

**FAYSTON DEVELOPMENT REVIEW BOARD**  
**MINUTES**  
**TUESDAY, JUNE 12, 2018**  
**Unapproved**

Attending DRB Members: Jon Shea (Chair), Shane Mullen, Lindsay Browning, Mike Quenneville, and Jared Alvord; ZA: John Weir; Public: Laura Kingsbury, T.J. Kingsbury

The meeting opened at 6:02 p.m.

Jon Shea opened the hearing for application #3471 (parcel ID #01-008.000, located off Airport Road, Fayston). Applicant Mavis, LLC requests approval under Article 2 of the Fayston Land Use Regulations for a contractor's yard. Pursuant to Section 2.4, Table 2.8 (C) (7) of the Fayston Land Use Regulations, conditional use approval is required for a contractor's yard in the Industrial District.

The subject parcel is part of a larger parcel which sits in Waitsfield. That larger parcel is also owned by the applicant for its construction business. In October of 2008, the Town of Fayston approved an Industrial District within its limits. This land is adjacent to Mad River Park (Waitsfield's Industrial Zone). Accordingly, this approximately 5-acre parcel is the Fayston Industrial District.

Chair Shea began with a brief discussion on the current state of the Land Use Regulations (LURs). In essence, the pending LURs remain in effect although some revisions were voted down by the Selectboard (i.e. Natural Resource Overlay District). The Selectboard will be holding a final vote on the pending LURs the following week.

Chair Shea asked John Weir whether all abutters had been properly notified. John responded that notice was properly served, proof of which is on file. Lindsay moved to find the application complete and Mike seconded. All were in favor and the motion passed.

Chair Shea proceeded with review of the application pursuant to Section 5.4 (A) (1) – (5). Chair Shea asked TJ to discuss the project. TJ stated that this was just to be a contractor's yard for the storage of materials, including piping and culverts. There is no structure proposed and no extraction of resources.

Shane asked whether gravel will be placed or was already there. Laura responded that it is all gravel now. Shane asked about setbacks. Laura responded that no materials will be placed within 100 feet of Shepard Brook. Shane asked about the topography of the property. TJ stated that it was all flat. Chair Shea inquired as to where runoff goes. TJ stated that runoff drains to a master ditch at the edge of the yard. There are also stormwater ponds. Shane asked whether any fuel will be stored on site. TJ responded in the negative. Jared asked about access. TJ said access will continue to be from the Airport Road side (within Waitsfield). Jared asked whether this would be an easy amendment to applicant's Act 250 permit. TJ stated that it should be. Chair Shea asked whether there would be any increase in traffic. TJ stated in the negative.

Chair Shea then proceeded with Section 5.4 (A) review. The Board found the proposed contractor's yard would have no effect on the capacity of existing or planned community facilities or services (Section 5.4 (A) (1)). The Board found the proposed contractor's yard would have no effect on the character of the area as it is already zoned industrial (Section 5.4 (A) (2)). The Board found the proposed contractor's yard would have no effect on traffic on the roads in the vicinity (Section 5.4 (A) (3)). The Board found that the proposed contractor's yard is otherwise in conformance with all other existing bylaws in effect (Section 5.4 (A) (4)). The Board found that the proposed contractor's yard would not interfere with the sustainable use of renewable energy resources, especially given applicant's plans to erect a solar array at the site.

Members then proceeded with Undue Adverse Effect analysis pursuant to Table 5.1. 1. Accordingly, the DRB shall determine if the proposed contractor's yard would create an adverse effect upon the resource, issue and/or facility in question. The Board shall determine such by responding to the following question: Does the project have an unfavorable impact upon the resource, issue and/or facility in question? Members unanimously agreed that the proposed contractor's yard had no adverse impact, as the project is entirely contained within an industrial district the purpose of which is to include these types of uses.

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

The Board went into deliberative session at 6:44 p.m.

The Board exited deliberative session at 6:50 p.m.

Members reviewed the Minutes of May 8, 2018. Shane moved to accept and Lindsay seconded. All were in favor and the motion passed.

The meeting adjourned at 7:15 p.m.