr (zoom), Deb and Wayne Parker (zoom), Mark Mears (zoom), Joseph DiBernadino, Will Goodwin Zoning Administrator

The following exhibits were submitted to the DRB and available at the Londonderry Town Offices or by contacting the Zoning Administrator: application, site plan, narrative.

The applicant seeks site plan review for a two-lot subdivision.

Town of Londonderry Vermont Development Review Board
Application#2026-03, Parcel #035016, Hearing held January 21, 2026

The subject property is a 7.27-acre parcel located at 1966 Thompsonburg Rd in the Town of South Londonderry (tax map parcel no. 035016).

The property is located in the R1 District as described on the Town of Londonderry Zoning Map on record at the Town of Londonderry municipal office and section 201 of the Zoning Bylaw.

The application requires review under the following section 314 of the Town of Londonderry Zoning Bylaw as passed in 2009 and amended in 2024.

At the Hearing: The applicant presented his case for the application. The board asked questions of the applicant and examined the documents that were submitted with the application. The board also heard the testimony of an adjoining landowner.

Conclusions: Based on the application, testimony, exhibits, and other evidence, the DRB makes the following findings:

- The lots, as surveyed, meet the dimensional standards of the district. The owners of an adjacent lot dispute the northern boundary on the survey, and they are having their own survey done.
- The two lots will not be unusually irregular in shape or unusually elongated.
- The new lot can be developed in a manner that meets the district setbacks
- There are no corner lots proposed.
- No existing natural or historic features will be altered by the subdivision.
- No farmland will be developed.
- The natural contours of the land will be maintained.
- The applicant has a highway access that meets current standards.

Decision and Conditions

As conditioned below, the application filed by the Kenneys and the Batailles meets the requirements of Section 314 and is approved by the Londonderry Development Review Board

- The applicants must provide the town with a mylar plat that meets the requirements of Vt. Title 27: Chapter 17 within 180 days and they must pay the clerk to enter it into the town's land records.
- The applicant must get a septic permit for the new lot to be created, or file a deed which says:

"Notice of permit requirements. In order to comply with applicable state Rules concerning potable water supplies and wastewater systems, a person shall not construct or erect any structure or building on the lot of land described in this deed if the use or useful occupancy of that structure or building will require the installation of or connection to a potable water supply or wastewater system, without first complying with the applicable rules and obtaining any required permit. Any person who owns this property acknowledges that this lot may not be able to meet state standards for a potable water supply or wastewater system and therefore this lot may not be able to be improved.";

- If changes to the project are deemed necessary, requests for such change shall be in writing, and shall be submitted by the applicant to the ZA for consideration.

Dated this 26th day of January 2026



Esther Fishman, Chair of the DRB

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

Town of Londonderry, Vermont
Office of the Zoning Administrator

Application No. 2025-49
Date Received 12/17/25

Zoning Permit Application Form

Parcel ID No. 035016

This form must be submitted for all Land Development

Please Print Clearly

Applicant(s)

Name: DIANA J KENNY & MICHAEL WADE KENNY
Address: 1998 THOMPSONBURG RD.
Town/State/Zip: SO. LONDONDERRY VT 05155
Phone: 848 464-9296 Email: DIKENNY3@YAHOO.COM

Property Owner(s):

☐ Check here if same as applicant

Name: MADISON & CLAYTON BATAILLE
Address: 2305 SUNSET AVE
Town/State/Zip: OCEAN N.J. 07111
Phone: 732-861-2934 Email: MTKENNY3@GMAIL.COM

Property Information

Zoning District(s):

Property Location/Address: 1966 THOMPSONBURG RD S Londonderry VT
Date Purchased by Owner: _____ Deed Recorded in Book _____ Page _____
Property Size (acres): 7.27 Road Frontage (feet): 493
Existing Use of Property: VACATION HOME

Date Use started: _____
If Residential: Total # dwelling units 1 Total # of bedrooms 4

Proposed Land Development

**** May be left blank for Appeals of Zoning Administrator Decision ****

Permit Request is for: ☐ New Structure ☐ Addition/Remodeling, etc. ☐ Change of Use
☐ Home Occupation ☒ Subdivision ☐ Other (explain) _____

Describe proposed project/land development in detail: _____

2 LOT SUBDIVISION

Estimated value of proposed work: \$ 225000

Zoning Permit Application Form

Comparison between Existing and Proposed Conditions

Dimensional Standards (All in feet, unless otherwise indicated)	EXISTING	PROPOSED	CHANGE
Bldg. length			
Bldg. width			
Bldg. height (feet & stories)			
Bldg. area (square feet)			
Bldg. setbacks Front yard*			
Side yard			
Rear Yard			
Lot size (acres)			
Lot Coverage (Square feet)			
Number of Parking Spaces			

* Per Section 411(E), front setback is measured from road right-of-way or 25' from centerline of road for roads with right-of-way of less than 50'. It is not measured from the edge of the travelled roadway.

