

VERMONT SUPERIOR COURT
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ENVIRONMENTAL DIVISION
Docket No. 23-ENV-00140

Hillview Heights, LLC Subdivision Appeal

JUDGMENT ORDER

In this action, Michael Marks and Sally McCay (Neighbors) appeal a November 15, 2023 decision of the Town of Richmond (Town) Development Review Board (DRB) granting subdivision approval to Hillview Heights, LLC (Applicant) for a 7-lot subdivision of property located at 2427 Hillview Road, Richmond, Vermont (the Property).

In this matter, Applicant is represented by Attorneys David Grayck and Christopher Boyle. Neighbors are self-represented. The Town is represented by Attorneys David Rugh and Beriah Smith. Interested parties Mary and Thomas Collins, Frances and David Thomas, and Kristen Calevro are each self-represented.

The Court held a merits hearing via the WebEx platform on February 7, 2025 and February 10, 2025. Applicant, the Town, Neighbors and the Collins appeared.¹

For the reasons set forth in the accompanying Merits Decision, the Court concludes that Applicant complied with Subdivision Regulations § 610.1 by providing a “master development plan.” Further, we conclude that the Project complies with Zoning Regulations § 3.1.5 because it will not generate more than 10 vehicle trips during evening peak hours. With respect to Subdivision Regulations § 500(6) and (10), the Project will not result in an unreasonable burden on the Town’s ability to provide municipal or governmental services and facilities nor will it result in unreasonable highway congestion or unsafe conditions with respect to the use of roads and highways within the Town. For these reasons there is no need to impose a condition or conditions on the Project

¹ The Court notes that this matter was initially brought forth by an appeal of Bradley Holt, David Kauck, and Jason Pelletier. These three initial appellants subsequently reached a settlement agreement with Applicant and did not participate in this matter once that agreement was reached. Further, we note that Frances and David Thomas and Kristen Calevro did not appear at either day of trial.

restricting or prohibiting further development of the Property. We therefore answer each Question in the negative. Having reached these conclusions, the DRB's decision stands.

This concludes the matter before the Court.

Electronically signed 9th day of April 2025 pursuant to V.R.E.F. 9(D).

A handwritten signature in black ink that reads "Tom Walsh". The signature is written in a cursive, flowing style.

Thomas G. Walsh, Judge
Superior Court, Environmental Division