

Town of Fayston, Vermont

Development Review Board

Tuesday March 7, 2023, at 6:00 PM

In-person at 866 North Fayston Road, Fayston VT

(Unapproved)

DRB: Shane Mullen (Chair), Ky Koitzsch, Pete Ludlow (Zoom), Mike Quenneville

Zoning Administrator: Jason Wilson

Minutes Taker: Eve Silverman

Public: Ben Service (Applicant)

1. **Meeting called to order** at 6:00 PM with a quorum, Ben Service has no objections to having 4 of 5 members present
2. **Agenda Modifications & Announcements:** None
3. **Approval of 12/6/22 Minutes:** *Pete moves, Mike seconds, all in favor, none opposed. Minutes approved.*
4. **Identification and Acknowledgement of Interested Parties of Today's Schedule Hearings:**
Shane explained the process of the hearing. Oath was administered to the applicant; Ben Service affirmed the oath.
5. **Service Hearing for Application #3789**

Shane mentioned that the Planning Commission is drafting new Land Use Regulations. Therefore, the board will need to review both sets of regulations and apply whichever is most stringent.

Applicant: Ben Service

Application Number: 3789

Type of Hearing: Requesting a Conditional Use Permit per 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.

Parcel ID: 03-007

Location of Property: Airport Road, Fayston

Completeness of Materials Submitted:

Ky: I didn't see vegetation included on the map. Shane: we should have enough to get things started; if we have additional questions, we can request the applicant follow up with additional materials.

Pete moved to find the materials complete; Mike seconded. All in favor, none opposed, motion carries.

Statement from Applicant:

This is a property located on Airport Road, purchased in July 2021. It had a deferred wastewater permit; we applied for a permit and received it. The plan is to build a single family 1500sf single level home. The ADU was recommended by Mac Rood at Yestermorrow who suggested we include it on the plans in the event we decided to add a rental ADU in the future. We planned one that would be located with some distance to the main house and neighbors. The applicant is talking to Town and Country (modular) Homes. They will be full time residents; they work locally, and the kids are in school at Harwood.

Questions from the Board:

Shane: We want to ensure there is adequate erosion control and that there won't be long term impacts from erosion. The plans show that the house and ADU are "conceptual". We would be looking for more specificity regarding the footprint and extent of proposed site development. The wastewater plan doesn't appear to show grading for the driveway, main house or ADU. The 2022 Regulations do require inclusion of grading plans. Also, the plan shows two curb cuts: one for house, one for ADU. The regulations state there can be only one curb cut per lot. Please ask the engineer to modify the design to incorporate a single curb cut.

Mike: Septic is in the way of the driveway. Ky: perhaps consider reconfiguration of the driveway so it doesn't go directly down the hill; we prefer it to be perpendicular. When reviewing the grading plan, perhaps a better driveway design will result.

Shane: It looks like you may need an uphill drainage swale, which may be difficult to do on the driveway as currently drawn.

Shane: It appears that on the predevelopment plan there was some tree clearing that already had occurred; do you plan to do any more? You should show the extent of the clearing. Ben: the ADU area has not yet been cleared but we plan to clear there as little as possible. The majority of the clearing done was for the septic, driveway, and a little near the homesite. No additional major clearing is planned. Shane: please show any proposed additional clearing on the revised plan. We want to ensure that tree removal doesn't have adverse impact on erosion. Ben: of note, stumps were left on the property during the predevelopment clearing.

Shane: For the ADU, you are allowed a maximum footprint of 40% of the main structure (2018); new state rules allow up to 900sf for an ADU. We will be evaluating this based on the more stringent rules. This proposal is for a 600sf ADU so you should be ok.

Shane: The main house is off the road, the ADU is closer to the road. Is it OK if there is a condition of downcast lighting? Ben: yes, that's fine.

Ky: Regarding steep slopes, you are not allowed to disturb slopes greater than 25%. This is permissible on the driveway with conditional review, but perhaps the house/ADU could be slightly moved to be off these very steep slopes?

Ky: Is the brook perennial? Mike: there is a year-round spring across the street that supplies the brook through a culvert. Ky: we should look at setbacks at the brook and better define the wet areas.

Ky (to the Board): Are two wells are permitted? Shane: Yes

Pete: Had you considered putting septic and wells on two different lots? Ben: I hadn't considered splitting it into two properties.

Ben summarized what the Board requested to be reflected in the plans. Shane informed him that all these requests would be included in the board's memo.

Pete moved to continue the hearing; Mike seconded. All in favor, motion carries.

6. Move to Deliberation

Pete moved, Ky seconded, all in favor, motion carries. Board went into private session to deliberate.

7. Motion to adjourn: Following deliberation, *Ky moved to adjourn. Pete seconded. All approved, meeting was adjourned at 7:39 PM*