

**Development Review Board, Town of Fayston, VT**  
**Notice of Decision for Application No. 3680**

**Applicant & Landowner: Abby Dreyer**

**Parcel ID: #01-026.000**

**Reason for Application: Lot Line Adjustment**

**Public Hearing Attendees: 10/5/2021** – Attending DRB Members: Shane Mullen (Chair), Pete Ludlow, Mike Quenneville, Ky Koitzsch, Dan Young, Hanna Neill (ZA), Minute-Taker: Betsy Carter, Public: Jon Kirson, George McCain, Margo Wade, Abby Dreyer. Ginny Lesage, Joel Rhodes, Ray Munn, John Hammond, Kim Laidlaw, Dave Frank

**Introduction and Procedural History:**

1. The Development Review Board application was filed on September 8, 2021. Applicant Abby Dreyer requests approval under Article 7 of the Fayston Land Use Regulations for a subdivision amendment to applications #3599 & #3600, issued 4/22/21, at 2142 North Fayston Road. 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 16, 2021 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 October 5, 2021. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended June, 2018.

**The following exhibits were submitted to the Development Review Board:**

Exhibit A. Subdivision amendment application #3680

Exhibit B. Planned Residential Development application #3600 and Subdivision application #599

Exhibit C. Letters to adjoining landowners with project description and list of adjoiningers.

Exhibit D. Warning placed in the Valley Reporter on September 16, 2021. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Exhibit E. Project narrative addressing compliance with Fayston Land Use Regulations titled “Amendment to Subdivision Application Dreyer Property, 2142 North Fayston Road, Fayston” dated August 2, 2021.

Exhibit F. “Survey and Subdivision of a portion of the lands of Abby Dreyer”, dated June 10, 2021.

Exhibit G. Proof of notice via certified mail receipts of abutting landowners.

### **Findings:**

1. The Board found the application to be complete at a public hearing held on October 5, 2021.
2. 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.
3. The applicant’s parcel is adjacent to land owned by Kyle and Jill Ellis, Fred Viens, F & P Dentone Life Estate, Richard Scarzello, James and Dorothy Bisbee, Trustees, Robert Buck, Alexandra and Tasha Urbanowski, Jeremiah and Sarah Rutledge, Peter and Chelsea Turley, Jack and Jean Corliss, Douglas and Megan Evans, and Robert and Muriel Griffin.
4. Applicant’s 114-acre parcel currently contains a one 3-bedroom residence and a 1-bedroom apartment above a barn. The previously-approved project (applications #3599 and #3600) included the subdivision of one 6-acre lot from a 114-acred parcel as well as the development of a 6-unit housing project on the 6-acre parcel. The proposed Planned Residential Development includes 6 small-footprint residential structures with one bedroom each. The residences share a community on-site septic system.
5. Per Section 7.7, no changes, modifications, or other revisions that alter the plat or conditions attached to an approved subdivision plan shall be made unless the proposed revisions are first resubmitted to the DRB and the DRB approves such revisions after public hearing.
6. Applicant proposes a lot line adjustment to reconfigure the geometry of the proposed 6-acre lot. Per testimony of the applicant’s consultant, this change does not affect the design of the previously-approved Planned Residential Development, nor does it change the setback distances from the proposed structures to the property lines.

### **Decision:**

DRB members voted unanimously to approve Subdivision amendment application #3680 with the following conditions:

1. Any deviations from the approved plans will require additional review by this Board. Applicant shall provide a letter from their engineer once site improvements (i.e. road widening, grading of building areas, construction of common utilities) are constructed that the project was

built in conformance with the design plans or provide record drawings illustrating the changes made during construction.

2. Revise the survey to clearly illustrate road limits. Remove “PRELIMINARY – FOR TOWN PERMITTING” from plan.

3. All features except property line from approved plans (dated 3/5/2021) are still in effect.

4. All conditions from previous approvals are still in effect.

5. File Mylar in 180 days.

6. Obtain and follow all State and Federal permits. Copies of these permits shall be submitted to the Town of Fayston. Copies of any drawings that supersede the design shown on the materials presented to the DRB shall be submitted to the Town of Fayston.

**Dated at Fayston, Vermont, this 17<sup>nd</sup> day of November, 2021.**



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**Shane Mullen, 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.