Town of Fayston, Vermont

Planning Commission Agenda

Monday January 13th, 2025

5:30PM

In-person at 866 North Fayston Road and Via **Zoom**

Join Zoom Meeting
https://us02web.zoom.us/j/83817935141?pwd=9ulhh3W3yc0D8a7ut62QcgxW4RrqHp.1
Meeting ID: 838 1793 5141
Passcode: 966329

Dial by your location
+1 646 931 3860 US
+1 929 436 2866 US (New York)

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1) Call to order

2) Agenda Modifications

3) Approval of 11/18/24 Minutes

4) Presentation of the 2024 MRV Annual Data Report by Sam Robinson of the Mad River Valley Planning District.

5) Fayston Land Use Regulation Amendments: Review and vote on the proposed Amendment for Certificate of Occupancy in Section 9.4 to bring in uniformity with State Statute on this matter.

Section 9.4. Certificates of Occupancy and Compliance

(A) **Certificate of Occupancy.** A certificate of occupancy issued by the Administrative Officer is required prior to the use or occupancy of land, structures, or part thereof, for which a zoning permit has been issued.

(1) Application(s) for certificates of occupancy shall be provided with the zoning permit issued by the Administrative Officer. The applicant shall submit an application to the Administrative Officer upon completion of required improvements, but prior to the use or occupancy of the land or structure.

(2) The applicant shall demonstrate, to the satisfaction of the Administrative Officer, that the proposed use or structure has been completed in conformance with the zoning permit and any associated approvals, including all applicable permit conditions. The Administrative Officer may inspect the premises to ensure that all work has been completed in conformance with the zoning permit and associated approvals prior to issuing a certificate.

(a) The applicant must provide certification from a professional engineer or site technician licensed by the state that any wastewater system has been installed and tested as approved by the state.

(b) The applicant shall have recorded or submit for recording with the application a certificate as required by **30 V.S.A. § 51 (Residential building energy standards) or 53 (commercial building energy standards) the RBES/CBES is a requisite to the issuance of a Certificate of Occupancy.**

(i) In the case of an Owner/Builder when the owner in fact directs the details of construction regarding the installation of materials not in compliance with RBES. A Vermont Owner/Builder Disclosure Statement must be submitted with application of certificate of occupancy so it can be placed on file.

(3) A certificate of occupancy may be issued for a substantially complete structure provided that the Administrative Officer can determine it meets all applicable zoning permit conditions.

(4) A certificate of occupancy shall be issued or denied by the Administrative Officer within 14 working days of receipt of the application. If the Administrative Officer fails to either grant or deny the certificate of occupancy within 14 days of the submission of an application, the certificate shall be deemed issued on the 15th day. The decision of the Administrative Officer may be appealed to the DRB under Section 9.5(A).

6) Fayston Land Use Regulation Amendments: Continued discussion on trails and proposed changes to Tables 2.1 (E)(3), 2.2 (E)(3), 2.3 (E)(3), 2.4 (E)(3), 2.6 (E)(1), 2.7 (E)(3), Section 9.2 and Definition of Trail in Article 10.
Guest presenter:
Claire Polfus - Recreation Program Manager, VT Department of Forests, Parks and Recreation.
Craig Whipple -State Parks Director (Ret.), VT Department of Forests, Parks and Recreation
Nick Bennette- Vermont Trails & Greenways

7) Liaison Reports
   A) MRVPD
      a) https://mrvpd.org/
      b) https://mrvpd.org/agendas-minutes/
   B) CVRPC
      a) https://centralvtplanning.org/about/minutes-agendas-staff-reports/board-of-commissioners/
   C) Mad River Path
      a) https://madriverpath.org/

8) Other Business

9) Announcements

10) Adjourn