

MINUTES
FAYSTON PLANNING COMMISSION
April 12, 2021
Unapproved

Members Present: Doug Day (Doug), Don Simonini (Don), Pete Ludlow (Pete), Jen Hammond (Jen); Carol Chamberlin (Carol), Rick Swanson (Rick), Karen Sauther (Karen); ZA: John Weir (JB); Public: None

1. Call to Order.
2. Announcements and Agenda Modifications: None
3. Approval of Minutes of Last Meeting on March 8, 2021: Don moved to accept the minutes. Pete seconded. There being no discussion, all in favor, motion carried.
4. Liaison Reports: Don spoke on the tri-town effort to improve pedestrian safety. Discussion was also had as to the Mad River Valley Planning District's Wellbeing Survey which was put out the week prior. Members agreed that this would be a good use of the Town's Mail Chimp account. JB will recommend to Patti that the survey be disseminated to subscribers.
5. Discussion of inviting Brad Long from Efficiency Vermont to give a brief presentation of Efficiency Vermont new Targeted Community campaign in the Mad River Valley: Members discussed whether this was the best use of the monthly meeting time and wondered if Brad Long was planning a larger community outreach. The campaign is not specific to Fayston and members would prefer to attend a more general community engagement rather than use meeting time. Don will follow up.
6. Discussion of adding a fee attached to a building permit whenever the DRB considers the proposed development in question a "complex development". Requiring a fee (\$500-\$1000) to allow the town to hire an engineer to certify plans are followed: This pertains more to conditional use permitting as opposed to building permits. The idea is that there would be a certain individual – ideally an engineer – who had the technical expertise to review complex development (i.e. steep slope development) and who could be called upon by the DRB to make sure approved plans were followed. This would provide confidence with regard to proper erosion control and stormwater management. Carol believes that inclusion of this in the LURs would require clear standards and strict parameters. Karen added that "complex development" would need to be defined. Pete wondered whether this function is better suited to State entities. Pete and JB noted that another way to ensure compliance with approved plans for a complex development is to have the engineer of those plans certify that those plans were followed when the development is complete. JB noted that this was done recently when the Board approved a driveway on steep slopes and conditioned its approval on the engineer's certification that the driveway was constructed according to the approved plans. This condition will

likely be included going forward when reviewing more complex development. JB also noted Section 7.1 (F), which reads “To assist in its evaluation of an application, the DRB may require the submission of an independent technical analysis of one or more aspects of a proposed development, prepared by a qualified professional acceptable to the DRB, to be funded by the applicant.” Similarly, Section 5.2 (C) reads the very same for conditional use review. In these regulations, “one or more aspects of a proposed development” could include post-development review. The Board decided that this potential need for both outside technical assistance to the DRB as well as post-development assurance is adequately met as the regulations are now.

7. Discussion of having the Fayston PC draft a letter to the MRVPD supporting the need for crosswalk safety: The Board believes this is not the role of the Planning Commission. This is better suited for the Selectboard, especially given that monies could be requested from the towns.
8. LUR revisions – review of J.B.’s list of what’s been updated, what we haven’t decided upon and what revisions remain; discussion as to possible revisions stemming from Kaziah’s presentation: Members discussed the creation of an overlay district along a stretch of Route 17 up to the Hyde Away (roughly). Necessarily involved in creating such is the fact that this stretch is designated by FEMA as being in the floodplain. State Floodplain Manager Ned Swanberg has told JB that FEMA is looking at remapping certain watersheds within the State this spring and summer. Ned said that there would be a commentary period in which municipalities could advocate for the remapping. JB will reach out to Ned again for any updates.

Members discussed allowing for administrative review of certain lot-line adjustments. JB had reached out to both Ruth from Waitsfield and Annie from Waitsfield to get an idea on the process. Given the relatively low amount of these types of submissions, JB and the Board agreed that pursuing this revision was unnecessary.

Members discussed whether to remove “or structure” from Section 3.7 (B). Members agreed to table this until we get into revising the PRD/PUD section.

JB, per the request of the DRB, wanted the PC to discuss requiring site plans to differentiate steeper slopes with a set color class. Pete noted the recent DRB applications on steeper slopes and how this color-coded slope delineation would make it easier to understand the whole picture – including drainage and topographical context to development taking place on associated slopes up to 25% in grade. Members mostly agreed that including this feature would be easy for an engineer and would be valuable in assisting the DRB in understanding the greater picture of a particular development as well as the effects it may have on surrounding lands.

Members discussed Kaziah’s presentation and what, if any, potential regulations or revisions thereto may stem from it. Karen mentioned allowing duplexes as a permitted use (rather than conditional use). Rick wondered which of the methods Kaziah discussed are feasible or accessible in the Town of Fayston. Karen mentioned inclusionary zoning

as one possible method to aid in the affordable housing crisis. Regulations of short-term rentals (STRs) is another possible pursuit. Karen noted that language pertaining to STRs should be added into the next Town Plan iteration. Members discussed the recent legislative support to regulate STRs and what that means from a State level. Questions remain as to how much benefit will come on the local level. Karen and Rick will look into where the legislative changes to Act 179 are right now and what is encompassed within them.

For next meeting, members will look into revising the PUD section and what other towns are doing.

The next meeting of the Fayston Planning Commission is May 10, 2021.

The meeting adjourned at 7:00 p.m.