Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3944

Property Owner and Applicant: Jeremiah Rutledge

Parcel ID: 01-021

Reason for Application: Requesting approval of a Boundary Line Adjustment under Articles 6 & 7 of the Fayston Land Use Regulations

Application Number(s): 3944

Public Hearing Attendees: Attending DRB Members: Daniel Young (Chair), Jim Donkersloot (Vice Chair), Mike Quenneville, Beth Eisenhower and Ky Koitzsch **ZA**: Jason Wilson; **Public:** Jeremiah Rutledge, Dale King Jr. and Patricia King

Introduction and Procedural History:

1. The Subdivision application #3944 was filed on May 12th, 2025. The subject parcel is parcel ID 01-021, located at 485 and 483 Smith Road. The applicant. requests approval under Articles 6 and 7 of the Fayston Land Use Regulations for a Boundary Line Adjustment (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 May 15th, 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 June 3rd, 2025. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended May 2023.

The following exhibits were submitted to the Development Review Board:

A. On May 12th, 2025, the applicant submitted a Subdivision Application (3944), project narrative, sample abutter letter and abutter list.

B. On May 12th, 2025, applicant submitted a site plan titled "Jeremiah Rutledge Smith Road Fayston, VT" by Glenn Towne.
C. On May 15th, 2025, the applicant submitted proof of notification of abutters.

Findings:

1. The properties are located at 485 (Lot 2) and 483 (Lot 1) Smith Road and consists of 8.45 acres. Lot 1 is 1.94 acres adjusted to 3.63 acres and Lot 2 is 6.51 acres adjusted to 4.82 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)
    h. 3923 Subdivision (2025)

3. The applicant's parcels are 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 #3944 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 Zoning Administrator the required mylar plat for recording within 180 days of the date of this decision for approval and then recording with the Town Clerk's Office.

Ky Koitzsch: **YES**/no/abstain/absent/recuse
Beth Eisenhower: **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 6th day of June, 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.