

**Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3244**

Applicant(s): Mad River Green c/o Richard Brothers

Parcel ID: #04-025a-b

Reason for Application: Lot line adjustment

Public Hearing Attendees: DRB members: Jon Shea (Chair), Mike Quenneville, Chuck Martel, Kevin Wry, Leo Cohen; ZA: John Weir; Public: Peggy Potter, David Olenick, and Valerie Welter

Introduction and Procedural History:

1. The Development Review Board application was filed on August 19, 2013 requesting a lot line adjustment under Article 7 of the Fayston Land Use Regulations. 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 August 22, 2013 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. Abutter Valerie Welter was an interested person with regard to this application.
5. The application and plans were considered by the Development Review Board at a public hearing which occurred on September 11, 2013. 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 per application #3244

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on August 22, 2013. 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 September 11, 2013.

2. The applicant seeks approval of a lot line adjustment. The subject property is parcel 04-025, located off Post Office 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, Article 7.

3. 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.

4. The applicant's parcel is adjacent to land owned by Richard and Margaret Potter, Maclean Properties, Richard Avery, Jay and Sara Gauthier, and Robert and Valerie Welter.

5. Applicant Mad River Green, Inc. seeks to convey parcel #04-025 to Richard and Margaret Potter. No new lots will be created. The conveyed parcel will be merged with the existing Potter property.

Decision:

DRB members present voted unanimously to approve subdivision application #3244 for a lot line adjustment.

Conditions:

None.

Dated at Fayston, Vermont, this 9th day of October, 2013.

Jon Shea Development Review Board Chair

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.