Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3880

Property Owner/Applicant: Jaren M. Cadwell Revocable Trust

Applicant : Green Mountain Valley School

Parcel ID: 05-023

Application Number : 3880

Reason for Application: Requesting approval under Article 5 of the Fayston Land Use Regulations to use an existing single-family residence with accessory dwelling unit for lodging as part of the Green Mountain Valley School

Public Hearing Attendees: Attending DRB Members: Daniel Young (Chair), Jim Donkersloot (Vice-Chair), Mike Quenneville and Ky Koitzsch Zoning Administrator: Jason Wilson; Minutes Taker: Eve Silverman; Public: Charlie Brush, Tracy Keller, Gunner McCain, Josh Livingston, Danielle Livingston and Eliza Graves

Introduction and Procedural History:

1. The Development Review Board Application #3880 was filed on May 31st, 2024. The subject parcel is Parcel ID # 05-023 at 254 Moulton Road. Applicant Green Mountain Valley School requests under Article 5 of the 2023 Fayston Land Use Regulations to use an existing single-family residence with accessory dwelling unit for lodging as part of the Green Mountain Valley School. 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 June 13th, 2024 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 July 2nd, 2024. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended May 2023.

The following exhibits were submitted to the Development Review Board:

1. On May 31st, 2024 the Applicant submitted a Development Review Board Application (#3880) project narrative and Zoning Permit (#3881) for the related change in use.

2. On May 31st, 2024 the applicant submitted an abutting property owner list.

3. On May 31st, 2024 the applicant submitted a site plan titled "Boundary Line Adjustment Between Jared Marshall Cadwell Revocable Trust and Alfred & Janet Hobart" by McCain Consulting, Inc., dated January 6th, 2018 with handwritten revisions.

3. On May 31st, 2024 the applicant submitted a site plan titled "Cadwell Site Plan" by Moore Design/Builders, dated March 5th, 1997

4. On June 13th, 2024 the applicant submitted proof of notification of abutters.

Findings of Fact:

1. The property is located at 254 Moulton RD and consists of 2.48 acres owned Jared M Cadwell Revocable Trust and located is in the Rural Residential District.
2. Parcel 05-023 has the following town permits:
    a. #770A Zoning Permit (1984)
    b. #776 SUB Subdivision (1984)
    c. #777 SUB Subdivision (1984)
    d. #1269 Zoning Permit (1993)
    e. #1500 Zoning Permit (1997)
    f. #1500-01 Health (1997)
    g. #1706 Certificate of Occupancy (1998)

2. The applicant's parcel is adjacent to land owned by Kai Sherwin & Chelsea Terkovich, Tobia Knapp, Jane Hobart and Michael Morelli

3. Application #3880 was deemed complete at the July 2nd, 2024 Development Review Board Meeting.

4. Pursuant to Section 3.2(5), Where there is a conversion or change of use from a permitted use to conditional use, requires conditional use approval under Article 5.

5. Pursuant to Article 10 the definition of a school states, A public, private or parochial institution certified by the State of Vermont to provide educational instruction to students. Such facilities may also include accessory recreational, lodging and dining facilities, and be used as officially designated, temporary emergency shelters.

6. Pursuant to Table 2.4, a School is a Conditional Use

7. On Parcel 05-023b there is an existing 3 Bedroom Single Family Residence with 1 Bedroom ADU

8. Health Permit 1500-01 permitted 4 Bedroom Capacity Water/Wastewater system.

Decision:

DRB members voted as follows to approve application #3880 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.

Jim Donkersloot: **YES** / no/ abstain / absent / recuse
Daniel Young: **YES** / no/ abstain / absent /recuse
Ky Koitzsch:**YES** / no / abstain / absent / recuse
Pete Ludlow: yes /no / abstain /**ABSENT**/ recuse
Mike Quinneville: **YES** /no / abstain / absent / recuse

Dated at Fayston, Vermont, this 18th day of July 2024.

Daniel Young, 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.