

**Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3349**

Applicant(s): Heidi Spear & Seth Henry

Parcel ID: #11-085.000

Reason for Application: Minor Subdivision

Public Hearing Attendees: DRB Members: Jon Shea (Chair) Chuck Martel, Mike Quenneville, Leo Cohen, and Kevin Wry. ZA: John Weir. Public: Heidi Spear, Ryan Marsh, Dale King, Richard Petit, Ray Munn.

Introduction and Procedural History:

1. The Development Review Board application was filed on October 26, 2015 requesting approval under Article 7 of the Fayston Land Use Regulations for a lot-line adjustment (minor subdivision) of one 30.7-acre lot into two lots of 26.6 acres and 4.1 acres. 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 November 12, 2015 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 December 8, 2015. 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 #3349

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on November 12, 2015. 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 December 8, 2015.

2. The Board declared the application one for a minor subdivision at a public hearing held December 8, 2015.

3. Pursuant to the applicant's request, the Board moved to waive the preliminary sketch review requirement.

4. Applicants Heidi Spear and Seth Henry seek approval for a lot-line adjustment (minor subdivision) of one 30.7-acre lot into two lots of 26.6 acres and 4.1 acres. The subject property is parcel 11-085.000, located off Fiddlehead 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 Resort Development 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 2.6 of the Town of Fayston, VT land use regulations.

6. The applicant's parcel is adjacent to land owned by Megan Gadd, Fiddlehead Owners Association and Summit Ventures, LLC.

7. Applicants are applying for a property line adjustment between Lot 3A-1 and Lot 3A-2 of their previous subdivision off Fiddlehead Road. The proposed adjustment is along the northwest property line of Lot 3A-2. The line would be moved about 50 feet in a northwest direction from the original location and gaining 0.4 acres from Lot 3A-1.

8. There are no changes to the existing wastewater or water supply on either lots. 9. As concerns the new lot 7A, any and all other state permitting, including wastewater, will otherwise be deferred. No new construction is proposed at this time.

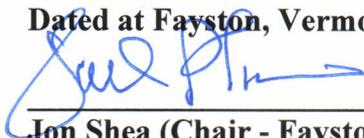
Decision:

DRB members voted unanimously to approve application #3349 for a lot-line adjustment (minor subdivision) with the following conditions:

Conditions:

1. A final mylar/plat, depicting the site plan as approved by the Board at the December 8, 2015 hearing, must be filed with the town clerk within 180 days of the date of this decision.

Dated at Fayston, Vermont, this 21st day of December, 2015.



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.