

FAYSTON DEVELOPMENT REVIEW BOARD
MINUTES
TUESDAY, FEBRUARY 11, 2020
Unapproved

Attending DRB Members: Lindsay Browning (Vice-Chair), Mike Quenneville, Pete Ludlow, and Jared Alvord (alternate); ZA: John Weir; Public: Andy Lambert, Barbara Mitchell

The meeting opened at 6:00 p.m.

Vice-Chair Browning opened the hearing for applications #3561-3562 (parcel ID #14-041.000, located off 1923 German Flats Road, Fayston). Applicant Ella Day Home, LLC requests approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 21.5-acre lot into two lots of 19.8 acres and 1.7 acres. Conditional use review is also required pursuant to Section 3.4 (C) (1) (d) of the Fayston Land Use Regulations for development on slopes between 15% - 25% in grade.

Andy Lambert presented the application. Applicant proposes to subdivide the 21.5-acre parcel into two lots. Lot 1 will be 1.7 acres and contain the existing house. Lot 1A will be 19.8 acres and will contain a house proposed and approved in application #3316. Members noted discrepancies among the site plans provided at the meeting. In addition, the plans brought to the meeting were updated version of those initially-submitted with the application. Lindsay asked if there were any wetlands. Barbara stated that there were up to a certain point. Lindsay asked what class of wetland. Andy did not know. Lindsay asked about the distance from the structure to the edge of the delineated wetlands. Andy stated 50-feet. Lindsay noted that different classes of wetlands have different buffer distances. ZA Weir did not know the class of land, but all agreed it was doubtful they were Class 1. Jared asked where exactly the steep slopes were. Barbara stated that the steeper slope was on the eastern corner of the house site. Jared and Pete noted that the two plans provided seemed to conflict with regard to slope gradient. Per measurement, one set of plans had the eastern corner of the proposed house site on a grade of approximately 16%, while the other plans had the eastern corner of the house on a grade of approximately 33%. Lindsay noted Section 6 (D) of the LURs which reads that "Subdivision boundaries, lot layout and development envelopes shall be located and configured to minimize adverse impacts to areas of the parcel that have slopes greater than 15% to prohibit disturbance to slopes in excess of 25% unless *necessary* to access suitable areas for development ...". ZA Weir asked why, if most of the parcel is flat and only a portion steep, is the house situated where it is. Barbara confirmed it was because the chosen location had the best views and due to the fact that the parcel is comprised of much wetland. ZA Weir asked if there was potential for future subdivision on the larger parcel. Barbara stated in the negative, believing there to be no other suitable areas for development on the parcel.

Given the conflicting plans, members did not feel a proper decision could be reached based on what was presented. The Board requested that the applicant provide updated maps which are

consistent and which do not depict the eastern corner of the proposed house on slopes in excess of 25%.

Per applicant's request in writing to waive preliminary sketch plan review, Mike so moved. Pete seconded. All in favor and the motion carried.

Pete moved to continue the hearing until the March 10, 2020 date. Mike seconded. All were in favor and the motion carried.

Mike moved to continue the hearing for application #3558 (Downstream Enterprises, LLC, parcel ID# 07-057.000, located at 755 Mill Brook Road, Fayston). Pete seconded. All were in favor and the motion carried.

Pete moved to accept the minutes of January 14, 2020. Mike seconded. All were in favor and the motion passed.

Mike moved to adjourn the meeting. Jared seconded. All were in favor and the motion carried.

The meeting adjourned at 6:42 p.m.