For Changes of Use Only

Please list all existing and proposed uses	EXISTING Square Footage	PROPOSED Square Footage	CHANGE Square Footage

Drawings Must Be Submitted – Complete, Legible & to Scale

On a separate sheet (maximum of 11" X 17"), provide a sketch of the subject property showing:

- 1) Lot boundary measurements
- 2) Access to public road or private right of way
- 3) Names of abutting landowners
- 4) Existing & Proposed structure(s) with dimensions, number of stories, and height
- 5) Measurements from proposed construction to all sides of lot
- 6) Existing/proposed driveway, well and septic systems
- 7) Water courses, wetlands, flood hazard & shoreline areas
- 8) North arrow and dimensional scale

A sketch plan is not necessary if the proposal requires submittal of a Site Development Plan to the Development Review Board.

Zoning Permit Application Form

Access Permits/Addresses

Any new, realigned or expanded driveway must obtain an Access Permit from the Londonderry Selectboard for access to a Town road, or the Vermont Department of Transportation for access to Route 11 or 100. A request for a new address must be directed to the Londonderry Town Clerk.

Certification

By signing below both the owner and applicant hereby affirm that the information presented in this application, and all supporting forms, plans and documents are true, accurate and complete, and agree that, if any such information is found by the Town to be false or misleading, any permit or other approval granted on the basis of such information shall be deemed null and void.

Permission is hereby granted by the property owner for the Town's Zoning Administrator and Development Review Board to inspect the property at mutually acceptable times to verify information provided in this application.

Applicant Signature: [Signature] Date: 10/3/2025

Property Owner Signature: [Signature] Date: 10/3/2025

☐ Check here if owner is submitting a Letter of Authorization in lieu of signing above

For applications requiring approval from the Development Review Board, please complete and submit the applicable supplementary documents (Check boxes for each documents submitted):

- ☐ Site Plan Review (Requires Site Development Plan Checklist)
- ☐ Conditional Use Review (Requires Site Development Plan Checklist)
- ☐ Site Development Plan Checklist
- ☐ Appeal of Zoning Administrator Decision
- ☐ Request for Variance (Requires Appeal of Zoning Administrator Decision)
- ☐ Subdivision Review (Requires Site Plan Review and Site Development Checklist)

Fees

Applications are not considered to be complete until all applicable fees have been received as follows:

Zoning Permit (including signs)	\$75.00	Site Plan Review	\$150.00
Conditional Use Review	\$150.00	Variance Request	\$150.00
Appeal of Zoning Administrator Decision	\$150.00	Lot Line Adjustment	\$125.00
Subdivision Review – up to 3 lots	\$250.00		
Subdivision Review – 4 lots or more	\$250.00 + \$200/lot		
Planned Unit Development	\$250.00 + \$200/unit		

All fees (Except for recording fees) are DOUBLED for applications submitted "after-the-fact", i.e., when any element of Land Development has already taken place.

Zoning Permit Application Form

Fees - continued

Fees for combined review shall be adjusted from the above schedule. Applicants shall pay the highest applicable initial review fee per the above schedule and a flat fee of \$75.00 for each additional review. For example: A 2-lot subdivision (\$250) requiring a variance (\$150) would pay a total review fee of \$325.00 (\$250+\$75). Zoning permit and recording fees are added to review fees.

In addition to all other fees, there is a \$15.00 Town Clerk recording fee for each page of a zoning permit, and \$25.00 for each page of a survey or subdivision plat (mylar).

Payment must be made by check, payable to: Town of Londonderry, Vermont

Applicants may be required to pay reasonable and customary costs for assistance provided by experts (engineers, planning consultants, etc.) requested by the Development Review Board, Selectboard or Planning Commission as part of the review process.

