

MINUTES
FAYSTON PLANNING COMMISSION
August 17, 2020
Unapproved

Members Present (via Zoom): Don Simonini (Don), Doug Day (Doug), Pete Ludlow (Pete), Jen Hammond (Jen); ZA: John Weir (JB); Public: Shane Mullen (Shane), Karen Sauther (Karen)

1. Call to Order: The meeting was called to order at 6:09 p.m.
2. Announcements and Agenda Modification: None
3. Approval of Minutes of Last Meeting on July 27, 2020: Doug and Jen had two minor revisions. Don moved to approve the Minutes of 7/27/20 as revised, and Doug seconded. All in favor and the motion carried.
4. Liason Reports: Doug provided an update on *Ridge to Rivers*. The most recent meeting had a video presentation about forest and water quality challenges and opportunities with Jamey Fidel. Don provided an update on the housing coalition. Don said that there are three housing coalition projects going on the Valley. Don has asked the housing coalition to put together a presentation on the status and future of affordable housing in the Valley. Don is hoping that this can come together quickly via document or perhaps even the coalition could present to the Fayston Selectboard (SB) either prior to or at the September 22 public hearing for the updated Town Plan. Don proffered that perhaps we delay final approval of the Town Plan to as to perhaps include discussion in the Goals and Objectives prtion of the Plan on the coalitio's affordable housing efforts in recent months. Don also noted how the Community Fund is making monies available for accessory dwellings in the Valley. Doug asked who had the final draft of the Town Plan. JB said that Carol had sent it to him after last meeting. JB will email the final draft to the Board. Don asked if the Central Vermont Regional Plannng Commission (CVRPC) currently has a representative from Fayston. JB said it had been Carol for a while, but that we do need a new representative. JB will reach out to the CVRPC tomorrow to see what needed to be done.
5. Town Plan update on Selectboard review and public hearing date: JB noted that the SB will hold its public hearing on the 2020 Town Plan on September 22, 2020 at 5:00 p.m. Members should plan to attend either in-person or via Zoom.
6. Land Use Regulations: review and discussion of revisions: JB had generated a list of different regulations that members noted should be looked at. The first regulation concerned accessory dwelling units (ADUs) and increasing the size allowable. Currently, an ADU that is less than 30% of the livable floor area of the principal dwelling can be permitted administratively. In addition, an ADU that is more than 30% but less than 40% of the livable floor area of the principal dwelling can be allowed as a conditional use. Pete asked about the Route 17 stretch of Fayston that runs up to the Hyde Away. This stretch is considered by FEMA mapping to be in the flood zone and, under the land use regulations, no development is permitted. However, more recent lidar mapping done by Dubois & King, elevation work by Gunner McCain for various properties along the stretch, and experience during rain events implies that the FEMA mapping

may be erroneous. This stretch of road holds what may be the only area in town that is suitable for higher density housing, including a town-owned parcel. Pete wondered what could be done in order for FEMA revise this mapping. Don wants to have Pam Andrea from the CVRPC come back to discuss this mapping and what can be done to remedy the situation. Shane cautions patience in this process, as we are bound by the FEMA determinations until they are changed. Shane believes that this inaccurate mapping can be fixed if the funding was there. Perhaps grant funding in addition to funds from the Town as well as from the landowners along that stretch of a road. Alternatively, Shane stated that the erroneous mapping could be addressed by revising the land use regulations. For instance, with the approval of the State at the river management division, the regulations could allow for building above the Base Flood Elevation (BFE) via an engineer signing off on an Elevation Certificate. JB suggested members review the Moretown Zoning Regulations to understand how our regulations could be modified to allow for development above the BFE. Shane added that these two paths can be concurrent, that perhaps we could revise the LURs to allow for building above the BFE while at the same time seeking to gather the funding necessary to get an engineering study done. JB suggested the cost may be met by a combination of Town funds, individual landowners along the stretch of Route 17 and perhaps funding from the Housing Coalition or the Community Fund, for example. JB suggested he reach out to Gunner to get an idea of how much the engineering study would cost to remove the entire stretch from the FEMA mapping. Members additionally discussed creating an overlay district along the Route 17 stretch of the Rural Residential District, perhaps running from the Waitsfield/Fayston town line up to the Mad River Barn. The overlay district would allow for restaurants which are not allowed as a permitted or conditional use in the Rural Residential District. JB also noted the existence of conflicting language in the LURs pertaining to driveways on slopes in excess of 15% in grade. Specifically, Section 3.1 (B) (4) states: driveways that, in any 50-foot section, exceed an average grade of 15%, shall use best construction practices and submit an erosion control plan in accordance with Section 3.4. However, Section 3.4 (E) (3) (d) stated that driveway and roads shall not exceed an average grade of 15% over any 50-foot section. The latter would need to be revised to accord with Section 3.1. JB also noted he had issues with Certificates of Occupancy and what they are required for. JB believes that COs should not be required for certain structures, including sheds, decks, and patios. Members did seem to agree that perhaps a shed should be exempt from a CO requirement. JB will see what is done in Waitsfield. Shane said that he had jotted down a good deal of notes with regard to the LURs and will put them into a document for the PC. Shane plans to join the next meeting.

7. Adjourn: The meeting adjourned at 7:07 p.m. The next meeting of the Fayston Planning Commission is September 14, 2020 at the Fayston Town Offices and via Zoom.