

Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3235

Applicant(s): Mad River Barn

Parcel ID: 08-072.009

Reason for Application: garage

Public Hearing Attendees: DRB members: Chuck Martel (Vice-Chair), Mike Quenneville, Kevin Wry, Leo Cohen, Carol Chamberlin; ZA: John Weir; Public: Gunner McCain, Andrew Lynds, Heather Lynds, Don Swain, Steve Berg, and Nancy Berg

Introduction and Procedural History:

1. The Development Review Board application was filed on July 24, 2013 requesting conditional use approval under Section 2.4 Table 2.3 of the Fayston Land Use Regulations to construct a garage. 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 July 25 and August 1, 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 August 13, 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 #3235

Exhibit B. Letter to adjoining landowners with project description

Exhibit C. Warning placed in the Valley Reporter on July 25 and August 1, 2013. This warning was also posted at the Fayston municipal offices, as well as at both the Moretown and Waitsfield post offices.

Findings:

1. Pursuant to Section 5.2(A) of the Fayston Land Use Regulations, the Board found the application to be complete at a public hearing held August 13, 2013.
2. The applicant seeks conditional use approval to construct a garage on the property known as the Mad River Barn. The subject property is parcel 08-072.009, located at 2849 Mill Brook 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 2.4 Table 2.3.
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 SV Reserve, LLC, Barbara Flores and the Mad River Corporation.
5. Pursuant to Section 2.4 Table 2.3 of the Fayston Land Use Regulations, the proposed garage constitutes an accessory structure to a conditional use (the Inn). Pursuant to Section 5.4(A) of the Town of Fayston Land Use Regulations, the DRB may provide conditional approval to construct the garage if the application satisfies review standards.
6. The Board found that conditional use approval of garage construction would not have any adverse effect to community facilities and services, nor to the character of the area. There would not be any impact upon the traffic in the area. The Board found that construction of the garage would otherwise conform to all municipal bylaws and ordinances currently in effect. The Board also found no adverse impact upon the utilization of renewable resources.

Decision:

DRB members present voted unanimously to approve conditional use application #3235 to construct a garage at 2849 Mill Brook Road.

Conditions:

1. Should the applicants desire to eventually run electrical power to the garage, then that power must run underground.
2. Conditional use approval from the DRB would be required should the applicant wish to connect a water source to the garage.
3. The maximum height of the garage cannot exceed 28-feet.
4. All other dimensions and specifications of the completed garage must meet those delineated in the application submitted.

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

Chuck Martel, Development Review Board Vice-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.