

Dummerston Development Review Board  
Meeting 11-16-2021 Via Zoom and in person at Town Office

**Attendants of site visits held on 11/13/2021:** Josh Pacheco, Cami Elliott, Chad Farnum, Natalie Pelham-Starkey, Roger Jasaitis, Kathryn Berta, Alan Berta, Ed Lane, Dan Berthelette, Carolyn Mayo Brown, and Robert Ryan.

**Attendants of hearing/meeting on 11/16/2021:** Alan McBean, Josh Pacheco (via Zoom), Cami Elliott, Natalie Pelham-Starkey, Roger Jasaitis, Kathryn Berta, Edward Lane, Dan Berthelette (via Zoom), Robert Ryan (via Zoom), and Carolyn Mayo Brown (via Zoom).

Meeting was called to order at 6:34PM by chair Alan McBean. September minutes were accepted as is. Roger informed the board that there is 1 application for December. The meeting for December will be the 14<sup>th</sup> and sight visit 11<sup>th</sup>. Alan read the warning and swore in all interested parties at 6:41PM.

**Hearing for review of Permit #3663:** Kathryn Berta, under Section 715 and 724 of the Dummerston Zoning Bylaw, at parcel #792, 1238 US Rt. 5, Dummerston, VT, a Rural Commercial District. Kathryn wanted to add that ACT 250 has cleared with the state but paperwork is not in yet. The accessory structure is that so it required the .... Cami asked on parking / lighting / electrical. Kathryn stated electrical is going to be there.

**Hearing for review of Permit #3651:** Daniel Berthelette, under Section 256 of the Dummerston Zoning Bylaw, at parcel #39, Falls Brook Rd., Dummerston, VT, a Rural Residential District. Dan wanted to add nothing in addition to the application. Roger added a timeline of conversations: July 2019 to November 2021 between Dan and abutting landowners stating their stance(s) on the application. Roger stated specifically that Bev Bowen was not opposed. Edwin Lane added with pictures and from conversations in June/July 2020 a water source and earth movements inconsiderate of neighbors property had caused issues for his cabin. Edwin stated information about a letter he received (copy given) that there was an issue. Edwin had a conversation with Chamberlin and showed his property was damaged/"non-existent" from Dan's. Edwin stated Dan should leave his property alone and has not. Edwin stated Dan plowed in an area of the property and threw items on to Edwin's property. Edwin brought up permits/lacking of permits for things that were already done and thought that things were supposed to happen in a specific order. Edwin was "complaining" (presenting) about his property being damaged and that in not following past permits Dan would not follow future ones or given protocols. Edwin asked if Dan's permit was approved then what is the process afterward. Roger stated the appeal process but the DRB's ability to revoke if he does not adhere to the permit. Natalie recapped the process of presentation of the negative items Edwin presented. Edwin is opposed to the permit on the premise that Dan does not appear to care or understand the process/neighbors. Cami asked when the structure was delivered and/or created. Dan stated, July/August of 2020. Cami asked to clarify why the structure was not permitted as he was conversing with Roger

since 2019. Dan stated he was ignorant of the need for a permit and had overlooked an email where Roger had stated the need. Cami asked Sept 16, 2020 Roger rec'd the access permit for the driveway and was presented to the Selectboard and was asked about the house. Dan stated he did not know he needed a permit for the trailer that was delivered (the home). Dan stated not knowing about the garage's need for a permit. Cami asked when he found out about the home needing a permit. Dan stated he rec'd the zoning bylaws and made Roger a map for permits he had gotten. Dan found out during that email chain. Original site plan did NOT include the accessory structure. Roger found it existed upon the site visit and stated it was needed to be permitted. Cami asked if he was aware that septic and well permits were needed and further inquired why the thought was missing for the house or accessory structure. Dan agreed and stated he had talked to Roger via email about missing the bylaws as there was a misconception in question about permits needed for electrical / etc. Cami asked about electricity/water/external lights to be added. Dan stated electrical power was present as there was a stanchion there. Cami asked about the crushed stone and that cement was planned. Dan stated he would potentially add poured concrete. Required setback is 40 feet and it is at 12 feet as verified with/by the board. Natalie asked about adding to the footprint of the structure. Dan said none to be added. Dan had nothing to add at the end.

Roger added the process of items to come for approval/denial.

Alan closed the hearing and public meeting at 7:13PM.

Respectfully submitted,  
Joshua Pacheco – DRB Member