

**Development Review Board, Town of Fayston, VT  
Notice of Decision for Applications No. 3332, 3333**

**Applicant(s): Martin Patterson**

**Parcel ID: #07-006**

**Reason for Application: duplex**

**Public Hearing Attendees:** DRB Members: Chair Jon Shea, Chuck Martel, Mike Quenneville, and Kevin Wry. ZA: John Weir. Public: George McCain, Martin Patterson

**Introduction and Procedural History:**

1. The Development Review Board application was filed on June 15, 2015 requesting conditional use approval under Article 2, Section 2.4, Table 2.4 (C) (11) of the Fayston Land Use Regulations for addition of a two-bedroom apartment to an existing house for a duplex. 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 18, 2015 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 14, 2015. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended August 29, 2012.

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

Exhibit A. Development Review Board applications #3332, 3333.

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on June 18, 2015. 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 14, 2015.

2. The applicant seeks conditional use approval to construct an addition to a principal dwelling that would constitute a duplex. The proposed addition is a 2-bedroom, 2-story addition of the main house. Due to the square footage of the proposed addition, it could not qualify as an accessory dwelling unit but would essentially convert the existing home into a duplex. The subject property is parcel 7-006.000, located at 218 Mill Brook Road, in the Town of Fayston, VT. Conditional use approval is requested pursuant to review under the Town of Fayston, Vermont Land Use Regulations, as amended August 29, 2012, Article 2, Section 2.4, Table 2.4 (C) (11).

3. 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.

4. The applicant's parcel is adjacent to land owned by Richard and Mary Brothers, Green Mountain Valley School, Robert and Patricia Swift, TLC Vermont, LLC, Scott and Lynn Steinetz, Lois Courter, James and Mary Kathryn Tynan, Thomas Gorman and Joan Green, John Barnum, Michele Hendricks, and Gary Berg.

5. Wastewater permit #WW-5-6893 has been issued from the State of Vermont for the applicant's proposed project.

6. The existing home is approximately 2900 square feet, and the proposed two-bedroom addition would be 1,676 square feet.

7. The distance from the nearest point of the addition to the wetlands on the parcel is approximately 65 feet.

8. The applicant has met both the General Review Standards (Section 5.4 (A)) and the Specific Review Standards (Section 3.4 (B)) of conditional use review as addressed in the addendum to the application.

**Decision:**

DRB members present voted unanimously to approve applications #3332 and # 3333 to construct an addition of a two-bedroom apartment to an existing house for a duplex with the following conditions:

**Conditions:**

1. Obtain and follow all State of Vermont permits.

**Dated at Fayston, Vermont, this 22<sup>nd</sup> day of July, 2015.**

  
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**Jon Shea, Chair - Development Review Board**

**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.