

**TOWN OF FAYSTON**  
**Development Review Board Minutes**  
**Tuesday, July 5, 2022**

**Attendees**

**Fayston DRB:** Ky Koitzsch, Mike Quenneville, Dan Young (co-chair), Pete Ludlow, Jim Donkersloot

**Minutes Taker:** Betsy Carter

**Applicants/Public:** Kim Laidlaw, Leigh Williams, Steve Lindsay, Alexandra Urbanowski, Gunner McCain, George McCain, Chris Anne Bauer, Eric Bauer

**Applicant: Town of Fayston**

**Application Number:** 3744

**Type of Hearing:** Requesting Conditional Use for a proposed Mad River Ridge Runners storage shed on the Fayston Town Garage property. Building within 100' of stream.

**Parcel ID:** 01-124-000

**Location of Property:** 41 Town Garage Road, Fayston

- 1) Overview of application/board questions.
  - a. Review of site plan (in person).
  - b. Proposal for 50 x 50 building (inclusive of 5' overhangs).
  - c. Inbound electric will be on existing unused telephone pole. Meter will be separate from town electric.
  - d. Slope is about 10%. Site will be staked out to show 50' setback.
  - e. Two containers on site and structure will be built off of the two containers. The containers will be set on concrete.
  - f. No inbound snowmobile trails.
  - g. Ky: How would it work if we don't have a building permit application?  
George: We typically don't have a building permit at this point in the process because often times we don't know what we're building. Generally speaking, we get the DRB approval first. Steve: Can we take care of both tonight? Ky: We can't really do anything with the building permit. Pete: In the absence of a Zoning Administrator, the Town Clerk has been signing with Select Board approval.
  - h. *Motion to find application complete by Mike, seconded by Pete. All in favor, none opposed. Motion carries.*
- 2) Questions from the Board
  - a. No further questions from Board.
  - b. Public clearing closed without a motion.

**Applicant: Alexandra Urbanowski and Tasha Urbanowski**

**Application Number:** 3755

**Type of Hearing:** Requesting Subdivision.

**Parcel ID:** 01-022

**Location of Property:** East Side of Smith Road, Fayston

- 1) Interested Parties

- a. No interested parties present.
- 2) Overview of application
  - a. 50-acre land; there is an existing house and neighbor (Ned Kelly) would like to add to his property. (Review of plan in person by Gunner)
  - b. Ky: Is the 50' strip you reference depicted on the plan? Gunner: yes, it starts at the curb cut here; the right of way is concurrent with the existing logging road.
  - c. No changes to existing building envelope or septic plans.
  - d. Gunner showing proposed driveways building envelopes on plan. The building envelopes show some steep slopes.
- 3) Questions:
  - a. Jim: And the septic is designed? Gunner: yes (shows septic and exiting spring on plan).
  - b. Pete: It would be helpful to see the plan with the adjustment rather than annotating on a drawing. Gunner: We can absolutely send that in but would like to see it be a condition of approval. Pete: This is really just a lot line adjustment with a subdivision request.
  - c. Ky: Why are lot 2 & 4 not adjusted? Gunner: There were some existing surveys with those depicted; we just kept it consistent.
  - d. Ky: Will these remain separate? Gunner: (pointing to plan) Ned owns this; his daughter can buy this.
  - e. Ky: Is the building envelope within 100' of the stream? Gunner: Yes, that is part of this application. (Showing on plan) Ky: So, it's closer to 50'? Gunner: Yes, it's about 55'. Ky: What encroaches the most? Gunner: (showing on plan) The septic crosses here and there are multiple locations that the house could go. Ky: So, the proposed could move to here (pointing on plan)? Gunner: Yes. Ky: How much water is running there now? Gunner: Very minimal if anything at all.
  - f. Mike: Will Ned have to do a new Mylar? Gunner: No, we'll just give him ours. He's only involved as an adjoiner and interested buyer.
  - g. *Motion to find application complete by Pete, seconded by Ky. All in favor, none opposed. Motion carries.*
  - h. Public hearing closed without a motion.

**Applicant: Kim Laidlaw**

**Application Number: 3723**

**Type of Hearing:** Conditional Use. Development on steep slopes and development within 100' of stream.

**Parcel ID:** 01-059

**Location of Property:** 316 Dunbar Hill Road, Fayston

**Note:** *Site Visit Scheduled for Laidlaw Application: 5:00 p.m. on 7/5/22 at 316 Dunbar Hill Road*

- 1) Interested parties
  - a. Leigh Williams
  - b. Erick and Chris Anne Baurer

- c. Joyce Rogan
- 2) Overview of application
- a. George McCain review of memo from prior hearing on April 5, 2022.
  - b. Provided information regarding information on erosion control on the site plant.
  - c. Provided elevation map showing limits of disturbance (reviewed on site visit) and grading and driveway improvement. No considerable grading for house or leach field. Contouring is exclusive to driveway.
  - d. 50' stream buffer: Leach field is shown moved away from the stream buffer.
  - e. Wastewater permit updated for the sand filter as well as the new well. If the leach field is within 5' of proposed location, no revision needed from state.
  - f. Revised limits of disturbance to show access to well.
  - g. New proposal for 22' x 24' structure to meet the road setback as well as the stream setback. New septic tank & pump location shown.
- 3) Questions from Board/Public
- a. Chris Anne: My observation is that the stream on the other side connects to the stream coming down the Rogan's side? It seems that you've adjusted to fix for one side but not the other. George: There is a condition in the permit that the landowner will have to have the septic system inspected annually and submit to the state that the system is in good working order. If the inspection is not complete, the state will notify the landowner of potential violation to the permit conditions. Kim: We will ask McCain to do it annually. Eric: What happens in the case of failure? George: We have to determine root cause. What we've seen is things will clog the sand box and it would have to be dug out and refilled. Sometimes people will install a pretreatment system. Pete: What is the box built from? George: 4x4 pressure treated with a membrane that gets filled with sand.
  - b. Eric: What is there now? George: There is no potable water and there is a toilet, but we're not sure where it goes, maybe a hole in the ground.
  - c. Chris Anne: Is this going to be a year-round residence? George: The septic was designed for a year-round residence; it's only a 2 bedroom.
  - d. Eric: How resilient is the sand system to 100-year storms and floods? George: Most pooling we'd see is surface and really don't see issues down at the filter level.
  - e. Eric: What will the use be? Kim: Initially we wanted to make it a year-round rental for a small family. Due to the delays, we may end up renting for seasonal use. The long-term plan is to rent it year-round.
  - f. Pete: Leigh, do you have any questions? Leigh: I don't; everyone has done a lot of work on this and has the best intentions. I'm aligned with what the Board decides.
  - g. Chris Anne: We have no further questions and gotten some great answers tonight.

- h. *Motion to find the application complete by Pete, seconded by Mike. All in favor, none opposed. Motion carries.*
- i. Public hearing closed without a motion.

Public hearing adjourned at 7:28pm.