STATE PERMIT NOTICE

State of Vermont permits may be required for this project. The applicant or permittee retains the obligation to identify, apply for and obtain relevant state permits. Call 802-279-4747 to speak to the Regional Permit Specialist before beginning any earth work or construction.

DO NOT WRITE HERE - For Zoning Office Use Only

Fees Received: 265 \$1875

Notes:

Application Deemed complete on: _____

ACTION TAKEN: ☐ Approved ☐ Approved with Conditions ☐ Denied

☒ Referred to Development Review Board ☐ Other (see below)

Comments: _____

see conditions in decision

Signature: _____

Zoning Administrator

Date: 1/20/25

SUBDIVISION CHECKLIST

All proposed lots shall meet the minimum dimensional standards for the district within which the lot is located.

YES

New lots shall be designed to meet their intended purpose; elongated lots and lots with irregular shapes (curves, jogs, dog-legs, etc.) should not be created unless warranted by conditions of topography, the location of natural features or existing road conditions.

N.A.

Corner lots shall have sufficient width to permit a front yard setback on each street while side lot lines shall generally be at right angles to straight streets, or radial to curved street lines.

N.A.

Existing features, including but not limited to water courses and drainage ways, pathways, historic sites and structures, shore lands, fence and tree lines, wetlands, critical wildlife habitat, areas characterized by shallow soils or steep slope, prominent geologic features, scenic views, or any other unique features which have been identified in the Londonderry Town Plan and/or which in the Commission's judgment are an asset to the site and/or community, shall be identified and preserved insofar as possible through harmonious design and appropriate lot configuration.

YES

Lot layout and building sites shall be located and configured to avoid the fragmentation and/or development of productive farmland.

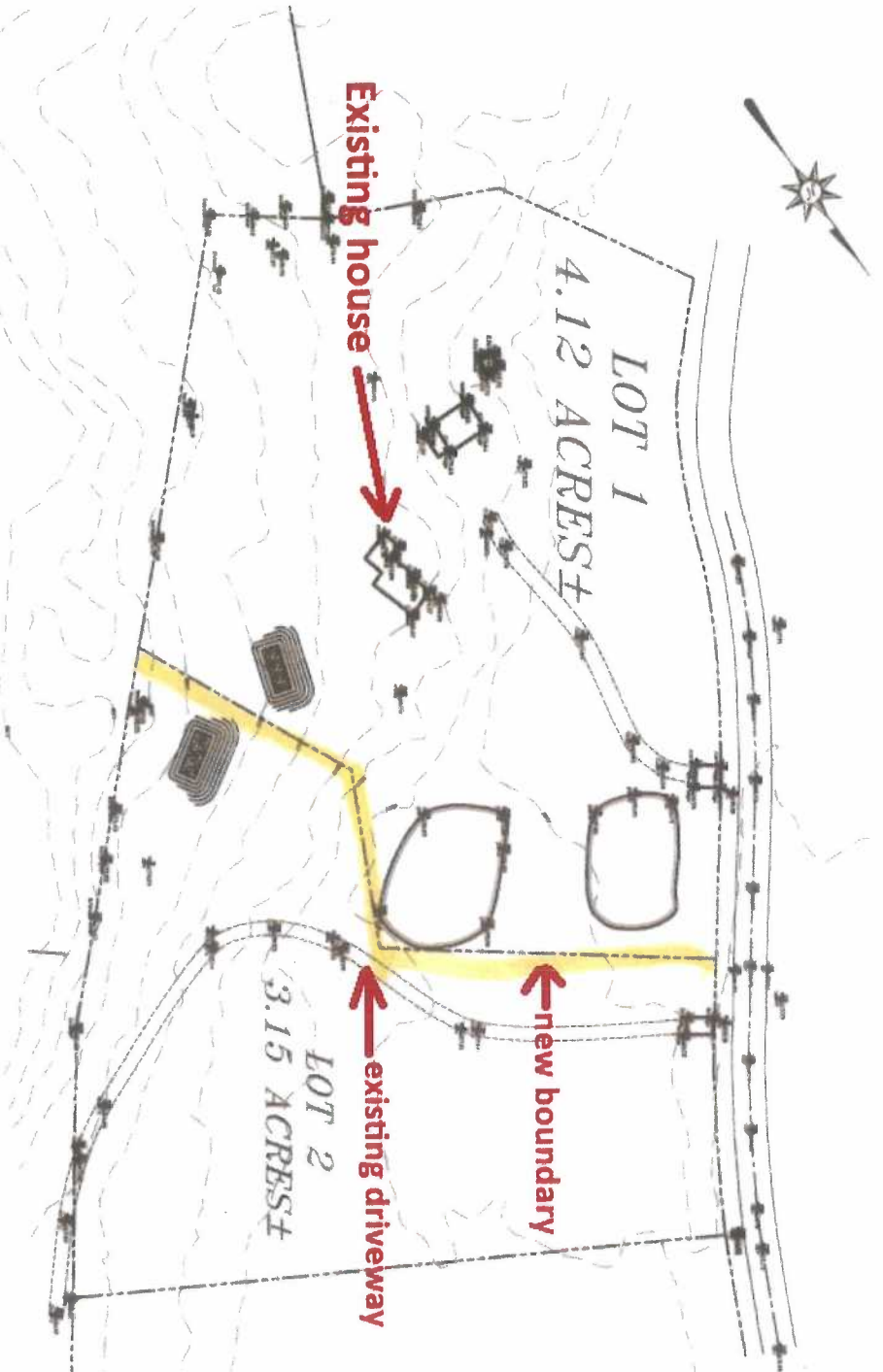
N.A.

