

Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3215

Applicant(s): Ned Kelley

Parcel ID: 01-022.002

Reason for Application: Setback waiver for carport

Public Hearing Attendees: DRB members: Jon Shea (Chair), Mike Quenneville, Chuck Martel, Kevin Wry, Leo Cohen; ZA: John Weir; Public: Gunner McCain, Tim Harris

Introduction and Procedural History:

1. The Development Review Board application was filed on April 29, 2013 requesting conditional use approval under Section 3.6(D)(1) of the Fayston Land Use Regulations for a setback waiver. A copy of the application and supporting paperwork are available at the Fayston, VT town offices.
2. Notice of the hearing was properly published. On May 23 and May 30, 2013 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.
3. Abutters to the property were properly notified of the hearing.
4. There were no interested parties with regard to this application.
5. The application and plans were considered by the Development Review Board at a public hearing which occurred on June 11, 2013. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended August 29, 2012.

The following exhibits were submitted to the Development Review Board:

Exhibit A. Conditional Use Application 3215

Exhibit B. Letter from only abutter acknowledging notice of and approval for plans

Exhibit C. Warning placed in the Valley Reporter on May 23, 2013 and May 30, 2013. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Findings:

1. The Board found the application to be complete at a public hearing held June 11, 2013.

2. The applicant seeks approval of a setback waiver to place a carport within 35 feet of the centerline of Smith Road. The subject property is parcel 01-022.002, located off Smith Road, in the Town of Fayston, VT. Conditional use is requested pursuant to review under the Town of Fayston, Vermont Land Use Regulations, as amended August 29, 2012, Section 3.6(D)(1).

3. The property is located in the Rural Residential District as described on the Town of Fayston Zoning Map on record at the Town of Fayston municipal office, also described under Article 2, Table 2.4 of the Town of Fayston, VT land use regulations.

4. The applicant's parcel is adjacent on all sides to land owned by Ferris Buck.

5. Pursuant to Section 3.6(D)(1) of the Town of Fayston Land Use Regulations, the DRB may allow for a reduction of front setbacks from 65 feet to not more than 45 feet.

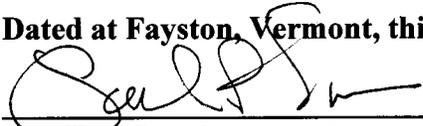
Decision:

DRB members present voted unanimously to approve conditional use application #3215 for a setback waiver up to 45 feet from the centerline of Smith Road.

Conditions:

None.

Dated at Fayston, Vermont, this 19th day of June, 2013.


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Jon Shea 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.