

**FAYSTON DEVELOPMENT REVIEW BOARD
MINUTES
TUESDAY APRIL 12, 2016**

Attending: DRB Members: Jon Shea (Chair), Mike Quenneville, Leo Cohen, Kevin Wry, AND Jim Halavonich. ZA: John Weir. Public: Heidi Spear, Ryan Marsh

The meeting opened at 6:02 pm.

Jon Shea opened the hearing for application #3357 (parcel ID #11-085.000, located off Fiddlehead Road, Fayston). Applicants Heidi Spear and Seth Henry seek approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 23.9-acre lot into two lots of 20.9 acres and 3 acres.

Per the application as submitted, applicants are seeking to subdivide their parcel, 11-085, Lot 3A-1, into two lots. The proposed new lot 3A-4 (3 acres) would be for residential development. Applicant Heidi Spear provided a brief history of the parcel. When applicants purchased the original 11-085 parcel from Summit Ventures, applicants entered into a covenant limiting future subdivision development to three (3) or less residential properties. Thereafter, applicants subdivided the existing parcel into three lots. Lot 3A-1 serves as applicants' primary residence. Lot 3A-2 was recently sold (subsequent to this Board's recent approval of a lot-line adjustment), and Lot 3A-3 remains undeveloped. Applicant went on to state that she and Summit Ventures have come to an agreement wherein the latter has agreed to revise the covenant to lift the cap of developable lots from three (3) to four (4). This is done in exchange for applicants making a donation on Summit Ventures behalf to support Mad River Valley affordable housing.

Jim asked the applicant as to proof of the agreement. Heidi stated that the covenant would be revised pending the Board's approval of this subdivision. Heidi responded that she had reached out to Margo Wade of Sugarbush to attest to the pending agreement. John let it be known that Margo had emailed him and did affirm the intention to revise the covenant pending this Board's approval. Margo attested to the fact that Summit Ventures would raise the cap from three to four lots. John had printed out the said correspondence and provided it to the Board.

Applicant stated that the proposed Lot 3A-4 sits within the Fiddlehead Road switchback, to the south of the tennis courts and downhill of applicants' residence and Lot 3A-3. The proposed lot is characterized by a flat approach and house site, as well as two roadway boundaries.

Mike asked about when the original parcel was created. Mike was curious whether Fiddlehead Road might have created a natural subdivision between the lots. Applicant stated that the lot was created in the mid-1990s. The regulations are clear and members agreed that, because the lot was created prior to March of 1999, the road did not create a natural subdivision.

Kevin asked about power and whether it would run underground. Heidi did not know at the moment, but stated that it could be done.

Chair Shea asked about the site plan contours. Applicants' engineer, Ryan Marsh, stated they are set at twenty (20)-foot contours.

Kevin asked about wastewater. Ryan stated that soil tests had been performed. Ryan stated that a wastewater system design had yet to be completed as applicants were waiting for Board approval of this application first.

Chair Shea asked about notice. Proof of notice was not available at the moment as the vault was locked. Heidi confirmed certified mailing, and John affirmed that proof was in the vault.

Chair Shea stated that the applicant had requested in writing to waive the preliminary sketch plan review requirement. Kevin moved to so waive this requirement, and Mike seconded. All were in favor and the motion passed.

Mike moved to find the application complete, and Leo seconded. All were in favor and the motion passed.

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

Chair Shea then asked whether further subdivision might be sought. Applicant responded that she didn't see any possible way to further subdivide the existing parcel after this application. Applicant added that, because of steep slopes, wetlands, open space designations, and easements, it would not be feasible to further subdivide.

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

Members next discussed the Minutes of January 12, 2016. Kevin moved to approve, and Mike seconded. All were in favor and the motion passed.

Members proceeded with the annual election of officers. Kevin moved to re-elect Jon Shea as Chair, and Mike seconded. All were in favor. Jon Shea is re-elected as Chair of the Development Review Board. Mike then moved to elect Kevin Wry as Vice-Chair, and Jim seconded. All were in favor and the motion passed. Mike moved to keep the meeting date of the second Tuesday of each month at 6:00 p.m., and Kevin seconded. All were in favor and the motion passed.