

**Development Review Board, Town of Fayston, VT  
Notice of Decision for Application No. 3396**

**Applicant(s): Mad River Path Association**  
**Landowner(s): Town of Fayston**

**Parcel ID: #11-052.000**

**Reason for Application: Footbridge reconstruction (McCullough Bridge)**

**Public Hearing Attendees:** DRB Members: Jon Shea (chair), Kevin Wry, Mike Quenneville, Leo Cohen, Jim Halavonich. ZA: John Weir. Public: Mac Rood, Laura Brines

**Introduction and Procedural History:**

1. The Development Review Board application was filed on August 15, 2016 requesting a conditional use approval under Section 3.1(D) of the Fayston Land Use Regulations to reconstruct a structurally deficient footbridge. 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 August 25, 2016 the legal warning for a public hearing for review of this application was published in the Valley Reporter. These warnings were 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 held on September 13, 2016.
4. The application and plans were considered by the Development Review Board at a public hearing which occurred on September 13, 2016. 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. Development Review Board applications #3396

Exhibit B. Warning placed in the Valley Reporter on August 25, 2016. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Exhibit C. Application and Reporting Form for coverage under the Stream Alteration Permit

Exhibit D. Vermont Stream Alteration General Permit – Authorization to Conduct Stream Alteration Activities: Project No. SA-06-22-2016

Exhibit E. Structural engineering plan completed by Roland Vandyk.

**Findings:**

1. The Board found the application to be complete at a public hearing held September 13, 2016.
2. The applicant seeks conditional use approval to reconstruct the so-called “McCullough Bridge.” The subject property is parcel ID #11-052.000, located off German Flats Road, in the Town of Fayston, VT. Conditional use approval is requested pursuant to review under the Town of Fayston, Vermont Land Use Regulations, as amended August 29, 2012, Article 3, Section 3.1(D).
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 to land owned by Matthew and Julie Kane, Kerry Hale, Steven Scherer, Stanley and Cyndee Button, Philip Goodwin, Marc Angelillo, Brendan and Joan Garvin, Summit Ventures, LLC, Robert Todd and Helena Boes, Marble Hill Farm, LLC, Michael and Pamela Marino, Kenneth and Jennifer Voltz, Michael and Nancy McCugh, Peter and Jennifer Fortier, and Laura and Noel Bailey.
5. Pursuant to Section 3.1(D) of the Fayston Land Use Regulations, stream crossing structures may be permitted subject to approval of the DRB in accordance with Section 5.3 conditional use review. In granting such approval, the DRB shall require certification of the bridge design by a licensed professional engineer.
6. In December 2015, the footbridge built in 2007 collapsed due to rot in the hemlock stringers.
7. The proposed new bridge will be more durable, with steel stringers and pressure-treated decking and railings, designed to last much longer with minimal maintenance. With a length of 60 feet, the proposed new Chase Brook Bridge will utilize two steel stringers resting atop concrete blocks on the west end, and a poured concrete pad on the east side.
8. The bridge will be placed atop two concrete blocks which are themselves four feet above the ground, and would be specifically designed so that the bridge would not become an impediment during a flood.
9. A permit from the Army Corps of Engineers is not required.
10. The applicant has secured a VT ANR Stream Alteration General Permit from the State of Vermont. That general permit authorizes applicant to “conduct stream alteration activities.”

**Decision:**

DRB members present voted unanimously to approve application #3396 to reconstruct a structurally deficient bridge “McCullough Bridge” with the following condition:

1. Obtain and follow all State and Federal permits.

**Dated at Fayston, Vermont, this 5<sup>th</sup> day of October, 2016.**

  
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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.