

**FAYSTON DEVELOPMENT REVIEW BOARD
MINUTES
TUESDAY MAY 12, 2015**

Attending: DRB Members: Chair: Jon Shea, Chuck Martel, Mike Quenneville, Kevin Wry, and Leo Cohen. ZA: John Weir. Public: George McCain, Jeff Ewing

The meeting opened at 6:06pm.

The hearing for application #3316 (Ella Day Home, LLC subdivision) was postponed from April 14, 2015 until May 12, 2015 due to applicant's failure to notify abutting landowners of the project hearing.

Jon Shea opened the hearing for application #3316 (parcel ID #14-041.000, located off German Flats Road, Fayston). Applicant Ella Day Home, LLC seeks approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 28-acre lot into three lots of 21.5 acres, 1.9 acres and 4.6 acres.

Kevin moved to find adjoining landowner Jeff Ewing an interested party for purposes of the proceeding, and Mike seconded. All were in favor and the motion passed.

The proposed project includes the subdivision of the existing 28+/- parcel into three lots. Lot 1 (21.5 acres) has an existing house, and the application proposes a second building site on this lot. Lot 2 consists of 1.9 acres on the east side of German Flats Road, and Lot 3 encompasses the entire 4.6 acres on the west side of German Flats Road.

The question arose as to whether the larger parcel created, 21.5 acres, would likely be subdivided in the future. George McCain said that, although there is currently no plans to do so, there is a distinct possibility that the landowners would pursue another subdivision on this lot in the future.

George McCain also added that a Construction General Permit needs to be obtained from the State of Vermont due to the fact that there will be disturbance on more than one acre of land. The lots will have frontage on German Flats Road as well as abut a private drive on the side. There is a 50-foot Right-of-Way (ROW) on lot 1 in order to access lot 2.

The applicant requested in writing to waive preliminary sketch review. Mike moved to waive the preliminary sketch review requirement per the applicant's request, and Chuck seconded. All were in favor and the motion passed.

Abutter/Interested party Jeff Ewing had walked the site with McCain prior to the hearing. Ewing noted the failure of a culvert on German Flats Road after Irene that caused substantial flooding of his land. Ewing's concern here was that stormwater runoff from lot 3 would drain down on to his property. After walking the site with McCain, Mr. Ewing had no more concerns as the Slide Brook should cut off any waters draining down from lot 3 from entering his land.

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

Chair Shea then reviewed the application pursuant to Table 7.2, the requirements for subdivision applications. Finding the requirements to have been satisfied, Chuck moved to find the application complete. Mike seconded. All were in favor and the motion passed. Chair Shea inquired in to utilities for the proposed lots. McCain responded that the placement of utilities had yet to be resolved. Chair Shea stated that it would be best if the utilities were run underground. McCain stated that placing them underground should not be a problem. As to potable water supply, McCain stated that all lots would be served by private wells.

Lot 1 has an existing homestead. Applicant proposes a second building site on Lot 1. Per the application, the existing house would serve as an accessory dwelling. The proposed second build site would encompass the principal residence. Chair Shea noted that, pursuant to Section 4.1 (A) (1), to constitute an “accessory dwelling” the existing house would have to constitute no more than 30% of the livable floor area of the principal dwelling proposed at the second build site. In other words, the new structure would have to be large enough such that the livable floor area of the existing house did not exceed 30% of that of the new structure. This would be addressed of course if, and when a build permit is sought.

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

The Board moved in to deliberative session.

The Board came out of deliberative session. Chuck moved to approve the Minutes of April 14, 2015, and Mike seconded. All were in favor and the motion passed.

Kevin moved to adjourn, and Leo seconded. All were in favor and the motion passed. The meeting adjourned at 7:00 p.m.