

**FAYSTON DEVELOPMENT REVIEW BOARD**  
**MINUTES**  
**TUESDAY, NOVEMBER 12, 2019**  
**Unapproved**

Attending DRB Members: Shane Mullen (Chair), Lindsay Browning, and Pete Ludlow (via phone); ZA: John Weir; Public: David Olenick, Alice Olenick, Kate Hunt, and Steven Hunt

The meeting opened at 6:07 p.m.

Chair Mullen opened the hearing for application #3553 (parcel ID# 06-110, located at 69 Mad River View, Fayston). Applicants David and Alice Olenick request approval under Section 4.1 (B) of the Fayston Land Use Regulations to construct an accessory dwelling that exceeds 30% of the existing livable floor area of the principal dwelling.

Chair Mullen asked whether Kate and Steven Hunt are seeking Interested Party status. The Hunts are not abutters but live one property away. The Hunts are present for informational purposes and have no known concerns.

Chair Mullen reviewed the file to make sure all required elements were satisfied. Proof of abutter notification was included. Lindsay moved to find the application complete, and Pete seconded. All were in favor and the motion passed.

David Olenick presented the application. There are two buildings on the site. The primary structure is a single family residence with four bedrooms. Connected to the house by a breezeway is a garage with finished upstairs/downstairs spaces. The finished spaces in the garage structure were intended as office space. David stated that the space is permitted on both the State and local level as an office. The proposal is to convert the finished office space to a one-bedroom accessory dwelling. No exterior construction or additional square footage is proposed. Aside from the addition of a kitchenette and shower, there will be little other renovation to the space from its current state.

Applicants have an approved State wastewater system for a four-bedroom house. Currently, both the primary residence and the office space have separate holding tanks, with separate piping that comes together into a common leachfield. Applicants have pending a wastewater application with the State proposing to split the wastewater permit into a three-bedroom single-family dwelling with a one-bedroom accessory dwelling.

Both the primary dwelling and the finished spaces in the accessory structure have their own driveway and parking. Each structure has its own electrical units. Lindsay asked whether an increase in traffic is anticipated. David stated that a minimal increase would be likely should the apartment be rented out.

Pete asked about ventilation given the proposed new shower unit and kitchenette. Specifically, Pete was curious as to the extension of piping and vent capacity for the accessory unit. David

stated that this would be addressed within any State permitting being taken care of by engineer Mark Bannon.

Lindsay asked what the project proposes with regard to percentage of the accessory unit in comparison to the livable floor area of the primary. Alice stated 38%.

Steven Hunt inquired as to whether the finished space within the accessory structure would lose its designation as a commercial office space. David believed it would should the Board approve this application.

Shane reviewed the requirements of Section 4.1 (B). That section reads: "An accessory dwelling of greater than 30 but not more than 40 percent of the existing livable floor area of the principal dwelling located within the principal dwelling or an existing accessory structure may be permitted in designated zoning districts subject to the requirements of subsection (A) and conditional use review in accordance with Article 5." The Board reviewed the requirements of subsection A, finding that the project meets the criteria listed therein. Namely, the accessory dwelling: would be located within an existing accessory structure; meets all setback and dimensional requirements of the district; and has adequate water supply, septic capacity and parking. David stated that well testing was done and the data provided to the State. This was included in the application materials. Shane asked about off-street parking. David stated that there are between 6-9 spaces between the two structures.

Shane then moved to conditional use review under Section 5. The Board found the application requirements to have been met. The Board then reviewed the General Review Standards of Section 5.4. Applicants provided a narrative along with their application that specifically addressed the Section 5.4 (A) criteria. The Board found this sufficient without further discussion. An undue adverse impact analysis was not necessary.

Steven Hunt asked whether an owner could rent out both the primary dwelling and the accessory unit. ZA Weir and Shane agreed that there is nothing in the rules that would prevent that.

Lindsay moved to close the hearing and Pete seconded. All were in favor and the motion passed.

The hearing adjourned at 6:34.