

TOWN OF DUMMERSTON

Development Review Board

Application for Conditional Use and Site Plan Review

Findings and Decision

Permit Application Number: 3648

Date Received: June 30, 2021

Applicant: Dummerston Community Center

Mailing Address: PO Box 468, West Dummerston, VT 05357

Location of Property: 150 West St., West Dummerston, Vermont

Owner of Record: Town of Dummerston

Application: Conditional Use; Section 303 and Site Plan Review; Section 724

Date of hearing: August 17, 2021

INTRODUCTION AND PROCEDURAL HISTORY

1. This proceeding involves review of an application for a Conditional Use and Site Plan Review for an Accessory Structure (Shed) in a Riparian Zone submitted by The Dummerston Community Center under the Town of Dummerston Zoning Bylaw.
2. The application was received by the Zoning Administrator on June 30, 2021.
3. On August 4, 2021, notice of a public hearing was published in The Commons.
4. On July 29, 2021, notice of a public hearing was posted at the following places:
 - The Dummerston Town Office.
 - The West Dummerston Post Office.
 - The Dummerston School.
5. On July 29, 2021, notice of a public hearing was posted at the following place: 150 West St., which is within view of the public-right-of-way most nearly adjacent to the property for which the application was made.
6. On July 29, 2021, a copy of the notice of a public hearing was mailed to the applicant.
7. On July 29, 2021, a copy of the notice of public hearing was mailed to the following owners of properties adjoining the property subject to the application:
 - a. Blakeson Alexander S & Karin, PO Box 37, West Dummerston, VT 05357
 - b. Irving Oil Limited; Attn: Corporate Real Estate, PO Box 868, Calais, ME 04619
 - c. Khalsa Gurudharm & O' Callahan Catherine, PO Box 506, W Dummerston, VT 05357
 - d. Marchese Nicholas F & Blake Natalie, 154 West St, Dummerston, VT 05301

4. Condition Use approval is requested for the Accessory Structure as that term is defined in Article VIII, Page 1, of the Zoning Bylaw. The application requires review under the following sections of the Town of Dummerston Zoning Bylaw:
 - a. Article III, Section 303 Development in a Riparian Zone.
 - b. Article VII, Section 715 Development Review Board.
 - c. Article VII, Section 724 Site Plan Approval.
5. Jean Momaney reported for the Community Center that they would like to build a storage shed with open sides for an 1800's Quarry Wagon from the historic quarry that was located in West Dummerston. The wagon has been restored and they would like to have it on display on Community Center property.
6. They would like a small light inside for showings and safety. The light would be on only while the structure is open for viewing.
7. The size of the structure is 14 x 30 and the style would blend in with the Dummerston Community Center.
8. It will have a crushed stone base.
9. They will also have some photos and tools on display.
10. Any time it is opened up there will be supervision.
11. They may have a small kiosk or sign with information inside the structure.
12. The Zoning Administrator advised the applicant that additional permitting would be required for more signage outside the structure.
13. Ronan Khalsa asked if the structure would interfere with kids playing on the playground, baseball, or swinging on the swingset.
14. The applicant stated that the hope is no, in fact they hope it brings more kids to play while the parents are looking at the display.
15. The existing parking is adequate for the Use.

DECISION AND CONDITIONS

Based upon these findings, and subject to the conditions set forth below, The Development Review Board grants the application for Conditional Use.

As conditioned, the proposed development meets the requirements of *Sections 721 of the Zoning Bylaw General Standards*:

1. The capacity of existing or planned community facilities;
 - a. The application meets this requirement.
2. The character of the area affected;
 - a. The application meets this requirement.
3. Traffic on roads and highways in the vicinity;
 - a. The application meets this requirement.
4. By-laws then in effect;

- a. The proposed development meets the requirements.
- 6. Furtherance of the provisions of the Dummerston Town Plan.
 - a. The proposed development conforms to the Town Plan.
 - i. *Water and Wetland Resources; Policies*
 - 1. Policy 1.2 Provide long term stewardship of riparian habitat.
 - 2. Policy 1.3 Minimize Impervious Surfaces
 - ii. *Cultural Resources*
 - Goal 2 — Preserve and protect historic and cultural properties and sites.
 - Policy 2.1 Support historic preservation activities.

The Development Review Board unanimously approves the application subject to the following conditions:

1. The Accessory Structure and site work must be located and constructed as indicated on the Application.
2. The information included in the Application must be adhered to or the related Zoning Permit is null and void.
3. The Applicant must conform to State law regarding instructional signs: *10 V.S.A. § 494 (8) Small signs displayed for the direction, instruction, or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas or the like, with a total surface area not exceeding four square feet.*
4. Any other signage outside the structure will require additional Permits.
5. All lighting must be shielded to prevent glare to adjoining properties.
6. The viewing shed shall operate between dawn (30 minutes prior to sunrise) and dusk (30 minutes after sunset).
7. The Applicant must monitor the site for unauthorized use.
8. Expiration: Zoning Permit approvals shall expire by limitation if work is not completed within two (2) years from the date they are approved. All work must be completed as shown on any approved plan before the expiration date. One year extensions of this deadline may be granted by the Administrative Officer prior to expiration. Requests for extensions must be made in writing to the Administrative Officer.
9. It is the Applicant's responsibility to be in compliance with any and all Town or State required or issued permits at all times or this approval is null and void.