Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3894

Property Owner and Applicant: Sugar Hill Properties Inc.

Parcel ID: 07-066

Reason for Application: Requesting approval of a two-lot subdivision under Articles 6 & 7 of the Fayston Land Use Regulations

Application Number(s): 3894

Public Hearing Attendees: Attending DRB Members: Daniel Young (Chair), Jim Donkersloot (Vice Chair), Mike Quenneville, Pete Ludlow and Ky Koitzsch **ZA**: Jason Wilson; **Minutes Taker:** Eve Silverman; **Public:** Stephen White, Susan Buchanan, Jonathan Smith, Joshua Livingston, Danielle Livingston, Eliza Graves and Matthew Campbell (Zoom)

Introduction and Procedural History:

1. The Subdivision application #3894 was filed on June 25th, 2024. The subject parcel is parcel ID 07-066, located at 65 Marble Hill Road. Applicant Stephen White of Sugar Hill Properties Inc. requests approval under Articles 6 and 7 of the Fayston Land Use Two-Lot Subdivision (Minor Subdivision). 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 July 18th, 2024 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 public hearing which occurred on August 6th, 2024 and September 3rd, 2024. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended May, 2023.

5. The following were approved by the DRB as interested parties to these applications:
    a. Calvin Smith

The following exhibits were submitted to the Development Review Board:

A. On June 25th, 2024 the applicant submitted a Subdivision Application (#3894), project narrative, sample abutter letter, rough sketch plan and abutter list.
B. On July 16th, 2024 applicant submitted a site plan titled "A Subdivision Survey in Fayston, Vermont for Sugar Hill Properties, Inc" by American Survey Company, dated July 1, 2024.
C. On July 16th, 2024 the applicant submitted a site plan titled "As-Built Plan of Replacement Septic System Tucker Hill Inn" by Chase & Chase Surveyors & Septic Designers Inc., dated November 12, 2004.
D. On July 17th, 2024 the applicant submitted proof of notification of abutters.
E. On July 22th, 2024 the applicant submitted a revised version of the site plan titled "A Subdivision Survey in Fayston, Vermont for Sugar Hill Properties, Inc" by American Survey Company, dated July 1, 2024

Findings:

1. The Sugar Hill property is located at 65 Marble Hill Road and consists of 14.5 acres. The property is owned by Sugar Hill Properties Inc. The parcel is identified as 07-066 and is located in the Rural Residential District.

2. This parcel has the following permits:

a. #74-184 Zoning (1974)
b. #74-184-02 Appeal (1974)
c. #208 Sign (1977)
d. #77-21 Appeal (1977)
e. #278-01 Health (1978)
f. #358 Sign (1979)
g. #79-51 Appeal (1979)
h. #471 Health (1980)
i. #557 Zoning (1981)
j. #558 Zoning (1981)
k. #591 Zoning (1981)
l. # 81-83 Appeal (1981)
m. # 643 Health (1982)
n. # 708 Zoning (1983)
o. # 708-01 Health (1983)
p. # 744 Zoning (1984)
q. # 941 Zoning (1988)
r. # 1046 Zoning (1989)
s. # 1249 Zoning (1993)
t. # 2564 Health (2004)
u. # 3427 Conditional Use (2017)
v. #3483 Zoning (2018)

3. The applicant's parcel is adjacent to land owned by Kris Colvin, William Lee, Matthew Burdge, Thomas Hamill, Calvin & Marie Smith Life Estate, Igor Altern, Brian O'Donnell, Joshua Bewlay and Joshua Rogers.

3. Pursuant to Section 6.1 the DRB shall evaluate any minor or major subdivision of land as defined in Section 7.1 in accordance with the standards set forth in this Article. Where these standards conflict with other provisions of these regulations, the more stringent shall apply.

4. Pursuant to section 7.1 Minor Subdivisions shall include lot line or boundary adjustments between existing lots that do not result in new or nonconforming lots; the subdivision of

land, or the re-subdivision of a previously subdivided parcel, that results in the creation of five or fewer lots, regardless of any change in ownership; and amendments to an approved subdivision plan that will not substantially change the nature of any previous subdivision or conditions of approval.

5. Currently on the west side of the property is Tucker Hill Inn which has access on Marble Hill Road. On the East side of the property is Single Family Residence which has access from Rte. 17.

Decision:

DRB members voted as follows to approve subdivision application #3894 with the following conditions:

1. Obtain and follow all necessary 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.
2. Submit to the Town Clerk the required mylar plat for recording within 180 days of the date of this decision.

Ky Koitzsch: **YES**/no/abstain/absent/recuse
Peter Ludlow: **YES**/no/abstain/absent/recuse
Shane Mullen: **YES**/no/abstain/absent/recuse
Michael Quenneville: **YES**/no/abstain/absent/recuse
Daniel Young: **YES**/no/abstain/absent/recuse

Dated at Fayston, Vermont, this 15th day of October, 2024.

Daniel Young, 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.