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**STAFF REPORT
TOWN OF ESSEX
DEVELOPMENT REVIEW BOARD
February 5, 2026**

31 & 43 Brigham Hill Lane: Boundary Line Adjustment

FINDINGS:

1. The applicants are Richard J. Jenny, 31 Brigham Hill Lane, Essex, VT and Richard J. and Nancy S. Jenny, 43 Brigham Hill Lane, Essex, VT. Both parcels are situated in the Conservation (C1) District, Tax Map 17, Parcels 8-02 & 3-00.
2. The proposal consists of transferring 8.42 acres from Richard Jenny’s parcel located at 31 Brigham Hill Lane to Richard and Nancy Jenny’s parcel located at 43 Brigham Hill Lane. 31 Brigham Hill Lane will decrease in size from 27.77 acres to 19.35 acres. 43 Brigham Hill Lane will increase in size from 110.7 acres to 119.1 acres.
3. The following boundary adjustment plat as drawn by Joseph R. Flynn, L.S., of O’Leary-Burke Civil Associates, PLC, dated 12/16/2025, meets the standards of the Town of the Essex Official Subdivision Regulations Section 2.5(B)1:

*Boundary Line Adjustment Plat
Lands of Richard and Richard & Nancy Jenny
31 & 43 Brigham Hill Lane – Essex, Vermont*

4. The application demonstrates compliance with the following boundary adjustment review planning standards contained in Article II, Section 2.5 (B)(2) of the *Town of Essex Official Subdivision Regulations*
 - a. The proposed boundary adjustment does not create any new lots.
 - b. The proposed boundary adjustment does not make any lots non-conforming or more non-conforming.
 - c. The proposed boundary adjustment does not exceed the minimum lot size of 10 acres in the Conservation (C1) District.
5. Staff departments’ comments as follows:

Recreation: Department Reviewed: “No comments”
Public Works: Department Reviewed: “No comments”
Fire Department: Department Reviewed: “No comments”
Police Department: Department Reviewed: “No comments”

40 **PROPOSED CONDITIONS:**

- 41 1. Any/all conditions from previous approvals shall remain in effect except as
42 modified herein.
- 43 2. A mylar along with 3 paper copies shall be submitted to the Zoning Administrator
44 at least 3 weeks prior to the 180-day recording deadline for filing in the Town of
45 Essex Land Records, otherwise the approval is void.
- 46 3. Prior to recording the mylar in the Land Records, and pursuant to Section 2.11 of
47 the *Subdivision Regulations*, all legal documents required of this boundary
48 adjustment shall be prepared by the applicant's attorney and submitted to the
49 Zoning Administrator for review and approval by the Town Attorney.
- 50 4. The applicant shall pay all legal expenses associated with this application.
- 51 5. The applicant shall ensure the installation of lot markers to the standards
52 specified in Section 3.11 of the *Town of Essex Official Subdivision Regulations*
53 and shall submit a certified statement from the surveyor verifying the installation.
- 54 6. By accepting the conditions of this approval without appeal, the Applicant
55 confirms and agrees for itself and all assigns and successors in interest that the
56 conditions of this approval shall run with the land and the land uses herein
57 permitted and will be binding upon and enforceable against the Applicant and all
58 assigns and successors in interest.

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60 Staff Report prepared by Brittany McGregor, Planning Technician

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