

FAYSTON DEVELOPMENT REVIEW BOARD
MINUTES
TUESDAY NOVEMBER 9, 2016
Unapproved

Attending: DRB Members: Jon Shea (Chair), Kevin Wry, Leo Cohen, Jim Halavonich. ZA: John Weir. Public: George McCain

The meeting opened at 6:00 pm.

Jon Shea opened the hearing for application #3316 (parcel ID #14-041.000, located off German Flats Road, Fayston). Applicant Ella Day Home, LLC seeks approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 22.93-acre lot into two lots of 21 acres and 1.93 acres.

Chair Shea let George McCain know that the applicant has a right to a full Board of five members, and the hearing could be continued until a full Board is present. George stated that a hearing by only the four members present was fine.

George McCain, on behalf of the applicant, presented the application as one for a subdivision amendment. Subdivision application #3316 was approved on June 22, 2015 for a three-lot subdivision concerning the same lands. However, because the requisite mylar was not signed by two Board members within the 180-day period, the subdivision approval was rescinded. This was due to no error of the applicant, and application fee has been waived by the Town. In addition, it turned out that lot 3 (west side of German Flats Road) of the first approved subdivision was actually deeded separately and has since been sold. This application and site plan was revised to exclude lot 3. No changes have been made to the configurations of lots 1 and 2. Accordingly, this application seeks to re-subdivide the 22.93 acres of lot 1 into two lots – lot 1 of 21 acres and lot 2 of 1.93 acres.

Chair Shea let it be known to George McCain that his brother was actually the purchaser of lot 3 which had actually been deeded separately, and asked whether that fact posed a conflict issue in the eyes of the application. George McCain stated that it did not as far as he was concerned.

The Board briefly reviewed the application materials.

Kevin moved to find the application complete, and Jim seconded. All were in favor and the motion passed.

Jim moved to declare the application one for a minor subdivision, and Kevin seconded. All were in favor and the motion passed.

Jim moved to waive review of the preliminary sketch requirement, and Kevin seconded. All were in favor and the motion passed.

Kevin moved to approve the application as submitted with the following conditions: 1) all power to run underground; 2) obtain and follow all State permits; 3) retain a 50 (fifty)-foot Right-of-Way on lot 1 in order to access lot 2; and 4) submit mylar within 180 days. All were in favor and the motion passed.

Members then reviewed the minutes of September 27, 2016. Jim moved to approve the minutes, and Kevin seconded. All were in favor and the motion passed.

The meeting adjourned at 7:02 p.m.