

**Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3441**

Applicant(s): Hapy Mayer & Keith Kuegel

Parcel IDs: #03-086.011 and #03-044.000

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

Public Hearing Attendees: Attending: DRB Members: Jon Shea, Kevin Wry, Mike Quenneville, Shane Mullen. ZA: John Weir. Public: Brooke Cunningham, Paul May, Bill Elliot, Peter Lazorchak, Barry Friedman, Hapy Mayer, Bruce Depper, John Hammond, Heidi Witschi, Jesse Murphy, Arthur Washington, Martha Daley

Introduction and Procedural History:

1. The Development Review Board application was filed on September 7, 2017 requesting approval under Article 7 of the Fayston Land Use Regulations for a lot-line adjustment (minor subdivision) of 0.68 of an acre. 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 September 7, 2017 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 September 26, 2017. 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 #3441

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on September 7, 2017. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Findings:

1. Applicant waived his right to be heard by a full five-member Board.

2. The Board found the application to be complete at a public hearing held September 26, 2017.
3. The Board declared the application one for a minor subdivision.
4. Pursuant to the applicant's request in writing, the Board moved to waive the preliminary sketch review requirement.
5. The applicant seeks approval under Article 7 of the Fayston Land Use Regulations for a lot-line adjustment (minor subdivision) of 0.68 of an acre. The subject properties are parcel IDs #03-086.011 and #03-044.000, located 413 and 424 Randell 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.
6. 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.
7. The applicant's parcel is adjacent to land owned by Eric Gauthier, Wayne and Karol McCue, Christopher and Bethany Logan, Kevin and Shannon Feeney, Fred and Holiday Rayfield, and Diana Liberty.
8. The proposed project seeks involves amending the previously approved Kuegel subdivision (#2884) to perform a boundary line adjustment between the portion of the "Common Lot" located on the north side of Randell Road and the Mayer property. The 0.68 acres of "Common Lot" separated by Randell Road is proposed to be added to the Mayer property.
9. Should the project be approved, the "Common Lot" will total 29.84 acres (originally 30.52 acres) and the Mayer parcel will total 2.71 acres (originally 2.03 acres).
10. Applicant has no plans for development on the parcel at this time.

Decision:

DRB members voted unanimously to approve application #3441 for lot-line adjustments (minor subdivision) with the following conditions:

Conditions:

1. Obtain and follow all other required local, state and federal permits.
2. A final mylar/plat, depicting the site plan as approved by the Board at the September 26, 2017 hearing, must be filed with the town clerk within 180 days of the date of this decision.

Dated at Fayston, Vermont, this 27th day of October, 2017.



10-30-2017

Jon Shea (Chair of 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.