

FAYSTON DEVELOPMENT REVIEW BOARD
MINUTES
TUESDAY JANUARY 10, 2017
Unapproved

Attending: DRB Members: Jon Shea (Chair), Kevin Wry, Leo Cohen, Mike Quenneville. ZA: John Weir. Public: Gunner McCain, Milfred Cushman, Marie Saylor, Carol Chamberlin, Corrie Miller, Ben Bridgewater, Wendy Bridgewater, Liz Bisbee, Chuck Martel, Shane Mullen, Karen Sauther, Mark Bannon, Sally Dwyer, Chuck Farnsworth

The meeting opened at 6:02 pm.

Jon Shea re-opened the hearing for applications #3403-3404 (parcel ID #01-103.000, located off Boyce Road, Fayston). Applicant Ermione, LLC seeks approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 93.3-acre lot into four lots of 29.7 acres, 16.5 acres, 31.4 acres, and 15.7 acres. Conditional use review under Article 5 is also necessary due to the application's proposed development on slopes in excess of 15% in grade.

Chair Shea asked Gunner McCain to explain the additional materials submitted since the initial hearing. Gunner stated that the additional materials include: an Overview Plan (dated November 18, 2016, last revised February 10, 2017); Site Plans (dated February 10, 2017); Stormwater & EPSC Overview Plan (dated February 10, 2017); Stormwater Details (dated February 10, 2017); Notes & Details (dated February 10, 2017); Slope Plan (dated February 10, 2017); and a copy of the preliminary Road Maintenance Agreement.

Chair Shea then inquired about the preliminary road agreement. Gunner stated that the applicant does not request the town to either maintain or upgrade any portion of Boyce road. The applicant will grade the section from Marie Saylor's driveway through the gate on applicant's property. Maintenance of the portion of Boyce Road below Marie Saylor's driveway will be shared and is encompassed within the preliminary road agreement.

Ben Bridgewater stated that the Selectboard is responsible for culverts and bridges on Class IV roads, and that access to the subdivision must be maintained in such a manner that allows for emergency access. Ben added that, pursuant to Section 6.4 (H) (1-4) of the Fayston Land Use Regulations, upgrades to the road must be borne the applicant.

Wendy Bridgewater stated that the road is a problem now and would only get worse without proper maintenance measures given further development. Gunner responded that he believes there would be a decrease in traffic from the amount it sees now from recreation activities. Gunner added that the applicant will not be solely responsible for the maintenance of the entire road, especially given that Marie Saylor has an existing subdivision with undeveloped lots.

Gunner stated that the applicant has met all applicable local regulations concerning erosion and stormwater control, slope development and vehicular access.

Chair Shea asked Gunner whether the applicant would have to upgrade the road for construction purposes. Gunner responded in the affirmative.

Kevin asked that if a fire were to occur and the subdivision road was not plowed or otherwise maintained during the winter months, is the Town supposed to let the cabin burn. Gunner responded in the affirmative.

Carol Chamberlin stated that the regulations require building envelopes to identify and limit the location of principal and accessory structures, parking areas, and associated site development on one or more portions of a lot. Carol noted that the envelopes depicted on the site plans are much bigger than they need to be and, if approved, could potentially include other development not included on the site plans. Carol asked whether, if approved, any future development changes on these lots could require conditional use review. Carol also asked whether downcast lighting and underground power could be made conditions of approval.

Corrie Miller asked about State permitting. Gunner responded that a Construction General Permit will need to be obtained on account of runoff. In addition, an Operational Stormwater Permit will need to be obtained. This is triggered by one acre of impervious surface. This permit will be required to treat runoff from impervious surfaces due to the expansion of the road to access applicant's lots. Corrie inquired whether the calculations used for this site pertain to just new impervious surface. Gunner responded in the affirmative, the calculations will not include existing impervious surface.

Shane Mullen asked whether the building envelopes depicted on the site plans include grading associated with development. Gunner responded no, they do not. Shane inquired as to the slope at the site of the Snowcat storage structure. Shane stated that the slope seemed closer to 28% as opposed to 25%. Gunner stated that it could be moved back four feet.

Liz Bisbee stated that the building envelopes are too large, and that their size provides an unfettered ability to expand in the future.

Shane asked Gunner whether it was typical for final site plans to omit grading plans. Gunner responded in the affirmative.

Chuck Martel, speaking on behalf of the Selectboard, stated that the Selectboard needs to discuss the issue of the road as it extends from the Bridgewater to applicant's property. Jon asked Chuck whether the Selectboard had seen the draft of the preliminary road agreement submitted by the applicant. Chuck had not. Chuck added that the Selectboard wants to work with the applicant on the issues surrounding the road and that no further evidence from the applicant is necessary in that pursuit.

Wendy Bridgewater again asked the Board to perform a site visit, and Chair Shea responded that he did not believe it necessary.

Kevin moved to close the hearing, and Mike seconded. All were in favor and the motion passed.

Jon Shea then opened the hearing for application #3407 (parcel ID #02-019.000, located off Big Basin Road, Fayston). Applicant Charles and Deborah Farnsworth seek approval under Article 7 of the Fayston Land Use Regulations for a minor subdivision of one 2,762-acre lot into two lots of 1+/- acres and 2,761+/- acres. The applicant is one of the trustees for the basin. There are several camps on the large parcel which are owned by individual trustees. However those camps in existence all predated the land use regulations. To construct one for the applicant, a subdivision is necessary. Because the entire parcel is in current use, the trust must remove a minimum of two acres in order to satisfy applicant's project. The applicant will then lease the camp property from the basin trust.

Chair Shea asked whether access to the camp will be from the existing logging road. Chuck Farnsworth responded yes. Jon then asked about the grade of the road. Mark Bannon, engineer for this application, responded that there is a pitch in grade after the bridge, cresting at the top of the hill.

Chair Shea asked about the size of the camp. Chuck stated that it would be 36 x 24.

There was a motion to waive the preliminary sketch review requirement. Kevin moved to accept and Mike seconded. All were in favor and the motion passed.

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

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

Kevin asked whether an easement is necessary to access the camp from the logging road. Mark Bannon responded yes, there will be an easement up the entire logging road. Kevin asked whether the setbacks were adequate from the well line. Mark stated yes, at least 25 (twenty-five) feet.

Chair Shea asked about power. Mark Bannon stated that there will be no power run to the camp.

Chair Shea then asked whether there will be any upgrades to the logging road. Chuck said it would not be necessary, as the log trucks have solidified it enough for construction purposes. Chair Shea then inquired whether the road nonetheless has to be upgraded to meet current standards. Finding the power to waive those standards in certain circumstances, Kevin moved to waive the road standards in Article 6, and Mike seconded. All were in favor and the motion passed.

Kevin moved to close the hearing, and Mike seconded. All were in favor and the motion passed.

Members then reviewed the minutes of January 19, 2017. Leo moved to accept, and Kevin seconded.

Members will convene in the next couple weeks to deliberate on both applications.

The meeting adjourned at 8:20 p.m.