

**Development Review Board, Town of Fayston, VT  
Notice of Decision for Application No. 3478**

**Applicant(s):** Matty & Megan Wishnow

**Parcel ID:** #06-112.004

**Reason for Application:** building envelope amendment to approved four-lot subdivision

**Public Hearing Attendees:** Attending DRB Members: Jon Shea (Chair), Shane Mullen, Lindsay Browning, Mike Quenneville, and Jared Alvord; ZA: John Weir; Public: Gunner McCain, Kevin Powers, Jeff Halpin, Raymond Schenk, and Heidi Schenk

**Introduction and Procedural History:**

1. The Development Review Board application was filed on June 18, 2018. Applicants Matty and Megan Wishnow request approval under Article 7 of the Fayston Land Use Regulations for a building envelope amendment to a previously approved four-lot subdivision. A copy of the application and supporting paperwork are available at the Fayston, VT town offices.
2. Notice of the hearing was properly published. On June 21, 2018 the legal warning for a public hearing for review of this application was published in the Valley Reporter. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.
3. Abutters to the property were properly notified of the hearing.
4. The application and plans were considered by the Development Review Board at a public hearing which occurred on July 10, 2018. The Development Review Board reviewed the application and plans under the pending Town of Fayston, VT Land Use Regulations, as revised June, 2018.

**The following exhibits were submitted to the Development Review Board:**

Exhibit A. Subdivision (amendment) application #3478

Exhibit B. Letter to adjoining landowners with project description and proof of notice to abutting landowners via certified mail

Exhibit C. Warning placed in the Valley Reporter on June 21, 2018. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

**Findings:**

1. The Board found the application to be complete at a public hearing held July 10, 2018.

2. The property is located in the Rural Residential District as described on the Town of Fayston Zoning Map on record at the Town of Fayston municipal office, also described under Article 2, Table 2.4 of the Town of Fayston, VT Land Use Regulations.
3. The applicant's parcel is adjacent to land owned by Kate and Steven Hunt, Jean and Steven Koch as co-Trustees, Daniel and Sofia Guttman, Gerald and Diana Griffiths, David and Alice Olenick, and Dorothy McGann.
4. The application proposes to adjust building envelope A on Lot 3 of the Hunt subdivision. The building envelope will be extended approximately 25 feet in a northeasterly direction in order to accommodate the proposed house.
5. The revised building envelope will meet the required 25 foot setback for the Rural Residential District in which it is located, as the original project was permitted with a 50-foot setback at the request of the subdividers Steven and Kate Hunt.
6. The Hunts have submitted written approval of the building envelope revision.
7. The original approval for the Hunt subdivision provided the option for a buyer/developer to choose between two different building envelopes, each with different access points. Applicants have chosen the upper envelope and as a result access will be from Mad River View Road.
8. Per Section 7.7 of the Fayston Land Use Regulations, revisions to an approved subdivision plat must receive DRB approval at a public hearing. No specific criteria need be met aside from such revisions meeting all other applicable regulations (i.e. setbacks, slopes etc.).

**Decision:**

DRB members voted unanimously to approve conditional use application #3478 with the following conditions:

**Conditions:**

1. A mylar of the approved plat be submitted within 180 days of the date of decision and
2. Building envelope B be removed from the site plan/final mylar. .

**Dated at Fayston, Vermont, this 13<sup>th</sup> day of August, 2018.**

  
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**Jon Shea Development Review Board Chair**

**NOTICE:** This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the [Development Review Board]. Such

appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.