

TOWN OF FAYSTON
Development Review Board Minutes
Tuesday, May 3, 2022

Attendees

Fayston DRB: Ky Koitzsch, Shane Mullen, Pete Ludlow, Mike Quenneville,

Zoning Administrator: Hanna Neill

Applicants/Public: Tom Weigel, Tom Pasley, Sara Cannon Holden, Bowen Holden, Charlie Martin, Larry Holden

Applicant: Bowen Holden & Charlie Martin

Application Number: 3727

Type of Hearing: Requesting Conditional Use (Article 5) approval under Section 3.8 Noncomplying Structures & Nonconforming Uses of the Fayston Land Use Regulations for the relocation and expansion of a noncomplying structure.

Parcel ID: 06-001.00

Location of Property: 47 Kew Vasseur Road, Fayston

1) Interested Parties

- a. *Motion to find Tom Weigel as an interested party to application by Pete, seconded by Ky. All in favor, none opposed. Tom Weigel found to be an interested party.*
- b. *Motion to find Tom Pasley as an interested party to application by Ky, seconded by Pete. All in favor, none opposed. Tom Pasley found to be an interested party.*

2) Review of application and associated documents

- a. Reduced site plan, full site plan, sketch of proposed construction, floor plans, adjoining land owner notifications.
- b. *Motion to find application complete by Pete, seconded by Mike. All in favor, none opposed. Motion carries.*

3) Overview of project

- a. (Charlie) We love our house and the history behind it. We've been reviewing what we want to do with the house and make it fit our needs; we have three children that are active athletes and need more space and better layout. Our plan is to have my parents join us when the time comes for the need for care.
- b. 1.5 stories on the southside of the house will be renovated to fit our needs. We would take down the 1 story portion to the north and put in a basement, then build up on the footprint as seen on the application. The current house is nonconforming as it stands now because it does not meet the 65' setback and we plan to push back a minimum of 10'. On the scaled version, you can see those distances from the centerline and how those would change.

4) Questions from the Board

- a. Shane: We need to quantify the non-conformity before and after the proposed construction. The existing structure is within the 65' front yard setback. (reads from section 3.8, subitem 3 regarding total volume of non-

compliant structure does not increase by 50%). What is the square footage of the structure before and after? Charlie: I thought that was in my description provided. The document that contains the red line and on there it notes the current non-conformity and what would remain. The current non-conforming building will be renovated and the small shaded area will remain. Shane: I do have those here; as far as numbers, in a quick scan of the narrative, is it stated? Charlie: I may have left that out of the narrative; what I can tell you is that it'll meet the requirement, but I need to get those to you. Shane: The before is the area of the shaded and striped area. The after is the shaded and area in red, which looks fairly apparent you will be in compliance, but we need to have it for the findings of fact. Charlie: Are basements (finished/unfinished) and porches included in that square footage? Shane: The regulations state volume or area and area seems to be appropriate in this case. Does anyone have an issue with using area? Ky: No I think area makes sense and easier to calculate. Shane: In review you should include the porch, so it would be the shaded and striped portions.

- b. Shane: I noticed you have some outdoor lights noted, one by the front of house and one by the 20x24 structure, is that a garage? Charlie: Yes. Shane: Would you have any objections if we provided a condition in our approval that the light be downcast so that the light stays contained to your property? Charlie: No.
 - c. Mike: The water that comes from the horse barn, will that still be able to come out? Charlie: The existing swale won't be impacted. Mike: There's a leach field over there correct? Shane: What are you proposing for earthwork around your house and do you plan to change the grades around your house? Bowen: From the asphalt patch to where the propane tank we're trying to keep everything as they are. Shane: So no significant grade changes with that building or the garage? Bowen: No. Shane: So Mike you're concerned with the runoff going down the backside of the house and down Kew Vasser? Bowen: It should all remain the same.
 - d. Ky: If you look at just the nonconformance, it looks like it's getting smaller. Shane: Yes, they can increase the area of nonconformance by 49.9%, but we just need to have them for the finding of fact.
 - e. Ky: Do you have a proposed schedule of when you want to start this? Charlie: The hope is that we begin sometime next spring. We are in conversations with builders and this part of the process will help that move along. Shane: Will you be keeping the architectural style of the house with the addition? Charlie: Yes, as farmhouse like as we can make it as possible.
- 5) Questions from the public
- a. Tom Weigel: I saw on the plans for a second kitchen or a kitchenette, but wanted to make sure the house was going to remain a single-family house and that was just for the parents? Charlie: Yes, that's what it's for.

- b. Sarah: Are there any restrictions on solar panels? Shane: I don't believe so. If you're talking about residential solar, I don't believe so. We do have solar sighting standards, but those are more tailored to commercial solar. If you wanted to put a solar structure up, you may still need a zoning permit as that's a structure, but could be processed by the zoning administrator. Tom W: SunCommon went through the process for us. Shane: There are regulations in section 4.19 (reading from regulations). They would have to come to the DRB as conditional use with a development plan of the facilities of generation and transmission plans (reading further from regulations). Charlie: Any solar panels we'd be considering would be on the roof of the building.
- 6) *Motion to close hearing by Mike, seconded by Pete. All in favor, none opposed. Public hearing is closed.*