Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 4058

Property Owner: Sugarbush Mountain Resort Inc.

Applicant: New Cingular Wireless PCS, LLC (AT&T)

Parcel ID: 11-085.001b

Application Number: 4058

Reason for Application: The applicant is requesting Conditional Use Approval under Article 5 per Section 4.15 of the Fayston Land Use Regulations for Temporary Telecommunications Facility.

Public Hearing Attendees: Attending DRB Members: Daniel Young (Chair), Mike Quenneville, Ky Koitzsch and Beth Eisenhower Zoning Administrator: Jason Wilson; Public: Will Dodge, Jeff Dellicori, Louis Hodgetts, John Hammond, Joel Rhodes, Mike Debonis and Randy Howse (Zoom)

Introduction and Procedural History:

A. The Conditional Use application #4058 was filed on August 25th, 2026. The subject parcel is Parcel ID # 11-085.001b at 730 Mount Ellen Road. The applicant requests approval under Article 5 of the Fayston Land Use Regulations for approval to construct a temporary telecommunications facility to replace the telecommunications facility currently located on nearby ski lift that will be replaced. A copy of the application and supporting paperwork are available at the Fayston, VT town offices.

B. Notice of the hearing was properly published. On September 17th, 2026 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.

C. Abutters to the property were properly notified of the hearing.

D. The application and plans were considered by the Development Review Board at a public hearing which occurred on October 6th, 2026. 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:

A. On August 25th, 2026 the Applicant submitted a Development Review Board Application (#4048), Zoning Permit Application (#4049) project narrative, sample abutter letter and abutter list.
B. On August 25th, 2026 the applicant submitted site plans by Dubois & King, Inc., dated June 8th, 2026.
C. On August 25th, 2026 the applicant submitted an Authorization Letter from Sugarbush Mountain Resort Inc., dated August 25th, 2026, Structural Calculations by Vector Engineering, Natural Resources Report, Visibility Maps & Simulations, RF Emissions Report and Letter from Waitsfield Emergency Management Director.
D. On August 26th and September 2nd, 2026, the applicant submitted proof of notification of abutters.

Findings of Fact:

A. The property is located at 730 Mount Ellen Road and consists of 1520 acres. The property is owned by Sugarbush Mountain Resort Inc. The parcel is identified as #11-085.001b. The project location is in the Forest Reserve District.

B. The parcel is adjacent to land owned by: See the abutter list in the application materials which are on file at the Fayston Municipal Office.

C. The parcel has the following municipal permits: See the Parcel Detail Summary in the application materials which are on file at the Fayston Municipal Office.

D. Application #4058 was deemed complete at the October 6th, 2026 Development Review Board Meeting.

E. Pursuant to Section 4.15, "*New or expanded telecommunication facilities, including but not limited to towers and accessory structures may be permitted in designated zoning districts subject to conditional use review under Article 5*.

F. This application only requested the approval of the Temporary Telecommunications Facility.

G. Pursuant to Section 5.4, the project must meet the General Review Standards stated therein. Conditional use approval shall be granted by the DRB upon finding that the proposed development shall not result in an undue adverse effect on the 1) capacity of existing or planned community facilities and services, 2) character of the area affected, 3) traffic on roads and highways in the vicinity, 4) bylaws in effect, and 5) utilization of renewable energy sources. In addition, these general standards, the Board may also consider and attach specific conditions to conditional use approval as appropriate to avoid, minimize or mitigate the adverse impacts of a proposed development, including 1) siting and dimensional standards, 2) performance standards, 3) access and circulation

standards, 4) landscaping and screening standards, and 5) stormwater management and erosion control standards.

Decision:

DRB members voted as follows to approve application #4058 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.

2. Site work shall be conducted in accordance with the State of Vermont Low Risk Site Handbook for Erosion Prevention and Sediment Control.

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

Dated at Fayston, Vermont, this 7th day of October, 2026.

_____,
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.