

**FAYSTON DEVELOPMENT REVIEW BOARD**  
**MINUTES**  
**TUESDAY, MARCH 10, 2020**  
**Unapproved**

Attending DRB Members: Shane Mullen (Chair), Mike Quenneville, Pete Ludlow, and Jared Alvord (alternate); ZA: John Weir; Public: Gunner McCain, Barbara Mitchell, and Kyle Neyer

The meeting opened at 6:00 p.m.

Chair Mullen opened the hearing for application #3558 (parcel ID# 07-057.000, located at 755 Mill Brook Road, Fayston). Applicant Downstream Enterprises, LLC requests to construct two double-occupancy auxiliary cabins on existing inn property. Conditional use review is required pursuant to Article 2, Table 2.4 (C) (2), (14) of the Fayston Land Use Regulations as accessory structures to a conditional use (inn). Applicant is still in the process of removing the site from the FEMA floodway maps. Pete moved to continue the hearing for application #3558 (Downstream Enterprises, LLC, parcel ID# 07-057.000, located at 755 Mill Brook Road, Fayston). Mike seconded. All were in favor and the motion carried.

Chair Mullen re-opened the hearing for applications #3561-3562 (parcel ID #14-041.000, located off 1923 German Flats Road, Fayston). This hearing was continued from the February 11, 2020 meeting due to conflicts and ambiguities among the site plans as submitted with regard to the slope of the land at the northeastern corner of the proposed building envelope. 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.

Gunner presented the application. Gunner noted that the proposed building envelope on lot 1A was approved by the Board pursuant to application #3316 in 2015 and ratified again pursuant to application #3400 in 2016 (after applicant failed to file the requisite mylar within 180 days of approval). Pursuant to the approval of application #3400, two lots were created: lot 1 with 21 +/- acres, an existing house and a proposed accessory dwelling envelope; and lot 2 with 1.93 +/- acres. The new application seeks to further subdivide the 21 +/- acre parcel into two lots: lot 1 with 1.7 acres and the existing house; and lot 1A with 19.8 acres and the proposed accessory dwelling envelope. Gunner reiterated that the prior-approved building envelope meets all the standards of the regulations, including slope class. The corner of the envelope which was the focus of confusion in the initial hearing sits at 22% grade. Gunner has revised the plans to include the slope delineation as 22%. The only difference now, aside from creating a new lot, is that the once-proposed accessory structure will become a stand-alone primary dwelling on a new lot.

Shane asked members whether they had any other concerns from the first meeting aside from the confusion over the slope. Mike asked about the proximity of the septic system to the slope. Gunner stated that the State rule is that the system must be setback at least 25 feet from a slope

of 30% or more, and that the leachfield must sit on a slope of 20% or less. The design as submitted meets the State standards and has already been approved.

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

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

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

Mike moved to approve the minutes of February 11, 2020, and Pete seconded. All were in favor and the motion passed.