

Town of Fayston, Vermont
Development Review Board
Tuesday June 6th, 2023 at 6:00PM
In-person at 866 North Fayston Road and Via Zoom

DRB: Shane Mullen (Chair), Ky Koitzsch (Ky), Pete Ludlow (Pete), Daniel Young (Dan), Mike Quenneville (Mike), Jim Donkersloot (Alternate) (Jim)

Zoning Administrator: Jason Wilson

Public: Gunner McCain (McCain Consulting), Shane Flannelly-King and Anastasia Semienko (by Zoom), Nancy Phillips, Paul Quinlan, Molly Quinlan, Erica Dodge

1. **Meeting called to order by Shane at 6:09 pm.**

2. **Agenda Modifications & Announcements.** No modifications.

3. **Approval of 5/2/23 minutes.** *Pete moved; Dan seconded. All in favor, none opposed. Motion carried. Minutes approved.*

4. **Identification and Acknowledgement of Interested Parties of Today's Schedule Hearings.**

Shane Flannelly King and Anastasia Semienko (interested parties). *Dan moved to have them added as interested parties; Mike seconded, all in favor, none opposed, motion carries.*

Nancy Phillips (interested party). *Pete moved to have her added as interested party; Dan seconded, all in favor, none opposed, motion carried.*

Shane explained the process of the hearing. The oath was administered to the applicants/applicants' representatives and interested parties who are present, they all affirmed the oath.

5. Quinlan Hearing for Application #3803

Applicant: Paul and Katherine Quinlan

Application Number: 3803

Type of Hearing: Requesting a Conditional Use Permit per Section 3.4 of the Fayston Land Use Regulations for development on slopes in excess of 15% in grade.

Parcel ID: 03-127

Location of Property: 1203 Center Fayston RD, Fayston

All documents in receipt. *Ky moved to find the application complete. Pete seconded. All in favor, motion carried.*

Presentation made by Gunner McCain. Applicants built a home and a one-story apartment above an existing garage. They now want to build a storage barn with an apartment over it. They will be removing another small existing garage. There are currently two curb cuts: one serving the garage, the other serving the house; these will be combined into one. Some of the ground is steeper than 15% so we need a steep slope review. We will have to adjust the limits of disturbance that are shown on the plan incorrectly.

The garage with the apartment was pre-existing, it wasn't fully finished, they finished that into an apartment when they purchased the property. The wastewater permit, secured before the house was built, was permitted for a house and an apartment. They are now going to relocate that apartment over the new barn – there will not be two apartments on the property. The current garage apartment will be converted to a home office, and there will continue to be water and sewer serving it.

Shane: it will be important in our decision to ensure that there cannot be any change of use in the "home office" back to a bedroom/sleeping space. Two ADUs are not permitted.

Shane: how are you proposing to manage the ledge in the area of the new garage? Gunnar: we will see if it is diggable, if not we may need to blast a little. Shane: if it is necessary to blast, they must follow state and federal blasting requirements.

Shane: I don't see water, sewer electric for new barn/apartment. Gunnar: water and electric lines come from house; for sewer, we will use step tank pump station to pump up to existing tank. We will add that to the plan.

Shane: The existing tree line stops close to the existing garage. What is the intent for tree clearing?

Gunnar: Tree clearing will line up with limits of disturbance shown. Plus, there will be landscaping.

Parking will be on the lower side of the barn. Ky asked that as many trees as possible be retained other than those needed to be removed for the build.

Shane invited members of the public to speak.

Nancy: I'm not against the project, but we had major issues with Red House builders when they were building the main house. They didn't respect Fayston leash laws. We are concerned about our sheep and our sheepdogs when their dogs come onto our property. There is also a problem with parking, when workmen parked on the traveled portion of Center Fayston Road, thereby limiting the downhill traffic to traveling in the wrong lane (and visibility is poor there). Shane: Those concerns are not in our purview; we can't regulate contractors about parking or following the leash laws. However, the concerns are now part of the public record. Paul Quinlan: I will discuss this with the contractor and do everything I can to alleviate your concerns.

Anastasia: Are the plans available to view anywhere? I'm curious about the placement and footprint of the proposed barn. Will the proposed barn replace the small garage that doesn't have utilities, or will it

replace the existing apartment and have the same footprint as that? Gunnar: Neither. It will be a new building 80' east of the existing house and set further back from the road. It will be on the downhill side of the house, about 75' off the center line of the road. Most of the new building will be set in the open field. Anastasia: how many stories will it be? Gunnar: a walk out basement on the low side. Paul: similar to the main house, the walkout is on the south side, with one story above that; only one story will be visible from the road.

Ky: has it been staked out? Gunnar: no, it has not been staked out.

Nancy: is the orientation of the new building East/West or North/South? Gunnar: it is East/West, similar to the current house. Jason left to send plans to the zoom participants by email.

Shane: is there parking for the new building? Gunnar: there will be plenty of space for two parking spots for the proposed one-bedroom apartment. There is also significant parking for the existing house and office -- more than two spots. There will also be three bays of indoor parking in the new structure (bays will be South facing, away from the road).

Shane: Regarding the schedule, is the wastewater permit amendment still pending? Gunnar: It is; however, this doesn't preclude them from breaking ground. Anastasia: When will construction begins? Paul: hopefully this Fall, pending approvals.

Shane: Do you have to do any grading in the northwest part of the driveway where the apartment is? Gunnar: Yes, a little grading will be needed in that corner.

There was a discussion regarding screening. Some trees are existing, some will need to be added to fill in the gaps in the landscape plan proposed. Shane asked if the landscaping plan showing this made it into the materials, and it had not so it will be included and added to the file.

Nancy: [I could not hear her final question]

Mike moved to close the hearing; Dan seconded. All in favor, none opposed. Motion carried.

Shane summarized the changes to be made to the plans: adjusting the limits of disturbance, adding the utilities, some additional grading in the NW corner of the driveway, providing the landscaping plan. These will become part of the conditions and so an intermediate revision is not needed.

6. Move to Deliberation

Motion to move to deliberative session: Pete moves, Daniel seconds. All in favor, none opposed. Motion carried.

7. Adjourn

Motion to adjourn made by Mike, Dan seconded. All in favor, none opposed. Motion carried. Meeting adjourned at 7:25pm.