



**WAITSFIELD DEVELOPMENT REVIEW BOARD
SKETCH PLAN REVIEW WRITTEN DETERMINATION**

Land Owner:	Tom & Linda Gardner
Property Address:	5864 Main Street
Parcel Number:	99185.000 in the Agricultural-Residential District
Meeting Dates:	Sketch Plan Review on November 15, 2016
Proposal/Type:	Requesting a determination on a revised sketch plan to subdivide the existing 25+/- acre parcel into two lots, consisting of a proposed 4+/- acre lot and a proposed 21+/- acre lot with existing bed and breakfast and accessory structures located on it.

A. GUIDING ORDINANCE and POLICY PROVISIONS

1. Waitsfield Zoning Bylaws, amended on September 26, 2016.
2. Waitsfield Subdivision Regulations, amended on January 21, 2008.
3. Waitsfield Town Plan, as adopted on October 22, 2012.

B. MATERIALS SUBMITTED

On October 18, 2016, the applicant submitted a site plan indicating the proposed right-of-way access and property boundaries.

C. SKETCH PLAN REVIEW DETERMINATION

1. The DRB issued a sketch plan determination on June 29, 2016. This sketch plan proposal is reconfigured from any of the options that were previously considered.
2. The applicant and his surveyor propose to allow a 50' right-of-way to serve as the road in order to meet the 200' frontage requirement, as they read Zoning Bylaw Section 3.02 to provide.
3. The DRB has made the following recommendations for Final Plan Review, per Section 2.4 of the Subdivision Regulations, for which an application must be submitted within 6 months of the date of this determination:
 - a. The board determines that frontage off of the proposed right-of-way will not satisfy Zoning Bylaw Section 3.02, which is intended to allow for private roads which are 50' wide to serve as the road for frontage purposes. The board finds that this right-of-way does not serve any other proposed lots, and therefore does not meet the intent of this section of the Bylaw.

- b. The applicant may, however, apply for a Planned Residential Development (“PRD”) in order to allow this configuration of Lots 1 & 2. PRDs require an application be considered a “major” subdivision and reviewed as such under the Waitsfield Subdivision Regulations and under the Waitsfield Zoning Bylaw’s conditional use criteria.
- c. While the board deemed this a “minor” subdivision at the hearing, during deliberations the board determined that this must be re-categorized as a “major” subdivision in order to take advantage of the PRD provisions.
- d. The applicant may submit an application within 6 months of the date of this determination for a Planned Residential Development (PRD).
- e. The revised site plan for Final Plan Review of Lots 1 & 2 shall incorporate a proposed building envelope for each lot, identification of the no-build zones, identification of the access right-of-way over the Coutts’ property, and all other criteria in the Subdivision Regulations.