

Development Review Board, Town of Fayston, VT

Notice of Decision for Application No. 3759

Applicant & Landowner: Chad and Amanda Yonkman

Parcel ID: 01-006.003

Reason for Application: Request for Conditional Use- development on steep slopes for an Accessory Dwelling Unit

Application Number(s): 3759

Public Hearing Attendees: Greg & Sandy Owens, George Guzzi, Brooke Dingleline, George McCain, Eliza Graves, Freddie Graves, Kendall McCausland, Pat Livingston, Josh & Danielle Livingston, Ruth & Jeff Halpin, Heidi & Raymond Schenk, Chad Yonkman, Mark Bannon, Kim Laidlaw, John & Ruth Rowles

Introduction and Procedural History:

1. The Conditional Use application was filed on July 21, 2022. Applicants Chad and Amanda Yonkman requests approval under Article 5 of the Fayston Land Use Regulations for development of steep slopes for an Accessory Dwelling at 252 Stony Farm Road. A copy of the application and supporting paperwork are available at the Fayston, VT town offices.
2. Notice of the hearing was properly published. On August 18, 2022, the legal warning for a public hearing for review of this application was published in the Valley Reporter. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.
3. Abutters to the property were properly notified of the hearing.
4. The application and plans were considered by the Development Review Board at a public hearing which occurred on September 6, 2022. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended June 2018.

I. The following Exhibits were submitted to the Development Review Board

- A. Conditional Use Application 3759 including a cover letter, list of abutting land owners, scans of certified receipts of abutter notice and a sample abutting land owner letter.

- B. Conditional Use Application narrative with responses to the General and Specific Review Standards (Section 5.4 Conditional Use Review).
- C. Site Plan titled “Slope & EPSC Plan – Chad & Amanda Yonkman, Amendment for Proposed Accessory Structure” by McCain Consulting, dated June 15, 2022.

II. Findings

1. The Board found the application to be complete at a public hearing held on September 6, 2022.
2. The property is located in the Rural Residential District as described on the Town of Fayston Zoning Map on record at the Town of Fayston municipal office, also described under Article 2, Table 2.4 of the Town of Fayston, VT Land Use Regulations.
3. The applicant’s parcel is adjacent to land owned by Andre Lepine, Paul Pizzale, Gregory and Sandy Owens.
4. The applicant’s parcel is 6.9 acres with one perennial stream and two class 3 wetlands.
5. Pursuant to Section 3.4 (E) (1)(a), Steep slopes (15 + %). Development involving the site disturbance, excavation, filling, or regrading of 1000 or more square feet of land with a gradient of 15% or more, and private roads and driveways that exceed an average gradient of 15% over any 50-foot section, as determined from mapped contour intervals or site inspection, shall be subject to conditional use review and approval by the Development Review Board under Article.
6. Per Applicant’s application, the area of development has at least 1,000 square feet or more of earth disturbance on steep slopes (>15%), therefore conditional use approval of this project is required.

Decision:

DRB members voted as follows for Conditional Use application #3759 with the following conditions.

1. Site work shall be conducted in accordance with the State of Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control. The applicant shall use biodegradable erosion control blankets for slopes greater than 3H: 1V.
2. Obtain and follow all State and Federal permits. Copies of these permits shall be submitted to the Town of Fayston. Copies of any drawings that supersede the design shown on the materials presented to the DRB shall be submitted to the Town of Fayston.

Shane Mullen: **YES**/no/abstain/absent/recusal

Ky Koitzsch: **YES**/no/abstain/absent/recusal

Michael Quenneville: **YES**/no/abstain/absent/recusal

Peter Ludlow: **YES**/no/abstain/absent/recusal

Daniel Young: **YES**/no/abstain/absent/recusal

Dated at Fayston, Vermont, this 9th day of October, 2022.

A handwritten signature in black ink, appearing to read "S Mullen", written above a horizontal line.

Shane Mullen, Development Review Board Chair

NOTICE: This decision may be appealed to the Vermont Environmental Court by an interested person who participated in the proceeding(s) before the Development Review Board. Such appeal must be taken within 30 days of the date of this decision, pursuant to 24 V.S.A. § 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.