Land shall be subdivided and improved so as to retain, insofar as possible, the natural contours and to conserve the natural cover and soil.

NO CONSTRUCTION PLANNED

LOCATION MAP

PROJECT



GARY RAPANOTTI L.S.

KJ FENNEY

Land Surveying Professional

Jan. 11, 2022

1"=60'

21-1256

21-1256

Certification of Notification
(Notification Form 4)

An applicant or permittee is required to complete and submit this certification to the Regional Office when notification is required using Notification Forms 1, 2, or 3.

I hereby certify that the property owner(s) identified below were notified, using the Agency's notification form, that the presumptive isolation zones for potable water supplies and/or wastewater systems proposed in my application extend onto their property.

I certify that the notification forms were sent by certified mail to the property owners and were accompanied by the site plan(s) accurately depicting the presumptive isolation zones that extend onto their property.

I certify that I attached to this certification form a copy of all certified mail receipts for the notifications that were sent to the property owners.

Signature: _____

Name: Michael Kenny

Date: 7/28/2025

SPAN: 357-110-11389

Please list all of the property owners who were sent a notification. Click on the plus sign in the bottom right of the section below to add additional property owners. Add as many rows as you need.

Name: Stephen Tomlinson Trust

Address: 601 Lexington Avenue



Hearing Notice

Address: 1966 THOMPSONBURG

Applicant: KENNEY

Project Description: TWO LOT SUBDIVISION

Public Hearing

Date/Time: 1/21 /26

Place: TOWN OFFICES

Purpose: SITE PLAN RENEW

FOR MORE INFORMATION CONTACT THE ZONING
ADMINISTRATOR AT (802) 824-3356 EX 102
OR
zoningadmin@londonderryvt.org

*This poster shall be displayed at the site of the proposed development
and shall remain in place until after the hearing date*

Permit#: 2026-03 Parcel I.D. #: 035016

Permit Notice

Address: 1966 THOMPSONBURG

Applicant: KENNET / BATAILLE

Project Description: 2 LOT
SUBDIVISION

Permit

Type: SITE PLAN

Date Issued: 1/29/26

Appeal By: 2/29/26

FOR MORE INFORMATION CONTACT
THE ZONING ADMINISTRATOR AT
802 824-3356 ex. 102 OR
zoningadmin@londonderryvt.org

This poster shall be displayed at the site of the proposed development where it is visible from the road until after the end of the appeal period.

Hearing Notice

Address: RT 11

Applicant: CAUCUS TRUST

Project Description: 5 LOT SUBDIVISION

Public Hearing

Date/Time: 1/21/25 5:30

Place: LONDONDERRY TOWN OFFICES

Purpose: SITE PLAN REVIEW

FOR MORE INFORMATION CONTACT THE ZONING
ADMINISTRATOR AT (802) 824-3356 EX 102
OR

zoningadmin@londonderryvt.org

*This poster shall be displayed at the site of the proposed development
and shall remain in place until after the hearing date*