Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3923

Property Owner and Applicant: Jeremiah Rutledge

Parcel ID: 01-021

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

Application Number(s): 3923

Public Hearing Attendees: Attending DRB Members: Daniel Young (Chair), Mike Quenneville, Pete Ludlow (Zoom) and Ky Koitzsch **ZA**: Jason Wilson; **Minutes Taker:** Eve Silverman; **Public:** Jeremiah Rutledge, Betsy Rutledge (Zoom), Margo Wade, Joel Rhoades, Patrick Konvicha, Glenn Corso (Zoom)

Introduction and Procedural History:

1. The Subdivision application #3923 was filed on January 6th, 2025. The subject parcel is parcel ID 01-021, located at 485 Smith Road. The applicant. requests approval under Articles 6 and 7 of the Fayston Land Use Regulations for a 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 January 16th, 2025, 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 February 4th, 2025. 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. Betsy Rutledge

The following exhibits were submitted to the Development Review Board:

A. On January 6th, 2025, the applicant submitted a Subdivision Application (3923), project narrative, sample abutter letter and abutter list.
B. On January 14th, 2025, applicant submitted a site plan titled "Jeremiah Rutledge Smith Road Fayston, VT" by Glenn Towne.
C. On January 17th, 2025, the applicant submitted a site plan titled "Jeremiah Rutledge Smith Road Fayston, Vermont" by American Consulting Engineers and Surveyors, dated January 15, 2025.
D. On January 17th, 2025, the applicant submitted proof of notification of abutters.

Findings:

1. The property is located at 485 Smith Road and consists of 8.45 acres. The property is owned by Jeremiah Rutledge. The parcel is identified as 01-021 and is located in the Rural Residential District.

2. This parcel has the following permits:
    a. 784A Subdivision (1984)
    b. 2639 Health (2005)
    c. 2640 Zoning (2005)
    d. 3306 Zoning (2014)
    e. 3307 Home Occupation (2014)
    f. 3378 Zoning (2016)
    g. 3575 Zoning (2020)

3. The applicant's parcel is adjacent to land owned by Dean & Evelynn Zoecklin, Peter Turley, Alexandria Urbanowski and Abby Dreyer.

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.

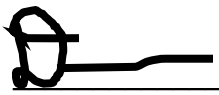
Decision:

DRB members voted as follows to approve subdivision application #3923 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
Jim Donkersloot: yes/no/abstain/**ABSENT**/recuse
Michael Quenneville: **YES**/no/abstain/absent/recuse
Daniel Young: **YES**/no/abstain/absent/recuse

Dated at Fayston, Vermont, this 20th day of February, 2025.



_____,
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.