

**FAYSTON DEVELOPMENT REVIEW BOARD
MINUTES
TUESDAY OCTOBER 13, 2015**

Attending: DRB Members: Chuck Martel, Mike Quenneville, Leo Cohen, and Kevin Wry. ZA: John Weir. Public: George McCain, Gunner McCain, Kate Hunt, Steven Hunt, Alice Olenick, David Olenick, Jerry Griffiths and Diane Griffiths.

A site visit was conducted at the property of Kate and Steven Hunt at 1438 Phen Basin Road at 4:30 p.m.

The meeting opened at 6:06 pm.

Chuck Martel opened the hearing for application #3342 (parcel ID #06-112.000, located off 1438 Phen Basin Road, Fayston). Applicants Kate and Steven Hunt seek approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 29.3-acre lot into four lots of 6.4 acres, 9.2 acres, 8.3 acres and 5.5 acres.

Chuck stated to the applicants that there were only four board members available tonight and that they had the right to a hearing by a full board. By proceeding with only four members, approval of the application would require three of the four members present to vote in favor of the proposed plans. The applicants agreed to their application being heard by the four members present and waived their right to a full board.

The applicants requested in writing to waive the preliminary sketch review requirement. Kevin moved to so waive, and Mike seconded. All were in favor and the motion passed.

The application was found to be complete.

Kevin moved to declare the application one for a minor subdivision, and Mike seconded. All were in favor and the motion passed.

Gunner McCain presented the proposed project to the Board. The proposed project includes the subdivision of the existing parcel into four lots. Lot 1A will include the existing house and 6.4 acres. Lot 1B (9.2 acres), lot 2 (8.3 acres) and lot 3 (5.5 acres) will be designated for proposed single family homes. Lots 1B, 2 and 3 will be accessed by Mad River View Road, lot 1A by Phen Basin Road.

Gunner stated that all contours seen on the site plan are less than 25% in grade. Gunner also stated that both a Construction General Permit and the Wastewater Permit are still needed. The applicants wanted to get approval from the Board before applying for both State permits.

Chuck asked Gunner about the utilities. Gunner stated that all utilities plan to run underground.

David Olenick (abutter) stated that their house is very close to the lot line of the proposed lot 3. David stated that they are currently in discussion with the Hunts for adding an increased buffer zone between their existing house and any development on lot 3. David wanted members to know the Olenicks are in full support of the Hunt's subdivision plans.

Jerry Griffiths (abutter) asked if there was any way to prevent the possibility of clear-cutting all of the trees, should someone desire to do that after purchase of a lot. Members agreed that such prevention could not be mandated by this Board, as one has the right to clear as much of his or her land as is desired. Kate Hunt stated that they would be amenable to including a covenant in the deeds that would protect some of the lands from clear-cutting.

Chuck then inquired more about any potential covenants in the deeds for the lots. Kate Hunt stated that they were planning on putting covenants in the deeds, some of which pertained to no further subdivisions, exterior lighting, no commercial activity, and responsibilities concerning road maintenance.

Jerry Griffiths then inquired about a potential covenant prohibiting the use of guns on the lots. Chuck stated that such would not be in the purview of this Board and would have to be worked out between the landowners.

Chuck then reviewed the application pursuant to the Subdivision General Standards of Section 6.2. Members found that those standards had been met with sufficiency. Chuck then reviewed the application pursuant to the subdivision standards articulated in Sections 6.3 – 6.9. Members found these standards, where applicable, to have been met.

Mike moved to close the hearing, and Leo seconded. All were in favor and the motion passed.

Chuck Martel opened the hearing for application #3345 (parcel ID #02-007.007, located off 1062 Sharpshooter Road, Fayston). Applicant Daniel Fuller seeks approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 13.29-acre lot into two lots of 10.31 acres and 2.98 acres.

Chuck stated to the applicants that there were only four board members available tonight and that they had the right to a hearing by a full board. By proceeding with only four members, approval of the application would require three of the four members present to vote in favor of the proposed plans. On behalf of the applicant, Gunner and George McCain agreed to the application being heard by the four members present and waived their right to a full board.

The applicants requested to waive the preliminary sketch review requirement. Kevin moved to so waive, and Mike seconded. All were in favor and the motion passed.

The application was found to be complete.

Kevin moved to declare the application one for a minor subdivision, and Mike seconded. All were in favor and the motion passed.

George McCain presented the application to the Board. Although technically one for a minor subdivision, it was essentially a lot line adjustment. The project involves the subdivision of the existing 13.29 acre lot into a 10.31 acres lot 7 and a 2.98 acre lot 7A. Lot 7 will contain the existing house and associated infrastructure. Lot 7A will contain the existing agricultural building "Sugar House." Any other state permitting, including wastewater, will otherwise be deferred. No new construction is proposed at this time.

Chuck then reviewed the application pursuant to the Subdivision General Standards of Section 6.2. Members found that those standards had been met with sufficiency. Chuck then reviewed the application pursuant to the subdivision standards articulated in Sections 6.3 – 6.9. Members found these standards, where applicable, to have been met.

Kevin moved to close the hearing, and Leo seconded. All were in favor and the motion passed.

Members went into deliberative session.

Members came out of deliberative session.

Kevin voted to approve the Minutes of July 14, 2015, and Mike seconded. All were in favor and the motion passed.

Kevin moved to adjourn and Mike seconded. All were in favor and the motion passed.

The meeting adjourned at 7:20 p.m.