

**Town of Fayston, Vermont**

**Development Review Board**

**Tuesday June 4, 2024 at 6:00 PM**

**In-person at 866 North Fayston Road, Fayston VT**

**Minutes (Unapproved)**

**Attendees (DRB):** Pete Ludlow, Jim Donkersloot, Mike Quenneville, Ky Koitzsch, Daniel Young

**Zoning Administrator:** Jason Wilson

**Minutes Taker:** Eve Silverman

**Public:** Paul Gavin

1. ***Meeting called to order*** by Dan at 6:00 pm.

2. ***Agenda Modifications & Announcements:*** None

***3. Annual Reorganization Session:***

-- Chair: Daniel Young

*Ky nominated Dan. Jim Seconded. Ky moved to elect Dan as chair of Fayston DRB. All in favor, none opposed. Motion carries.*

-- Vice Chair: Jim Donkersloot

*Mike nominated Jim. Ky seconded. Pete moved to elect Jim as Vice Chair; Pete seconded. All in favor, none opposed. Motion carries.*

-- Approve Schedule

*Jim Moved to maintain the meeting date on the first Tuesday of the month and change the rules and procedures to reflect this schedule. Ky second. All in favor, none opposed. Motion carries.*

-- Approve Locations of Meeting Warnings

*Warnings are posted at the Moretown Post Office, the Valley Reporter, the Waitsfield Post Office, Fayston Municipal Offices and the Fayston Town Website. Ky moved to approve the location of the meeting warnings; Pete seconded, all in favor, none opposed. Motion carries.*

3. ***Approval of 4/2/24 Minutes:*** Pete moved to approve the 4/2/24 minutes, Mike seconded, all-in favor, none opposed. Minutes approved.

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

No parties are present other than the applicant, no interested parties identified.

Oath administered to Paul Gavin, the applicant. Paul affirmed the oath.

### **5. Application #3872 Gavin Conditional Use**

Applicant: Paul Gavin

Application Number: 3872

Type of Hearing: Applicant is requesting a side setback waiver per Section 3.6 (D) of the Fayston Land Use Regulations in accordance with Article 5 for development within the 25 ft. side setback in the Rural Residential District.

Parcel ID: 14-074.006

Location of Property: 214 Sugar Run Rd, Fayston

*Mike moved to find the application complete, Jim seconded. All in favor, none opposed, motion carries.*

Paul Gavin: We are seeking to put on an addition to an existing 2-car garage, for storage, which requires the setback to be reduced from 25' to 18.5'. We are unable to put the addition on the other side as there is a buried propane tank there, and there would be setback problems in other areas as well. The area of disturbance where the addition is going is all flat, then there is an uphill slope to the neighbor's driveway. That neighbor is okay with the proposed change.

#### Discussion:

There may be other places on the site where this storage space could be put within the allowable setback. However, the side that has the space within the setback may have grade challenges. There may be geographic/topographic constraints posed by the site.

On reviewing the conditions for granting a variance, Dan stated that an unnecessary hardship may not have been created by the applicant. While the lot shape is constraining, Ky noted that since the house was built by the applicant, the applicant created this problem by locating the garage where he did. In addition, the variance must not affect the neighborhood, be detrimental to the public welfare, etc. which the Board did not consider to be a problem here.

Dan noted that any variance would need to represent the least deviation from the zoning regulation and the plan.

Pete: Perhaps you could pursue a lot-line adjustment with the neighbor? Paul: the neighbor's driveway is there, but I will approach them. Jason: If you pursue this avenue, it would be an application for boundary line adjustment (BLA), under Article 6 and 7. This will require probably only a survey. No decision would be made on the garage, just on the site lines. A conditional use application for the garage would no longer be necessary.

*Jim moved to close the hearing; Ky seconded. All in favor, none opposed. Motion carried.*

### **6. Public Comment None**

### **7. Deliberation**

*Pete moved to go into deliberation, Mike seconded. All in favor, none opposed, Board went into deliberation session at 6:59pm.*

*At 7:55 pm, Jim moved to close deliberation. Mike seconded. All in favor, none opposed. motion carries.*

**8. Motion to adjourn:** *Ky motioned to adjourn; Mike seconded. All in favor, none opposed, meeting adjourned at 7:56PM*