

Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3782

Property Owner & Applicant: John Gravois

Parcel ID: 07-028

Application Number: 3782

Reason for Application: Requesting a Conditional Use Review (Article 5) pursuant to Section 3.4(E) and Section 3.4(C)(1)(d) of the Fayston Land Use Regulations for development on slopes in excess of 15% in grade.

Public Hearing Attendees: Attending DRB Members: Shane Mullen (Chair), Ky Koitzsch, Dan Young (Vice Chair), Mike Quenneville, Pete Ludlow (Zoom); Zoning Administrator: Jason Wilson; Minutes Taker: Eve Silverman; Public: John Gravois, Gunner McCain, John Gallagher, Andrew Garthwaite (Zoom), Justin Falango (Zoom)

Introduction and Procedural History:

1. The Conditional Use application #3782 was filed on November 16, 2022. The subject parcel is parcel ID # 07-028 at 357 Old Quarry Road. Applicant John Gravois requests approval under Article 5 of the 2018 Fayston Land Use Regulations for approval of development on slopes greater than 15%. 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 November 17, 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 December 6, 2022. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended June 2018.

The following exhibits were submitted to the Development Review Board:

- A. Conditional Use Application (#3782) with responses to the General and Specific Review Standards.
- B. A site plan titled “EPSC Plan John & Julia Gravois Single Family Residence” EC-1 by McCain Consulting; Inc. last revised November 21, 2022.
- C. Proof of notification of abutters with a sample letter.

Findings of Fact:

- 1. The property located at 357 Old Quarry Road (07-028) and consists of 36.8 acres owned by John Gravois and located in the Rural Residential District.
- 2. Parcel 07-028 has the following permits:
 - a. Building #76-136 (1976)
 - b. Health #76-136-01 (1976)
 - c. Building #408 (1979)
 - d. Subdivision #1624 (1999)
- 3. The applicant’s parcel is adjacent to land owned by John Gallagher, William Lee, Hardy Family Trust, L.D. Waters, Lisa Loomis, Town of Waitsfield and the State of Vermont.
- 4. The proposed project would have development on more than 1,000 square feet of land on slopes greater than 15%.
- 5. Application #3782 was deemed complete at the December 6, 2022 Development Review Board Meeting.
- 6. Pursuant to Section 3.4(C)(1)(d) “Development on steep slopes equal to or in excess of 15%, or which results in such slopes, shall be subject to conditional use review in accordance with Article 5.”
- 7. The DRB found that the General and Sepsific Review Standards of Section 5.4 were satisfied by the appicant’s application materials. Applicant will implement erosion control measures to prevent sediment discharge to the 50-foot stream buffer in accordance with the Vermont Low-Risk Site Handbook for Erosion Prevention and Sediment Control.
- 8. Applicant’s consultant Gunner McCain stated that there is an existing underground power service starting at Old Quarry Road and extending along the existing driveway. Mr. McCain stated that the proposed electrical service to the new house could be located on slopes less than 15%.

Decision:

DRB members voted as follows to approve application #3782 with the following conditions:

1. 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.
2. Applicant shall submit an updated site plan depicting the following:
 - a. Location of the existing underground power features and the proposed underground electric service to the house. The proposed conduit shall be located on slopes less than 15%.
 - b. an updated map that illustrates the extent of the existing driveway from Tucker Hill Road to Old Quarry Road to the project.

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

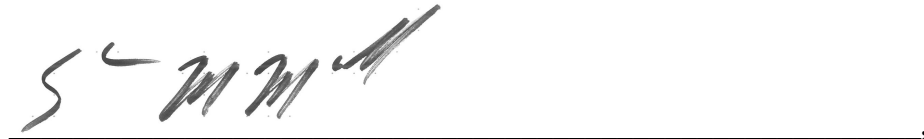
Daniel Young: **YES** / no / abstain / absent / recuse

Ky Koitsch: **YES** / no / abstain / absent / recuse

Pete Ludlow: **YES** / no / abstain / absent / recuse

Mike Quinneville: **YES** / no / abstain / absent / recuse

Dated at Fayston, Vermont, this 15th day of January, 2023.



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.