

**PAWLET, VT
DEVELOPMENT REVIEW BOARD
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

Applicant: David Young
Landowner: William & David Young
Mailing Address: PO Box 933 Manchester Center, VT 05255-0933
Address of Property: 7720 VT Route 30 Pawlet
Parcel Number: 130-119
Application: 2019- ?

GENERAL

1. A revised permit application was received by the zoning administrator on or about October 28, 2019.
2. A warning was published in the Rutland Herald on October 19, 2019 and posted in three public places by October 16, 2019.
3. Adjoining landowners were mailed notices on October 23, 2019.
4. A hearing before the DRB was convened on the evening of November 5, 2019.
5. A quorum of the Board was in attendance and documentation was found to be proper.
6. Jurisdiction was considered under Pawlet Unified Bylaws Article VI: Section 2 - Two Lot Subdivision.
7. The applicant and landowners were present.

Based on the pleadings and papers on file in this matter, and the testimony at said hearing, the Pawlet Development Review Board hereby issues the following Findings of Fact, Conclusions of Law, and Orders.

FINDINGS OF FACT

1. The applicant proposes to subdivide two structures on a single lot that were in existence prior to the adoption of local zoning bylaws in 1978.
2. The existing parcel is 3.7 acres.
3. The original farm house was built in the 1860's. A double wide mobile home was added to the property in 1962.
4. A State Homestead Exemption (Number 1-0363) was obtained from the Agency of Natural Resources in October 1991.
5. The lot is located in the Agriculture and Rural Residential (5 acre) Zoning District.
6. The applicant proposes to split the 3.7 acre parcel into approximately a 1.7 acre lot and the remaining parcel would be approximately 2 acres. The exact acreage will be determined once the property owner finds a suitable septic replacement area for each lot for the State permit required by the Agency of Natural Resources. The property owner has contracted Timothy Chmielewski, a surveyor to prepare the State Permit required and the final survey

at which time the exact lot frontage and size for each lot will be determined. Both new lots will be less than the required minimum lot size.

7. The applicant proposes to meet the required 25' setback to the existing buildings.
8. The double wide mobile home will be replaced. A future Zoning permit will be required at that time.
9. The DRB reviewed the Subdivision Review Standards in Section 2 (pages 28 - 29).

CONCLUSIONS OF LAW

1. The lot is located in the Agriculture and Rural Residential (5 Acre) Zoning District.
2. The original lot was created before the adoption of zoning and each building was built before the adoption of zoning.
3. The proposed subdivision meets the review standards and will not increase the density of the area.
4. The subdivision shall not result in the change of use or the intensity of use of any parcel or structure that was not in conformance with the zoning bylaws.

ORDER

Based on the Findings of Facts and Conclusions of Law, a motion was made to approve the two lot Subdivision application based on the representations and documents provided by the applicant. Any errors of fact may be cause for the order and the related permit to be deemed void. The following DRB members have voted as follows:

Jonathan Weiss	Yes
Keith Mason	Yes
Brian Rawls	Yes
James Glick	Yes

Decisions of the Development Review Board may be appealed to the Vermont Environmental Court in accordance with 24 V.S.A 4471 and rule 5(b) of the Court's rules, by an interested person who participated in these proceedings, and such appeal must be within 30 days of the date of this decision.

Dated at the Town of Pawlet, Vermont, this 18th day of December 2019.

Signature on Original Document
Keith Mason, Chairperson, Development Review Board

Received by the Zoning Administrator on 18th day of December 2019