

**TOWN OF MARSHFIELD
DEVELOPMENT REVIEW BOARD**

**122 School Street, Room 1
Marshfield, Vermont 05658
(802) 426-3305**

July 3, 2019

Timothy D. and Erin M. Morris
937 Houghton Road
Cabot, Vermont 05647

Timothy A. and Linda J. Morris
3184 Vermont Route 232
Marshfield, Vermont 05658

Re: Lot Line Adjustment

Greetings:

Enclosed, please find the decision and order of the Marshfield Development Review Board approving, with conditions, your lot line adjustment request.

If you have questions regarding this action, please contact the Development Review Board at the address above.

Gary Leach

Gary Leach, for the Marshfield
Development Review Board

Enclosure
Cc:
Dan Lloyd
Mitch Osiecki, Zoning Administrator
Members of the Development Review Board

TOWN OF MARSHFIELD DEVELOPMENT REVIEW BOARD

Application of:

Timothy D. and Erin M. Morris

937 Houghton Road
Cabot, Vermont 05647

On behalf of

Timothy A. and Linda J. Morris

Landowners
3184 Vermont Route 232
Marshfield, Vermont 05658

re: Lot Line Adjustment between
Lots 2 and 3 of
Marshfield Parcel ID# GR080
located respectively at
3184 Vermont Route 232
and
2964 Vermont Route 232
Marshfield, Vermont

Applicant Request, Findings of Fact, and Order

I. Procedural History and Applicant Request.

1. Timothy A. and Linda J. Morris (hereafter "Landowners") own adjoining lots #2 and #3 of Marshfield Parcel ID #GR080, located respectively at 3184 and 2964 Vermont Route 232 in the Town of Marshfield. Currently, lot #2 contains 10.18 acres with 631 feet of frontage on Route 232 and lot #3 contains 10.56 acres with 1,060 feet of road frontage. There are a house and barn on lot #2 and a mobile home and shed on lot #3.

2. Ordinarily a lot line adjustment is a "minimal alteration" under the Definitions in Section 1070 of the Subdivision Regulations of the Town of Marshfield and application for such would be approved, or not, by the Zoning Administrator. However, inasmuch as the proposed adjustment would result in a change of more than 20% in the area of the lots involved, this action is a minor subdivision under section 1080 of these same regulations and application must be submitted to the Development Review Board (hereafter "Board"). On April 12, 2019, Timothy D. and Erin M. Morris (hereafter "Applicants"), on behalf of the Landowners, applied to the Board for a Lot Line Adjustment to adjust the boundary between lots #2 and #3. The proposed adjustment would result in lot #2 containing 16 acres with 1,007 feet of road frontage and lot #3 containing 4.74 acres with 685 feet of road frontage. Applicants submitted:

- a completed "Application for Lot Line Adjustment";
- a survey map of the property showing the current and proposed boundary lines
- the \$75 application fee.

3. After due notice, on June 13, 2019, the above-referenced application was reviewed at hearing by the Board under the minor subdivision standards of the Town of Marshfield Zoning Regulations. The DRB members present were: Gary Leach, Les Snow, Jon Williams and Robin Schunk, who also served as clerk. Also present was Mitch Osiecki, Zoning

Administrator, Applicant Timothy D. Morris, Landowners Timothy A. and Linda J. Morris, and Dan Lloyd, adjoining landowner. During the hearing, Timothy A. Morris and Timothy D. Morris answered questions, provided background information and clarified several items on the survey map. The Board found the information provided via the application, the survey, and the discussion to be clear and sufficient to proceed with deliberation. The Board credits the testimony of both witnesses and finds accordingly.

II. Findings of Fact.

5. **Subdivision Review:** Inasmuch as the Lot Line Adjustment will not result in any additional lots and inasmuch as the use of both lots will continue to be residential as currently established, the Board finds that this lot line adjustment will not result in any additional demand for public services, increased traffic or incompatibility with adjacent land uses.

6. **Lot Layout:** The proposed lot layout is an improvement over the current lots. Both lots will be more compact and regular in shape, and will accommodate the current structures on these lots within the buildable area established by the required setbacks. Both lots exceed the required minimums for acreage and road frontage in the Agricultural and Rural Residential zone.

III. Decision and Order.

The Lot Line Adjustment Application of Timothy A. and Linda J. Morris, Landowners, and Timothy D. Morris and Erin N. Morris, Applicants, is hereby **APPROVED** by the Marshfield Development Review Board, with the following conditions:

i) **Within 180 days of the date of this decision**, Applicant shall record the final plat with the Town of Marshfield Land Records. See 24 V.S.A. Sect. 4463(b). The plat shall conform to the requirements set forth in 27 V.S.A., Chapter 17 and to the final recording provisions of the Marshfield Subdivision Regulations, Section 2040. The final plat shall remove the reference to a "Proposed Single Family Residence" on Lot #3. In addition to the final plat, prepared on Mylar, Applicant shall submit two full-sized paper copies of the final subdivision plan.

ii) Prior to recording, as required above, Applicant shall appear for final visual review of the final plat that is to be filed with the Town, prepared on Mylar, as well as the two accompanying full-sized paper copies of the final subdivision plan. At least two members of the DRB, who voted in the hearing on this matter, must review, approve, and sign the plat, verifying that it is consistent with and unchanged from the submission(s) previously reviewed by the DRB in deciding this matter, other than removing the reference to a "Proposed Single Family Residence" on Lot #3, discussed above.

iv) No changes, modifications, or revisions that alter the plan, plat, or conditions shall be made unless such proposed revisions are first submitted to the DRB, and the

DRB thereafter approves any such revisions following a public hearing. See Marshfield Subdivision Regulations, Section 2060.

Voting in Favor: Members Gary Leach, Les Snow, Robin Schunk and
Jon Williams.

Not Present and Not Voting: James Arisman

Approved and Ordered at Marshfield, Vermont, this third day of July 2019.

By: Gary Leach
Gary Leach, for the Marshfield
Development Review Board

NOTICE OF RIGHT TO APPEAL: In accordance with 24 V.S.A. §§ 4471 and 4472, this decision may be appealed to the Vermont Environmental Court within 30 days of the date of this decision. Notice of appeal shall be filed by certified mailing, with fees, to the Vermont Environmental Court and by mailing a copy of the appeal to the Marshfield Town Clerk. Failure of any interested person to appeal this decision to the Vermont Environmental Court within the specified 30-day period shall result in such interested person being bound by this decision or act of the DRB. Thereafter, such an interested person shall not contest, either directly or indirectly, the decision or act of the DRB in any subsequent proceeding, including any enforcement action brought under the provisions of Title 24, Chapter 117 of the Vermont Statutes Annotated. See also Town of Marshfield Zoning Regulations at §235 (Appeals to Environmental Court).