Town of Fayston, Vermont

Planning Commission Minutes

Minutes

Monday May 12th, 2025

Fayston Town Office

Attendees: Planning Commission: Langford Davidson (Chair), Andrew McNealus (Vice Chair), Freddie Graves, Michael Duell and Paul Quinlan (Zoom) **Zoning Administrator:** Jason Wilson **Public:** None

1. **Call to Order** at 5:33PM
2. **Agenda Modifications:** Conduct Liaison Reports before Other Business
3. **Approval of 3/10/25 and 4/14/25 Minutes**
    a. Freddie motioned to approve the 3/10/25 minutes; Michael seconded. All approved.
    b. Langford motioned to approve the 4/14/25 minutes; Freddie seconded. All approved.
4. **Public Comments:** None
5. **Fayston Land Use Regulation Amendment - 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:**
   Michael motioned to approve the changes to Section 9.4. Discussion about some grammatical errors and they were fixed; Langford seconded. All approved the document as written:

   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 will 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 Amendment - Review and discussion about Section 4.3 Campers and Temporary Shelters:

Langford motioned to approve the changes to Section 4.3.; Andrew seconded. All approved the document as written:

Section 4.3 Campers and Temporary Shelters

(A) It shall be unlawful for any person to use a camper (travel trailer, recreation vehicle) or other temporary shelter (e.g., tent, tipi, yurt), except in an approved campground, or on a residential or undeveloped lot subject to the following provisions:

(1) It is not occupied for dwelling purposes for more than 90 days within any one-year period; and

(2) It is only hooked up to a water system or other utilities using a severable connection, i.e. plugged into an outlet (of any size) for electric and hooked up thru a hose to water.

(3) It is not hooked up to a septic system, except in accordance with subsection (D), below.

(B) Two campers or other temporary shelters may be used on a residential lot (lot in which a dwelling is the principal use) or on an undeveloped lot provided that:

(1) They are not occupied for dwelling purposes for more than 90 days within any one-year period; and

(2) They are only hooked up to a water system or other utilities using a severable connection, i.e. plugged into an outlet (of any size) for electric and connected to water with a hose.

(3) They are not hooked up to a septic system, except in accordance with subsection (D), below.

(C) A camper or temporary shelter may be occupied for greater than 90 days on a residential lot if permitted as a principal or accessory dwelling in accordance with these regulations.

(D) Any sewage generated by a camper or other temporary shelter shall be disposed of in accordance with all applicable local, state and federal regulations.

7. **Liaison Reports:**
    a. **Andrew (CVRPC):** Andrew led a discussion on CVTPC Land Use Planning Map which is based on Act 181. See ➔ https://centralvtplanning.org/wp-content/uploads/2025/04/CVRPCBoardPresentation_8April2025.pdf
    b. **Michael (Mad River Path):** The Corridor Study Report from VHB is under final review. Input from the Public meeting in March and the Advisory Team have been provided to VHB. Once complete, it will be submitted to VTrans for review.
    c. **Paul (Mad River Planning District)-** Paul stated that Christian Meyer from CVRPC came spoke about the Tiered Systems related to Act 181 reference Act 250 and how this could relate to the Irasville Project. Joel Rhodes presented Sugarbush's 2024 Report. Also, Sam Robinson of MRVPD gave an update on the Transportation Corridor.

8. **Other Business:** Langford mentioned working on the Revisions and getting it ready for advancement in the LUR amendment process. He brought up the idea of looking at the Accessory Dwelling and Trails amendments again.. Some members disagreed with reopening these topics, as we had already agreed to the proposed amendments last year after much careful and deliberate thought and discussion, including substantial public input on the Trails related changes. The Commission will continue with the LUR amendment process using the current Revisions List.

The Commission plans to apply for a Municipal Planning Grant in the fall session.

9. **Announcements:** The next PC Meeting is tentatively scheduled for June 9th, 2025 at 5:30PM.
10. **Adjourn:** Freddie motioned adjourn the meeting; Langford seconded. All approved and the meeting adjourned at 7:28PM