

Town of Moretown Development Review Board
P.O. Box 666, Moretown, Vermont 05660

Minutes of Hearing Held June 18, 2015

Application No. 15-14

David Westerman and Elga Gemst for a two-lot subdivision at 132 Greenstone Lane

Present for the Board were Jim O'Neill, John Riley and Erick Titrud. Also present were the Applicants, David Westerman and Elga Gemst, and Shane Mullen of Wilcox & Barton.

John Riley called the meeting to order at 6:35 PM. David Westerman clarified that his wife Elga Gemst is not on the title to the subject property. Previously, in 2010 the Board approved a modified four lot subdivision for the property off Murphy Road. Since the approval, a residence has been built on Lot 2 for David and Elga's son. And Lot 3 was sold and a residence built.

The present application proposes to create a new Lot 5 from a portion of what was previously Lot 2. What is designated as Lot 5 has topography which may not be suitable for a house site. Mr. Westerman wishes to utilize the acreage on new Lot 5, with the 16 acres that constitute Lot 1, to aggregate the 25 acres needed to place the combined lots in the Vermont Current Use Program.

Lot 4 has an approved wastewater permit and it is contemplated that this may be sold for residential purposes.

Moretown does not have subdivision regulations. However, under Section 4.1(A) of the zoning ordinance the proposed subdivision represents development on a private road under which the Board considers intended use, safety, traffic, lot configuration and road and site conditions in granting or denying approval.

As revised, Lot 2 will still consist of 4.94 acres with existing residence. The on-site water and wastewater systems serving the house were built according to the state permit and do not extend onto the land that will become Lot 5. The private access road, known as Greenstone Lane, on the submitted survey tapers from a 50' width to a 30' width at the Lot 2 and 3 boundary. No one present can recall why it is depicted as such. It was noted that the 30' width in the past has been treated by the Board as sufficient for a private access drive of this type.

The survey depicts a short connection between the access way (Greenstone Lane) and Lot 5 to provide it legal access. In addition, creating the new lot does not involve additional placement of corner pins as the parcel can be created by reference to existing pins on the ground.

Erick Titrud made a motion to approve the application as presented. Jim O'Neill seconds. After discussion the motion was amended to include a condition that the Applicant obtain an amended state wastewater permit for Lot 2 to the extent required under state regulations. Also, that all previously stipulated conditions for the subdivision from 2010 remain in place. All approved.

It was noted for the record that no development is approved for Lot 5 at this time and that under the zoning regulations presently in place any future development would require DRB approval because it has access from a private drive.

There being no further business, the meeting adjourned at 7:25 PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "JR", is written above a horizontal line.

John Riley, Acting Secretary