

Development Review Board, Town of Fayston, VT
Notice of Decision for Application No. 3536

Applicant(s): James and Katherine Elkind

Parcel ID: #05-060

Reason for Application: Modify a previously-approved disturbance envelope on slopes between 15% - 25% in grade

Public Hearing Attendees: Attending DRB Members: Shane Mullen (Chair), Lindsay Browning (Vice-Chair), Mike Quenneville, Ky Koitzsch, and Pete Ludlow (alternate); ZA: John Weir; Public: Bob Holden, Doug Hall, Sheila Getzinger, Bruce Isaacson, Gunner McCain, Michael Clendenin, Karen Sauther

Introduction and Procedural History:

1. The Development Review Board application was filed on June 19, 2019. The subject parcel is parcel ID# 05-060.000, located at 51 Glen View Road. Applicants James and Katherine Elkind request conditional use approval under Section 3.4 (C) (1) (d) of the Fayston Land Use Regulations to modify a previously-approved disturbance envelope on slopes between 15% - 25% in grade. 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 June 27, 2019 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. The application and plans were considered by the Development Review Board at a public hearing which occurred on July 16, 2019. The Development Review Board reviewed the application and plans under the Town of Fayston, VT Land Use Regulations, as amended June, 2018.

The following exhibits were submitted to the Development Review Board:

Exhibit A. Conditional Use application #3536

Exhibit B. Erosion Prevention and Sediment Control Plan – Sheet DD-1 (McCain Consulting, dated June 25, 2019)

Exhibit C. Letter to adjoining landowners with project description

Exhibit D. Warning placed in the Valley Reporter on June 27, 2019. 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 July 16, 2019.
2. 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.
3. The applicant's parcel is adjacent to land owned by Bruce Hyde, Tobias and Deborah Knapp, Brian and Jill Maynard Nolan, Judith Castan, Trustee, Catherine and Carl Naden, Culley Thomas, and Peter Forbes and Helen Wybrow.
4. There were no Interested Parties to this application.
5. Applicant applied for and received conditional use approval in January 2019 for application #3505 to construct a driveway on slopes between 15% - 25% in grade.
6. Subsequent to approval of application #3505, applicants requested a slightly different layout, footprint and orientation than was approved. In addition, applicants wanted to add a tractor shed adjacent to an eventual garage. Adjustment of the approved disturbance envelope was necessary.
7. No modifications to anything other than adjusting the disturbance envelope are requested.
8. The proposed disturbance envelope is a bit closer to the road and is more compact than prior. The proposed disturbance envelope meets all setback requirements. No changes to drainage patterns are necessary.
9. The proposed tractor shed is 12 x 22.
10. The proposed tractor shed will have a single-slope roof. The roof will be pitched to pass runoff to the drainage cut and driveway culvert.

Decision:

DRB members voted unanimously to approve conditional use application #3536 with the following conditions:

1. All conditions of approval of application #3505 are hereby incorporated into this decision.

Dated at Fayston, Vermont, this 29th day of July, 2019.

A handwritten signature in black ink, appearing to read 'S Mullen', with a stylized flourish at the end.

Shane Mullen, 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.