

**TOWN OF PLAINFIELD
DEVELOPMENT REVIEW BOARD**

Findings of Fact and Conclusions of Law

Decision on the application of: Donna Hutchins

Re: Boundary line adjustment

Permit Application No. 2016-27

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for a boundary line adjustment transferring 4.43 acres from the Hutchins property to the property of George Springston and Mary Rose Paul.
2. The application was received by zoning administrator Karen Storey on 8/17/2016 and referred to the Development Review Board for Historic Site Plan Review on 9/6/16.
3. On 9/23/16, notice of a public hearing was posted at the following places:
Plainfield Town Offices, Plainfield Post Office, Plainfield Co-op
4. On 9/23/16, a copy of the notice of a public hearing was mailed to the following owners of properties adjoining the property subject to the application:

Cecile Sherburn	Ronald Holt	Syringa Investment LLC
Lori Burkart	Chandler Clemons	Lauren Canales
Laurie Perreault	Jacob & Chandra Miller	Dale & Linda Bartlett
Woodcook Octavia estate, c/o Dawn Davis		Town of Marshfield
Central VT Regional Planning Commission		
5. The application was considered by the DRB at a public hearing on 10/12/16. The application was reviewed under the Town of Plainfield Zoning Regulations adopted March 1, 2011 and Subdivision Regulations, adopted March 2, 2010.
6. Present at the hearing were the following members of the DRB:
Janice Walrafen, chair, Rob Bridges, Neil Hogan
7. The following persons were present at the hearing and requested status as interested persons under 24 V.S.A. § 4465(b):

Donna Hutchins	George Springston	Mary Rose Paul	Dale Bartlett
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Also present were Zoning Administrator Karen Storey and minutes recorder Cindy Wyckoff.

FINDINGS

Based on the application and the testimony, the Development Review Board makes the following findings:

1. Donna Hutchins wants to transfer 4.43 acres from her property located at 131 East Hill Rd. (tax map parcel no. 02-077.000) to the property belonging to George Springston and Mary Rose Paul at 83 East Hill Rd.
2. Both properties are located in the **Village** District as described on the Town of Plainfield Zoning Map on record at the town office and section **4.4** of the Zoning Regulations.
3. Currently the Hutchins parcel is 5.85 acres, and the Springston/Paul parcel is .25 acre. If the boundary line adjustment is approved, the Hutchins parcel would be 1.18 acre and the Springston/Paul parcel 4.68 acres. (Note: The stated acreage is taken from the town tax maps and differs slightly from the results of the surveyor, due to minor conflicts in abutting deed descriptions; see map for a more thorough description.)
4. Springston presented a map and pointed out the changes.
5. The application is reviewed under Section 130-C of the town's Subdivision Regulations. Review by the DRB is required because the proposed boundary line adjustment is for an area greater than the minimum lot size in the Village district.
6. The proposed boundary line adjustment will not make either lot non-conforming and all buildings will still comply with setbacks for the district.
7. Springston has a mylar prepared and is ready to file it after approval within the period required by VT statutes.
8. Dale Bartlett stated that he built a fence some years ago approximately 6" off of the boundary line. Springston had mistakenly removed a few sections of fence and will help Bartlett to repair it. Springston has had a survey done on the property to be transferred. Bartlett's property has not been surveyed.

DECISION AND CONDITIONS

Based upon these findings, the development review board approves the proposed application for a boundary line readjustment between the properties of Donna Hutchins and George Springston/Mary Rose Paul with the stipulation that the above-noted barbed wire fence belongs to Dale Bartlett.

Voting in favor: Janice Walrafen, Rob Bridges, and Neil Hogan. The decision carries 3–0.

Dated at Plainfield, Vermont, this ___ day of _____, 2016.

Janice Walrafen, 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.