

**Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3367**

Applicant(s): Laura Kingsbury 2006 Revocable Trust

Parcel ID: #03-012.000

Reason for Application: Lot-line Adjustment (Minor Subdivision)

Public Hearing Attendees: DRB Members: Jon Shea (Chair), Jim Halavonich, Mike Quenneville, Leo Cohen, and Kevin Wry. ZA: John Weir. Public: Laura Kingsbury, Dick Kingsbury.

Introduction and Procedural History:

1. The Development Review Board application was filed on May 13, 2016 requesting approval under Article 7 of the Fayston Land Use Regulations for lot-line adjustments (minor subdivision) of a five-lot subdivision (53.28 acres total). A copy of the application and supporting paperwork are available at the Fayston, VT town offices.
2. Notice of the hearing was properly published. On May 26, 2016 the legal warning for a public hearing for review of this application was published in the Valley Reporter. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.
3. Abutters to the property were properly notified of the hearing.
4. The application and plans were considered by the Development Review Board at a public hearing which occurred on June 14, 2016. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended August 29, 2012.

The following exhibits were submitted to the Development Review Board:

Exhibit A. Subdivision application #3367

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on May 26, 2016. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Findings:

1. The Board found the application to be complete at a public hearing held June 14, 2016.

2. The Board declared the application one for a minor subdivision at a public hearing held June 14, 2016.
3. Pursuant to the applicant's request, the Board moved to waive the preliminary sketch review requirement.
4. Applicant Laura Kingsbury seeks approval for lot-line adjustments (minor subdivision) of a five-lot subdivision totaling 53.28 acres. The application seeks to change the lots as follows: lot 1 – 13.04 acres to 11.77 acres; lot 2 – 12.01 acres to 12.15 acres; lot 3 – 10.06 acres to 12.03 acres; lot 4 – 11.41 acres to 15.29 acres; and the remaining parcel would encompass 2.04 acres. The subject property is parcel 03-012.000, located off Carey Road, in the Town of Fayston, VT. Subdivision approval is requested pursuant to review under the Town of Fayston, Vermont Land Use Regulations, as amended August 29, 2012, Articles 6 and 7.
5. The property is located in the Rural Residential District as described on the Town of Fayston Zoning Map on record at the Town of Fayston municipal office, also described under Article 2, Table 2.4 of the Town of Fayston, VT land use regulations.
6. The applicant's parcel is adjacent to land owned by Chad Borofsky, Don Alter, James Tiede, Alan Pratt, Larry and Sandy Kenney, and John McCloy II.
7. Applicants are applying for property line adjustments among lots 1-4 of a previous subdivision which predated Fayston enacting subdivision regulations. The proposed adjustments seek to rectify surveying errors which have resulted in boundary line encroachments.

Decision:

DRB members voted unanimously to approve application #3367 for lot-line adjustments (minor subdivision) with the following conditions:

Conditions:

1. A final mylar/plat, depicting the site plan as approved by the Board at the June 14, 2016 hearing, must be filed with the town clerk within 180 days of the date of this decision.

Dated at Fayston, Vermont, this 7th day of July, 2016.


_____,
Jon Shea (Chair - Fayston Development Review Board)

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.