

**Memo from the Fayston Zoning Office**  
866 North Fayston Road  
North Fayston, VT 05660

**Instructions for Development Review Board applications: Conditional Use.**

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**Dear Development Review Board Applicant,**

The process of applying to the Development Review Board for an appeal, variance, or conditional use, is a somewhat daunting task. That being the case, I have laid out the tasks involved from our Land Use Regulations for the Town of Fayston, with the requirements that must be met for a successful application:

In addition to the application requirements under Section 9.3 (B) for a zoning permit, an application for conditional use review by the DRB shall include associated fees, and one original and two complete copies of the following information as applicable to the development:

- (1) applicant information, including the name and address of the applicant, the property owner of record, and the person or firm preparing the application and supporting materials;
- (2) the date of the application, to also be shown on all supporting materials;
- (3) proof of notification to adjoining landowners;
- (4) a general location map (on a USGS topographic map or Vermont orthophoto base) showing the location of the proposed development in relation to zoning districts, public highways, drainage and surface waters, and adjoining properties and uses;
- (5) a site plan, drawn to scale, that shows:
  - a) north arrow, scale, title (project name), date, and the name of the preparer;
  - b) property lines, dimensions and required setback distances;
  - c) the location (footprints) of existing and proposed structures, including all buildings, other structures, signs, and/or walls;
  - d) existing and proposed roads, driveways, rights-of-way and easements; and

- e) existing and proposed utility lines, water supply and wastewater disposal areas;
  - f) all requests for waivers.
- (6) Additional information may be requested by the DRB to determine conformance with these regulations, including one or more of the following:
- a) existing site features, including ridgelines, hill tops and areas of steep slope (> 25%); drainage, surface waters, wetlands, and associated setback areas; vegetation and tree lines; historic features (e.g., structures, cellar holes, stone walls), and designated critical habitat, flood hazard and source protection areas;
  - b) elevation contours, at intervals to be specified by the DRB,
  - c) existing and proposed structural elevations,
  - d) existing and proposed parking and loading areas, and pedestrian paths,
  - e) proposed site grading (cut and fill), stormwater management, and erosion control measures in accordance with Section 3.4,
  - f) proposed outdoor lighting, landscaping and screening,
  - g) an “elevation certificate” as required under the National Flood Insurance Program for development within flood hazard areas,
  - h) stormwater, erosion control, lighting, landscaping, buffer, forest or wildlife management plans, or
  - i) traffic, visual, and fiscal impact assessments

To sum up the information above, you will need a Zoning permit application and a Conditional Use application that includes plans with all the above criteria (a – e) shown on them. Also include relevant information such as, steep areas, wetlands, ridges, non-conforming areas or buildings, wildlife use areas, etc. Time will be saved during the hearing process if the DRB members don’t have to require further information that results in a continuation of the hearing process.

**Proof of notification to adjoining landowners**

A requirement of Conditional Use applications is that you send a letter to adjoining landowners, certified by the post office, with a description of the type of development you will be requesting permission for, and information that clearly informs

adjoining landowners where they may obtain more information (most letters state the ZA's office).

As well, you are required by law to include the following in your letter “that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal.” If your parcel adjoins another town's land, you are required to notify the adjoining municipality as well.

The ZA is happy to provide you with a template for abutter notification.

### **Permitting Structures**

If you are requesting to build any type of structure you must also apply for a Zoning Permit with associated fees payable to the Town of Fayston. The permit application instructions are located on the back of the Zoning Permit - please follow all instructions to complete the application.

Once you have submitted a complete application to the Development Review Board (DRB), the DRB will determine a hearing date and time, and the clerk of the board will notify you of your hearing date. The DRB meets the 1<sup>st</sup> Tuesday of each month, as necessary.

If you have any questions please contact Hanna Neill, Fayston Zoning & Planning Administrator (and DRB clerk) at 496-2454 ext. 4 or at [faystonzoning@madriver.com](mailto:faystonzoning@madriver.com). Thank you.

Sincerely,

Hanna Neill  
Fayston Zoning Administrator