

Town of Londonderry Vermont Development Review Board
Application#2026-18, Parcel #036035, Hearing held 5/20/2026

Introduction

This proceeding involves the review of an application for a front setback variance submitted by Josh Wylie for landowners Ellen and Nancy Berkowitz.

The application was received and deemed complete 4/16/26

On 5/6/26, notice of a public hearing was published in the Vermont journal.

On 5/6/26 notice of a public hearing was posted at the following places:

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

On 5/6/26 a notice of a public hearing was mailed to the applicant by certified mail and first-class mail.

On 5/6/26 the ZA hung a hearing notice poster where it could be seen from Under the Mt Rd, the public-right-of-way most nearly adjacent to the property for which the application was made.

On 5/6/26 a notice of public hearing was mailed to the owners of properties adjoining the property subject to the application (proof of service on file).

The application was considered by the Development Review Board (DRB) at a public hearing on 5/20/26

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, elevational drawing.

The applicant seeks a variance for a reduced front setback.

The subject property is a 27.5-acre parcel located at 2460 Under the Mt Rd in the Town of Londonderry (tax map parcel no. 036035).

The property is located in the RR 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 section 607 of the Town of Londonderry Zoning Bylaw: as passed in 2009 and amended in 2020 and under section 2210 of the proposed new bylaw amendment that was presented to the Selectboard on 5/18/26.

Town of Londonderry Vermont Development Review Board
Application#2026-18, Parcel #036035, Hearing held 5/20/2026

Present at the hearing were the following members of the DRB.

Esther Fishman-Chair, Andrew Rackear Vice-Chair, Christopher Laselle, Rich Phelan, Robert Trask, Pam Spaulding.

Also attending were Josh Wylie and Nancy Berkowitz.

At the hearing

The applicant and landowner presented their case for the application. The board asked questions and examined the documents that were submitted with the application.

Conclusions

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

The lot is large, but there is nowhere to put a mudroom that would meet the required district setback because of the location of the well, the septic system, the road and the driveway.

The exterior door on the driveway garage side of the house opens directly into the kitchen, there is currently no mudroom.

The entrance will be used by elderly people who will make use of a ramp to enter the house, and there is not enough room for the ramp in the existing structure.

The landowners have not created this hardship, the arrangement of the house, driveway, pond, well and septic system are preexisting.

The proposed mudroom is setback further from the road than much of the existing structure. It will not increase the degree of conformity.

The variance requested is to reduce the setback from 65 feet to 50 feet.

The variance will not harm the character of the neighborhood. Three adjoining landowners reviewed the application and did not submit concerns to the board.

The board could not see any other way to provide a mudroom or ramp from the garage to the exterior door given the constraints of the site, and they feel that a mudroom is a basic necessity that merits a variance.

Decision and Conditions

Town of Londonderry Vermont Development Review Board
Application#2026-18, Parcel #036035, Hearing held 5/20/2026

The application filed by Josh Wylie meets the requirements of sections 607 of the Town of Londonderry Zoning Bylaw, as passed in 2009 and amended in 2020 and section 2210 of the proposed new bylaw amendment that was presented to the Selectboard on 5/18/26, and is approved by the Londonderry Development Review Board with the following conditions:

The applicant must submit a floor plan showing the dimensions of the mud room and the ramp.

If changes are deemed necessary, requests for such change shall be in writing, and shall be submitted by the applicant to the Zoning Administrator.

If any exterior lighting is installed it shall not cause glare on Under the Mountain Rd.

The request for a setback variance is approved by the Londonderry Development Review Board.

Dated May 27, 2026

A handwritten signature in black ink, appearing to read 'Esther Fishman', written over a horizontal line.

Esther Fishman, Chair of 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.