

TOWN OF FAYSTON
Development Review Board Minutes
Tuesday, June 7, 2022

Attendees

Fayston DRB: Shane Mullen (chair), Ky Koitzsch, Pete Ludlow, Mike Quenneville, Dan Young (co-chair),

Minutes Taker: Betsy Carter

Applicants/Public: Noah Dweck, Gunner McCain, Charlie Tipper, Andrew Baer, Jane O'Donnell, Dave Frothingham, Jim Donkersloot (DRB alternate)

Applicant: Noah Dweck

Application Number: 3740

Type of Hearing: Sketch Plan for a proposed lot line adjustment (minor subdivision Article 7) of ~0.1 acres and a setback waiver request of the rear property line to 10'.

Parcel ID: 14-072

Location of Property: 33 Long Trail Drive, Fayston

- 1) Overview of application
 - a. Applicant seeks to build a garage on the property. Neighbor has agreed to provide 0.1 acres if setback requirements are met.
- 2) Board questions:
 - a. Ky: Why is the setback waiver requested? Noah: I wanted to see if it would be possible to get a setback waiver if needed, however, this is not an absolute requirement.
 - b. Shane: This project is located in the rural residential district? Noah: Yes. Shane: The typical situation for waivers has been for existing lots with proposed structures that may not be able to be sited under current regulations. There appears to be plenty of land with an opportunity to obtain more land from the owner. Noah: Is that something you would be ok with? Hanna said that weird shaped lots are sometimes not preferred. Shane: The primary concern is adhering to the setbacks. Noah: We'll have a better idea when the survey is complete; we can scratch the 10' setback for now.
 - c. Shane: The mapping that was provided appears to be from an older survey with hand drawn lines. You'll need to have those updated so that the limits of disturbance are noted and make sure you're not developing on slopes of greater than 15 degrees. Noah: Yes, the area is actually pretty flat.

- d. Applicant will finalize survey and submit materials for final review.

Applicant: Charles F. Tipper Revocable Trust

Application Number(s): 3738 & 3739

Type of Hearing: Requesting approval under Article 7 for a lot line adjustment (minor subdivision) of 0.19 acres and approval under Article 5 conditional use for development on steep slopes.

Parcel ID: 10-068

Location of Property: 5211 Mill Brook Road, Fayston

- 1) Overview of application
 - a. Review of application materials
 - i. Limits of disturbance is less than 1000 sq ft (660 sq ft), so steep slopes development criteria not met. Conditional use approval not needed.
 - ii. *Motion to find application by Pete, seconded by Mike. All in favor, none opposed; application found to be complete.*
 - b. Overview of project
 - i. Mad River Glen agreed to convey 0.19 acres (Gunner pointing to screen) to Charlie for construction of a wider driveway and new garage.
- 2) Questions from Board
 - a. Mike: Why are you drilling a new well? Charlie: The well is shared and fouled by salt from the road. Shane: Is the proposed garage going to have any potable water or sewer service? Charlie: No.
 - b. Shane: Part of that driveway does encroach on the Mad River Glen property. Are they ok with it? Gunner: The right of way is not well defined, but they have been agreeable. Charlie: The existing driveway does have its right of way and the Hicks' driveway is already there.
 - c. Shane: I noticed that there was an owners' association that was notified in the abutters list. Does that cover all the owners in that parcel so that Hicks was notified? Gunner: We notified Mad River Glen Association and that covers all the houses around Mad River Glen. Charlie: Steve and I are good friends and is well aware of the project. We are also granting Steve an easement. The new well will be on my property but Steve will be continuing to operate on the well on his property.
 - d. Shane: Behind the proposed garage and driveway there is a railroad track type line. Is that noting the limits of disturbance? Gunner: Yes. Charlie:

The garage is not only designed to allow for the driveway but also tucks really nicely into a flat piece of land . We will have to disturb a very little bit into the steep part behind the garage, but the majority will be on that flat area. Shane: Will you have to disturb for machine access? Charlie: Likely just human access for the forms, but no machine access required. Gunner: The garage is small enough that an excavator can reach across.

- e. Mike: Will there be a retaining wall? Gunner: Yes, there will be one on this lower side. Shane: That's not shown on the plan here, but you're proposing a retaining wall on the east side of the driveway? Charlie: Yes, but it's not a substantial wall, likely 24" tall.
- f. John: Behind the garage, any retaining walls there? Gunner: no.
- g. Shane: Will there be a new wastewater permit for the new well? Gunner: No, since it's servicing an existing home, a replacement well can be drilled with no permitting.
- h. Shane: The drawings will need to be resubmitted with the preliminary stamp removed. Gunner: In this instance since this is a boundary line adjustment, we will be submitting a mylar to memorialize the change. Do we still need to resubmit? Shane: Yes, to keep things clear we should have plans on record that don't say preliminary on them.
- i. *Motion to close hearing by Pete, seconded by Mike. All in favor, none opposed. Hearing closed.*

Applicant: Jane O'Donnell & Andrew Baer

Application Number: 3742

Type of Hearing: Requesting approval under Section 7.7 for a revision to an approved subdivision (#3506 - 2018) driveway location.

Parcel ID: 03-095.002

Location of Property: 2186 Center Fayston Road, Fayston

- 1) Overview of application
 - a. Review of application materials
 - b. Motion to find application complete by Mike, seconded by Pete. All in favor, none opposed. Application found complete.
 - c. Dave: We originally were in here in 2018 to subdivide a 30-acre lot into several lots. Description of original driveway plans shown (in person on hard copy plans). Current proposal is to utilize the existing curb cut and cross a parcel, cross a narrow point in the wetland, enter the clearing and

subsequently access the building zone. There are no changes to the well locations, but there is a change to the building envelope as the house is slightly longer than previously designed. There are no steep slopes, all slopes are under 15%. There are pull offs (pointing on map).

2) Questions from the board

- d. Shane: I see some notes on here for areas for tree thinning. Dave: This area is currently thin (pointing to map). This area here we'll thin out the underbrush and leave trees. This area will not be clear cut but thinned. Most of the clearing will be underbrush, and saving 30% of the trees with a mix of smaller and larger trees. Stumps will/will not be cleared. Shane: Can you revise the drawing to clearly define the total extent of the tree clearing area? Dave: Yes. (Further discussion around things on hard copy map regarding thinning, building envelope, steep slopes)
- e. Mike: When will you try to build? Dave: (Not audible).
- f. *Motion to close hearing by Pete, seconded by Mike. All in favor, none opposed. Hearing closed.*

Motion to adjourn the public hearing by Pete, seconded by Mike. Hearing closed at 6:56pm.