

DEC 10 1975

Schuyler Jackson, Chairman
828-3309

December 8, 1975

Mr. Maurice Winn
Land Surveyor-Forester
244 Grandview Street
Bennington, Vermont 05201

Re: Robert Flynn Subdivision
Shaftsbury, Vermont
Declaratory Ruling

Dear Mr. Winn:

In reference to your recent letter, it is my opinion that Rule 2(A)6 of the rules of the Environmental Board, revision July 21, 1975, applies to the facts as set forth by yourself and a permit for the road is required. The fact that 2 of the 6 lots can be served with access from the Class 3 road, does not obviate the fact that those lots will also be served by the road to be constructed; in fact, given the provisions of 19 V.S.A. §43 as amended, it would be improper for the selectmen to allow additional access points on the town road in view of the plan as prepared.

If you wish to pursue the issue further, please contact Bob Brown for proper procedures.

Very truly yours,

Schuyler Jackson
Chairman

SJ/h

cc: Robert S. Brown